

**Agenda for consultative meeting of the Cabinet
Wednesday, 5th January, 2022, 6.00 pm**



Members of Cabinet

Councillors M Armstrong, P Arnott (Chair), P Hayward (Vice-Chair), G Jung, D Ledger, M Rixson, J Rowland, J Loudoun, S Jackson and N Hookway

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Friday, 17 December 2021

**Important - this meeting will be conducted online and recorded by Zoom only.
Please do not attend Blackdown House.
Members are asked to follow the [Protocol for Remote Meetings](#)**

This meeting is being recorded by EDDC for subsequent publication on the Council's website and will be streamed live to the Council's Youtube Channel at <https://www.youtube.com/channel/UCmNHQruge3LVl4hcgRnbwBw>

Public speakers are now required to register to speak – for more information please use the following link: <https://eastdevon.gov.uk/council-and-democracy/have-your-say-at-meetings/all-other-public-meetings/#article-content>

Between 8th December 2021 to 11th May 2022, the Council has delegated much of the decision making to officers. Any officer decisions arising from recommendations from this consultative meeting will be published on the webpage for this meeting in due course. All meetings held can be found via the [Browse Meetings](#) webpage.

1 Public speaking

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

2 Minutes of the previous meeting (Pages 4 - 10)

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

There is one late report at item 17, Draft Revenue and Capital Budgets 2022/23.

6 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There is one item which officers recommend should be dealt with in this way.

7 Forward Plan (Pages 11 - 12)

8 Minutes of Audit and Governance Committee held on 18 November 2021 (Pages 13 - 16)

9 Minutes of Poverty Working Panel held on 22 November 2021 (Pages 17 - 21)

10 Minutes of LED Monitoring Forum held on 23 November 2021 (Pages 22 - 28)

11 Minutes of Community Grant Panel held on 25 November 2021 (Pages 29 - 32)

12 Minutes of Scrutiny Committee held on 2 December 2021 (Pages 33 - 39)

13 Minutes of Budget Setting and Capital Allocations Panel held on 2 December 2021 (Pages 40 - 47)

14 Minutes of Recycling and Waste Partnership Board held on 8 December 2021 (Pages 48 - 50)

Matter for Key Decision

15 Council Tax Base for 2022/23 (Pages 51 - 55)

16 Devon Climate Assembly - Responding to the resolutions (Pages 56 - 80)

Matters for Decision

17 **Draft Revenue and Capital Budgets 2022/23** (Pages 81 - 97)

18 **Long Lane Enhancement Scheme** (Pages 98 - 100)

This report seeks an increase in the budget for the Long Lane enhancement scheme from £3.7m to £4.51m to enable the scheme to be completed.

19 **Broadhembury Parish Council - Community Governance Review** (Pages 101 - 105)

To report back on representations received and to recommend publication of proposals that the number of parish councillors be increased from 9 to 12

20 **Colyton Parish Neighbourhood Plan ('the Plan') to be formally 'made'** (Pages 106 - 109)

21 **Discretionary Funds to support financial vulnerability** (Pages 110 - 120)

22 **Seaton Jurassic update** (Pages 121 - 131)

23 **Cranbrook Town Centre** (Pages 132 - 136)

This report provides an update to progress on the Memorandum of Understanding and projects being progressed via Enterprise Zone funding.

Part B Matters for Decision

24 Cranbrook Town Centre valuation (Pages 137 - 142)

This report provides an update on the financial position with regard to the delivery of Cranbrook Town Centre.

[Decision making and equalities](#)

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

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Cabinet held at Online via the Zoom app. on 1 December 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.33 pm

114 Minutes of the previous meeting

The minutes of the consultative meeting of Cabinet held on 3 November 2021 were agreed.

115 Declarations of interest

Min 117. Honiton Community Governance Review Petition.
Councillor Jake Bonetta, Personal, Member of Honiton Town Council involved in discussion in this matter.

Min 122. Public Toilets Review - Consultation results and Categorisation proposal.
Councillor Jake Bonetta, Personal, Member of Honiton Town Council.

Min 122. Public Toilets Review - Consultation results and Categorisation proposal.
Councillor Paul Hayward, Personal, Employee of Axminster Town Council which had public toilets in the town.

116 Public speaking

Councillor Carol Hall, Chair of Gittisham Parish Council (GPC) stated that the Parish Council was opposed to the current proposed boundary review and ask that it was withdrawn immediately. She said the issue was not in the best interests of Gittisham Parish residents or GPC and suggested it actively worked against them. Current boundary and warding arrangements had worked well historically and continued to do so. The reason for boundary review was unclear. There had been no opportunity for consultation within the parish. A review had never been requested or suggested by GP residents. It was never mentioned by Honiton Town Council or EDDC until end of October this year. She said that if a boundary review was to be undertaken this must be done with full consultation with all parties involved and a clear and true reason given for the need.

Councillor Hall stated financial concerns in terms of the precept had been raised by GP Councillors which could affect the viability of Gittisham as a parish. She said the sense of belonging to a parish must not be understated or its importance underestimated. Residents of Hayne Farm definitely consider themselves to be part of Gittisham and the recent pandemic support groups and village hall events were evidence of this.

Councillor Peter Orchard from Gittisham Parish Council wished to make clear any misconceptions that had been previously reported. A reference to GPC informally approaching EDDC officers in raising the issue of the appropriate boundary between the two bodies was not the case. GPC did discuss at its parish meeting whether the balance of councillors across their community still represented the parish properly and had asked EDDC how; if decided it needed adjusting, should they go about that.

Councillor Orchard claimed a statement from EDDC that 'various areas would be viewed as Honiton' was something that the residents of the parish would strongly disagree with. He disagreed that there would be no financial cost involved as there were the ongoing costs of administrating the rates changes for properties, changing boundaries on all records and informing outside agencies from Ordnance Survey onwards. He said a boundary move would not change the overall Precept income of either council. Gittisham had a very low precept charge per property costing around £25. However Honiton Town council was around £76, more than 3 times as much. In the Gittisham parish there could be a 70% reduction of property numbers. There would be the same statutory bills but with only a third of the present number of properties, down from about 900 to 300 in the parish. He asked to leave the District boundary where it was or if this could not happen move the District boundary but with no permanent triple rates increase for all the present residents of this historic parish.

117 **Honiton Community Governance Review Petition**

The Chief Executive updated Members on the Honiton Community Governance Review Petition. The recommendation was to progress a review having first obtained and considered the views of both Honiton Town Council and Gittisham Parish Council. The report provided an update to further consider the matter in light of correspondence received. He stated the need for clarity for the review as it was essential that the community wished for this to happen.

Discussions included the following;

- The lack of evidence that this had been called for from the residents of Gittisham
- If this was not the right time for the review then it was fair to at least to go through the consultation process
- The new Local Plan was being conducted so this was too early to consider a boundary review. Wait for the adoption of the Local Plan
- The need to get a comprehensive view from residents at a future date

RECOMMENDED:

That the review is deferred until such time as the new Local Plan is adopted.

REASON:

In accordance with the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007; the principal legal framework within which councils must undertake these reviews. It is for Members to determine the appropriate approach in relation to a Honiton Community Governance Review.

118 **Matters of urgency**

There were two items dealt with in this way, these are recorded at minutes 117 and 121.

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

None

120 **Forward Plan**

Members agreed to recommend the contents of the Forward Plan for key decision for the period 1 January 2022 to 30 April 2022 for approval.

121 **Minutes of Overview Committee held on 25 November 2021**

Members agreed to note the Minutes of Overview Committee held on 25 November 2021. The Leader confirmed that the recommendations would be considered as part of the discussion of Minute 122.

122 **Public Toilets Review - Consultation results and Categorisation proposal**

The Service Lead StreetScene gave a presentation that set out some of the headlines of the results from the recent Public Toilet consultation, issues raised and considerations to address some of the concerns expressed. He explained the difficulty of needing to invest in public toilet buildings but not being able to afford to do this across all 27 sites.

Discussions included the following;

- It was regrettable to have to close any toilets. Colyton needed its toilet to support local businesses as well as younger and older residents
- Consideration to paid access to all public toilets in order to continue with present provision
- The toilets at the Green in Budleigh Salterton were essential not just for the town but visitors alike as this area was used for public functions
- There was a public expectation for the provision of toilets therefore keep them all open buying charging for usage
- Could there be an extra year's grace for Honiton TC to keep their toilets open
- It was important that no members of the public were disadvantaged because of needing to use the toilet
- The district needed to be looked at as a whole, the budget had to be managed it was not affordable to have all the toilets open
- SW Water profit from water supply and sewerage charges, they should be making concessions to district councils for the running of public toilets
- Get businesses to take on category B & C toilet provision with firm agreements in place that this was adhered to
- Town and Parish councils could take on the running of their toilets
- This was not an easy subject. The finance situation was very serious and unsustainable. Predicted shortfalls were still expected even with any new measures taken up
- The need to provide prepaid access cards
- Work with Town and Parish councils to keep the toilets open, selective charging was the way forward

The Portfolio Holder Coast, Country and Environment and members from across political parties wished to thank Andrew Hancock and officers for the enormous work they had put in to get to this stage of the review. They thanked the 1300 respondents to the consultation for their valuable feedback as well the Overview Committee for their in-depth thinking on this matter.

Having received the report and noted the contents, members;

RECOMMENDED that;
Senior Officers approve

1. the proposals and the categorisation of the public toilet stock outlined in section 4 together with the specific mitigations (in section 4.6) to protect access.
2. For the 8 sites to be confirmed as Cat B & C (section 4.10) and the 6 sites where further discussions are required to confirm categorisation (section 4.12), delegate authority to the Portfolio Holder for Coast, County & Environment in consultation with the Portfolio Holders for Economy & Asset Management and Leisure, Sport & Tourism and the Strategic Leads for Finance and Housing, Health & Environment to complete negotiations with interested parties (including the Towns and Parishes) and to complete the related documentation to affect transfers (including the mitigations set out in section 4.6). Where leases with community partner organisations cannot be struck within 12 months continue to negotiate with all Town/Parish Councils to seek to retain Category B and C toilets through Parish and Town Precepts for another 12 weeks. Honiton King's Street to be kept open until April 2023 to afford Honiton Town Council further time.
3. Implementation of paid access at Category "A" toilets sites following refurbishment. Payment to be by Contactless payments at 40p with cards being made available for people without card or mobile phone.
4. That in the future more reliable data for toilets EDDC own, should be provided so that the usage of toilets can be assessed to show how popular toilets are at certain points of the day / year.
5. That the Council write to all relevant local businesses and make a powerful case for them to offer the use of their toilets to non-paying customers who may have disabilities and illnesses that aren't always visible, given the findings of the local consultation which shows the high extent of local need.
6. That the Council writes to the Secretary of State for Housing, Communities & Local Government and our 3 MPs to request that he lobbies the Treasury for a fund to be created to help Councils further invest in public toilet provision and to make toilets a mandatory rather than discretionary service given their positive role in ensuring people with health issues can live their lives to their full potential.

Cabinet recommends to Council;

7. that the Transformation Reserve be used to fund the Cat B & C sites where an alternative use is proposed, allowing them to remain open until these transfers are complete (for up to a year as set out in 5.10 and until April 2023 for King's Street, Honiton) to minimise the impact of closed public toilet sites on those with protected characteristics.
8. That the Transformation Reserve be used to assist with legal and transfer fees for town or parish councils taking on the running of any B & C sites through this review.

REASON:

A review of public toilet stock and investment in its buildings was overdue and now necessary due to the budget deficit and proposed medium term financial plan's saving against the provision of the public toilet service.

123 **Council Tax Reduction Scheme 2022/23**

The Service Lead Revenues, Benefits, Customer Services, Corporate Fraud & Compliance asked Members to consider and approve the Council Tax Reduction (CTR) scheme for 2022/23 which was recommending to remain unchanged from the current scheme.

The Portfolio Holder Finance thanked Libby for her report.

RECOMMENDED to Council;

that the Council Tax Reduction Scheme for working age residents be approved for 2022/23.

REASON:

The Council was required by law to decide whether to revise or replace its CTR scheme each year. As there had been a significant number of changes to the scheme for 2020/21 there had not been any changes to the scheme for 2021/22. It was not possible to be able to fully assess what further changes may be required to the scheme due to the on-going effects of the Covid-19 pandemic. There were still a higher number of working age households in receipt of CTR than would have been prior to the pandemic, therefore being unable to complete a detailed comparison analysis of the current scheme against the previous scheme. The maximum support from 80% to 85% would still be benefiting those on the lowest income.

124 **Treasury Management Mid-Year Review 2021/22**

The report detailed the overall position and performance of the Council's Investment Portfolio for the first six months of 2021/22.

Having received the report members acknowledged the investment values and performance for the period to 30 September 2021.

125 **Dalwood Neighbourhood Plan Examiner's Report**

The report provided feedback and set out proposed changes following the examination of the Dalwood Neighbourhood Plan. The independent examination of the Plan had now concluded and the final Examiner's report received.

Having received the report and noted the contents, members;

RECOMMENDED that;

Senior Officers approve

1. the Examiner's recommendations on the Dalwood Neighbourhood Plan (the Plan),
2. a 'referendum version' of the Plan (incorporating the Examiner's modifications) to proceed to referendum and that a decision notice to this effect be published,
3. the Neighbourhood Plan Steering Group be congratulated on their hard work.

REASON:

The legislation requires a decision notice to be produced at this stage in the process. The Plan is the product of significant local consultation and has been recommended to proceed to referendum by the Examiner subject to modifications which are accepted by the Parish Council.

Attendance List

Present:

Portfolio Holders

M Armstrong	Portfolio Holder Sustainable Homes and Communities
P Arnott	Leader
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action and Emergency Response
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
S Jackson	Portfolio Holder Democracy, Transparency and Communications
N Hookway	Portfolio Holder Tourism, Sport, Leisure and Culture

Also present (for some or all the meeting)

Councillor Denise Bickley
Councillor Jake Bonetta
Councillor Colin Brown
Councillor Alasdair Bruce
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Olly Davey
Councillor Peter Faithfull
Councillor Cathy Gardner
Councillor Steve Gazzard
Councillor Ben Ingham
Councillor Vicky Johns
Councillor Dawn Manley
Councillor Tony McCollum
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Geoff Pook
Councillor Geoff Pratt
Councillor Eleanor Rylance
Councillor Joe Whibley
Councillor Eileen Wragg
Councillor Tom Wright

Also present:

Officers:

Tim Child, Service Lead - Place, Assets & Commercialisation
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Andrew Hancock, Service Lead StreetScene
Andrew Hopkins, Communications Consultant

Libby Jarrett, Service Lead Revenues and Benefits
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4 month period: 1 February 2022 to 31 May 2022

This plan contains all the 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.

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

This plan also identifies Key Decisions which are to be considered in the private part of the meeting (Part B) and the reason why. Any written representations that a particular decision should be moved to the public part of the meeting (Part A) should be sent to the Democratic Services Team (address as above) as soon as possible. **Members of the public have the opportunity to speak on the relevant decision at the meeting in accordance with the Council's public speaking rules.**

Obtaining documents

Committee reports in respect of Key Decisions include links to the relevant background documents. If a printed copy of all or part of any report or background document is required please contact Democratic Services (address as above) or by calling 01395 517546.

Key Decision	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
Community Asset Transfer Policy	Assets & Economy (Tim Child)		Y		2 February 2022	Part A

Members of the public who wish to make any representations or comments concerning any of the Key Decisions referred to in this Forward Plan may do so by writing to the Leader of the Council c/o Democratic Services (as above).

January 2022

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

Audit and Governance Committee 18 November 2021

Minute 22 Councillor DBS checks

That Members note the report and agree that councillors undertake safeguarding training including training on the Council's safeguarding policy and its operation.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Audit and Governance Committee held at Online via the Zoom app. on 18 November 2021

Attendance list at end of document

The meeting started at 2.30 pm and ended at 3.45 pm

17 Public speaking

There were no members of the public registered to speak.

18 Minutes of the previous meeting

The minutes of the Audit and Governance Committee held on 23 September 2021 were recommended for approval.

19 Declarations on interest

None

20 Matters of urgency

None

21 Confidential/exempt item(s)

None

22 Councillor DBS checks

The Strategic Lead Governance & Licensing asked members to consider the Council's position in relation to DBS checks and associated risks.

During the debate discussions included the following:

- Consideration to including enhanced DBS checks to protect the most vulnerable in the community
- There was an assumption that councillors already had DBS checks, it gives residents confidence that the council was doing the right thing. It was only a matter of time before this would become legislation anyway
- DBS checks were only as good as the day they were issued. Would we be recommending that parish councillors also had them?
- Publishing DBS data online was not legal unless consent was granted by the individual concerned
- This was important as DBS checks could regulate councillor behaviour. There was a need to lobby Government now
- Government must lead on this
- Councillors have to prove they are fit and proper to undertake their duties, was it not for EDDC to double check this information?
- DBS checks were one factor, the Safeguarding Policy was essential alongside these checks for taking forward any matters that caused concern to a designated person.

The Portfolio Holder Democracy, Transparency and Communications thanked Henry Gordon Lennox for his report. She asked that safeguarding training was looked into and what this could include.

RECOMMENDED to Cabinet that;

Members noted the report and agreed that councillors undertake safeguarding training including training on the Council's safeguarding policy and its operation.

23 **External Audit Progress report - Grant Thornton**

Beth Garner from Grant Thornton provided an update on the progress in delivering their responsibilities as the council's external auditors.

Having received the report and noted the contents, members;

RECOMMENDED:

To note the External Audit Progress report.

24 **Risk Review Summer 2021 - Part 2**

Risk information for the 2021/22 financial year was supplied to allow the Committee to monitor the risk status of Strategic and Operational Risks. This followed the full review of risks by responsible officers during May/June 2021.

Having received the report and noted the contents, members;

RECOMMENDED:

To note the current status of risks following the full risk review undertaken in May/June 2021.

25 **Referral from Cabinet - Seaton Jurassic**

Alastair Woodland from SWAP explained that an audit report could be undertaken early next year concerning value for money on the Jurassic Centre; to include lessons learnt, what was done and what improvements could be done in the future.

From the Chair it was recommended that SWAP be asked to add this matter to their 2022/23 audit plan and ask Scrutiny Committee to look into this matter under their own terms of reference.

26 **Audit and Governance Forward Plan**

Members noted the contents of the Committee Forward Plan for 2021/22.

Items to be considered at the January committee included:

- Internal Audit Activity – Quarter 3 2021/22
- Audit Findings Report
- Audit Committee Progress update
- Risk Management review – half year review
- Review of the Anti-Fraud Theft and Corruption Policy, Anti-Bribery Policy and Whistleblowing Policy
- Review of the Local Code of Corporate Governance

- Strata Annual Internal Audit report
- RIPA update and policy review
- Update report from Service Lead Housing on SWAP Limited Assurance report

Attendance List

Councillors present:

S Hawkins (Chair)
D Barrow
S Gazzard
P Hayward
N Hookway (Vice-Chair)
P Twiss

Councillor apologies:

J Kemp
G Pook

Councillors also present (for some or all the meeting)

P Arnott
C Brown
S Jackson
P Millar
A Moulding

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Beth AC Garner
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Jackson Murray
John Symes, Finance Manager
Alastair Woodland, SWAP

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Poverty Working Panel held Online via the Zoom app on 22 November 2021****Attendance list at end of document**

The meeting started at 11.00 am and ended at 1.39 pm

11 Public speaking

No members of the public had registered to speak.

12 Declarations of interest

There were no declarations of interest.

13 Minutes of the previous meeting held on 20 September 2021

The minutes of the previous meeting held on 20 September 2021 were received and accepted.

14 Voluntary, Community & Social Enterprise (VCSE) sector consultation - report from Jamie Buckley- Community Engagement & Funding Officer

A report on the Voluntary, Community and Social Enterprise (VCSE) sector consultation had been circulated in advance. Jamie Buckley, Community Engagement and Funding Officer highlighted the following points from the report:

- East Devon is the only district in Devon which does not have a Council for Voluntary Service (CVS).
- The gap became more apparent during the Covid-19 pandemic when EDDC stepped in to assist as appropriate.
- VCSE groups had been consulted on a draft proposal for a CVS and 28 responses had been received which was lower than hoped but still gives useful information.
- The introduction of a CVS could assist groups with issues such as networking, funding and funding applications, legal and data protection advice and support and training provision.

Discussion of the report and issues raised included the following points:

- The setting up and running of voluntary, community and social enterprise sector support would need a financial contribution from EDDC.
- EDDC Officers are liaising with the new part time officer in the post created by the CCG and it was noted that the focus of this post is on the NHS and healthcare.
- It would be helpful to know what level of return could be expected for any financial contribution from EDDC.
- Regarding an expected return, it was noted that the quality of the people involved and the experience they would bring would be key to the success of voluntary, community and social enterprise sector support, rather than just the level of financial contribution.
- VCSE groups could support each other and share expertise to provide training.

- Training could also be provided by way of online/video sessions with larger charities sharing expertise and best practice.
- It was noted that the first point of contact at EDDC for VCSE groups is Jamie Buckley.
- It was noted that there is currently no additional EDDC Officer capacity to support voluntary groups and any work commissioned would need to take Officer capacity into account.
- A database had been discussed previously on many occasions and would be very difficult to administer.

The Chair thanked Jamie Buckley for her report.

15 **New Household Support Fund briefing paper from Libby Jarrett - Service Lead - Revenues, Benefits, Customer Services & Corporate Fraud**

Libby Jarrett outlined the new Household Support Fund which had been launched by the Government. The following points were included:

- Funding had been delivered to Devon County Council who must work with District Councils to develop support schemes.
- The money must be spent by the end of March 2022 and 50% must go to families with children.
- Funding is for immediate needs such as food, energy and water and can also be used for wider essentials such as boiler servicing and transport related costs.
- Funding can be used for housing costs where an existing support scheme does not meet an exceptional need.
- Other examples of hardship support which is available included funding for school holiday voucher scheme, funding for Citizens Advice Devon for energy relief schemes, support for Action for Children Centres and funding for BAME groups. Further details of some of these schemes is still awaited.
- EDDC had received just over £142,000 of the Government funding distributed by DCC.
- The EDDC scheme has been live for a week and the application form for those requesting support is on the EDDC website under the 'Request Financial Support' tab.
- The application form is generic in order to cover most hardship applications and Officers will work with applicants to understand the root causes and wider needs as well as identifying all types of support which the applicant may qualify for.
- The data obtained will help to inform future policy development and interventions.

Sharon Church, Benefits Manager, reported on the number of applications received in the first week of the Household Support Fund being live and updated Members on the development of the dashboard and the work of the Financial Resilience Officers in partnership with other organisations. The update included the following points:

- During the first week of the scheme, 90 applications had been received.
- 35 awards had been made totalling £3,515, the majority of which were for food, energy and water costs.
- 63% of the awards were made to households with children.
- 24% of applications came from households with at least one person in work.
- The data showed that single people continue to struggle financially and data analysis would enable greater understanding of household make up.

- EDDC Officers would continue to work with partners to identify residents who would not normally apply for support, or who would seek support elsewhere.
- Officers would continue to work with Team Devon to understand wider poverty issues.

Discussion included the following:

- There was concern that a number of people seeking support are in work.
- The rising cost of living is a significant cause for concern.
- Regarding communication with residents, it was noted that social media is used regularly, however, other avenues should also be used such as local newspapers, to ensure maximum coverage. Schools and Citizens Advice are also effective means of communication. Foodbanks should be notified of the Household Support Fund as soon as possible.
- It was noted that a fund of £100,000 remains set aside for hardship support in East Devon.
- DCC also holds a balance of £5million which will be reviewed in the new year.
- There was concern regarding homelessness among single people as well as family homelessness due to high rent arrears.
- Very high rents in the private rental sector are exacerbating the problem.
- It was noted that EDDC is experiencing issues with recruiting a Housing Options Officer.
- Concern was expressed regarding loan sharks in the run up to Christmas. Officers are not aware of any incidences of residents using loan sharks, however, it was difficult to collect information for various reasons.
- Libby Jarrett would liaise with Team Devon to co-ordinate awareness and advice for residents about the problems associated with using loan sharks.

The Chair thanked Libby Jarrett and Sharon Church for their reports and presentation.

16 **Food Poverty briefing report from Sue Bewes - Housing Services Manager**

A briefing report from the Housing Services Manager, Sue Bewes, had been circulated to all Members prior to the meeting. The following points from the report were highlighted:

- Twelve years previously, the Housing Service had recognised that it would be beneficial to invest in East Devon's communities to enable them to become more resilient.
- The Housing Service Plan 2018/19 supported this objective by planning to deliver 30 events in partnership with HALFF charity (changing lives through food) which promoted healthy eating and cooking.
- A timeline of food support work was outlined which covered the period September 2018 to the present.
- The onset of the Covid-19 pandemic required changes to be made to the way food support was delivered across East Devon.
- In January 2021 the Housing Service started to create a database of the 26 community groups based in East Devon's towns, including Broadclyst.
- In August 2021, a group of organisations with shared interests began food deliveries through their networks under the East Devon Food Partnership.
- The Housing Service, under its Housing Strategy 2020/24 continues to work in partnership with support agencies and groups across East Devon in line with the EDDC Public Health Strategy and the work contributes directly to the Poverty Reduction Strategy by working in partnership with local voluntary and community groups to address food poverty, including working with food banks to develop a food re-distribution hub.

- The arrangements for Christmas 2021 were outlined.
- In the longer term, the aim is to engage local communities and to enable them to become more self-sufficient and sustainable.
- Community Development Workers will support the Food Partnership during its first year and work is on-going to map food support in rural areas.
- A short film made by the EDDC Climate Action Officer with funding from COP26 would be available on the EDDC YouTube channel. The film, Food for Thought, outlines the partnership between FareShare SouthWest, Exeter Food Action and the East Devon Food Partnership.

During the subsequent discussion, it was noted that it is not sustainable in the longer term to support food poverty in this way. Work is on-going regarding the Team Devon approach on food insecurity across the County, however, it was recognised that excellent work is already underway in East Devon as outlined in the presentation.

It was agreed that Sue Bewes would provide an updated list of food providers.

The Chair thanked Sue Bewes for her report.

17 **Poverty Strategy Action Plan updates from:**

Updates from services had been circulated prior to the meeting.

The updates from Finance and Growth, Development and Prosperity were noted and there were no questions.

An update on Housing was provided and included the following points:

- An upgrade to 120 homes had been completed which would assist with the reduction of heating costs.
- A bid had been submitted to the current round of the Social Housing De-carbonisation Fund for £500,000 and the result of the bid should be known before Christmas. EDDC would provide £880,000 of match funding.
- The previous round of housing upgrades had shown the need to upgrade the fabric of homes, the 'Fabric First' approach, before the installation of green homes technologies.
- The stock condition survey will provide details of housing stock which falls in the lowest EPC value and is least energy efficient which leads to higher heating costs for tenants.
- Regarding 'Community days' the Housing team has consulted with tenants and as a result will be organising skip days, community garden builds and training for tenants in minor DIY and decorating skills. Community Centre sessions with the Climate Change Officer will assist tenants with changing to greener energy tariffs and reducing the cost of fuel.
- Regarding the review of the use of discretionary funds, work between Housing and Finance teams continues and the unaffordable high rents in the private rented sector are a major cause of concern.

Subsequent to the updates being circulated, updates from EDDC Private Sector Housing had been received. Helen Wharam, Public Health Project Officer, advised that the Private Sector Housing team is working with Exeter ECOE and retrofit companies to deliver eco top up and also working with Lendology to arrange loans for home improvements. PSH is also supporting private tenants with winter resilience projects.

The Chair thanked Officers for their updates and advised that this would be a regular agenda item to monitor further updates.

18 **Date of the next meeting**

Dates for future meetings in 2022 had been arranged; 31st January, 21st March and 23rd May. Further dates for the rest of 2022 will be arranged following the annual Council meeting.

From January 2022, meetings would commence at 10.00am.

Attendance List

Councillors present:

M Allen
M Armstrong (Chair)
M Chapman
B De Saram
P Jarvis
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
P Faithfull
P Millar
E Rylance

Officers in attendance:

Sue Bewes, Housing Services Manager
Jamie Buckley, Community Engagement and Funding Officer
Sharon Church, Benefits Manager
Jo Garfoot, Acting Housing Service Lead
John Golding, Strategic Lead Housing, Health and Environment
Sarah Helman, Democratic Services Officer
Susan Howl, Democratic Services Manager
Libby Jarrett, Service Lead Revenues and Benefits
Sarah Jenkins, Democratic Services Officer
Helen Wharam, Public Health Project Officer
Andrew Wood, Service Lead - Growth Development and Prosperity
Sally Raynes, Economic Development Officer – Employment and Skills

Councillor apologies:

S Hawkins
M Rixson

Chair

Date:

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

LED Monitoring Forum on 23 November 2021

**Minute 85 East Devon District Council Leisure and Built Facilities Strategy
worksopce**

To approve the Scope of Work for producing the Leisure Strategy and Built Facilities
Evidence Base as set out in the report to the LED Monitoring Forum on 23 November 2021.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of LED Monitoring Forum held at Online via zoom app on 23 November 2021

Attendance list at end of document

The meeting started at 2.00 pm and ended at 4.00 pm

79 Public Speaking

There were no public speakers registered to speak.

80 Minutes of the previous meeting held on 14 September 2021

The minutes of the meeting held on 14 September 2021 were noted as a true and accurate record.

In discussion, the Forum recognised that there were legitimate reasons for items being included under Part B but expressed that in the interests of openness and transparency, they should endeavour to include as many items as possible under the Part A section of the meeting. Where possible, sensitive information could be removed from documents to move them into part A so that members of the public may read them.

81 Declaration of interest

Cllr Paul Arnott: Minutes 85 – 92; Personal Interest: Membership of LED Community Leisure

Cllr Geoff Jung: Minutes 85 – 92; Personal Interest: Membership of LED Community Leisure

Cllr Paul Millar: Minutes 85 – 92; Personal Interest: Membership of LED Community Leisure

82 Matters of urgency

None.

83 Confidential/exempt item(s)

Four items were agreed to be considered in private session.

84 Nominations for Vice Chair of the LED Monitoring Forum

On the invitation of the Chair, nominations were put forward for vice-chair of the Forum and following a vote of those present, Cllr Paul Millar was appointed to the position.

85 East Devon District Council Leisure & Built Facilities Strategy workscope

Charlie Plowden welcomed and introduced Rachel Fowler, from Strategic Leisure. Charlie Plowden and Rachel Fowler presented their report, highlighting the following points:

- The contract had been let for the Leisure and Built Facility Strategy. The work was underway and on track for the timeline that the Forum had set for itself, following the diagnostic work.
- Strategic Leisure had started a series of site audits on all existing indoor leisure facilities across East Devon, and all-weather pitches. The audits would be finished this week and would give an understanding of the quality of facilities.
- There were all-weather pitches in the joint use centres. Strategic Leisure's assessment and analysis of these would be shared with planning colleagues at East Devon DC so that they could reflect that detail in the Playing Pitch Strategy.
- Strategic Leisure had pulled together a list of stakeholders and would set up meetings with them.
- Surveys were drafted and had started to go out to schools, clubs and parish and town councils. Strategic Leisure had also started speaking to the national governing bodies and consultants who were doing the planning work at Cranbrook, to ensure they could link into that work. Additionally, a meeting would be set up imminently with Active Devon.
- Strategic Leisure would be looking to do some workshops with members as soon as possible to gather their views on vision and objectives on the strategy and what they saw as the local priorities.

Discussion of the report included:

- In response to a question about whether climate change considerations were being factored into the work being undertaken on existing built facilities, Rachel Fowler confirmed that the climate change agenda would be taken into account. Strategic Leisure were not doing intrusive surveys as part of the audit but would inform members of the benefits of green energy and newer technology when looking at an aging facility that was having a higher impact on the environment, if the supply and demand analysis showed that there was a case for investment or change in what was being provided.
- In response to a question about timescales for commissioning a national Facility Planning Model (FPM) run for swimming pools and sports halls, Rachel Fowler stated that a bespoke FPM run would take approximately 3 months and the national FPM run would be carried out next year based on 2021 data. She added that there was no FPM run carried out for 2020, due to the pandemic.
- It was clarified that the audit involved a qualitative assessment of each facility in East Devon including what facilities there were, their age and condition, whether they were well signposted, accessibility via public transport, and car parking arrangements. The assessments would be presented in an appendix to the report.
- Responding to a question about the involvement of the Planning Policy team in the relationship between the Playing Pitch Strategy and the Leisure and Built Facilities Strategy, the Planning Policy Manager stated that the previous strategy was done by the Planning Policy team, through discussion with Sport England, and this was being rolled forward. Representation was received from Sport England about the need for a Playing Pitch Strategy to support the local plan. It was a piece of work that was owned across the council but the Planning Policy team was taking the lead since it was critical for planning policy work. Sport England had expressed that they were happy with the previous Playing Pitch Strategy. Technical assessment of pitches was a challenge and the council might need to buy in some professional support in this respect. A further challenge was around getting partnership involvement to implement schemes and initiatives, to carry them forward.

RECOMMENDED to Cabinet:

To approve the Scope of Work for producing the Leisure Strategy and Built Facilities Evidence Base as set out in the report to the LED Monitoring Forum on 23 November 2021.

86 **LED Community Engagement Programme**

Peter Gilpin invited questions on his quarterly update report.

Discussion included:

- There was a dialogue that would need to take place between the council and LED to produce a strategy which incorporated the council's strategic priorities on health, wellbeing, leisure and sport.
- The strategy should also link in with the council's anti-poverty strategy, as far as was possible.
- The LED Director of Finance confirmed that the community engagement programme already linked in with the council's published health and wellbeing strategy.

The Forum noted the report.

87 **LED Community support to Afghan Refugees**

The LED Director of Delivery presented his report, highlighting that further dialogue with refugee families had taken place and it was noted that:

- A priority for families had been to get their children into schools.
- Support was being provided concerning the use of booking systems to access the LED facilities, since these systems had been somewhat alien to refugee families.

In discussion, the following points were made:

- All school-age children of the Afghan refugee families were now in schools.
- In response to a question about progress with the government's resettlement scheme, John Golding reported that the home office had been slow on picking up on resettlement. However, East Devon DC had put forward a few properties to the home office, who were trying to match evacuees with accommodation.
- East Devon DC were working with colleagues at Devon County Council to support refugee families' mental health.
- The Forum expressed its gratitude to Cllr Joe Whibley for his work in driving forward the initiative for LED community support to the refugees. Further thanks were expressed to LED, Exmouth Town Council and all the officers who had worked to support the refugee families.

The Forum noted the report.

88 **Activities by Property and FM Team on LED Properties**

Tim Child introduced his report, highlighting the following points:

- LED properties accounted for upwards of 50% of the work of the facilities management team.
- The report included i) introductory guidance and context concerning East Devon DC's landlord obligations, and what this meant in practice; ii) a summary of the work and

activities over the past 3 months, with background papers; and iii) a summary of capital bids put forward for this year, amounting to £3 million for 12 LED properties.

Discussion included:

- There was an approximate ten-fold increase in the scale of bids for LED properties this year, reflecting the need to invest. The needs had been identified following work looking at stock condition data.
- Not all capital bids were expected to be approved at this stage but priorities were around energy efficiency measures, replacing kit and health and safety compliance. This was work that would need to be done this year or next, in order to keep leisure centres operating.
- It was recognised there had been underspending on maintenance of the buildings for some years with the consequence that some were now in suboptimal condition. Concern was expressed around affordability given what was coming forward in East Devon DC's financial projections.
- Views were expressed that capital bids which did not relate to health and safety or compliance should be deferred until such time as a leisure strategy was agreed, identifying priorities.
- Sites had a longstanding agreement going back to the 1980s whereby schools covered 40% of costs and East Devon DC 60%. This amounted to the council subsidising statutory education provision, and needed to be renegotiated to reduce East Devon DC's contribution and increase the contribution from schools.

The Forum noted the report.

The consultative meeting then went into private session.

89 **Facilities and Activities Update**

Peter Gilpin introduced the Facilities and Activities Update report, highlighting the following points:

- Confidential information would be removed from the report to enable it to be made public after the meeting.
- A free open event had been held at Exmouth Tennis Centre over the weekend in collaboration with the Lawn Tennis Association; this had been well received with 669 children attending. It was hoped that children and their families might come back to the Centre, going forward.
- The café at Exmouth Tennis Centre had reopened for full hours.

Following discussion the Forum:

- Noted that Exmouth Tennis Centre had used events to increase the footfall into the centre.
- Encouraged LED to host more similar events so that the Tennis Centre continued to thrive in a sustainable manner, particularly for the benefit of families on low income in East Devon.

90 **Exmouth Pavilion**

Peter Gilpin presented his report, highlighting the impact that the pandemic had had on Exmouth Pavilion. It was noted that the bulk of the Pavilion's income came from shows, the majority of which had been cancelled during 2020/21. He added that many shows

were rescheduled for 2022 and he was confident that, with investment in appropriate areas, the Pavilion would bounce back.

Discussion included:

- Members acknowledged the difficulties of the past 18 months for the Pavilion, and thanked LED for getting it back operating and putting on shows outside.
- The Forum recognised that the building was in need of investment, and noted that some works were essential and must be undertaken this year or next so that the facility could continue to operate.
- Members discussed alternative options and aspirations for the future of the Pavilion and noted that the Arts and Culture Forum would be discussing the relationship between the Pavilion, Ocean and the Queens Drive space.

The Forum asked for a report detailing options for the future of the Pavilion.

91 **Ways to Wellbeing Programme**

Peter Gilpin presented his report which highlighted that the Ways to Wellbeing Programme (W2W), a social prescribing scheme, would be finishing at the end of the year. The following points were highlighted:

- The W2W was a highly successful scheme and a Social Value report previously seen by the Forum had outlined the considerable benefits that the scheme generated.
- The decision to close the scheme had been taken by the lead GP within the local primary care network.
- It was understood there would be a new focus on mental health but the rationale for losing the highly successful W2W scheme was unclear.
- The Forum's support for retaining the scheme was sought.

Following discussion on the programme:

- John Golding agreed to write to the lead GP on behalf of the Forum, as a priority, expressing the Forum's views in favour of retaining the scheme.
- Cllr Rowland would ask the Leader to raise the matter with the local MPs; and seek agreement to discuss the issue as an urgent item at the next meeting of Cabinet.

92 **KPI Performance Dashboard**

The Forum received and noted the details of the key performance indicators for LED Community Leisure for October 2021.

Attendance List

Councillors present:

P Arnott
S Hawkins (Chair)
G Jung
P Millar
J Rowland

Councillors also present (for some or all the meeting)

E Rylance

LED Community Leisure representatives:

Peter Gilpin, CEO
Bridgette Jones, Director of Finance
Jamie Bryant, Director of Delivery
Richard Purchase, Chairman of LED Board

Strategic Leisure representative:

Rachel Sutcliffe

Officers in attendance:

Charlie Plowden, Service Lead Countryside and Leisure
Tim Child, Service Lead - Place, Assets & Commercialisation
Simon Davey, Strategic Lead Finance
Matthew Dickins, Planning Policy Manager
John Golding, Strategic Lead Housing, Health and Environment
Sarah Helman, Democratic Services Officer
Susan Howl, Democratic Services Manager
Jorge Pineda-Langford, Principal Building Surveyor, Property & FM

Councillor apologies:

N Hookway

Chairman

Date:

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

Community Grants Panel 25 November 2021

Minute 74 Small Community Grants stream proposal

Recommended to Cabinet

that a Small Community Grant stream be set up to increase take up of the Crowdfund East Devon fund available by permitting applications for small amounts with an appropriate criteria.

Minute 75 Revised Community Buildings Fund guidance

Recommended to Cabinet

that the revised guidance for the Community Buildings Fund, as endorsed by the Community Grant Panel, be agreed

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Community Grant Panel held at online via Zoom on 25 November 2021

Attendance list at end of document

The meeting started at 2.00 pm and ended at 2.51 pm

69 Public Speaking

There were no members of the public registered to speak.

70 Minutes of the previous meeting 31 August 2021

The minutes of the previous meeting held on the 31 August 2021 were agreed.

71 Declarations of Interest

Minutes 74 and 75; Councillor Jess Bailey; Personal interest: Devon County Councillor.

72 Matters of Urgency

None.

73 Confidential or exempt items

None.

74 Small Community Grants stream proposal

The Engagement and Funding Officer outlined to the Panel a proposal for Small Community Grants stream.

The Crowdfund East Devon fund balance is approximately £70k that still remains, and discussions had taken place to look to develop a mechanism for expanding the types of applications that could be made for money from this fund.

The proposal before the Panel was to set up a Small Community Grants Fund, whereby applicants could apply for between £300 and £500 for projects that help to achieve either or both of:

1. One or both of the following key priorities in the Council Plan:
 - a. Better homes and communities for all
 - b. A greener East Devon
2. One or more priorities/actions listed in the Poverty Strategy.

The Panel were also presented with drafted guidance for applicants for the fund, and an application form. The application form had been formulated to reflect the small amount of funding that could be requested. The fund, as part of the original agreement with Devon County Council for Crowdfund East Devon, would have to be for community projects.

Discussion covered:

- There was no timescale for the £70k to be spent;
- There were many groups in need of funding, particularly in light of the pandemic;
- Suggestion of allocating a proportion of the £70k (an example given of £30k) to councillors to spend on local projects in their ward, in a similar format to the Locality Budget provided to Devon County Councillors, that will require clear guidelines; an example given was that South Hams District Councillors had a £2k locality budget with a minimum grant of £100;
- A form of locality fund would need further consideration and involvement of Legal Services, best served by a further report to the Panel;
- Panel members welcomed the proposal before them in principle;
- Opening up the fund to applications from town councils was not necessary, as the towns had other means of sourcing funding and some towns had significant reserves;
- Explore other new and innovative ways, including a locality fund element, to apply to the Crowdfund East Devon balance to ensure that the money gets spent;
- Care to manage expectation that, for any grant system, there would not be any future budget provision for funds – once the Crowdfund East Devon fund was spent, there was no further funding;
- There were still some potential schemes that may come forward for funding under the Crowdfund East Devon scheme;
- Under the proposal, there were no strong views from the Panel members about the regularity of meetings to decide on applications; some comments were made in favour of seeking agreement by email as per the current setup for the Crowdfund East Devon in order to reach a swift decision for the applications.

The Panel agreed that the setting up of a Small Community Grant stream should be pursued by the Engagement and Funding Officer, to include the most efficient way of reaching a swift decision for applicants; and requested that a further report be provided to the Panel that explored other new and innovative ways the council could distribute grants, including how a locality fund could be provided, to ensure that as many community projects could benefit from the fund balance that remained.

RECOMMENDED to Cabinet

That a Small Community Grant stream be set up to increase take up of the Crowdfund East Devon fund available by permitting applications for small amounts with an appropriate criteria.

75 **Revised Community Buildings Fund guidance**

The Panel had previously requested that the guidance for the Community Buildings Fund be revised to reflect ways identified that may help the applicants to provide a complete application.

The Engagement and Funding Officer had provided the Panel with the revised guidance, including a table that set out the amendments made, based on the Panel's requirements for revision.

The two amendments suggested to the reviewed guidance notes were:

- to clarify under modernising/improving outdated facilities some examples of what that might cover – such as kitchen refits, which was listed as a separate item in the guidance suggested;

- to clarify that “the building itself” being eligible includes eligible projects inside the building.

The Panel agreed the revised guidance, subject to the amendment set out in the above paragraph.

RECOMMENDED to Cabinet

That the revised guidance for the Community Buildings Fund, as endorsed by the Community Grant Panel, be agreed.

Attendance List

Councillors present:

J Rowland (Chair)
J Bailey
J Loudoun
H Parr
V Ranger

Councillors also present (for some or all the meeting)

P Millar

Officers in attendance:

Jamie Buckley, Community Engagement and Funding Officer
Debbie Meakin, Democratic Services Officer

Councillor apologies:

D Key

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Scrutiny Committee held Online via the Zoom app on 2 December 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 9.13 pm

20 Public speaking

There were no members of the public registered to speak.

21 Minutes of the previous meeting

The minutes of the previous meeting held on 7 October 2021 were received and accepted.

22 Declarations of interest

Minute 27. Local Plan Sites - Allocations to Delivery.
Councillor Maddy Chapman, Personal, Member has had contact with various parties concerning the Goodmores Farm development.

Minute 27. Local Plan Sites - Allocations to Delivery.
Councillor Olly Davey, Personal, Member is an Exmouth Town Councillor.

Minute 27. Local Plan Sites - Allocations to Delivery.
Councillor Paul Millar, Personal, Part of the Goodmores Farm development is situated within the Member's ward.

Minute 27. Local Plan Sites - Allocations to Delivery.
Councillor Tony McCollum, Personal, Member is a Honiton Town Councillor.

23 Matters of urgency

There were no matters of urgency.

24 Confidential/exempt item(s)

There were no confidential / exempt items.

25 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules

There were no decisions made by Cabinet called in by Members for scrutiny.

26 Portfolio Holder update on progress with the Member Development Working Group

Cllr Sarah Jackson, Portfolio Holder for Democracy, Transparency and Communications, presented an update on progress with the Member Development Working Group. The

Group had met in November with Members who were not part of the Working Group and newly elected Members also attending. Members had considered the post-election induction training, annual top-up and refresher training for new and existing elected members, information for prospective Councillors and current and future Member development needs.

Moving forward, it was planned to create a survey and a training matrix which would set out the main training needed for Members to fulfil their roles.

Questions and discussion included the following points:

- Members should be aware that some Committees are statutory and require Members to be fully trained before participating eg. Planning and Licensing.
- Training could be provided to Group Leaders on appointing Members to Committees, particularly those which are statutory.
- Attendance at training which is mandatory could be published on the website.
- The Member Development Working Group had discussed various methods of delivering training and it was noted that it could be difficult to evidence Members' attendance if training is delivered online.

The Chair thanked the Portfolio Holder for her update. Cllr Jackson agreed to provide a report to the Committee on training strategy by autumn next year.

27 **Local Plan Sites - Allocations to Delivery**

Ed Freeman, Service Lead, Planning Strategy and Development Management, presented a report which followed a proposal submitted by Councillor Maddy Chapman that was considered by the Scrutiny Committee at its meeting in April 2021. The report explained how sites allocated in the adopted Local Plan have been translated from policy into planning applications focusing on the issues relating to infrastructure delivery and viability that had arisen. The report provided two examples as case studies to illustrate the issues and sought to explain how changes in government guidance should help to address the concerns raised as work on the new Local Plan progresses. Ed Freeman advised that the case studies were included for illustrative purposes only, as it is not the role of the Scrutiny Committee to consider planning applications which had been granted planning permission.

Particular attention was drawn to the production of the last Local Plan when there was generic testing of viability across different types of development and different broad locations. This approach had led to a national problem as when planning applications were made, more information would be available which might not be in line with previous assumptions about issues such as infrastructure delivery made at the site allocation stage. Sites may then not be able to deliver what was expected in planning policies or by the community.

Changes had been made to national planning policy framework which brought in site specific viability testing particularly for large scale allocations. This set a benchmark of what could be expected to be delivered, against which a planning application could then be measured. This was a key change to Government guidance which should help to address the concerns raised as the new Local Plan work progresses.

Discussion of the report and questions from Members included the following points:

- Regarding changes in the production of viability assessments, this had been shaped by case law, and the emphasis is on EDDC to obtain the necessary information at the site allocation stage.
- Viability assessments had always been required for the Local Plan process and EDDC would use a mix of staff and external consultants for this work.
- It was noted that issues such as the economic or employment circumstances could change following the allocation of sites in the Local Plan, and that EDDC had no control over such changes.
- Concern was raised regarding the loss of industrial / employment space in Honiton as a result of the Ottery Moor Lane planning application and development, which, it was felt, had only considered the site and not the wider issue of the town itself.
- Regarding the tracking, collection and distribution of S.106 and overage money, it was confirmed that the backlog which had previously been reported is reduced and the system is working well.
- Concern was expressed regarding the public consultation for the Goodmores Farm development and specifically with delivery of infrastructure such as the school.
- It was suggested that understanding how problems had arisen on development sites in East Devon could be used to inform work on the new Local Plan.
- It was noted that there is always a requirement to balance infrastructure priorities when considering planning applications.
- Going forward, there is a need to have more detailed regard to the topography of a development site in order to understand the cost implications of this for the viability of delivery.
- Progress with regard to the levelling up fund was noted.

The Deputy Monitoring Officer advised that the Monitoring Officer, Henry Gordon Lennox, had previously commented on whether it was possible to look at the matter of the Goodmores Farm planning application and the consultation process. The Deputy Monitoring Officer advised that the Scrutiny Committee asks the Monitoring Officer to comment on what he thinks is appropriate for the Scrutiny Committee to consider, before a decision is made as to whether any further reports should be brought back to the Committee.

The Committee then considered the concerns raised regarding the development of the Ottery Moor Lane site in Honiton and the loss of industrial / employment land and its implications for the economic development of the town as a whole.

Ed Freeman advised that this issue was looked at as part of the Local Plan process when all options for Honiton had been considered using a holistic approach.

RECOMMENDATION

That the Monitoring Officer be asked to further advise on the ability of the Scrutiny Committee to further consider the Goodmores Farm planning application as a specific case, and the consultation process which surrounded it.

RECOMMENDATION TO STRATEGIC PLANNING COMMITTEE

That a more precise and holistic economic evaluation is carried out in relation to proposed major development sites as part of the new Local Plan process.

28 **Recommendation from Strategic Planning Committee regarding potential policy approaches for sport and recreation - verbal report**

Ed Freeman advised the Committee on the background to the recommendation from the Strategic Planning Committee from its meeting on 5 October 2021. Members of Strategic Planning Committee had raised concerns regarding privately owned sports pitches being used for temporary events under permitted development rights. Open land can be used usually for up to 28 days per year. As part of the Covid -19 pandemic recovery, the Government had introduced extending the rights so that such land could be used for up to 56 days per year for temporary events, in order to promote events and the associated economic benefit.

Members had expressed concern that sports pitches could therefore be out of use for up to 56 days, sometimes at the height of the sports season, and that this could have a detrimental effect.

Ed Freeman advised that the Government had confirmed that the extended use of 56 days would not continue, and would revert back to the previous 28 days from 1 January 2022. The issue had also only arisen on sports pitches which are privately owned and the majority of sports pitches in East Devon are in public ownership.

It was proposed that a written report setting out what had been explained verbally should be brought to the Committee. Members expressed their view on the proposal and, as the votes were tied, the Chair used his casting vote against the proposal.

29 **Expenditure on Consultants and Agency staff 2020/21**

John Symes, Finance Manager, presented the annual report on agency expenditure for 2020/21 and outlined the process for collating the information from the various services.

Discussion of the report highlighted the need for comparative figures in order to better understand the expenditure compared with previous years. Members also questioned what proportion of the agency expenditure was due to either in-house staff shortages or the need to buy in specific skills. An analysis by service group would also be helpful in understanding the need for agency expenditure.

The Committee welcomed the report and was pleased to see that there is a significant decrease in this type of expenditure. The Committee would like more detail regarding the types of expenditure, what proportion of the expenditure is backfilling a shortage of permanent staff and expenditure categorised by service group. The Finance Manager confirmed that this information would be provided for a future meeting.

30 **Forward Plan**

The Committee agreed to change the published order of the proposal forms and to first consider the proposal form submitted by Cllr Bailey.

Scrutiny of the performance of South West Water by reference to (a) its sewage discharges into rivers in the district and the sea (b) processing of domestic sewage in the district.

Cllr Bailey introduced the proposal form which raised the matter of sewage discharge in East Devon's rivers and coastal waters and which proposed that South West Water be invited to address the Committee's concerns at a future meeting.

Discussion of the proposal included the following points:

- The Environment Agency could also be invited to attend at the same time as South West Water.
- Information on water quality would be beneficial on a year round basis, rather than just being provided between May to October.
- As this is a key local issue, it would be advantageous to hold an Extraordinary meeting with this as a single agenda item.
- Beach quality is a function of EDDC and it was suggested that Environmental Health should also be involved in the discussions going forward.
- Members were in support of holding a daytime meeting and, if possible, on a face to face basis.
- There are implications for planning going forward if South West Water are not able to manage increasing development.

Ed Freeman advised that this issue had been raised through Strategic Planning Committee and that Officers are committed to discussing future growth aspirations with South West Water and how that impacts on the planning process. Future implications for growth would be better addressed by Planning Officers through the Strategic Planning Committee.

Ed Freeman further advised that the current Local Plan encourages sustainable drainage systems whereby surface water is captured and held and used on site in order to relieve pressure on South West Water's infrastructure. South West Water may be able to advise on the effectiveness of on site sustainable drainage systems.

Further discussion of Cllr Bailey's proposal included the following points:

- It would be more effective for the Committee to focus its meetings separately with South West Water, the Environment Agency and other organisations.
- The primary focus should be on South West Water and East Devon's watercourses and coast.

RECOMMENDATION

That the Scrutiny Committee invites South West Water to attend an Extraordinary meeting of the Committee to investigate the sewage contamination of East Devon's waterways.

Convention on the appointments of Honorary Aldermen and Honorary Alderwomen

The Committee considered the proposal form submitted by Cllr Millar regarding the convention for appointing Honorary Aldermen and Honorary Alderwomen.

Cllr Millar introduced the proposal and expressed his concern that there is currently no written protocol for making the appointments. As this is the case, Cllr Millar also had concerns as to how the previous round of appointments was made and is of the view that it is important for the Scrutiny Committee to look in to this and that the public deserve to know. Across the country there is a variety of approaches to appointing Honorary Aldermen and Alderwoman and examples of protocols are available.

Members discussed their understanding of the basis for making the appointments in previous years, raised the issue of whether the position should continue to exist and questioned how recent appointments had come about with no written protocol in place. Should a protocol be put in place going forward, it should include a process for the removal of Honorary Aldermen and Alderwomen.

It was noted that, apart from length of service, the main criteria for the appointment is that an eminent contribution has been made by the nominee.

RECOMMENDATION

That a report be provided for the Scrutiny Committee setting out the following:

- How Honorary Aldermen and Honorary Alderwomen have been selected in the past, what criteria were used and on whose recommendation,
- What does eminent or meritorious conduct include,
- A breakdown by party and qualification of those who have received the honour in the past twelve years,
- Options for the future, including processes for granting and removal of the honour,
- Referenced examples of protocols from other areas.

With the addition of the above proposals, the Forward Plan was noted.

The Scrutiny Committee thanked the Car Parking TaFF for its work which has had significant achievements with regard to camper vans, electric charging points and eco scooters. The Committee considers that there is now some urgency with regard to formulating a car parking strategy for the approval of Council and time constraints mean that this process is better served if this is now considered by Cabinet.

Attendance List

Councillors present:

T Wright (Chair)
V Ranger (Vice-Chair)
M Allen
A Bruce
M Chapman
O Davey
C Gardner
S Hawkins
J Kemp
T McCollum
P Millar
H Parr
E Rylance

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
C Brown
P Faithfull
S Jackson
G Jung

J Loudoun
D Manley
A Moulding
E Wragg
N Hookway

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
Wendy Harris, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
John Symes, Finance Manager
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

A Colman

Chair

Date:

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

**Budget Setting and Capital Allocations Panel 2 December 2021
Minute 24 Capital Bids Proposed 2022/23**

Recommended to Cabinet to include in the Capital Programme:

1

- a. Bid 1 Exmouth Camperdown Depot Roof Replacement (£32k for yr 22/23
- b. Bid 2 Exmouth Pavilion Refurbishment and Improvement Works for works only to mitigate health and safety requirement element of the bid at a figure to be agreed by Strategic Lead Finance and relevant officers
- c. Bid 4 Replacement of roofs at Broadclyst and Ottery Leisure Centres (£316,250 yr 22/23 and £259,325 yr 23/24)
- d. Bid 5 Corporate Property Fire Risk Assessment (FRA) Works (£52K yr 22/23, £52k yr 23/24)
- e. Bid 6 Review of energy saving opportunities and resultant improvement works across Corporate and Leisure Portfolios part bid (£60k only for yr 22/23) and further investigation of works required
- f. Bid 7 External Repairs at Various Corporate Buildings (£224,250 yr 22/23 and £224,250 yr 23/24)
- g. Bid 9 External Emergency Lighting to Various Industrial Units (£29K yr 22/23)
- h. Bid 10 LED Tenanted Property Fire Risk Assessment (FRA) Works (£200K yr 22/23 and £231K yr 23/24)
- i. Bid 11 Refurbishment of sports halls and sports floors at various LED premises only sports floors element of bid at a figure to be agreed by Strategic Lead Finance and relevant officers
- j. Bid 12 Refurbishment of swimming pool plant at Exmouth, Honiton, and Sidmouth LED Pools (£63,250 yr 22/23 and £63,250 yr 23/24)
- k. Bid 13 Refurbishment/replacement of ventilation equipment and HVAC plant at various LED leisure centres (£172,500 yr 22/23)
- l. Bid 14 External Decorations and Repairs Depots (£32K yr 22/23)
- m. Bid 15 Main Streetscene Depots Operation Review (£50k yr 22/23)
- n. Bid 16 Colyton Dolphin St Toilets Render to External Walls and External Decorations with efforts made to reduce to minimum work required (£25K yr

22/23)

- o. Bid 17 Mini Site Nr 3, Durham Way, Honiton - Retaining Wall rebuild (£101,500 in yr 22/23)
- p. Bid 18 Refurbishment and Repairs to Beach Huts and Chalets part bid (£100k yr 22/23) and endorse ongoing work to review the beach huts and chalets offer
- q. Bid 20 Exmouth Manor Gardens Tool Shed Replacement (£22,500 yr 22/23)
- r. Bid 21 Exmouth Leisure Centre - Replacement of Cold Water Storage Tank with Mains Water Supply (£21,000 yr 22/23)
- s. Bid 22 Exmouth and Manor Pavilion Repairs to Stage Equipment (£43,300 yr 22/23 and £13,200 yr 23/24)
- t. Bid 24 Recycling & Waste Capital Programme part bid at £405K for yr 22/23 to cover necessary elements outside of contract negotiation
- u. Bid 25 Axmouth Harbour Repair (£70K yr 22/23)
- v. Bid 26 Beer Breakwater Scour Repair (£40K yr 22/23)
- w. Bid 27 Blackmore Gardens Maintenance (£20k yr 22/23)
- x. Bid 28 Car Park relining of spaces (£20k yr 22/23)
- y. Bid 29 Exmouth Seawall Repairs (£40K yr 22/23)
- z. Bid 30 Foxholes Resurfacing (£100K yr 22/23)
- aa. Bid 31 Rewilding Plantation Walk, The Beacon, Exmouth (£50K yr 22/23)
- bb. Bid 32 Sidmouth Seawall Repairs (£70K yr 22/23)
- cc. Bid 33 Axmouth Harbour ALWC survey (£22K yr 22/23)
- dd. Bid 34 Exmouth Beach Management Plan (**£75k yr 22/23 and £75k 23/24**)
- ee. Bid 37 Littleham Brook Outfall repair (£175K yr 22/23)
- ff. Bid 38 Littleham Village Hall renewal of play equipment (£75k yr **23/24**)
- gg. Bid 39 Renewal of Norman Crescent play area, Budleigh Salterton (£60k yr **23/24**)
- hh. Bid 40 Phear Park Skatepark Lighting part bid (£20k yr 22/23) with request to Exmouth Town Council to fund remaining £20k; and ensure low energy

lighting used

- ii. Bid 41 Renewal of Whitebridges Play Area, Honiton (£130K yr 22/23)
 - jj. Bid 42 Renewal of Willow Walk play area, Honiton (£50k yr 22/23)
- 2 An uplift of 10% on all engineering project bids listed at £75k or above to cover additional resources required to deliver the projects.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Budget Setting and Capital Allocations Panel held at online via zoom on 2 December 2021

Attendance list at end of document

The meeting started at 9.31 am and ended at 3.48 pm

18 Welcome from the Chair

The Chair welcomed those present, and set out how the Panel would consider the wider financial context of the Council, and how the bids proposed for addition to the Capital Programme would be considered.

19 Notes from the previous meeting held on 18 June 2021

The minutes of the previous meeting held on 18 June 2021 were agreed.

20 Declarations of interest

None.

21 Medium Term Financial Plan - Focus on 2022/23 budget

The Panel were reminded on the MTFP position, specifically:

- The budget gap in 2022/23 comprises of £2.3m from losses in business rate income and new homes bonus payments; and £0.7m from service costs increasing greater than income generated;
- The key issues and drivers were on track;
- Highlighted issues that contributed to the budget gap included:
 - Pay restructure for grades 1 – 5
 - N.I. changes
 - Inflation
 - LED outreach
 - Recycling & refuse contract negotiation on increase
 - Cranbrook additional operations (Streetscene)
 - Environmental health & car parks restructure
 - Seaton Jurassic closure
 - Exmouth lifeguard service increase
 - Planning service additional staffing resources

The Panel were asked to bear the demands in budget in mind, and to prepare for difficult budgetary decisions; equally, officers needed to clarify priorities and focus on what is affordable as opposed to aspirational. The recommendations to Senior Officers for approval on public toilet provision was a large step towards closing the budget gap, but further work was needed to come to a balanced budget.

Discussion by the panel covered:

Recycling and refuse contract

In response to questions, the current contract was to cover up to 73k properties for the lifetime of the contract, but the growth rate had been faster than expected and was

predicted to hit that level of properties in September 2022; however the tonnage of collected recycling was now equivalent to 73k of properties in that households habits had changed considerably due to the pandemic. The contract negotiations had been fully scrutinised and the figures being presented reflected that increased demand.

Members discussed the responsibilities of delivery companies and producers in dealing with their own product waste; with legislation awaited on “extended producer liability” this was unlikely to come into any effect until 2024; in the meantime, the Council needed to consider the budget to cope with the demand levels that were expected to remain high.

Holiday lets are charged for schedule 2 collections, in response to a query about second homes.

2026 was the target year for the decarbonisation of the SUEZ fleet; at present the technology was not at a suitable level for collection vehicles.

Second homes

Raising income from second homes on commercial waste collection was commented on; in response, those second homes used for letting were likely to qualify for small business rate relief, therefore unlikely to be paying business rates.

Town and Parish Council responsibilities

Discussion took place on various arrangements in the District, with an example of Chard Town Council arranged collection from public waste bins/dog bins to a central point, for collection by SSDC. Some towns were part funding the resources need to clear bins, but there were wider implications for that towns and parishes could afford, as well as an increase in demand because of more visitors to popular areas prompted by the pandemic and likely to continue.

Service delivery overall

Many services had seen an increase in operational demand, including for some services new duties. Some teams were struggling to deliver their service requirement and therefore budgets would come forward to provide the resources needed.

Car Park Charges

Charges were under review by means of a Task and Finish Forum; consideration of the prime sites that regularly attracted customers could be to consider an additional increase over that budgeted, in order to realise more income to help reduce the budget gap.

22 Capital project update as at 15 November 2021

The Panel received and noted a report on the current capital projects as at November 2021.

23 Capital Programme Financing

The Panel received detail on the Capital Programme over the five year period to 2025/26 which included the capital bids proposed to show the outcome of adding in all the bids presented. This included a detailed breakdown of existing bids and those proposed in portfolio area across the five year period.

In outlining how the capital programme is financed, the Strategic Lead Finance took the Panel through the five year budget lines.

The net expenditure to be financed was set out, with budget lines for how it would be financed, including if there was any financing from:

- general fund receipts
- section 106 funding
- general fund grants
- use of general fund capital project reserves
- general fund revenue contributions to capital funding
- Housing Revenue Account (HRA) funding
- New Homes Bonus funding

What remained after those elements had been subtracted from the net expenditure, had to be met from general fund loans/internal borrowing, termed as the “minimal revenue provision”. This amount to pay off annually is then listed on the revenue position. Whilst some bids to the capital programme were urgently required because of health and safety requirements, the Panel were asked to bear in mind that any bids added into the capital programme had an impact on the revenue position as a result.

Funding the minimal revenue position could fall to either a PWB loan, or from other cash resources. Whilst interest rates are currently low from the PWB, it would be a prudent option to fund from internal cash resources.

In response to a question about how capital projects are reported, the Panel were reminded that their role was to monitor the major projects; financial monitoring was regularly reported to Cabinet. It would take considerable resources to report to all Members every aspect of all the projects.

A request was made for clear delineation of CIL contributions as a subject line in the capital programme financing.

24 **Capital bids proposed**

The Panel worked through the 42 bids proposed to the Capital Programme, seeking clarification from officers as required and diligently debating those bids that should go forward for recommendation. The Panel were mindful of the impact on the minimal reserve position in recommending bids.

Discussion also took place on the number of bids presented, which reflected the change from reactive works to maintaining stock condition for assets. The Panel were also supportive of bids, or elements of bids, that covered necessary works for the health and safety of the public. The Panel also discussed the forthcoming work in formulating the Leisure and Built Facilities Strategy, and how that impacted on the bids proposed that related to assets that LED ran leisure provision from. As a result, some bids were referred to the LED Monitoring Forum for further discussion.

Recommended to Cabinet to include in the Capital Programme:

1

- a. Bid 1 Exmouth Camperdown Depot Roof Replacement (£32k for yr 22/23
- b. Bid 2 Exmouth Pavilion Refurbishment and Improvement Works for works only to mitigate health and safety requirement element of the bid at a figure of **(to be provided)**

- c. Bid 4 Replacement of roofs at Broadclyst and Ottery Leisure Centres (£316,250 yr 22/23 and £259,325 yr 23/24)
- d. Bid 5 Corporate Property Fire Risk Assessment (FRA) Works (£52K yr 22/23, £52k yr 23/24)
- e. Bid 6 Review of energy saving opportunities and resultant improvement works across Corporate and Leisure Portfolios part bid (£60k only for yr 22/23) and further investigation of works required
- f. Bid 7 External Repairs at Various Corporate Buildings (£224,250 yr 22/23 and £224,250 yr 23/24)
- g. Bid 9 External Emergency Lighting to Various Industrial Units (£29K yr 22/23)
- h. Bid 10 LED Tenanted Property Fire Risk Assessment (FRA) Works (£200K yr 22/23 and £231K yr 23/24)
- i. Bid 11 Refurbishment of sports halls and sports floors at various LED premises only sports floors element of bid at a figure of (to be provided)
- j. Bid 12 Refurbishment of swimming pool plant at Exmouth, Honiton, and Sidmouth LED Pools (£63, 250 yr 22/23 and £63,250 yr 23/24)
- k. Bid 13 Refurbishment/replacement of ventilation equipment and HVAC plant at various LED leisure centres (£172,500 yr 22/23)
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- o. Bid 17 Mini Site Nr 3, Durham Way, Honiton - Retaining Wall rebuild (£101,500 in yr 22/23)
- p. Bid 18 Refurbishment and Repairs to Beach Huts and Chalets part bid (£100k yr 22/23) and endorse ongoing work to review the beach huts and chalets offer
- q. Bid 20 Exmouth Manor Gardens Tool Shed Replacement (£22,500 yr 22/23)
- r. Bid 21 Exmouth Leisure Centre - Replacement of Cold Water Storage Tank with Mains Water Supply (£21,000 yr 22/23)
- s. Bid 22 Exmouth and Manor Pavilion Repairs to Stage Equipment (£43,300 yr 22/23 and £13,200 yr 23/24)
- t. Bid 24 Recycling & Waste Capital Programme part bid at £405K for yr 22/23 to cover necessary elements outside of contract negotiation
- u. Bid 25 Axmouth Harbour Repair (£70K yr 22/23)
- v. Bid 26 Beer Breakwater Scour Repair (£40K yr 22/23)
- w. Bid 27 Blackmore Gardens Maintenance (£20k yr 22/23)
- x. Bid 28 Car Park relining of spaces (£20k yr 22/23)
- y. Bid 29 Exmouth Seawall Repairs (£40K yr 22/23)
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- aa. Bid 31 Rewilding Plantation Walk, The Beacon, Exmouth (£50K yr 22/23)
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- gg. Bid 39 Renewal of Norman Crescent play area, Budleigh Salterton (£60k yr **23/24**)
- hh. Bid 40 Phear Park Skatepark Lighting part bid (£20k yr 22/23) with request to Exmouth Town Council to fund remaining £20k; and ensure low energy lighting used
- ii. Bid 41 Renewal of Whitebridges Play Area, Honiton (£130K yr 22/23)
- jj. Bid 42 Renewal of Willow Walk play area, Honiton (£50k yr 22/23)

- 2 An uplift of 10% on all engineering project bids listed at £75k or above to cover additional resources required to deliver the projects.

The Panel chose to defer the following bids as follows:

3

- a) Bid 3 Exmouth Pavilion Refurbishment Works to Catering Areas;
- b) Bid 8 Refurbishment/replacement of HVAC plant at various corporate buildings;
- c) Bid 19 Various Swimming Pools Pool Water Treatment Energy Management and refer the bid for debate at the LED Monitoring Forum
- d) Bid 23 Sidmouth Swimming Pool Light Refurbishment to Changing Facilities and refer the bid for debate at the LED Monitoring Forum
- e) Bid 35 Exmouth Clock Tower Lights
- f) Bid 36 Mamhead Baffle

Attendance List

Councillors present:

J Rowland (Chair)
M Armstrong
P Arnott
K Blakey
P Hayward
S Jackson
G Jung
D Ledger
J Loudoun
A Moulding
G Pook
M Rixson
E Rylance
N Hookway
V Johns

Councillors also present (for some or all the meeting)

P Faithfull
P Millar

Officers in attendance:

Andrew Hancock, Service Lead StreetScene
Tom Buxton-Smith, Engineering Projects Manager
Tim Child, Service Lead - Place, Assets & Commercialisation
Debbie Meakin, Democratic Services Officer
Jorge Pineda-Langford, Principal Building Surveyor, Property & FM
Gareth Bourton, Recycling and Waste Contract Manager
John Golding, Strategic Lead Housing, Health and Environment

Councillor apologies:

D Bickley
E Wragg

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Recycling and Waste Partnership Board held Online via the Zoom app on 8 December 2021****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.30 am

23 Minutes of the previous meeting

The minutes of the previous consultative meeting held on 13 October 2021 were received and noted.

24 Declarations of interest

Declarations of interest.

Councillor Geoff Jung, Personal, Ward member for Woodbury and Lypstone, which included Greendale Business Park..

6. Flexibles/film trial.

Councillor Denise Bickley, Personal, Chair of Sidmouth Plastic Warriors.

25 Matters arising

The Strategic Lead – Housing, Health and Environment requested an operational update regarding a covid outbreak at SUEZ and recruitment difficulties. In response the Recycling and Waste Contract Manager and the SUEZ Contract Manager reported that the service was going well. There were currently two loaders self-isolating at present and crews had worked on Saturdays to catch up. The total missed collections were on a downward trend and were below the contract threshold. The figures were the lowest they had been since January 2020. The new assistant manager was in place and there was a good strong team which was working well. It was noted that less complaints had been received by EDDC which reinforced the improved service that was being provided.

Councillor Tom Wright wished for this thanks to be recorded for the excellent service and high standard of collections in Budleigh Salterton.

26 Bridging solution

The Recycling and Waste Contract Manager reminded the Board that the reasons behind a bridging solution were the contractual tipping point for property growth and the real world effect due to the covid 19 pandemic which had resulted in an increase in material tonnages collected. The level and nature of property growth across the district was imbalanced and rounds required significant reorganisation.

An issue with supply chains, in particular the procurement of vehicles had prompted a re-evaluation of the bridging solution. The lead in time for the required vehicles was eight months from order to delivery. Therefore if the Council approved the bridging solution at its February 2022 meeting the vehicles would be ordered and not received until October 2022. In order to future proof round reviews were required and pay rates would need to be discussed in 2022.

It was noted that the bridging solution had implications for the flexibles/film trial. Concern was expressed over the lack of information provided by SUEZ on the bridging solution and that due to the current service delivery resource issues with heavy reliance on agency staff and a driver shortage, that taking part in the trial could overload the already stretched system.

EDDC officers reported that although proposals for a bridging solution had been received from SUEZ, a greater degree of detail and information was still required from SUEZ in order for the Council to do due diligence. The current proposal was out of budget and required greater clarification and due diligence before any proposals and informed decisions could go forward to be made by Cabinet and Council. SUEZ responded that the reason for the bridging solution was that issues were being experienced now due to the number of properties and composition of materials. The issue for SUEZ related to timing and vehicle availability, which would be eight months from any Council agreed bridging solution. The Strategic Lead - Finance re-emphasised the significance of the decision for members and suggested that a provisional sum be included in the Joint Overview and Scrutiny Committees budget setting papers.

Following discussions the Board agreed that that officers be invited to finalise the bridging solution and due diligence considerations and present a proposal back to the January meeting of the Recycling and Waste Partnership Board, to then go forward to Cabinet and full Council in February 2022.

27 **Flexibles/film trial**

SUEZ were working with Flexible Plastic Fund (FPF), RECOUP, WRAP and Hubbub to trial the collection of flexible plastic packaging from households by working with a cross section of authorities across the country. The trials would seek to understand the volumes arising from households, costs and challenges associated with collections, success of communications approaches and the processes and cost of handling materials once sorted. Four 'pioneer' authorities would join the first stage of the trial, starting in early 2022, for three years. The second 'industrialisation' stage would use learnings from the first pioneer stage and apply them to a cohort of five more local authorities starting in July 2022 and a further second cohort of five starting in June 2023 (subject to funding). The full cost of the trial would be financed by DEFRA, UK Research and Innovation and the FPF (as an open book contract), so there would be no cost to any participating authority.

The Recycling and Waste Contract Manager explained that the big question was whether it was the right thing for EDDC to engage in at the moment due to the current resource issues. The trial was a desirable thing to be involved in but the priority was keeping existing operations on track. The Chair expressed his disappointment at not entering the trial but agreed that the key issue to consider was whether the service could cope with the bridging solution and existing resource issues. He felt that there were too many unknowns at present to make a decision.

The SUEZ Principal Commercial Manager explained that there were several options and opportunities for joining the trial. There was a lot for the current service to deal with at present and he was concerned about taking on a trial that could jeopardise the existing service. He felt that the definition of flexible plastic needed more work and that an extensive level of communications would be required. It was also unclear how long SUEZ would have to store the material before it was transported.

The Recycling and Waste Contract Manager explained that one reason for the trial was that it was unclear at the moment what flexibles were in the recycling stream. There was a need to find out what the quantities and compositions were. There would be no financial loss to EDDC. An advantage of taking part in the trial was that it would give the partnership an insight into how the End Producer Responsibility (EPR) scheme would work and it might provide an opportunity to steer and influence.

The Board agreed due to its concerns and the need for further details on the bridging solution and information on the trial and EPR, to decline to participate in the flexibles/film trial at present. However it remained open to joining the trial after the first phase once more information was available and it requested further information and a presentation at the next meeting of the Partnership Board.

Attendance List

Board Members:

Councillors present:

G Jung (Chair)
D Bickley
E Rylance (Vice-Chair)
T Wright
M Rixson

Officers present:

G Bourton, Recycling and Waste Contract Manager
J Golding, Strategic Lead Housing, Health and Environment
A Hancock, Service Lead StreetScene

Suez present:

N Tandy, Principal Commercial Manager
J Gatter, Contract Manager

Councillors also present (for some or all the meeting)

P Arnott
P Millar

Officers in attendance:

Andrew Hopkins, Communications Consultant
Lou Hodges, Recycling and Waste Officer
Simon Davey, Strategic Lead Finance
Steve Maclure, Waste Management Officer
Alethea Thompson, Democratic Services Officer

Suez representatives in attendance:

Oliver Morrall, Project Delivery Manager
Lily Morton, Recycling Officer
Jess Prosser, Recycling Officer

Board Member apologies:

James Pike, Regional Director SUEZ
Councillor Geoff Pook



Report to: Cabinet

Date of Meeting 5 January 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Council Tax Base for 2022/23

Report summary:

This report sets out the tax base for 2022/2023 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 2022/2023.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That Cabinet recommends the approval of the tax base for 2022/2023 at 60805 Band D equivalent properties to senior officers.

2. That Cabinet recommends the approval of the amount for each parish as detailed under section 3 of this report to senior officers.

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 for Revenues, Benefits, Customer Services & Corporate Fraud & Compliance ljarrett@eastdevon.gov.uk 01395 517450

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information [The Local Authorities \(Calculation of Council Tax Base\) \(England\) Regulations 2012 \(legislation.gov.uk\)](#)

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
-

Report in full

1.0 Background

- 1.1 The tax base for council tax must be set between 1 December 2021 and 31 January 2022.
- 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 Regulations 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
 - 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 2022/2023

- 2.1 The table at 2.7 shows the number of properties (by band) in the Valuation list as at 30 November 2021 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 of Cabinet at their meeting on 1 December 2021.
- 2.3 The adjustments for discounts, premiums have been based using the same percentage levels that currently apply.
- 2.4 There are 456 (424 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 98.7% (previously 98.3%) to reflect current performance.
- 2.6 There are 161 Band D equivalent MoD properties which has been estimated taking into account the current contribution.

2.7 Totals for East Devon 2022/2023

BAND	A*	A	B	C	D	E	F	G	H	Total
1. Properties in list	0	6,580	13,773	16,909	13,265	10,966	6,532	4,152	193	72,370
2. Less adjustments	-14	1,375	1,909	1,809	1,259	881	426	291	38	7,974
3. Plus New Builds	0	35	68	187	106	52	6	2	0	456
4. Adjusted number of properties	14	5,240	11,932	15,287	12,112	10,137	6,112	3,863	155	64,852
5. Less CTR	3	1,385	2,287	1,587	536	203	56	17	0	6,074
6. Total equivalent properties	11	3,855	9,645	13,700	11,576	9,934	6,056	3,846	155	58,778
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	6	2,570	7,502	12,178	11,576	12,142	8,748	6,410	310	61,442
9. Collection Rate @ 98.7%										60,644
10. Contribution for MOD properties										161
11. Tax Base										60,805

Key

- 1 Properties in list - refers to the number of properties in each band shown in the Valuation list as at 30 November 2021 (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
- 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 2022/2023.
- 10 The contribution from the Ministry of Defence adjusted to the number of Band D equivalent properties.
- 11 Tax Base for 2022/2023 in Band D equivalents

2.8 The tax base for 2022/2023 has increased by 721 band D equivalent properties (60,084 for the current year - 2021/22).

Parish/Town Tax Base for 2022/2023

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	258	Dalwood	206	Plymtree	258
Awliscombe	235	Dunkeswell	589	Poltimore	133
Axminster	2,818	E.Budleigh/Bicton	514	Rewe	189
Axmouth	250	Exmouth	12,880	Rockbeare	379
Aylesbeare	265	Farringdon	154	Seaton	3,208
Beer	666	Farway	126	Sheldon	85
Bishops Clyst	612	Feniton	673	Shute	290
Brampford Speke	150	Gittisham	369	Sidmouth	6,954
Branscombe	326	Hawkchurch	265	Southleigh	115
Broadclyst	2,348	Honiton	3,877	Stockland	336
Broadhembury	317	Huxham	46	Stoke Canon	240
Buckerell	113	Kilmington	407	Talaton	243
Budleigh Salterton	2,818	Luppitt	214	Uplyme	875
Chardstock	413	Lypstone	925	Upottery	328
Clyst Honiton	106	Membury	274	Upton Pyne	218
Clyst Hydon	128	Monkton	76	West Hill	1,162
Clyst St George	398	Musbury	242	Whimble	722
Clyst St Lawrence	47	Netherexe	26	Widworthy	142
Colaton Raleigh	310	Newton Poppleford	963	Woodbury	1,420
Colyton	1,447	Northleigh	84	Yarcombe	218
Combe Raleigh	97	Offwell	187	Grand total 60,805	
Combpyne-Rousdon	191	Otterton	301		
Cotleigh	106	Ottery St Mary	2,886		
Cranbrook	2,261	Payhembury	326		

Financial implications:

The tax base calculation is an essential part of the Council's budget setting process and determines along with the agreed Council Tax level for the District the amount of Council Tax Income the Council will receive in 2022/23. This is the same position of the other preceptors.

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.

Report to: Cabinet



Date of Meeting 5 January 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Responding to the resolutions of the Devon Climate Assembly

Report summary:

This report outlines the input into the draft Devon Carbon Plan that has been proposed through the Devon Citizens Assembly process. All signatories to the Devon Climate Emergency Declaration have been invited to consider and comment on the resolutions put forward by the Citizens or more correctly the Devon Climate Assembly prior to a further round of public consultation.

The Devon Climate Assembly was organised by Involve a charity that specialises in public consultation on social policy. A rigorous process of selecting, training and facilitating participant's debate, and producing a series of resolutions was undertaken by Involve. So we now have some valuable further public input into the planning process for the Devon Carbon Plan.

I would suggest that we welcome the resolutions presented by the Climate Assembly and work collectively with the Devon Climate Change Partnership to incorporate them into the revised and updated version of the Devon Carbon Plan.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

It is recommended that we feed back our observations on the Devon Climate Assembly resolutions and actions proposed based on the observations contained in this report.

Cabinet is invited to comment on the actions proposed in the annex to the report.

Reason for recommendation:

It is recommended that partner organisations of the Devon Climate Assembly share the draft actions with members and senior representatives and provide feedback to the Devon Climate Emergency secretariat by 27 January 2022.

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

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications

- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change High Impact

Risk: High Risk; The risks occur by not embracing actions that are designed to reduce Green House Gas emissions in the county.

Links to background information Draft Devon Carbon Plan [Home – Devon Climate Emergency](#)

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

1. Background

- 1.1 This paper introduces draft actions to add to the interim Devon Carbon Plan in response to the Devon Climate Assembly process. It seeks feedback from the organisations who are part of the Devon Climate Emergency (DCE) Partnership, in particular senior representatives and Local Authority members, on those actions prior to their public consultation in March 2022.
- 1.2 The citizen’s assembly process was undertaken by Involve who were commissioned by DCC on behalf of the partnership. Involve are a charity specialising in complex consultations and are dedicated to ensuring that the public influence public policy putting people at the heart of decision making.
- 1.3 The **Devon Carbon Plan** will be a comprehensive set of proposals that will be applicable across the whole county and will sit with our **Climate Change Strategy**, which is primarily our organisational plan for achieving a reduction in our carbon footprint and greenhouse gas emissions, albeit does extend to partners, contractors and our communities.

2. The Devon Climate Assembly

- 2.1 The [Devon Climate Assembly, a 70-strong representative panel of Devon’s residents](#) met in June and July this year for 25 hours to deliberate on three big issues for reaching net-zero that were not resolved in the Interim Devon Carbon Plan (IDCP). These were:
 1. What should be the role of onshore wind in the Devon renewable energy strategy?
 2. What needs to be done to encourage less car use in Devon?
 3. What would be the best ways of encouraging, or requiring, people to retrofit their homes, properties or business premises to reduce carbon emissions?
- 2.2 The Assembly generated recommendations to feed into the Devon Carbon Plan. [A report on the conclusions of the Assembly members](#) was presented to the DCE partnership in October.

3. Carbon Plan process

3.1 The [IDCP is online](#) and was subject to public consultation in December 2020. Partners have been implementing the IDCP alongside the Assembly proceedings. The DCE partners are now developing actions that respond to the resolutions of the citizens' assembly, in preparation for their public consultation in March 2022. Further amendments to the actions will be made as required, and incorporated into the Final Devon Carbon Plan. Figure 1 illustrates the process.

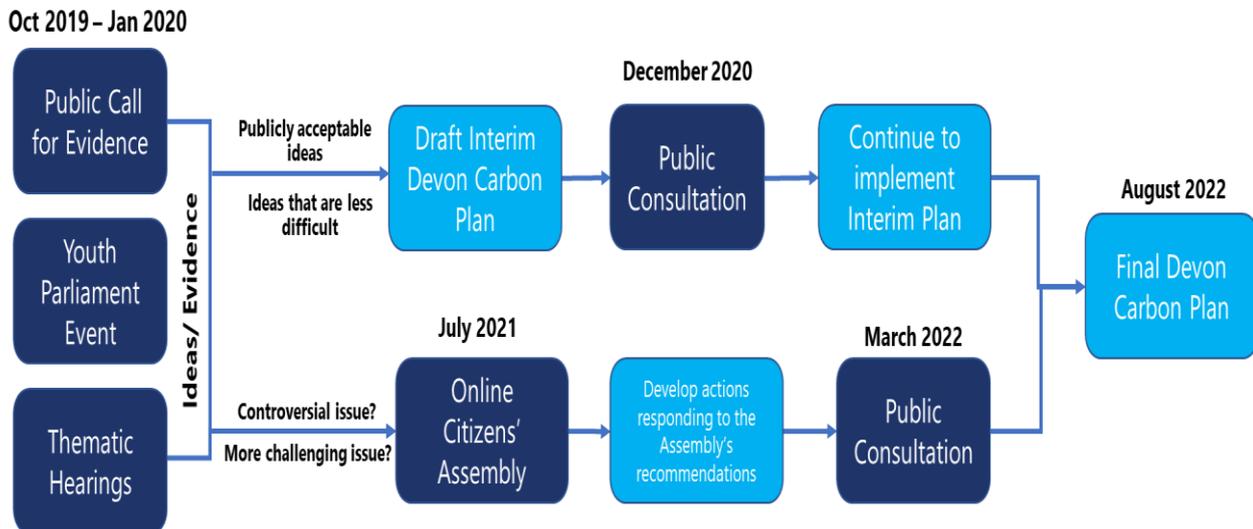


Figure 1. The Carbon Plan Process

4. Consultation with partners to date

4.1 Initially the DCE secretariat reviewed the resolutions and conditions developed by the Assembly and developed a first draft of actions. The draft actions were cross referenced with the IDCP, to avoid duplication where there were already actions which would fulfil the recommendations of the Assembly.

4.1 The Devon Climate Emergency Tactical Group had 5 weeks (8/10/21- 12/11/21) to comment on the draft actions by collecting feedback from officers within their organisations. The organisations which responded at this stage were:

- Devon County Council
- Torbay Council
- Devon Wildlife Trust
- East Devon District Council
- Plymouth Council (will not offer comments on the plan at this stage)
- The Devon Landscape Policy Officers Group
- The Devon and Cornwall Planning Policy Officers Group

5. Draft actions

5.1 The latest draft of the actions responding to the Devon Climate Assembly can be found in the Annex to this report.

5.2 I would suggest that we generally welcome this contribution to the climate change debate and recognise this piece of work as a crucial element in finalising the Devon Carbon Plan.

5.3 Organisations committed to the Devon Climate Emergency declaration cannot achieve zero carbon targets alone and need individual and community 'buy in' to achieve behaviour change at scale.

- 5.4 The Citizens Assembly were put through a rigorous process, taking an academic approach with outputs that provide added value to the Devon Carbon Plan.
- 5.5 Only 70 participants albeit carefully selected representatives of Devon demography, ethnicity, geography etc.
- 5.6 The Citizens Assembly were given a narrow focus on three issues (listed above).
- 5.7 The process necessarily involved a lot of learning to enable informed feedback. So a considerable amount of time was spent getting participants to a point where they could provide meaningful opinions.
- 5.8 There is an important section of the report on messages to organisations. In addition to the resolutions, conditions and supporting recommendations, in the final meeting of the Assembly members had an opportunity to 'step back' from the specific questions they had been tasked with addressing and consider, in light of all they had heard and all they knew, what final overarching messages they wanted to send to the Devon Climate Emergency Partnership. The key themes that members focused on were the need for:
- Wider communication and information about the climate emergency
 - Greater community involvement and engagement
 - Urgent action
 - Ambition locally
 - Strong leadership
 - Accountability to the public
 - Central government to play an enabling role
- 5.9 For me there were no surprises or stretch targets being imposed. I was expecting a more radical response. It was however a response that was not overly emotive, balanced, and reasonable. It is good that it appears to endorse the direction of travel for the Devon Carbon Plan.
- 5.10 In producing our EDDC Climate Change Strategy we did not undertake public consultation before adoption. We have run a series of climate conversations after adoption through our Thelma Hulbert Gallery and Climate Change Officer and the feedback has been very positive in relation to our strategy and action plan. Whilst the Citizens Assembly is no substitute for consultation on our own strategy, we did say at the time that DCC were planning a comprehensive consultation process and had the resources to run an exercise beyond our ability and expertise.
- 5.11 I have received some initial feedback from the Portfolio Holder and others that I will feed back into the process.

Comments as follows re transport and housing:

Transport

(P.9) Condition 3.1 comments are 'update this goal to: our streets are safe for all and using active, shared and public transport is efficient and affordable.'

- we cannot make public transport affordable
- all we can do is lobby (as this is not within our remit)
- government needs to subsidise public transport (as they do in other European countries)
- subsidies could be a game changer

Resolution 4

(P.10) about 'financial sticks' - agree that we should not pursue this, as we need efficient, affordable and reliable public transport FIRST. So financial sticks are not appropriate at this time.

Housing

Encouraging people or *requiring* them to retrofit (see condition 3.2 regarding affordability)

(P.20) Condition 5.3 'that Councils promote widely the opportunity to benefit from reductions in council tax and business rates by increasing the energy efficiency of your property'

- good in theory but this will penalise the very people we need to help: affordability is key
- some businesses are already struggling due to the pandemic, so this would be an additional tax which may tip them over the edge
- similarly, not all residents have the money available to retrofit their properties
- long term, generous, government funding is what is required.

6. Next steps

6.1 The Devon Climate Emergency secretariat now seeks feedback from senior representatives and Local Authority members of the Devon Climate Emergency Partnership, prior to public consultation in March 2022. Unless there is feedback which demands otherwise, preparations for the public consultation will continue as follows:

- **23/11/2021 – 27/01/2022** Individual local authorities and partner organisations consult with their members and senior staff on the draft actions
- **13/01/2022 – 17/02/2022** Secretariat and Tactical Group update actions following consultation with councillors and senior representatives
- **17/02/2022 – 24/02/2022** Tactical Group sign off the actions and supporting texts and recommends these to the Response Group for public consultation
- **24/02/2022 - 03/03/2022** Response Group sign off the texts for public consultation
- **17/03/2022 – 14/04/2022** Consult public on the actions and supporting texts
- **14/4/2022 - 12/05/2022** Secretariat process responses from the consultation to produce consultation report

Financial implications:

There are no direct financial implications from the recommendations in this report. However the financial resources required to meet the carbon reduction actions are significant and beyond the resources available to a district council. No budget is being requested in this paper.

Legal implications:

It is within the power of the Cabinet to respond on behalf of the Council to this request. It is not considered that there are any other legal implications requiring specific comment.

Annex 1 - Turning the recommendations of the Devon Climate Assembly into actions for consultation

Contents

1. What should be the role of onshore wind in the Devon renewable energy strategy?	1
2. What needs to be done to encourage less car use in Devon?	7
3. What would be the best ways of encouraging, or requiring, people to retrofit their homes, properties or business premises to reduce carbon emissions?.....	14

1. What should be the role of onshore wind in the Devon renewable energy strategy?

For this topic, the focus was essentially on what role, if any, should onshore wind turbines play in the mix of energy generation methods deployed across Devon in order to meet the increased demand for electricity expected as we transition away from the use of fossil fuels. The members were also explicitly asked to consider the subsidiary question: Are there any conditions or guarantees that need to be in place to enhance public acceptability?

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Assembly Resolutions and Conditions	% Support	ID	Existing Response in the Interim Devon Carbon Plan (IDCP)	Our Draft Response
Resolution 1 In principle, we support the development of more onshore wind turbines in Devon.	Supported by 89% of members	a)	Action E1 in the Energy Supply Chapter of the Interim Carbon Plan proposes the development of an energy strategy for Devon. A sub-action (E1.1) is to update assessments of the accessible renewable energy resource available in Devon.	<i>The supporting text to action E1 in the plan will be updated to state that wind will be included in the assessments.</i>
Resolution 2 In principle, we support reforming the National Planning Framework	Supported by 87% of members	b)	The text in the Energy Supply chapter of the IDCP identifies the issue but doesn't propose an action.	<i>Proposed new action, Energy Supply: "Work with government to amend national planning legislation to make it more straightforward for onshore wind developments to get planning consent."</i>

Assembly Resolutions and Conditions	% Support	ID	Existing Response in the Interim Devon Carbon Plan (IDCP)	Our Draft Response
(resolution 2 continued) to remove the requirement for 'complete' community support from development planning applications for onshore wind turbines.				
Condition 1. That there is good, clear, high quality information & education for communities (from an objective, trusted and credible source) about the need for action and the crisis nature of climate and energy needs:	Agreed by 87% of members.	c)	The IDCP does not specifically address this condition.	<i>New action proposed, Cross Cutting Themes:</i> "Provide high quality, objective information and education for communities about the need for renewable energy and the crisis nature of the climate emergency."
a) including putting forward an emergency local plan identifying potential sites and the potential benefits; and		d)	The IDCP does not specifically address this condition.	<i>New action proposed, Energy Supply:</i> "Identify potential sites for renewable energy, informed by the emerging Land Use Framework and environmental and social sensitivities, and look to allocate these in Local Plans."
b) providing practical support for affected communities to understand the		e)	The IDCP does not specifically address this condition.	<i>New action proposed, Energy Supply:</i> "Provide practical support for communities wishing to develop their own energy infrastructure."

Assembly Resolutions and Conditions	% Support	ID	Existing Response in the Interim Devon Carbon Plan (IDCP)	Our Draft Response
potential benefits, processes and challenges.				
Condition 2. That all reasonable measures are undertaken to minimise potential negative impacts on communities (for example the risk of impacts on house prices due to the proximity to a turbine) and wildlife in the design and positioning of a windfarm, and there are opportunities built in for people to raise and seek redress for negative effects, should they occur, throughout the lifetime of its operation.	Agreed by 87% of members.	f)	Action E1.1 says “Update assessments of the accessible Renewable Energy resource available in Devon.” This will exclude sensitive social and environmental features to minimise negative effects in this initial exercise. The planning system is designed to address remaining effects.	<i>None required due to existing provisions.</i>
Condition 3. That the developments bring lasting local financial, economic, social and environmental benefits, with community ownership and Community Interest	Agreed by 86% of members.	g)	The IDCP does not specifically address this condition.	<i>New action proposed, Energy Supply: “Local Plan updates will look to include policies that, where appropriate, give positive weight to renewable and low carbon energy initiatives, which have clear evidence of local community involvement and leadership.”</i>

Assembly Resolutions and Conditions	% Support	ID	Existing Response in the Interim Devon Carbon Plan (IDCP)	Our Draft Response
Companies held accountable for the distribution of funds.				[wording reflects existing guidance https://www.gov.uk/government/publications/community-benefits-and-engagement-guidance-for-onshore-wind Going further than this would risk planning decisions being overturned or Local Plans being unsound]
Condition 4. That communities where sites are identified benefit from them, and that they get really good support to engage and understand the issues.	Agreed by 84% of members.	h)	The IDCP does not specifically address this condition.	<i>Incorporated into action e.</i>
Condition 5. That everyone across Devon understands where wind farms can be sited and can easily access information on potential impacts on range of conditions (including mental health, wildlife, economy) and the range of potential benefits (e.g. lower cost electricity, reduced carbon emissions and impacts on climate change).	Agreed by 84% of members.	i)	The IDCP does not specifically address this condition.	<i>Incorporated into action c.</i>
Condition 6. That the majority are in community ownership, with a democratic	Agreed by 84% of members.	j)	The IDCP does not specifically address this condition.	<i>Same as action g</i>

Assembly Resolutions and Conditions	% Support	ID	Existing Response in the Interim Devon Carbon Plan (IDCP)	Our Draft Response
process in place to inform the early stages of planning and development (including funding support at this stage).				
Condition 7. Onshore wind farms are developed where the energy produced is most needed (e.g. near industrial areas where it can be easily connected to the grid) and that the location of developments is considered in a way that is integrated with other wider considerations for Devon, such as the need for a mix of energy production, land use and respect for areas of outstanding natural beauty.	Agreed by 84% of members.	k)	The IDCP does not specifically address this condition.	<i>Same as action d</i>
Condition 8. That planning structures are streamlined and operate in favour of community ownership, where profits are	Agreed by 80% of members	l)	The IDCP does not specifically address this condition.	<i>Incorporated into action g</i>

Assembly Resolutions and Conditions	% Support	ID	Existing Response in the Interim Devon Carbon Plan (IDCP)	Our Draft Response
reinvested by and for the community.				
Condition 9. That energy is not considered in isolation, but alongside consideration of the space available for other land use development (housing, roads, agriculture, business, industry, schools, sewers) within local planning process and strategic planning.	Agreed by 80% of members.	m)	The IDCP proposes the development of a Land Use Framework to help resolve this issue.	<i>Incorporated into action d</i>
Condition 10. That the development planning process is sped up and ensures dialogue with communities is a continuing part of this.	Agreed by 78% of members.	n)	The IDCP does not specifically address this condition.	<i>Incorporated into actions b and g</i>

2. What needs to be done to encourage less car use in Devon?

For this topic, the discussions started from a position that there was a need to reduce overall the use of private vehicles in Devon to have a significant impact on emissions from travel, and that one way of encouraging this was by making car use less attractive. This was encapsulated in the subsidiary question the members were asked to consider: How can reducing road capacity and financial ‘carrots and sticks’ help to make car use less attractive and reduce traffic levels / emissions while maintaining mobility?

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
Resolution 1 In principle, we support the ambition in the Interim Devon Carbon Plan to reduce traffic emissions across Devon by making car use less attractive, while maintaining mobility.	Supported by 74% of members	o)	The opening sections of the Transport chapter of the IDCP explains how emissions from road transport can be reduced and highlights the needs of people to continue to access services, particularly in rural communities.	<i>We will introduce a new goal within the Transport chapter or the Devon Carbon Plan:</i> “Traffic emissions are reduced across Devon by providing reliable, regular, affordable and integrated alternatives to private car use in combination with measures to make car use less attractive.”
Our support for ambitions to reduce emissions by making car use less attractive would increase with the condition...				
Condition 1.1 That there is widespread investment in ensuring that there is a better public and active transport infrastructure across Devon that can be used as a reliable, regular, affordable and integrated alternative, and that significant progress is made on this before the wider implementation of proposals to discourage car use.	Agreed by 89% of members.	q)	The IDCP has a number of actions to improve the provision and investment in active and public travel.	<i>We will incorporate into the supporting text of the Transport chapter in the IDCP that the assembly has said that significant progress should be made on the active and public transport provision before proposals to discourage car use are introduced. This will guide future transport policy and infrastructure decisions but there may be circumstances where proposals to discourage car use are deemed necessary to raise funds to put the active and public transport measures in place.</i>

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
<p>Condition 1.2 That there is an independent authority put in place to oversee and ensure accountability in the collection of resources generated by any charging schemes to ensure they are allocated towards public and active travel improvements (and other road emission reduction schemes) and that their findings are regularly reported.</p>	<p>Agreed by 74% of members.</p>	<p>r)</p>	<p>The IDCP does not specifically address this condition.</p>	<p><i>No action proposed.</i></p> <p><i>The revenue from on-street parking charging is ring-fenced for transport purposes under the Road Traffic Regulation Act 1984.</i></p> <p><i>Off-street car parking revenue is used to fund the provision of council services which would otherwise require council tax increases.</i></p> <p><i>The finances of local authorities are published and are subject to review through formal Overview and Scrutiny processes and independent, external audit – a requirement of the Local Audit and Accountability Act 2014.</i></p>
<p>Resolution 2 We recognise that there will likely always be a need for private car use in Devon, particularly in rural areas of the county, and support the initiatives included in the Interim Devon Carbon Plan to help minimise the emissions these cause by investing in the infrastructure to support the increased use of electric vehicles.</p>	<p>Supported by 92% of members</p>	<p>s)</p>	<p>The IDCP includes various actions to support the electrification of transport.</p>	<p><i>None required</i></p>

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
Resolution 3 In principle, we support taking measures to reduce the road space available to cars and reallocate it to active and public travel modes in Devon	Supported by 74% of members	t)	The IDCP already includes the following action: "T5. Review opportunities to reallocate road capacity to sustainable modes (walking, cycling and public transport), particularly where it can support other objectives (i.e. urban centre regeneration, street cafes)."	<i>None required.</i>
Condition 3.1 That priority is given to making sure that you can still travel cheaply around Devon, in a similar time to now, via active travel/public transport.	Agreed by 88% of members.	u)	The Transport Chapter of the Plan contains a Goal to ensure "Our streets are safe for all and cycling, walking, shared and public transport are prioritised".	<i>Update this goal to:</i> "Our streets are safe for all and using active, shared and public transport is efficient and affordable"
Condition 3.2 That there is the provision of more modern and effective park and ride facilities.	Agreed by 83% of members.	v)	The IDCP already includes the following action: "T33. Create nodal car parks at strategic points to encourage onward car sharing."	<i>Update existing action in the Transport Chapter, T33 to say:</i> "Modernise and create car parks at strategic points to encourage car sharing and onward journeys by active travel or public transport."
Condition 3.3 That proper cycling infrastructure is created across the county.	Agreed by 80% of members.	w)	The IDCP already includes the following actions: "T6. Develop local cycling and walking infrastructure plans with communities." [updated version of T6 following consultation] "T7 Improve strategic cycle routes within and between settlements." "T9 Where possible, design pavements and junctions to prioritise pedestrians and cyclists over vehicular traffic."	<i>None required.</i>

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
Condition 3.4 That there is differentiation in public transport fares depending on user categories (e.g. discounted fares for residents and/or means tested travel passes).	Agreed by 68% of members.	x)	The IDCP does not specifically address this condition.	<i>Proposed new action, Transport:</i> “Explore opportunities to set fares to support equal opportunities to access mobility for all”
Condition 3.5 That Devon investigates introducing a Tourist Levy: where the tax on tourists visiting is allocated to the local community to fund initiatives to reduce carbon emissions.	Agreed by 68% of members.	y)	The IDCP does not specifically address this condition.	<i>Proposed new action, Transport:</i> “Investigate the concept and mechanisms of a Tourist Levy to enable the tourism sector to consider how visitors can contribute to the transition to net-zero.”
Resolution 4 We recognise that there is the need to introduce some ‘financial sticks’, like parking charges, congestion charges and parking levies in order to help fund the provision of wider improvements, ‘the carrots’, that will help reduce emissions while maintaining mobility across Devon.	Not supported by the majority of members (only 50% support achieved).	z)	The IDCP identifies the issue but doesn’t propose an action.	<i>No action proposed as not supported by CA unless the partnership strongly feel that this should be considered.</i>
Resolution 5 In principle, we support taking measures to reduce space available for parking and introduce	Not supported by the majority of	Aa)	The IDCP identifies the issue but doesn’t propose an action.	<i>No action proposed as not supported by CA unless the partnership strongly feel that this should be considered.</i>

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
parking charges in areas across Devon.	members (only 46% support achieved).			
Condition 5.1 That parking charges are ringfenced and reinvested in the public transport network to reduce the public's resistance to paying parking fees.	Agreed by 75% of members.	Ab)	The IDCP identifies the issue but doesn't propose an action.	<i>No action proposed.</i> <i>The revenue from on-street parking charging is ring-fenced for transport purposes under the Road Traffic Regulation Act 1984.</i> <i>Off-street car parking revenue is used to fund the provision of council services which would otherwise require council tax increases.</i>
Condition 5.2 That there are differentiated parking charges based on: a) type of vehicles (electric / polluting); and b) users' needs (e.g. essential work use, people with limited mobility)	Agreed by 66% of members.	Ac)	The IDCP identifies the issue but doesn't propose an action.	<i>No action proposed. Early feedback indicated that the initially proposed additional action was not feasible and would not achieve the desired outcomes.</i>
Resolution 6 In principle, we support the introduction of workplace parking levies in areas across Devon	Not supported by the majority of members	Ad)	The IDCP identifies the issue but doesn't propose an action.	<i>New action in the Transport section: 'Employers to be encouraged to make commuting by active, shared and public transport more attractive'.</i>

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
	(only 45% support achieved).			
Our support for workplace parking levies would increase with the condition...				
Condition 6.1 That money gained from Workplace Parking Levies is spent on supporting public transport routes, or viable alternatives for employees, including employers providing shuttle busses for workers or paying for bike hubs and shower facilities at workplaces.	Agreed by 75% of members.	Ae)	The IDCP identifies the issue but doesn't propose an action.	<i>No action required.</i>
Condition 6.2 That it only applies to businesses with a certain level of turnover and/or a certain number of staff (level to be determined based on learning from successful models elsewhere).	Agreed by 71% of members.	Af)	The IDCP identifies the issue but doesn't propose an action.	<i>No action required.</i>
Condition 6.3 That it is the employer who pays and the cost cannot be passed on to the employee.	Agreed by 68% of members.	Ag)	The IDCP identifies the issue but doesn't propose an action.	<i>No action required.</i>

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
Resolution 7 In principle, we support introducing congestion charges and low emission zones in areas across Devon.	Supported by 62% of members	Ah)	The IDCP identifies the issue but doesn't propose an action.	<i>Proposed new action, Transport chapter:</i> "Review the potential for the introduction of congestion charges and low emission zones in appropriate areas across Devon on a place-by-place basis, giving consideration to local impacts and likely effectiveness."
Our support for congestion charges and low emission zones would increase with the condition...				
Condition 7.1 That they won't be introduced as a 'one size fits all' approach for all areas of the county and groups of people.	Agreed by 84% of members.	Ai)	The IDCP identifies the issue but doesn't propose an action.	<i>Incorporated into action Ah) above.</i>
Condition 7.2 That there is careful consideration, and review, of the economic impact on the area.	Agreed by 76% of members.	Aj)	The IDCP identifies the issue but doesn't propose an action.	<i>Incorporated into action Ah) above.</i>

3. What would be the best ways of encouraging, or requiring, people to retrofit their homes, properties or business premises to reduce carbon emissions?

There were two key aspects of this topic that members were asked to focus on:

- a) The information, advice, support and incentives that the public would need to motivate, and enable, them to undertake retrofitting work on their properties; and
- b) The acceptability of using local council powers to require retrofitting activities to reduce emissions from buildings.

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
Resolution 1 We believe that the existing financial supports available across Devon are not effective for encouraging people to undertake the degree of retrofitting work in their properties that will be required to meet net zero targets.	Supported by 94% of members	Ak)	The IDCP identifies the issue but doesn't propose an action.	<i>Covered by proposed action Al) below</i>
Resolution 2 In principle, we support there being financial support available for people to retrofit properties across Devon.	Supported by 93% of members	Al)	The Built Environment chapter of the IDCP already includes the following actions: "B3 Explore opportunities to use the carbon offset market to fund the retrofit of domestic and commercial buildings" "B4 Work with government to achieve VAT breaks on retrofit activity and products."	<i>Replace B3 with: "Explore opportunities to enhance financial support available for people to retrofit their properties." B4 remains.</i>
We believe the implementation of packages to support people to retrofit their properties would be strengthened by the following...				

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
<p>Supporting Recommendation 2.1 There needs to be more accountability and reporting regarding government expenditure on retrofitting, with ongoing progress reports that show the money spent and progress towards meeting targets.</p>	<p>Agreed by 94% of members.</p>	Am)	<p>Progress towards targets is already recorded by these indicators in the IDCP:</p> <p>“Number of Devon’s homes with an Energy Performance Certificate of D – G”</p> <p>And</p> <p>“Number of Devon’s commercial premises with an Energy Performance Certificate of D – G”</p>	<p><i>No proposed for this. Instead, the monitoring indicators for the Carbon Plan will be updated to include indicators for:</i></p> <p>“Amount of funding spent through dedicated public grants on domestic retrofitting in Devon”.</p> <p>“Amount of funding spent through dedicated public grants on commercial retrofitting in Devon”</p>
<p>Supporting Recommendation 2.2 There needs to be widespread education and awareness raising about: a) the climate emergency; b) what actions authorities are taking; and c) what people can do to retrofit and improve energy efficiency and what impact that will have.</p>	<p>Agreed by 93% of members.</p>	An)	<p>Part B is already delivered through the Devon Climate Emergency communication channels resourced by a full-time communications officer and new staff resources in the partner organisations.</p> <p>Part C is already included in the Built Environment Chapter of the IDCP by these actions:</p> <p>“B5 Sell the co-benefits of living in warm, net-zero ready homes through awareness-raising campaigns and open-home events.”</p> <p>“B6 Establish a Devon-wide energy advice service that links home-owners, landlords and tenants with independent</p>	<p><i>Part A of this supporting recommendation is covered by proposed action C) above “Ensure access to high quality, objective information & education for communities about the need for action and the crisis nature of the climate emergency.”</i></p>

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
			energy assessors, skilled installers and market offers.”	
Supporting Recommendation 2.3 There needs to be a centralised, Devon based, source of high-quality information regarding measures that can be taken on properties and the types of support available to people to undertake them.	Agreed by 93% of members.	Ao)	The IDCP already includes the following action: “B6 Establish a Devon-wide energy advice service that links home-owners, landlords and tenants with independent energy assessors, skilled installers and market offers.”	<i>No action required.</i>
Supporting Recommendation 2.4 There needs to be personalised advice available about options for your home and any financial support you are eligible for.	Agreed by 93% of members.	Ap)	The IDCP already includes the following action: “B6 Establish a Devon-wide energy advice service that links home-owners, landlords and tenants with independent energy assessors, skilled installers and market offers.”	<i>No action required.</i>
Supporting Recommendation 2.5 All authorities need to demonstrate ambition and allocate significant budget to retrofitting.	Agreed by 92% of members.	Aq)	Ambition is demonstrated in the IDCP by this action: “B11 South West to promote its status to government as the leading region on low-carbon buildings, including embodied carbon, founded on the low-carbon buildings already here and anchor	<i>Local authorities don't have existing resources for retrofitting, so we will need to work with government on this. Therefore, this is addressed by proposed action A1 above:</i> “Explore opportunities to enhance financial support available for people to retrofit their properties”

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
Condition 3.1 That there is recognition that buildings are not all the same. The requirement, and any support to do it, needs to be targeted so the poorest rated buildings are done first.	Agreed by 89% of members.	Au)	The Built Environment Chapter in the IDCP identifies the issue but doesn't propose an action specifically relating to this condition.	<i>This will be described in the supporting text for action At, with the caveat that such schemes should also be means tested if they are to contribute to a just transition.</i>
Condition 3.2 That affordability is taken into account.	Agreed by 88% of members.	Av)	Principle 9a of the IDCP says: "A just transition is required to ensure that vulnerable and low-income segments of society and rural communities are not disadvantaged."	<i>Update Principle 9a to say: "A just and affordable transition is required to ensure that vulnerable and low-income segments of society and rural communities are not disadvantaged."</i>
Condition 3.3 That VAT is removed from specialist items used for retrofitting.	Agreed by 82% of members.	Aw)	The IDCP already includes the following action: "B4 Work with government to achieve VAT breaks on retrofit activity and products."	<i>None required</i>
Condition 3.4 That DIY is encouraged, with experts then able to undertake an assessment of impacts and approve reduced tax rates.	Agreed by 66% of members.	Ax)	The IDCP does not address this specific condition, however, it does propose an energy advice service: "B6. Establish a Devon-wide energy advice service that links home-owners, landlords and tenants with independent assessors, skilled installers and market offers."	<i>Update action B6 in the Built Environment chapter of the IDCP to say: "B6. Establish a Devon-wide energy advice service that links home-owners, landlords and tenants with DIY guidance, independent assessors, skilled installers and market offers."</i>
Resolution 4 In principle, we support introducing policies in Devon that use	Supported by 84% of members	Ay)	The IDCP identifies the issue but doesn't propose an action.	<i>Implemented by proposed action As</i>

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
planning permission to trigger the need for retrofitting measures.				
Our support for using planning permission as a trigger for requiring retrofitting would increase with the condition...				
Condition 4.1 That conservatories and permitted buildings should be included.	Agreed by 76% of members.	Az)	The IDCP identifies the issue but doesn't propose an action.	<i>Conservatories will be mentioned in the supporting text for Action As</i> <i>Permitted buildings by definition do not need planning permission and so could not be covered by this mechanism.</i>
Condition 4.2 That the extent of retrofitting required by the planning permission would be in proportion to the size of the house and extension.	Agreed by 75% of members.	Ba)	The IDCP identifies the issue but doesn't propose an action.	<i>This will be mentioned in the supporting text for Action As</i>
Condition 4.3 That the energy consumption of the whole property needs to be reduced, in proportion to the size of the extension / alteration.	Agreed by 73% of members.	Bb)	The IDCP identifies the issue but doesn't propose an action.	<i>This will be mentioned in the supporting text for Action As</i>
Resolution 5 In principle, we support introducing policies in Devon that link Council tax and business rates to energy efficiency performance.	Supported by 71% of members	Bc)	The IDCP identifies the issue but doesn't propose an action.	<i>New action proposed, Built Environment:</i> "Work with government to continue exploring the use of Council Tax and Business Rates to encourage energy efficiency upgrades of buildings." [Law changes are required for this to occur.]

Resolution	% Support	Ref	Existing Response in the Interim Devon Carbon Plan	Our Draft Response
Our support for linking a property's energy efficiency to the level of council tax and business rates paid would increase with the condition...				
Condition 5.1 That there is also a requirement on private landlords and social housing providers to bring properties up to a minimum level of energy efficiency.	Agreed by 85% of members.	Bd)	The IDCP already includes the following action: "B9 Work with government to review The Domestic Minimum Energy Efficiency Standard Regulations to make it more effective and practical for local authorities to enforce non-compliance."	<i>No action required</i>
Condition 5.2 That there is a simple and consistent way for the effect of energy efficiency improvements to be verified by the Council before discounts are applied.	Agreed by 75% of members.	Be)	The IDCP identifies the issue but doesn't propose an action.	<i>This would be intrinsic to the operation of a successful scheme. This requirement will be mentioned in the supporting text for action Bc.</i>
Condition 5.3 That Councils promote widely the opportunity to benefit from reductions in Council tax and business rates by increasing the energy efficiency of your property.	Agreed by 72% of members.	Bf)	The IDCP identifies the issue but doesn't propose an action.	<i>This would be implemented by the Devon Energy Efficiency Advice Service if it were deemed appropriate after being explored further with government.</i>

A further breakdown of the voting results, and the supporting statements prepared by members for each condition, can be found in the main body of the [Devon Climate Assembly report](#).



Report to: Cabinet

Date of Meeting 5 January 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Draft Revenue and Capital Budgets 2022/23

Report summary:

This report presents the draft revenue and capital budgets for 2022/23 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 2nd February 2022 when members will finalise budget proposals to recommend to Council.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

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 a balanced budget and to levy a Council Tax for 2022/23

Officer: Simon Davey – Strategic Lead Finance sdavey@eastdevon.gov.uk

John Symes – Finance Manager jsymes@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

An analysis of budget changes has not highlighted areas that give rise to any equality issues that need highlighting. Key service changes have been addressed in separate reports to members and implications have been considered.

Climate change High Impact

The budget approval gives the Council the resources necessary to undertake its business which will significantly contribute to the carbon footprint of the Council. The Council is committed to reducing its carbon net emissions to zero by 2040 and resources have been factored into the budget to meet this priority.

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.

Links to background information

[2022/23 Draft Revenue and Capital Budget Book](#)

[Staffing resources request Streetscene](#)

[Staffing resources request Environmental Health & Car Parks](#)

[Staffing resources request Development Management](#)

[Voluntary, Community and Social enterprise support](#)

[Tree Strategy scoping document](#)

Report to Scrutiny Committee 10th December 2020 (car park charges) [\(Public Pack\)Agenda Document for Scrutiny Committee, 10/12/2020 18:00 \(eastdevon.gov.uk\)](#)

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

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 meetings will be presented back to Cabinet at its meeting on 2nd 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 2022/23.

- 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 new Council Plan.

2. General Fund Budget

The Overall Financial Picture

- 2.1 Members will be aware this Council no longer receives Revenue Support Grant to help finance the cost of services it provides to the public. Instead costs are met through Business Rate income, New Homes Bonus Grant (NHB), Council Tax and mainly through fees and charges on services it provides.
- 2.2 The Government Spending Review, which is then followed by Local Government Finance Settlement are important elements in the Council's budget preparation. They detail the rules around key income streams and how much the Council can expect to receive from them. The exception being fees and charges which in the main the Council can determine itself.
- 2.3 The Government Spending Review (SR21) on the 27th October 2021 set out departmental budgets for 2022/23 and the following 2 years, including allocations to the Department for Levelling Up, Housing and Communities (DLUHC) [Autumn Budget and Spending Review 2021: documents - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/autumn-budget-and-spending-review-2021-documents).
- 2.4 In line with the departmental budgets, individual authority allocations were then announced in the 2022/23 Provisional Local Government Finance Settlement on 16th December 2021 [Provisional local government finance settlement: England, 2022 to 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/provisional-local-government-finance-settlement-england-2022-to-2023) . This being a one-year spending round only which has been the case now for a number of years. Not providing details to authorities for further years significantly hinders future planning. The settlement put on hold again the planned reforms to the local government funding formula; the fairer funding review with changes to the business rate retention scheme (including the rebasing of any growth income authorities are receiving above their baseline) and changes to the New Homes Bonus Scheme. Consultation on these reforms are now signalled to be in the New Year, presumably affecting 2023/24 onwards but this is uncertain.
- 2.5 The adopted Financial Plan which contains the Medium Term Financial Plan (MTFP) estimated for 2022/23 a budget gap of just over £3m, this comprised £2.3m from losses in business rate income and new homes bonus payments from proposed Government funding changes and £0.7m from services costs increasing greater than income generated.
- 2.6 The delay in the funding reforms means that the £2.3m loss will now not materialise in 2022/23. So the focus for next year's budget is the funding gap of £0.7m.
- 2.7 The process of completing the detailed draft budget for 2022/23, working from the base up inevitably gives a different position to that calculated in the MTFP, which is prepared at an earlier stage, at a much higher level and before key Government announcements. The MTFP has proven again to be a good estimate and guide in preparing the Council's annual budget.

- 2.8 **The base draft budget proposed for members' does require £323k to be taken from the General Fund balance, it is estimated this will retain the Fund within the adopted range but does create a risk in taking it to the lower end of the range. By not addressing this deficit sum in the 2022/23 budget the amount will be added to the budget deficit that will be required to be found in 2023/24.**
- 2.9 **Members as part of the budget approval process are being asked to consider a revised increase in prime car parks which will then negate the need to use the Fund Balance and the requirement to find this deficit in 2023/24 budget process. If agreed, raising the hourly charge from the approved £1.20 in April 2022 to £1.50 will generate an estimated additional income of £339k balancing the books for 2022/23.**

These areas are covered more fully below.

Draft Revenue Budget 2022/23

- 2.10 A summary position of the General Fund draft budget is given below. Further details are contained in the Budget Book linked to this report showing the current budget and the draft budget proposed for 2022/23 alongside variation between years. The Budget Book provides a summary of the services we operate, the assets, resources involved in each area and portfolio graphs.
- 2.11 The draft budget includes key areas that align to the New Council Plan and details can be drawn from the service plans.

General Fund Revenue Budgets 2022/23

Portfolio Budget - Net Expenditure	Original 2021/22	Original 2022/23	Variation	%age Change	Notes
Corporate Business	152,640	175,750	23,110	15%	1
Corporate Services	1,728,601	1,754,304	25,703	1%	
Economy And Regenrtn Portfolio	364,010	205,760	-158,250	-43%	2
Environment Portfolio	1,585,734	2,085,980	500,246	32%	3
Finance	1,599,050	1,481,428	-117,622	-7%	4
Strategic Development & P'Ship	2,297,590	2,557,812	260,222	11%	5
Street Scene Portfolio	10,324,690	10,401,587	76,897	1%	6
Sustainable Homes & Communitie	767,940	900,220	132,280	17%	7
Portfolio Totals	18,820,255	19,562,841	742,586	4%	
Reversal of Capital Charges (Depreciation)	-3,057,560	-3,133,070	-75,510	2%	
Portfolio Totals Net of Capital Charges	15,762,695	16,429,771	667,076	4%	
Interest Receipts (Net of investment management fees)	-426,750	-392,130	34,620		
Interest Payable	300	300	0		
PWLB Interest & Principal Repayments	427,130	438,040	10,910		
Net Expenditure	15,763,375	16,475,981	712,606	5%	
Government Grants					
New Homes Bonus Grant	-1,500,000	-1,500,000	0		
Rural Services Delivery Grant	-225,590	-225,590	0		
Savings Target	-63,345	-70,000	-6,655		
Use of Reserves					
Use of Collection fund surplus	0	-197,680	-197,680		
Earmarked Reserves	-134,230	-284,400	-150,170		
Use of General Fund Balance for elections	0	0	0		
Use of General Fund Balance	0	0	0		
Budget Requirement	13,840,210	14,198,311	358,101	3%	
Revenue Support Grant	0	0	0		
Business Rate Baseline Funding	-2,720,660	-2,720,660	0		
Business Rate Retention Inflation Uplift	-2,000,000	-2,000,000	0		
Council Tax Support Grant paid to Parishes	0	0	0		
Parish Support Reserve	0	0	0		
Funding Position - General Fund Surplus		55,359			
Council Tax Requirement	9,119,550	9,533,010	358,101	4%	

Variations to highlight

1. Main element of increase is external investigation fees required by Monitoring Officer
2. £95k Economic Development Staffing (reserve to meet costs), £80k inclusion of Seaton Jurassic Centre. Additional costs offset by recharges.
3. £340k Employee costs increase in total comprising general inflation increase and minor amendments in hours and posts (previously agreed), main areas: Car Parks £69k, Arts & Culture £29k, Countryside £147k (includes additional Tree Officer & Ecologist Officer) & Public Health £104k. Other items to note inclusion of £50k outreach payment to LED.
4. Minor variations offset by savings in Revenue & Benefits.
5. No significant changes to highlight - general salary & price increase across the board offset in part by additional EZ income contribution for staffing costs.
6. Total employees increase of £182k pay inflation and grading restructure, other increases through contracts, inflation increases. Additional £38k on Exmouth Lifeguard Service (H&S issue). Offset by public toilet savings of £304k
7. Homeless costs net increase £124k, other general cost increase offset by Homesafeguard additional net income £66k through receipts and recharges.

2.12 **The above General Fund Summary shows a budget position of £55k surplus.** This draft base budget position **excludes key costs given below which will require a budget** but the precise amount is unknown at this stage.

- **Recycling and Refuse contract negotiations** are ongoing regarding additional crew and vehicles required to meet the demand of additional properties and increased recycling materials. A separate report will be coming to Cabinet and Council with the full details which will have both revenue and capital budget implications. Although members will be able to debate the details and possible range of costs and options involved, it is necessary to include a revenue sum in the budget as it is certain there will be significant additional costs which the Council will have no choice to meet in order to deliver this core service to the public. Discussions with the Service have given an indication of the costs and that they will not be incurred until part way through the year. **It is assessed that a budget should be included in the range of £400k to £600k** (full year could be an ongoing cost of up to £1.2m).
- **The Service Level Payment to LED** has been included in the draft budget at £944k (£894k service payment and £50k for outreach work), details will be presented through the LED Forum for debate but there is a risk that the final sum could be higher than that provided. Work is in place to review the total service but an interim budget based on existing services needs to be provided at the current time. LED are to present the service implications if the service payment remains at £894k and are signalling a higher sum will be required if no service degradation is to be seen. **It is proposed a sum in the range of £50k to £100k as additional budget may be required to give members the option to choose.**
- An **Authority wide independent pay review** has been instigated by Council, the review is in progress and the outcome is likely to be known in February 2022. Indications are that EDDC pay has fallen below the medium pay level in areas and the assumption is this review will recommend to Council an increase in the Council's pay bill. This will affect the General Fund and the Housing Revenue Account. It is considered sensible to consider **a budget sum with a range for the General Fund of £300k to £500k.**

These areas need to be considered more fully, with negotiations and decisions to be made by Council, it is assumed cost implications will be kept to the minimum possible whilst meeting the required objectives. Therefore it is proposed to include a budget sum at 75% within the bandings identified. This is considered prudent but also assumes a level of reductions will be made. This gives a budget sum required of £1.088m.

There will be future budget implications in the above items as they are continuing costs that will need to be factored in and addressed in the 2023/24 budget and the Financial Plan/MTFP.

2.13 The General Fund draft budget (as detailed in the budget book attached) gives a surplus position of £55k. The above expenditure budgets need to be added to that position giving a budget deficit of £1.033m. The settlement provided some adjustments and additional funding not reflected (because of timing) in the budget book and General Fund Statement above. This give us an additional income of £710k (details below) to bring into the equation, **giving a final draft budget position requiring £323k to be met from the General Fund Balance.** The £710k additional income comprises:

- An uplift in Business Rate base income by £166k to £2.886m

- Increase in Rural Service Delivery Grant by £11k to £237k
- Inclusion again of a Lower Tier Service Grant that was reported as a one-off last year £349k
- New services Grant given to all authorities stated as one-off £184k

2.14 The draft budget has been prepared on the basis of continuing to provide existing services, Service Leads, however, in some areas are highlighting additional staffing resources are required to maintain service levels and without the resources service levels will fall. These requests for additional resources **have not been included in the 2022/23 draft budget** as they are unaffordable unless additional income or savings are found within services. The requests are as follows with further details contained in the link papers to this report.

- **Streetscene request of £285k in base budget, summary from Service submission below:**

Streetscene are currently facing staffing and resource issues, proposals are outlined in the attached report to address the situation. Proposals to meet shortfalls so that rising service demand, statutory duties and ambitions set out in the council plan can be met effectively. Service demand has increased greatly over the last few years, with a notable uplift in visitors and tourism, and an exponential rise in housing developments across the district such as Cranbrook, meaning more residents and use of our towns, parks, beaches, and public spaces. Failure to invest in appropriate staffing resource, may result in the need to undertake a wider and more in-depth review as to what Streetscene carries out beyond its statutory duties going forward.

There has been no investment in staffing resource over the last 10 years through austerity, but at the same time demand, population and strain on our services has increased. Just last year, demand for seafront cleansing rose by 29%. The paper recommends the appointment of posts to match rising demand. This is reported as a stand-still position and does not account for inevitable future growth.

- **Environmental Health and Car Parks request £250k to £300k in base budget, summary from Service submission below:**

The report attached considers the future of both Environmental Health Service and the Car Parking Service against the capacity to meet council ambitions, customer expectations and statutory duties.

Recognising the scale of change being proposed and the potential cost, the Service has produced the paper as a discussion document.

- **Development Management request £129k in base budget, summary from Service submission below:**

The development management team have seen a rapid and sustained increase in demand for their services over the last 18 months or so. This increase in the number of applications received is then reflected in increases in demand across the other work streams including discharge of conditions, minor amendments and other enquiries. Whilst we have managed to increase the number of decisions

being issued it has consistently remained below the numbers received and hence a backlog has been built up such that we have gone from having around 500 applications on-hand to over 600. The 500 we had on-hand at the start of 2020 was already a record high.

Much of this backlog is a result of the high numbers of household extensions which has overloaded our householder team despite additional resources having been put in place. The report proposals additional staffing resources including an additional manager.

- **Arts and Culture request for £23k in base budget, submission below:**

A request for a new role of Theatre Supervisor at Manor Pavilion Sidmouth and a part time Box Office Assistant. The proposal requires a net cost of £23k if implemented with saving proposals. To provide the appropriate level of support for the Theatre Manager as the venue has no other supervisory staff who can be deployed to run the venue, manage performers and cover Health and Safety issues, facilities management issues etc. Therefore the theatre is "at risk" in the event of the Theatre Manager being absent. This also ensures we have a clear succession planning process in place. The current budget is for 1 Full Time manager 1 Part Time admin and 2 Part Time Box office. The proposed new structure 1 Full Time Manager, 1 Full Time Assistant Manager, 1 Part Time Admin and 1 Part Time Box office

2.15 **These requests totalling £737k are unaffordable** within the resources available if we are to continue to fund existing services as they currently are. This report proposes that Cabinet and SMT+ work closely over the coming months to understand the details of these requests, determine their priority against existing services and determine whether additional income/savings can be generated to support a proposal of supplementary budget being recommended to Council in year for part or all of these requests.

2.16 **A request for £60k for a Council Voluntary Service** has been made. **This has not been included in the draft budget as unaffordable** but members need to be aware. A more detailed paper is attached to this report.

East Devon is the only district within Devon that doesn't have a Council for Voluntary Service (CVS). A CVS is part of a national umbrella organisation that provides whatever support is needed by the Voluntary, Community and Social Enterprise Sector (VCSE) in a geographical area. This was highlighted as a bigger issue at the start of the Coronavirus pandemic when other CVSs from throughout Devon led / coordinated their areas responses in terms of getting support to residents that needed it. Our VCSE sector did a fantastic job of supporting residents, and still are, but we want to help support them so they can be even better at what they do.

The money provided would be used to provide support such as the following to the VCSE sector within East Devon, as has been requested by them:

- Networking opportunities with other VCSE groups to enable the sharing of best practice and increase collaboration as well as other benefits.
- Training for the VCSE sector and their volunteers.

- Legal and financial advice on topics such as data protection, safeguarding, and changing structures.
- Representation for East Devon's VCSE sector on a wider stage.
- Support and guidance around accessing funding, finding and applying for it, including help to find longer term funding and finding funding for core costs.
- Advice and guidance on building resilience and sustainability.

We are not necessarily looking to help provide a Council for Voluntary Service. The mechanism it would be provided by is yet to be determined, by both working with the VCSE sector to get their input, and seeing what responses we get to an invitation to tender to provide the support. For example, it could take the form of being provided by the whole of a local grassroots organisation that already exists, by one person that sits within that organisation, by an organisation from outside of East Devon that's providing similar services elsewhere, by an individual or by someone employed directly by the council. Research has shown that getting the right person or people to deliver the VCSE support is much more important than the form that it takes.

2.17 A request for **£50K to deliver a detailed Tree Strategy** was made. **This has not been included in the draft budget as unaffordable** but members need to be aware.

The Strategy is to build on the outline/high level plan that is being worked on for the Council's work with trees. This is an area that members have asked to be prioritised. The scope would cover:

- Trees & development
- Pests & diseases – changing treescape in East Devon & how we can meet this huge challenge (right tree, right place)
- Tree planting as a carbon sink and offsetting approach to deliver EDDC Climate Change action plan targets
- Tree wardens & parish engagement – setting up a robust monitoring framework for our tree stock

2.18 Council Tax

The draft budget assumes the Council will increase the Council Tax for 2022/23 by £5 a year. This is in line with the MTFP and assumptions made by Government on funding available to the Council. This gives a precept for the Council of £9,533,010 raising the current annual council tax charge from £151.78 to £156.78 for a band D property, a 3.29% increase. This is the maximum increase allowed within the Referendum regulations.

This is based on the Council Tax Base of 60,805 band D properties; an increase of 721 compared with the current year.

2.19 General Fund Balance

The Council has an adopted range for the General Fund Balance of between £3m to £3.8m which is still considered appropriate. Latest budget monitoring reported to Cabinet estimates the Fund at the end of 2021/22 will be £3.483m, **these budget proposals for 2022/23 require a further £323k to be used from the Fund bringing the estimated Balance down to £3.160m; still in the adopted range but close to the minimum level and restricting the ability to deal with in year volatility or in year requests for funding.**

2.20 Car Park Charges

In light of this financial position it has been suggested by members in sessions leading to the draft budget preparation through the Budget Setting and Capital Allocation Panel and work of the Finance Portfolio Team that the Council may wish to reconsider the decision taken to increase the hourly charge on 19 car park sites classified as prime car parks from £1 to £1.20 to be implemented in April 2022. A number of reports were presented considering car park charges at the time and linked to this report is the December 2020 Scrutiny paper which summaries the position. Consideration was given at the time to a range of increases including whether a £1.50 hourly charge was appropriate bearing in mind the hourly charge had not been increased for over 10 years, the effect of inflation over that period and the Council now loses 20% of the income in VAT which was not the case 10 years ago due to VAT changes.

Members at the time after much debate decided to increase the charges to £1.20 and delay implementation for a year (until April 2022). There now seems to be a change in view in light of the Council financial position, particular financial pressure on core service delivery and the demand we have seen in these car parks during the holiday periods and with the ability for residents to purchase annual tickets at a significantly reduced parking rate. The report to Scrutiny and assumptions made are still considered valid by the Service Lead with an estimated additional income to be achieved of £339k if the hourly charge on these car parks were increased instead of £1.20 but to £1.50. This is of course only an estimate and customer demand may change if an increase is applied and the actual position would have to be monitored carefully.

2.21 Business Rates

The 2022/23 budget uses the Government's funding calculation at £2.886m as the income to be derived from Business Rates; to this an additional £2m has been added to reflect the Council's own rate estimate which is higher and includes business rate growth in the district over a number of years. 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.

2.22 New Homes Bonus (NHB)

The Government intention is to end the NHB scheme, the grant for 2022/23 is £2.137m, the draft budget uses £1.5m of this to support the General Fund with the balance being directed to part finance the Capital Programme.

We still await details from Government on this scheme going forward beyond 2022/23.

Budget Strategy for future years

2.23 The adopted Financial Plan 2021 – 2031 has informed the preparation of the 2022/23 budget. Work now needs to begin on future year budgets and factoring in the significant ongoing costs highlighted above in the report; the rise in recycling and refuse costs (initial request given at £1.2m per annum in revenue, only part factored into 2023/24 budget) and understanding the final outcome of the pay review. Added to this are the staff resourcing

pressures which have not been included in the draft budget as they are unaffordable at this stage.

2.24 In broad terms the underlying service costs were already likely to be in the order of £400k to £500k above available income for 2023/24 to this can be added taking worst case scenario;

- £323k unbalanced expenditure from 2022/23 now taken into 2023/24, unless additional car park income approved.
- £600k additional costs for recycling and refuse contract – to factor in full year effect.
- £737k staffing resource requests currently excluded from the draft budget position.

There are clearly debates and decisions to be had around these items, but the implications need to be highlighted and need to be addressed early on for the 2023/24 budget year.

2.25 There are still the implications of proposed Government funding reforms, initially assessed at a possible reduction in total income of over £3m. We are no further forward in understanding the timing and implications of these at this stage and members will be alerted to these details as they are known.

3 Housing Revenue Account Budget

The Overall Financial Picture

3.1 The Housing Revenue Account (HRA) is underpinned and influenced by a business plan, this plan needs a refresh which continues to be delayed with other work commitments. The revised Plan needs to:

- Undertake a full conditions survey to inform future programme costs.
- Consider the implication of the new maintenance contract.
- Reflect additional work on asset management planning and compliance requirements,
- Consider the end of rent reductions.
- The implication of Universal Credit,
- Reconsider the debt level and use of Right to Buy Receipts linked to future development ambitions, and
- The implications of the climate change action plan.

This work is progressing and the picture for the draft 2022/23 budget is very much a stand still budget in that it continues to invest in our existing properties at a similar level although it does set aside £880k for climate reduction investment; it still provides an acceptable surplus which will need to be prioritised between competition demands:

- The purchase programme to counteract the impact of continuing Right to Buy (RTB) sales and the development ambitions to significantly add to our stock/social housing. This is a key priority in the new Council Plan.

- To ensure new compliance requirements are met.
- Additional carbon reduction actions.

3.2 In accordance with central government policy, the increase in any individual tenants rent is limited to inflation + 1% for the forthcoming financial year. Inflation is taken as the Consumer Price Index (CPI) rate at the prevailing rate for September 2021, which was official registered at 3.1%. The draft budget assumes an increase in Council House rents of 4.1% with a factor included for a reduction in stock numbers and voids giving £18.6m, an increase of £0.778m. No increase is proposed on garage rents.

Draft Revenue Budget 2022/23

3.3 The budget book details the draft estimates for 2022/23.

3.4 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 2022/23 draft budget maintains significant sums for:

- Major repairs totalling £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 £4.4m.

3.5 A new budget line with an amount of £880k has been created as a standalone project within our budgets for carbon reduction. This is challenging, as many of the costs will be absorbed into our standard housing maintenance, planned works and capital programmes. However we have added a budget line for any works funded by external grants and this will also show any match funding we have apportioned to the specific delivery programme.

When rationalising the costs linked to the decarbonisation of our housing stock we have used an industry best practice 'Fabric First, Least Regret' methodology as explained below

- Fabric First – is about addressing issues with and upgrading the actual building such as; insulation, windows, doors, roofing structures etc. in readiness for sustainable heating and hot water solutions. Due to the age and condition of our stock this is by far the most expensive part of the carbon reduction process. This approach has the added benefit of making the current heating systems much more effective and efficient for our tenants. The Stock Condition Survey will give us the data needed to schedule these works appropriately. These costs will sit predominantly within our maintenance/repairs, planned and cap works budget lines.
- Least Regret – relates to the replacement of systems and components, within each building, at point of 'failure' (expected replacement date). So following on from the above works and again using the Stock Condition Survey data, we will plan the incremental upgrade of all our heating systems in line with each systems/boilers expected replacement date. So for example, when a gas boiler is due for

replacement we will remove it and fit a sustainable system in its place, reducing the cost implications of carbon reduction as we will effectively be just bridging the gap in cost between replacing a standard gas boiler and with the cost of fitting an Air Source Heat Pump for example – these costs will sit largely within the planned works budget lines as it is work we would have delivered anywayalbeit in a different way.

HRA BUDGET SUMMARY by SERVICE LINE & ACCOUNTING TYPE			2021	2022	Variance	
			£	£	£	
Sum of Budget			Data			
Rep Cat 1	Rep Cat 2	Rep Cat 3	2021 YTD	2022	2022	Note
1 INCOME	1 Gross Property Rent inc Garages	1 Gross Property Rents	-17,831,260	-18,609,260	-778,000	1
		2 Garage Rents	-336,180	-215,990	120,190	2
	2 Other Income	1 Other Income	-603,680	-619,600	-15,920	
1 INCOME Total			-18,771,120	-19,444,850	-673,730	
2 EXPENDITURE	1 Repairs And Maintenance - General	1 Responsive Maintenance	1,953,350	2,050,770	97,420	3
		2 Annual Programmed Maintenance	1,033,300	1,019,810	-13,490	
	2 Repairs And Maintenance - Special	1 Compliance	790,050	791,750	1,700	
		2 Other	560,730	532,000	-28,730	
	3 Supervision And Management	1 Supervision And Mgt General	4,418,290	5,266,350	848,060	4
		2 Supervision And Mgt Special	1,994,300	1,852,110	-142,190	
	4 Other Expenditure	1 Other Exp non Sewerage	231,700	234,250	2,550	
		2 Sewerage	54,390	44,250	-10,140	
	5 Capital Charges & Bad Debt	3 Major Repairs Expenditure	4,226,000	4,056,780	-169,220	5
		2 Reval Deprn and Impair	950,420	950,420	0	
2 EXPENDITURE Total			16,212,530	16,798,490	585,960	
3 FINANCING	1 Interest on Balances	(blank)	-23,700	-24,170	-470	
		2 Loan Principal & Interest repayments	(blank)	2,547,440	2,532,740	-14,700
	3 Other	1 Gain on Disposal	-3,161,910	-3,161,910	0	
		2 Loss on Disposal	2,001,980	2,001,980	0	
		4 Other	-10	-10	0	
	4 MIRS	1 Rev Gain on Disposal	3,161,910	3,161,910	0	
		2 Rev Loss on Disposal	-2,001,980	-2,001,980	0	
		3 Rev Rev, Dep & Impair	-950,420	-950,420	0	
	5 Cont to Capital	0	880,000	880,000	6	
3 FINANCING Total			1,573,310	2,438,140	864,830	
Grand Total			-985,280	-208,220	777,060	

- 1 Rents on council dwellings have been inflated at the Government capped percentage increase of September CPI (3.1%) plus the additional 1% to total 4.1%. Management and other charges have been inflated at September CPI (3.1%) with a review of lost rent due to voids also undertaken and correctly apportioned to garage rents where appropriate.
- 2 Due to the high void levels in garages no rent increases have been proposed and Void levels have been reviewed to be more in line with current lost income levels.
- 3 The Asset Management contract with Ian Williams is not subject to an inflationary uplift in 22/23 by mutual agreement. The annual increase reflects revisions with regards to costs driven by exclusions to the PPP contract and expenditure on buildings/areas that fall outside of Price Per Property.
- 4 The increase in management charges relate to both Staff related costs, premises costs and increases in overhead recharges back to the general fund for premises and services. Staff and agency/consultant costs have been based upon a revised predicted establishment provided by the Housing Management Team and the expected salary, pension and national insurance uplifts resulting in a year on year increase of approx. £160k. Premises costs have also increased most notably with revised insurance estimates requiring an additional £140k of budget in 2022/23. Overhead recharges explain the remainder of the increase with the impact of significant inflationary uplifts and pressures on central and support services to the HRA that reside within the general fund driving increases.
- 5 The planned maintenance and major repairs expenditure has been kept relatively consistent year on year due to the unknown factor of the stock condition survey and the subsequent release of the large planned maintenance reserves for catch up costs made in 19/20 and predicted for 20/21 are better understood in 22/23. The notable exception to this holding pattern of a budget is the Void expenditure which has been decreased in line with savings made through efficiencies within the Ian Williams contract.
- 6 A large contribution to capital has been budgeted for in 22/23 for continued climate change work on the council stock. This relates to the application submitted to the first wave of the Social Housing Decarbonisation fund to build on the work already undertaken through the Green Homes Grants and ringfences the amount the HRA is committed to match fund to receive the central government contribution.

3.6 The HRA draft budget currently shows a surplus of **£0.208m**; The HRA Balance is currently predicted to be significantly above the £3.1m level at the end of 2021/22 with decisions to be made by members at year end on where to allocate the additional balance. As explained, there are competing priorities that members will have to consider. Assuming these decisions are made then the Balance will be back at year end to £3.1m and the £208k surplus identified for 2023/24 can be allocated to priority areas at the end of 2023/24. There is an additional £1.6m being held in the HRA debt Volatility Fund which remains unchanged.

- 3.7 The draft HRA budget will be reviewed by the Housing Review Board (HRB) on 13th January 2022.

4 Capital Programme

The Overall Financial Picture

- 4.1 The draft Capital Programme for 2022/23, after in year available resources are used, gives an overall funding need of £2.276m. The funding position across years will be managed in the most efficient manner considering the Council's overall Treasury Management position.
- 4.2 Any underfunded capital is 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. This has been factored into the 2022/23 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 Budget Setting & Allocation Panel who met on 2nd December 2021 to consider scheme proposals. The Panel considered funding resources available, the capital appraisal process and then each scheme proposal in turn. Minutes of this meeting are presented to Cabinet.
- 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, service provision and carbon implications; scoring schemes higher which contributed to a reduction in carbon. 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 2022/23

- 4.5 The attached booklet details the draft capital programme for 2021/22 to 2025/26; scoring information is included against the new capital bid items.
- 4.6 A summary of the capital funding position is given below:

Capital Programme Financing	2021/22	2022/23	2023/24	2024/25	2025/26
	Budget	Budget	Budget	Budget	Budget
	£	£	£	£	£
Net Expenditure to be Financed (GF & HRA)	19,202,573	7,918,664	5,925,540	4,763,345	5,136,165
Adjust for unused income from grants/contributions:					
	19,202,573	7,918,664	5,925,540	4,763,345	5,136,165
Financing:					
General Fund Capital Receipts	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)
HRA Released RTB and Misc Capital Receipts	(500,000)	(500,000)	(500,000)	(500,000)	(500,000)
HRA contribution - From Major Repairs Reserve	(2,947,280)	(3,127,280)	(3,127,280)	(3,127,280)	(3,127,280)
HRA Cont "Deprn"	(1,278,720)	(1,278,720)	(1,278,720)	(1,278,720)	(1,278,720)
HRA funding	(4,726,000)	(4,906,000)	(4,906,000)	(4,906,000)	(4,906,000)
New Homes Bonus Funding	(1,000,000)	0	0	0	0
(Use of) /contribution to capital reserve					
Beer Community Land Trust Loan	(900,000)	0	0	0	0
EZ - Park & Change	(294,492)	0	0	0	0
EZ - Long Lane	(2,388,895)	0	0	0	0
EZ - Open Innovation Building	(160,000)	0	0	0	0
		0	0	0	0
		0	0	0	0
		0	0	0	0
Net (internal borrowing) / Transfer to Capital Reserves balance	(9,633,186)	(2,912,664)	(919,540)	242,655	(130,165)
GF Loans/Internal Borrowing	(13,376,573)	(2,912,664)	(919,540)	242,655	(130,165)
Total Funding	(19,202,573)	(7,918,664)	(5,925,540)	(4,763,345)	(5,136,165)
Shortfall / (Surplus)	0	0	0	0	0
Please Note:					

New Homes Bonus figures based on worst case scenario of no new funding for 2022/23 and beyond.

4.7 The draft capital budget for 2022/23 totals £7.918m (net of direct grants), schemes are detailed in the budget book. The required funding need of £2.913m taken from the budget book excludes £637k New Homes Bonus (NHB) available to fund the capital programme. Total NHB for 2022/23 was announced in the Local Government Settlement came too late to reflect in the above Statement. This additional income reduces the funding need to £2.276m.

4.8 NHB monies is helping to fund the capital programme in 2021/22 by £1m and £637k in 2022/23, no funding is assumed in 2023/24 onwards. This will put significant pressure on the funding of future programmes, if a similar level of investment is still to be maintained this will affect the revenue budget in MRP charges. As discussed elsewhere in this report we still await details of NHB or a replacement scheme going forward.

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 2022/23 draft budget are detailed in the budget book for members' information. In addition, members have ring-fenced the use of the Transformation Fund to support the decisions made over public toilet provision - implementation costs, continued running costs whilst transfers/disposals are completed and to assist with legal fees incurred by town and parish councils. The sum proposed is £175k.

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 2022/23 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 2022/23. Particular risks have been highlighted in the report with the General Fund position being at the bottom end of the adopted range with budgets included on key spend where details are currently uncertain (Recycling and Refuse Contract and Pay Review) there are also a number of staffing resource pressures which have been excluded from the budget that need early debate.

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 2022/23, Council Tax levy and Council House Rents.
- 7.4 A Capital Strategy is required to be approved by Council annually to 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 2022.

Financial implications:

Details are contained in the report

Legal implications:

No legal observations are required



Report to: Cabinet

Date of Meeting 5 January 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Long Lane Enhancement Scheme

Report summary:

This report seeks an increase in the budget for the Long Lane enhancement scheme from £3.7m to £4.51m to enable the scheme to be completed.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- Recommends increasing the budget for the Long Lane enhancement scheme from £3.7m to £4.51m and delegating authority to the Chief Executive to make any necessary changes to funding agreements
- Recommends to Council the borrowing of up to £4.51m against ring fenced business rate income to complete the scheme

Reason for recommendation:

To ensure that the Long Lane enhancement scheme can be completed.

Officer: Andrew Wood, Service Lead – Growth, Development & Prosperity, email adwood@eastdevon.gov.uk, tel 01395 571743

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change High Impact.

Risk: Medium Risk; Two thirds of the scheme is now complete. Cost inflation is a significant issue across all construction projects currently. Devon County Council are project managing the

implementation of the scheme and have significant experience in delivering a wide range of highways schemes. The increased budget now includes a specific 15% risk allowance.

Links to background information [Agenda for Cabinet on Wednesday, 30th September, 2020, 6.00 pm - East Devon](#) item 211

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

Long Lane enhancement

1. Background and context

1.1 Cabinet has received a series of papers on the scheme to enhance Long Lane. Due to the inadequate width of the current highway, no development can take place at the Power Park (formerly known as Airpark) Enterprise Zone site until this is widened. In addition to unlocking development of this site, the enhancement of Long Lane will also bring the following benefits;

- Improving the approach to Exeter Airport as a major gateway to the region
- Improving pedestrian and cycling connectivity
- Improved public transport connectivity through a new circular bus route
- Supporting wider investment, in particular the planned France-Alderney-Britain inter connector project

1.2 The Cabinet meeting of the 30th September 2020 agreed a budget of £3.7m for the Long Lane enhancement works to be funded through the Enterprise Zone programme. This was subsequently endorsed at Full Council. The first part of the scheme (the Silverdown Lane Link) started on site in January 2021 and was completed in August. In turn this enabled South West Water and their contractor Kier to proceed with planned drainage works to Long Lane. These are also now substantially complete.

1.3 The final section of the scheme is the widening of Long Lane itself. The County Council has been working to finalise the costs for this and to appoint a contractor. As part of this exercise it has become apparent that there has been significant, and unexpected, escalation of costs. This places the overall budget in excess of the £3.7m ceiling agreed in September 2020.

2. Revised Costs

2.1 Following discussions with the County Council specific cost increases have been identified in the following areas:

- Silverdown Link Road Construction (+£193,722),
- South West Water overspend (+£66,000)
- Additional Design Costs to accommodate third party work (+£49,693)
- Utilities – mainly BT (+£363,554)

2.2 The major cost increase comes as a result of the statutory works to utilities along Long Lane. Statutory undertakers include WPD, Virgin and BT. WPD and Virgin costs have come back as originally estimated, however, large cost increases have been associated with the BT works on Long Lane. BT works have been priced at £443,000 (2021 Quote) as opposed to the previous estimate of £104,000 (2019) from which the budget was originally set. The increased cost is predominantly due to the increased length of cable lowering which BT have to undertake (340m), along with other costs which have been attributed to the diversion of fibre optic cables. Since the

estimate provided by BT in February 2019, the designs have only changed marginally. The request for a final quote was issued to BT in April 2021 and until they responded on 24/11/2021 there was no advanced warning of any revision to the BT works or cost estimate.

2.3 To minimise the cost, DCC have reached agreement with the highway contractor (MacPlant) to lay the new ducting to avoid BT needing to undertake the works themselves. When taking into account the additional civil works for MacPlant to complete these works, there is an estimated saving of approximately £70,000.

2.4 There have been general increases in material costs and works throughout the construction industry from Brexit and COVID related disruptions. The final highway works have been priced by the preferred contractor and these have come in at around the expected cost. But due to the wider uncertainties it is recommended to include 15% risk contingency within the budget.

2.5 As a result of the above it is a specific recommendation of this paper that the budget for the Long Lane enhancement scheme is increased by up to £0.81m to provide a total scheme cost of £4.51m. This includes the 15% risk allowance for the remaining scheme spend.

3. Assessment

3.1 For a relatively small project, the Long Lane enhancement scheme has proven to be remarkably complex. From an initial failed scheme in 2014 it took three years of working with stakeholders to agree an alternative and deliverable scheme. This is the third time that the budget for this has needed to be increased to cover a number of different factors including the impact of the pandemic.

3.2 Nonetheless two thirds of the overall scheme is now complete. It is essential that this final section now moves forward to delivery because without it the Power Park site cannot be developed and there would be no resulting business rate income. Whilst the reasons for the increased costs at this stage are frustrating it is vital that the momentum is maintained and the scheme is completed as soon as possible. As such it is recommended that the budget is increased to £4.51m.

4. Conclusion

4.1 The enhancement of Long Lane is an important project which, in addition to unlocking the Power Park Enterprise Zone site, will also bring a series of wider benefits including improved public transport provision. Completing the works will enable these benefits to be realised. Subject to budget approval, the Highway improvement works will run from February to July 2022 under a six-month construction period.

Financial implications:

The financial details are contained in the report. The additional budget request and associated borrowing costs can be met from the EZ business rate income. To remind Members the EZ projects and costs involved are ring-fenced to be met from EZ business rate income which is separate to the funding of the Council main capital programme.

Legal implications:

The report does not alter the overall legal position which was commented on in the reports to Cabinet of March & July 2019 and March & September 2020. Should Cabinet consider the increase is acceptable then because this goes beyond the agreed budget then Council's approval is required. Otherwise there are no specific legal implications requiring comment and the legal advice in relation to the project remains as per the March & July 2019 and March & September 2020 Cabinet reports.



Report to: Cabinet

Date of Meeting 5 January 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Broadhembury Parish Council – Community Governance Review

Report summary:

To report back on representations received and to recommend publication of proposals that the number of parish councillors be increased from 9 to 12

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That having considered the representations received, Cabinet confirm that proposals be published recommending that the number of parish councillors for Broadhembury be increased from 9 to 12, such increase to come into effect for the May 2023 elections.

Reason for recommendation:

Having carried out initial consultation with regard to the parish councils request it is apparent that there is strong community support for this proposal

Officer: Mark Williams CEO

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information [Cabinet report 14 July 2021](#) item 30

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
-

Report in full

At its meeting on the 14 July Cabinet recommended, and Council subsequently approved, a Community Governance Review for Broadhembury. This review followed a request from the Parish Council that the number of Parish Councillors be increased from 9 to 12.

Initial submissions from the community have now been invited and details are set out in the attached appendix.

It is apparent that there is strong support from the community for the proposal, including from existing members and officers of the parish council. In addition the local MP, Neil Parish, has also confirmed his support. There was only one representation disagreeing with the proposal and this was on the basis that historically all the parish councillors have been elected unopposed/co-opted because there have been insufficient numbers of people standing for election.

In the light of the representations received it is apparent that the statutory test has been met and it is therefore recommended that a draft proposal is prepared and published confirming that the number of parish councillors for Broadhembury be increased from 9 to 12.

Financial implications:

None arising

Legal implications:

As set out in the report and background papers.

1.	I support the wish of Broadhembury Council to increase the number of councillors.
2.	This is to confirm that, as a member of Broadhembury Parish, I support the Parish Council's plan to increase the number of Councillors from 9 to 12.
3.	Many thanks for your email regarding Broadhembury Parish Council number from 9 to 12. Could I log my support for the council becoming 12 members Could I also log my wifes supports
4.	I support the desire of Broadhembury Parish Council to increase the legal number of councillors from nine to twelve.
5.	I support the increase of parish councillors for Broadhembury Parish Council.
6.	Thank you for your letter dated 23rd August informing me that my Parish Council are requesting an increase in the number of councillors permitted. I've looked at some documentation and would support the increase to twelve from the current nine.
7.	I am writing in response to the consultation letter about increasing the number of parish councillors. We fully support this given the highly dispersed nature of the parish, and the importance of good local governance.
8.	Many thanks for your letter regarding Broadhembury Parish Council members. Can I add my support to the council moving from 9x to 12x members. Can I also add my wife's support for the move from 9x to 12x.
9.	I am in support of additional Parish councillors for Broadhembury to ensure democracy and quality of representation.
10.	I support the parish council in their wish to increase the number of parish councillors.
11.	I write in regard of the "Community Governance Review" currently underway for Broadhembury Parish Council. I am happy to support the democratic will of the council and their request to increase the number of councillors from nine to twelve. I will continue to support the council as they undertake their important work for the community.
12.	I am writing in response to your consultation regarding increasing the size of Broadhembury Parish Council. I live in Dulford, one of the outlying hamlets

	<p>in the parish mentioned in the Council's proposal and I would like to express strong support for increasing the number of councillors to twelve.</p> <p>Our parish councillors work very hard on our behalf and there is far too much work for nine people to accomplish. In addition, in Dulford we have one parish councillor. He has worked very hard for us on the two issues that most affect this village/ hamlet: dangerous speeding traffic (the 30mph speed limit is frequently ignored by people driving at 50+ mph) and very poor broadband provision. If Dulford and the other hamlets could have increased representation on a larger parish council, then it would be easier for our councillors to do the work and they would probably be more successful in their work for us.</p> <p>I hope the parish council's proposal will succeed.</p>
13.	<p>It is my belief that the number of councillors on Broadhembury Parish Council should be increased from 9 to 12. In light of the ever-increasing demands on councillors' time, I believe that the number on the Parish Council must be increased if all action, representation and support to the parish is to be fulfilled.</p>
14.	<p>With reference to increasing the number of councillors from nine to twelve this is a move as a parishioner and councillor I would support as being very beneficial to the Parish.</p> <p>In an era where resources are clearly limited, having more councillors will enable us to engage the community more to help in the parish, and to seek grant and crowd funding as appropriate to help with initiatives.</p> <p>Councillors work for free, so this move will enable councillors to lead valuable community work, at little if any extra cost.</p> <p>Both myself and my wife support this increase.</p>
15.	<p>I confirm my support</p>
16.	<p>With reference to your recent letter I support the increase of parish councillors for Broadhembury Parish Council.</p>
17.	<p>As requested by you and also our Parish Council Chairman, this household has no problem with the number of Parish Councillors being increased to 12.</p> <p>The P.C. Chairman's reasons look sound, and he has our respect and support.</p> <p>Please consider this as YES.</p>
18.	<p>I am in favour of an increase of three in the Broadhembury Parish Council. This would lessen the load for the remaining members and if areas of the parish are not fully represented then they should be with a preference for more youthful candidates</p>

Summary of my view

At a recent BPC meeting, the councillors referred to themselves as being “elected-unopposed”. From the EDDC records, the current nine councillors have been co-opted - and hence not put forward to be actively voted for by parishioners - for at least the last 13 years (at least 4 election opportunities). This ongoing practice of co-option demonstrates – contrary to the assertion of BPC - a difficulty in attracting candidates. It therefore seems unreasonable to assume that a sufficient number of candidates would be attracted to enable the quantity to be increased to 12 councillors. Furthermore, more than 1 candidate for each 48 parishioners (at least 13 candidates, and ideally 24) on the electoral register would need to put their name forward to trigger an election. Given that more than 1 in 64 have not put their name forward over at least the last 13 years, it seems unreasonable to expect that more than 1 in 48 would do so in the future. Thus, the democratic expectation that our local arm of Government – which is what a Parish Council is - will be voted for would become even further diminished.

Conclusion

I recognise that the activity level expected from a Parish Council has increased. I also recognise that the role of the Parish Council is an important one. Indeed, it is sufficiently important that they should actively be elected every four years by parishioners (not “co-opted” and then becoming “elected-unopposed”). **Therefore, I do not support the increase from 9 to 12 Parish Councillors within Broadhembury Parish Council.** The rationale for not providing my support is that the public's democratic expectation of elections being held will be even further reduced.

Recommendations

Alternative ways forward are:

- Reduce the expectations, and therefore the workload, being placed upon Parish Councils.
- Parish Councils to better encourage voluntary groups, societies, and trusts within the Parish to undertake tasks that are not statutory requirements of the Parish Council.
- To introduce regulation that ensures voting for parish councillors takes place on a four yearly cycle. Thus removing the practice of co-opted councillors from becoming “elected un-opposed”.

Report to: Cabinet



Date of Meeting 5 January 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

The Colyton Parish Neighbourhood Plan ('the Plan') to be formally 'made'

Report summary:

The Colyton Parish Neighbourhood Plan has now successfully passed referendum and must be formally 'made' (adopted) by East Devon District Council in order to form part of the development plan.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- (1) That Members recommend that the Colyton Parish Neighbourhood Plan be 'made'.
- (2) That Members note that once made the Plan will carry full weight in the planning decision making process as part of the statutory development plan for this Neighbourhood Plan Area (the parish of Colyton).
- (3) That Members congratulate the Neighbourhood Plan Steering Group and all involved in developing the Plan on all their hard work.

Reason for recommendation:

The Plan received a majority 'yes' vote in the neighbourhood area referendum, as required by the Regulations, and there is no substantive reason not to make the Plan. In addition, to recognise the significant work over a number of years by Colyton Parish Council and dedicated volunteers to prepare the Plan.

Officer: Angela King Neighbourhood Planning Officer. Email: Aking@eastdevon.gov.uk, Phone: 01395 571740

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Neighbourhood Planning is designed to be inclusive and extensive consultation is a fundamental requirement. The Colyton Parish Neighbourhood Plan has been the subject of significant consultation and engagement with the community, set out in a detailed Consultation Statement. All persons living in the parish have had the opportunity to be engaged in the Plan's production and all persons registered to vote in the area could vote in the referendum.

Climate change Low Impact

Risk: Low Risk; The only reason for the Plan not to be made now is if the Council consider that to do so would be incompatible with any retained EU obligation or any of the Convention rights within the meaning of the Human Rights Act 1998.. There is a risk that should we take that decision it will be subject to legal challenge and that the Parish Council will feel disenfranchised that their right to produce a Neighbourhood Plan under the Localism Act has been prevented.

Links to background information [The Localism Act](#); [Plain English Guide to the Localism Act](#); [National Planning Policy Framework \(2019\)](#); [Neighbourhood Planning Regulations](#); [Neighbourhood Planning Roadmap Guide](#); [East Devon Neighbourhood Planning webpages](#); [Colyton Parish Neighbourhood Plan webpage](#); [Colyton Parish Neighbourhood Plan Referendum Version](#)

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
-

Report in full

1.0 Colyton Parish Neighbourhood Plan Referendum

1.1 On 2 December 2021, a referendum was held on Colyton Parish Neighbourhood Plan at Colyton Town Hall, Colyton and Colyford Memorial Hall, Colyford, 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 Colyton Parish 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 Colyton Parish Neighbourhood Plan to help it decide planning applications in Colyton Parish. The Plan once made (adopted) will then become part of the statutory development plan for the area.

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

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

- o Yes: 578
- o No: 59
- o Voter turnout: 22.9%
- o In favour: 90.7%

- 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 Colyton 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 be incompatible with any retained EU obligation or any of the Convention rights within the meaning of the Human Rights Act 1998. During the examination process the Examiner stated that they were satisfied that the Plan was compatible with these obligations.

2.0 Next Steps

- 2.1 Following the decision whether or not to make the Plan, we will produce a decision notice for the Plan. This will detail the decision and reasons for it and where it may be viewed.
- 2.2 The decision notice will be publicised by:-
- publishing 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:-
 - o those adjoining authorities
 - o anyone who asked to be notified of a copy of the decision
 - o all those who made representations on the relevant plan
- 2.3 In conclusion, Members are now asked to approve the recommendation to enable the Plan to be formally 'made', in accordance with this report.

Financial implications:

Central Government funding is available for Neighbourhood plans. This income covers not only examination fees but also all other associated costs such as employment and all other supplies and services. Any residual funds are placed into an earmarked reserve and utilised to cover funding gaps in subsequent years.

Legal implications:

Following a majority vote in favour of the plan at referendum the Council must proceed to adopt (or 'make') the plan within 8 weeks of the referendum, unless in doing so it would be incompatible with any retained EU obligation or any of the Convention rights within the meaning of the Human Rights Act 1998. The Council has adopted a Screening Opinion, accepted by relevant statutory consultees, which concluded there was potential to result in a significant adverse effect on the environment. As such a Strategic Environment Assessment (SEA) was required. Following the initial Habitats Regulations Assessments (HRA) plan policies were amended and a further HRA carried out on the submission version of the plan which concluded there were no plan policies which adversely affected the Beer Quarry Caves SAC or River Axe SAC, either alone or in combination with other plans. The Independent Examiner was satisfied with the conclusion of the SEA and the second HRA in relation to the Submission version of the plan. The legal position is that the Council must now 'make' the Neighbourhood Plan as modified. As noted, following being made, the Colyton Parish Neighbourhood Plan will become part of the Development Plan for decision making on planning applications

Report to: Cabinet

Date of Meeting 5 January 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Discretionary Funds to support financial vulnerability

Report summary:

Following a motion to Council on 20 October 2021 it was agreed to provide a report on the different discretionary funds the council has available to support low income households due to the concerns being raised over the government's cuts to Universal Credit (removal of the temporary £20 uplift) and the rising costs of households bills.

It was also approved that the report would include potential options for directing additional resources into the Anti-Poverty Strategy to support the District in helping the most vulnerable residents this winter in the light of unexpected rising living costs.

This report pulls together the different schemes, current funding levels together with an outline of each of the schemes so Members have a better oversight of the support that is currently being provided and in particular what East Devon District Council is directly funding.

It also provides options for utilising grant funding to be able to continue the hardship scheme once we run out of funding within the Household Support Fund as well as continue the work the Council is doing around financial resilience.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That Cabinet recommends that we use £109,680 funding available to support ongoing work of the financial resilience officers until August 2024 (see section 3.2).
2. That Cabinet recommends that we use £151,878 funding available for the Council's Hardship Scheme so that we can continue to provide emergency support with essentials beyond 31 March 2022 (see section 3.4).

Reason for recommendation:

So that we can continue to support residents who are in emergency crisis and to help build financial resilience by addressing root causes which is a key aim of our poverty strategy.

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

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

1.0 Background

- 1.1 This report provides details of the different Council's discretionary funds (appendix 1) that we have available to support low income households as well as providing an option for directing additional resources to ensure we can continue:
- to provide residents access to financial support for essentials
 - the work the council is doing around financial resilience which is critical if we want to deliver on the aims of our poverty strategy in building financial resilience by addressing root causes.
- 1.2 It is important that Members are aware of all the discretionary schemes available and the current available funding within these schemes when considering options for directing additional resources in to the Anti-Poverty Strategy to support the District in helping the most vulnerable residents this winter.

2.0 Discretionary Funds

- 2.1 Appendix 1 provides a table of all the discretionary funds the Council delivers that support low income/vulnerable residents with financial assistance, access to advice, etc. In total we currently provide £6,368,764 in support.
- 2.2 As this report is focussing on 'discretionary' support it doesn't take account of all the mandatory schemes the council operates such as; Housing Benefit, Disabled Facilities Grant, Council Tax Reduction (pensioner scheme), Homelessness, etc as these are something we are required to provide.
- 2.3 As can be seen from the following table, I have split the support between the amount directly funded by EDDC, other preceptors (primarily through the council tax base) and the amount provided by government:

Scheme (see appendix 1 for scheme details)	One off funding	Annual Funding based on 21/22	Cost to EDDC	Cost to preceptors	Government Funded
1.DHP		£211,157			£211,157
2.EHF		£56,353	£3,945	£52,408	
3.HSF	£142,286				£142,286
4.Hardship	£292,100		£100,000		£192,100*
5.Test & Trace	£430,000				£430,000
6.CTR		£4,625,587	£323,791	£4,301,796	
7/8/9.Homelessness	£54,804	£50,060			
10. Rent deposit Bond & Loan	£35,000**		£35,000		
11A/B/C. Better care fund		£265,000			£265,000
12. Passport to Leisure		£64,640	£64,640		
13-17 Charitable sector/Money Advice		£141,777	£141,777		
Total	£954,190	£5,414,574	£669,153	£4,354,204	£1,345,407

*Funding initially came direct from Devon County (£181K) but this was superseded by DEFRA funding which resulted in £192,100 being made available.

** The loan scheme has been categorised under 'one off funding' because as loans are repaid the fund will replenish so is not time limited.

2.2 The above table highlights the amount of support East Devon District Council directly funds of circa £669K but also demonstrates the different ways in which this is being provided. Except for the Hardship amount of £100K (one off funding) all the other schemes are annual costs to the council.

2.3 Many of the schemes still have funding available which is relevant when considering the recommendation by Council on 20 October 2021 'for potential options for directing additional resources to support the District in helping the most vulnerable residents this winter'.

2.4 It is also worth noting that the Household Support Fund (HSF) has only been in operation since the middle of November and Devon County have indicated that there may be additional funding available should the scheme be over subscribed. However there is no guarantee that this would be the case. In addition to the HSF we still have a balance in the Hardship scheme of £127,251 (£100K allocated by EDDC following the recommendation of the Poverty panel meeting on 18 January 21).

2.5 Alongside schemes being run by EDDC there are also other schemes being run by partner organisations /voluntary sector that also provide financial support with essential items this winter. For instance; Devon County Council who received just over £5m in funding for the Household Support Fund have put in place a number of other schemes to support residents struggling this winter such as; free school meal holiday voucher scheme, Citizens Advice Energy Relief Scheme, funding available to organisations to support food and fuel poverty, etc.

2.6 Depending upon demand from our residents for financial support it maybe that there will be sufficient funds to cover the winter period. However, the issues for our residents who are financially struggling are unlikely to end as we come out of winter especially with those in work who will face higher increases in National Insurance costs as well as other rises in essential bills, such as council tax which is likely to increase by circa 4% - 5%. It is therefore important that we are able to continue the work we are doing around addressing root causes and rebuilding financial resilience and as part of that work it's also key that we continue to run our hardship scheme once the Household Support Fund finishes so that we are able to provide emergency support with essentials.

3.0 Option for how we can continue to fund the financial resilience work and our hardship scheme

3.1 Currently we have two financial resilience officers on temporary posts (funded partly by Devon County and staff savings within the service) who are on secondments from their existing roles within revenues and benefits. Their roles have been temporarily backfilled. One of the financial resilience officer roles is due to end in August 2022 and the other August 2023. If Members agree that there is value in continuing this work (as highlighted in section 4 below) then I would recommend that we utilise government funding (primarily new burdens) in order to continue with this work until at least August 2024.

3.2 The Revenues & Benefits service have undertaken a number of new areas of work (primarily in the past two years) where they have gained additional government funding (new burdens) to support the operation of this new work. As we've had to mainly utilise our existing staff to undertake this work (reprioritising) it therefore makes sense that we direct some of this funding to support the financial resilience work until August 2024. The cost for extending the work of the financial resilience officers until August 2024 would be approximately £109,680. As there is sufficient funding available that we can utilise to support this valuable work there is no impact on the Council's budget.

3.3 By extending this work until August 2024 will provide sufficient time to see whether there is a need to make this work permanent and to explore how this can be achieved. With greater automation and digitalising services along with income growth opportunities there could well be scope to create more efficiencies that will enable this work to continue beyond August 2024 without adding additional ongoing revenue costs to the budget.

3.4 Turning to ongoing funding of the hardship scheme, it is suggested that Members utilise the Local Council Tax Support Scheme funding the council received (£151,878) for 2021/22. This funding was provided by government to reflect the increase in the number of council tax reduction (CTR) scheme cases (due to impact of Covid). All the major preceptors received a grant that reflected their proportion of the council tax. In 2020/21 the Government provided an additional £150 off the council tax bill for working age CTR however for this financial year council's instead received a grant payment with flexibility over how this could be used. However, the expectation of the funding from government is that the funding 'will benefit economically vulnerable households'. This funding was held to support this aim.

4.0 Why it is important to continue the financial resilience work (dedicated resource)

4.1 The financial resilience team aims to help support East Devon residents by identifying and addressing the root causes of poverty and financial hardship by maximising income, minimising expenditure and working with partners including those in the voluntary sector to achieve this.

4.2 People not being able to afford food, fuel and other essentials is a symptom of poverty so although it is critical that we have funds available to address that immediate need it's also important that we try to address the root cause to avoid repeat crisis by building financial resilience which is a key aim of our poverty strategy.

- 4.3 As part of their work they will link in with other teams and external organisations to access various discretionary funds (including those listed in this report) alongside administering the funds that sit within revenues and benefits. This ensures that we are taking a holistic view of the residents needs and taking the best route to address them.
- 4.4 Work already undertaken shows that root causes are often complex and will need multi agency approach. The Financial Resilience Officers will when needed work with partner agencies to provide the financial support whilst at the same time addressing wider issues. Some of the main issues identified to date include:
- Key elements of welfare benefits missing especially Universal Credit
 - Digital poverty
 - Single people are particularly struggling financially.
 - Cheaper rental properties coming with higher running costs, for example; energy
 - Repayments of debt leaving people unable to afford essentials leading to reliance on foodbanks and emergency support
- 4.5 Since administration of the HSF started in November we have developed a dashboard* so that we can better capture and analyse our data to understand poverty across the district. So far we've processed 241 applications and of those 145 (60%) require more in depth work such as referring to partners for example; Exeter Community Energy, East Devon Citizens Advice, etc. This is why it is so important that we continue to have dedicated resource to do this work. At the Poverty panel meetings we will continue to provide updates on outcomes of this work including case study examples of residents the team have helped.
- 4.6 Finally it's worth highlighting that DCN are looking to produce a set of case studies highlighting members' innovative and best practice in DHP use, in the coming weeks and this will include East Devon's financial resilience team as an example.

*Will form part of the Poverty Dashboard

5.0 Communications

- 5.1 We are working with our Communications team to create a central hub on our website for easier resident access on the financial support available across the Council. Initially we are focussing on internal support and will then develop this to link in with key external organisations. This is an issue that Members have highlighted to us that it is difficult to navigate our website to identify the different financial support available.
- 5.2 In addition, we are working on promotion of the Household Support Fund with Communications which includes press release and social media posts.

Financial implications:

Finance details are contained in the report.

Legal implications:

It is within the power of the Council to use the funding for the purposes specified. Otherwise, there are no specific legal implications requiring comment.

East Devon Discretionary Funds for Supporting Low income households

No	Name of Fund	Purpose of fund	How scheme is funded - within agreed budget, externally funded	Annual / one off fund including if applicable deadline for when scheme ends	Funding available/ Budgeted amount	Funding balance	Link to policy / scheme procedures Other comments
Service area administering fund: Revenues & Benefits							
1	Discretionary Housing Payment (DHP)	To provide extra financial support towards housing costs where there is a liability to pay rent & is in receipt of Housing Benefit or Universal Credit Housing costs.	DWP funded. EDDC can top up by an additional 150%	Annual	£211,157.00 for 21/22 (DWP funded amount)	£87,578	Discretionary Housing Payment policy - East Devon Any spend in excess of the DWP funding level is met by EDDC up to a maximum of an additional 150%.
2	Exceptional Hardship Fund for Council Tax	Provides extra help for council tax payers who are experiencing exceptional financial hardship	Forms part of the council tax base calculation. Cost to preceptors in proportion to the amount of Council Tax they receive.	Annual	£56,353 Cost to EDDC @ 7% £3,945	£12,702	https://eastdevon.gov.uk/media/3720048/ehf-policy.docx Any overspends in excess of budgeted amount form part of the tax base/collection fund outturn.
3	Housing Support Fund (HSF)	To provide immediate need for people struggling to afford essentials this winter	Government funded via Devon County Council	One off fund scheme ends 31 March 22	£142,286	£122,092	Household Support Fund - East Devon Approved 134 cases. Spend is capped at this level unless further funding is provided. County have indicated that further funding may be available should this run out before the scheme ends.
4	Financial Hardship Support –	Help to provide support with essentials including support with council tax arrears	Funding from County &	One off – commenced May 2020	£192,100 plus £100,000	£27,251	Approved 1,092 awards up until November 21

	originally set up for Covid hardship	Also covering grants paid under the Coronavirus Community Food Fund	replaced & topped up DEFRA. EDDC also set aside £100K			plus £100,000*	*£100,000 allocated from EDDC (following recommendation from Poverty panel 18 January 21 meeting). Coronavirus Community Food Fund where we've spent £4,928 is included in the balance of £27,251.
5	Test & Trace Support Payment Discretionary scheme	This scheme supports low income households who have to self-isolate, will be financially affected & aren't eligible to claim under the government standard scheme.	Funding from Public Health Scheme.	Funding reviewed periodically	£430,000	£140,500	Test & Trace Support Payment - East Devon Running since 28 September 2020 and will continue to be funded until 31 March 2022 when it's due to end. 579 approved cases
6	Council Tax Reduction (CTR) Scheme for working age	Council is required by law to have a scheme for working age but the amount of funding it provides and the scheme design is predominately at the discretion of the council although there are certain statutory conditions that must be met –equalities duties, incentivise work, etc. Pension age scheme is prescribed by law.	Scheme is funded through the council tax base by preceptors in proportion with the amount they receive. For East Devon this equates to 7%. The maximum support available is 85% off the council tax charge.	Annual expenditure of working age scheme is currently £4,625,587	£4,625,587 £323,791 cost to East Devon (within the tax base calculation).	N/A	Policy relating to Council Tax Reduction awarded during 2021/22 - East Devon 4,733 working age low income households currently in receipt of CTR.
Service area administering fund: Housing							
7	Rough Sleeper Prevention Fund	Funding made available to assist rough sleepers to achieve positive outcomes	Funding received via Dept for Levelling Up, Housing & Communities	Annual (subject to bidding process).	£15,000	£5,632 (at end of November)	Included as part of the Rough Sleeper Initiative Funding from the Department for Levelling Up. Housing and Communities.

			through the Rough Sleeper Initiative (RSI)	Ends March 2021			
8	Winter Prevention Grant 2021	Funding made available to prevent applicants from the private sector becoming homeless	Funding received via Dept for Levelling Up, Housing and Communities	One off fund, scheme ends March 2021	£54,804	£41,952 (at end of November)	A one off payment from the Department of Levelling Up, Housing and Communities in response to the number of applicants under threat of homelessness following the pandemic
9	Homelessness Prevention Fund	Funding available to prevent homelessness and assist homeless applicants into accommodation (i.e. payment of deposits, travel warrants)	Funds made available through the annual Homelessness Prevention Grant rec'd from Dep't of Levelling Up, Housing and Communities	Funding reviewed periodically	£35,060	£17,425 (at end of October)	.
10	Rent Deposit Bond and Loan scheme	Bonds and loans to assist applicants from homeless situations into the private sector	General Fund	Funding reviewed periodically	£35,000	n/a – cost effective process as loans are repaid over years	Private Rented Sector - Rent Deposit Scheme - East Devon 48 households have been helped with this scheme to date so far this year.
Service area administering fund: Environmental Health – Private Sector Housing							
11	As part of the Better Care Fund the Council provides discretionary funding for:	Better Care Fund (BCF) from Central Government primarily covers the Disabled Facilities Grant scheme but can be used for wider purposes that cover warmer, safer & healthier homes.	Central Government – funding determined on annual basis allocated to EDDC & DCC. Underspends can be carried over.	2021/22 BCF £1,046,237. EDDC receives £795,813. Majority of funding is used for Disabled Facilities	£795,813 for 21/22 but primarily covers cost of DFG. (£488,617 on DFG)	Balance £265K as at end of Qtr 2.	See schemes below:

11 A	Energy Company Obligation 3 (ECO 3) Flexible top ups	A top up of £2,000 to support eligible applicants energy efficiency measures such as upgrade or boiler replacement or first time central heating & retrofit projects.	See above	Grant (gov't led scheme). On going	Provisional budget of £20K allocated from BCF.	See above	Grants and loans - Local Authority Flexible Eligibility Statement of Intent - East Devon https://eastdevon.gov.uk/media/3723551/000-published-data-report-export-12-11-21.pdf Spend to date £22K
11B	Lendology CIC	The Council's loan company will provide eligible applicants with low cost loans for home improvements. £500 to £15000 per eligible applicant. Lendology Lite loans of £500 - £1000 for home improvements are being piloted.	BCF	On going	N/A	See above	Grants and loans - Loans for repairs to your home - East Devon Lendology Your Community Lender Qtr 1& 2 – 2 applications approved totalling £2,500. 3 applications pending.
11C	Healthy Homes Grant	Discretionary flexible fund for eligible applicants (Owner occupiers that are unable to obtain a Lendology Loan and on means tested benefits) The fund is for up to £5,000 and is for urgent and essential repairs to the property to safeguard the health, safety and welfare of the occupiers. Eligible for owner	BCF	On going	£20K ring fenced for HHG. Up to £5,000 for eligible applicant	See above	devon-wide-housing-assistance-policy-jan-2018.pdf (childrenandfamilyhealthdevon.nhs.uk) Qtr 1&2 = 7 grants approved totalling £13,204

		occupier only and a land charge applies for 5 years.					
Service area administering fund: Countryside & Leisure							
12	Passport to Leisure (PTL)	This scheme supports low income households to enable affordable access to our leisure centre	Forms part of the management fee agreement with LED	Annual	£64,639.62 This is the cost to LED compared to standard pricing. There are 564 members claiming PTL	N/A	This is agreed as part of the annual management fee negotiations with LED as a social value cost to providing leisure services on behalf of EDDC.
Service area: Housing & Finance							
Funding provided to the Voluntary Sector – supporting low income households/vulnerability/ independent money advice, etc – Housing & Finance							
13	Citizens Advice East Devon	Grant funding for Citizens Advice East Devon	General Fund (within base budget)	Annual	£61,577	N/A	
14	Homemaker South West	Money advice for Homeless & Housing Tenants	General /HRA (within base budget)	Annual	£46,000	N/A	
15	Community Transport schemes – contribution towards running costs	East Devon Trip, Honiton Trip Community Transport, Axe Valley Ring and Ride, & Exmouth & District Community Transport Group	General Fund (within base budget)	Annual	£18,200	N/A	
16	Action East Devon	Contribution to running costs	General Fund (within base budget)	Annual	£10,000	N/A	
17	Devon Communities Together	Contribution to running costs	General Fund (within base budget)	Annual	£6,000	N/A	

18	Coronavirus Community Food Fund	Grants of up to £2,500 are available for funding for any projects relating to providing food to residents of East Devon who are in food poverty during Coronavirus. Grants are for the voluntary, community and social enterprise sector groups and not for individuals		Available for the financial year during the pandemic	Up to £50,000 to be funded from the Hardship Support scheme	£45,072	Coronavirus Community Food Fund - East Devon
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Report to: Cabinet

Date of Meeting 5 January 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Seaton Jurassic

Report summary:

This report provides an update on the current position, specifically progress on the recommendations from the October Cabinet and further next steps.

With a positive Stakeholder meeting back in early November along with the responses to our soft market testing, we know that there are a number of apparently credible operators who would continue to run the Centre in a way that is consistent at least in part with the initial purpose of Seaton Jurassic, albeit with a more commercial slant alongside and would most likely avoid EDDC needing to repay DCC and Heritage Lottery Fund.

At the Cabinet meeting of 6th October 2021 Cabinet acknowledged:

- (1) That the Centre will remain closed until a final decision has been made over the preferred option for its future use and whilst the remedial works are being fully scoped.
- (2) The current position set out in sections 2-9 of *(that)* report.

Cabinet recommended:

- (3) That arrangements be made to ensure that should the building remain vacant for the summer season of 2022, that opportunities are explored to ensure a café type use can trade in part of the building for the summer season as an interim measure.
- (4) That best efforts are made to negotiate and agree with the three principal funders arrangements to protect the Council's position against having to repay the principal sums.
- (5) That the next steps set out in section 10 *(of that report)* are progressed.
- (6) That the three options set out in section 11 of *(that)* report be considered with a further report to Cabinet for January 2022 as per the Next Steps detailed in *(that)* report.

Cabinet recommended to Council:

- (7) A revenue budget of £45,000 to meet ongoing holding costs for this financial year.

This report addresses progress on recommendations 3-6 above. Next steps (recommendation 5 above) is proving challenging from both a resourcing and technical perspective and it is now proposed that a report be brought back to Cabinet not in January, but rather May or June 2022 for the reasons that will be outlined in this report. There are advantages with this revised timescale. Should occupier demand exist, this timeline would enable a café operator to trade during the summer 2022 season, and an agreement reached with any potential new occupier over any necessary building works with a view to enabling a new provider to potentially take occupation of

the property in the Autumn of 2022 if undertaking the works themselves / later if EDDC to undertake works.

A Stakeholder meeting took place in November 2021 and it was clear from this that not only was there significant appetite for an Interpretation Centre to remain, that that this was what the funders expected, but most importantly that there are really good ideas on how an Interpretation Centre could work, different to the previous offering, but still broadly aligned with the original objectives of the Centre. Ultimately the appetite and viability for this will be tested through the formal marketing that is proposed within this report.

The approach and timescale set out in this report has the benefit of enabling us to delay doing any building works this summer therefore making the temporary café offering for the spring / summer 2022 season more appealing but does not impact on the ability to have a new operator open in spring 2023 as was always the intention.

A Part B Cabinet Report will follow in May /June 2022 once all necessary due diligence has been completed on potential new Operators/Service Providers and the extent of the Building Defects have been fully scoped and costed.

Is the proposed decision in accordance with?

Budget Yes No

Policy Framework Yes No

Recommendation:

Cabinet acknowledge:

- (1) That the decision over the future of the Centre is to be made once a Tender exercise for a new Operator/Provider has completed in 2022.

Cabinet recommend that:

- (2) A public marketing exercise via an external Commercial Agent is commenced in February 2022 in order to secure interest from a new Operator /Provider with the results to be presented to Cabinet in a Part B report in May /June 2022 for debate and decision at the same time as confirming the extent of the remedial works required, with costings, and to also provide recommendations for next steps.
- (3) A public Marketing exercise via an external Commercial Agent is commenced in January 2022 in order to secure interest in a café type use which can trade in part of the building for the summer season of 2022.
- (4) An exercise is carried out in January 2022 to agree terms for the appointment of a Commercial Agent to market the freehold /long leasehold interest in Seaton Jurassic so that the process is ready to start immediately after the Cabinet recommendation (recommendation 2 above), if it is necessary to pursue Option 3 of the Cabinet Report 6th October 2021.

Cabinet recommend to Council:

- (5) An additional Marketing, Legal & Professional fee budget for the Café & Centre of £25,000 for the work involved in recommendations 2 and 3 of this report.
- (6) Enabling works budget of £10,000 to enable the Café to be self-contained from the Exhibits space during the Summer of 2022 along with any other enabling works for a Café.

Reason for recommendation:

In order to arrive at a reasoned and permanent decision on the future of Seaton Jurassic, it is clear that further due diligence is required on Options 1& 2 (October Cabinet) before Officers can make a recommendation to Cabinet over the future of this building. The necessary reports which must accompany such a decision will not be available until after the January Cabinet and a final decision can only be made once the relevant information has been received and a public marketing exercise has concluded.

Officer: Tim Child – Service Lead, Place Assets & Commercialisation tel: 01395 571692 email: tchild@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Medium Impact

Risk: High Risk; The responsibility for the building has fallen to the Council from the 17th September 2021 which has immediate financial implications with rates, insurance and other liabilities and the reputational implications of such a facility being closed to the public. There are also the challenges around re-opening as an interpretation centre, if indeed that is possible. There are obligations the Council must follow in accordance with funding agreements when the centre was built and investment is required to address the design defects. Whilst plans can be made for a temporary café use in Spring / Summer 2022 the season is very dependent on any covid restrictions. A similar risk around covid also exists for more permanent uses as we know from DWT that this impacted heavily on them.

Links to background information [Cabinet Report of 6th October 2021 \(item 93\)](#) & [Soft Marketing Pro-forma](#)

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

Report in full

- 1.0 For ease of reading, the report will follow the recommendations (recommendations 3-6 only) from the 6th October Cabinet report, namely:

- (3) That arrangements be made to ensure that should the building remain vacant for the summer season of 2022, that opportunities are explored to ensure a café type use can trade in part of the building for the summer season as an interim measure.
- (4) That best efforts are made to negotiate and agree with the three principal funders arrangements to protect the Council's position against having to repay the principal sums.
- (5) That the next steps set out in section 10 (*of that report*) are progressed.
- (6) That the three options set out in section 11 of (*that*) report be considered with a further report to Cabinet for January 2022 as per the Next Steps detailed in (*that*) report.

2.0 That arrangements be made to ensure that should the building remain vacant for the summer season of 2022, that opportunities are explored to ensure a café type use can trade in part of the building for the summer season as an interim measure.

- 2.1 It will be possible to have a Café use in part of the building during the summer of 2022 and it is proposed that marketing of the space commences in January 2022. However, the works required to address the design defects in the building and all other associated building issues will not have been carried out prior to occupation of any Café operator. Part of the building being used as a Café could be enclosed and treated as a self-contained demise, but various issues in terms of security, health & safety and shared facilities (WC's, water, electric, alarms etc.) will need to be discussed and resolved with the potential new temporary occupier before their occupation can be confirmed.
- 2.2 With the full costed design defects solutions not expected to be known until the spring of 2022 and due to the requirement to complete a Tender exercise with results ready for a May /June Cabinet meeting, in all likelihood these works will not commence until late summer 2022. However, it is also possible that a new occupier would be prepared to address the M&E issues in the building as part of the overall deal to take a new lease of the property and so avoid the Council having to carry out the works, but accepting that the principal share of the cost of doing said works will need to form part of any deal to take on a new lease of the Centre. Officers will be able to confirm the position in respect of the works from both a legal and commercial point of view in a Part B Cabinet report due to be issued in May/June 2022.
- 2.3 There is sufficient detail on the running of the building, the building condition and the offering available to commence formal marketing of this offer in January 2022 ready for a new trader for the season to start trading at Easter and it is anticipated that the Café operator will be making an offer for the temporary use of the Café on the basis that there is no heating or ventilation in the building or that local heaters will be provided. This is likely to reduce any rental offer made for the property.
- 2.4 Alongside any café business, we will also consider whether the cafe operator could make some temporary use (for Spring / Summer 2022 only) of any of the exhibition or other space in the building or outside for soft play purposes or similar uses, as those involved in the soft marketing exercise referred to in section 6 below have all asked whether they can install soft play equipment in the building during the summer season.
- 2.5 Furthermore, a small and temporary Countryside offering could be present in the building over the Spring/Summer to compliment and signpost the Wetlands.
- 2.5 It is not anticipated that all of the additional running costs incurred during the Spring /Summer period of 2022 will be covered by the temporary letting to a Café Operator but the

importance of a presence throughout the Spring /Summer months of 2022 is recognised as the principle motivation for securing an occupier for these months .However, officers will use best endeavours to achieve the best returns possible from any occupier.

2.6 Furthermore the two Principal Funders will be contacted in advance of any temporary letting to ensure EDDC formally obtains their approval to a temporary letting which might be in breach of the obligations in the Funding Agreements and to avoid them triggering the repayment of any monies under those Agreements.

3.0 That best efforts are made to negotiate and agree with the three principal funders arrangements to protect the Council's position against having to repay the principal sums.

3.1 Heritage Lottery Fund (HLF) & Devon County Council (DCC) attended the Stakeholder Forum on 4th November referred to under section 5 below and they provided some general guidance in the meeting on their position regarding the future of the Centre.

3.2 Both stated that they would not be able to formally confirm their position without first considering the details of a specific offer but they were keen to see proposals from new operators/ service providers who would meet the original brief for the Centre.

3.3 They did state that they are highly likely to ask for the return of part or all of the funds they contributed to the Centre should Option 3 (commercial leasehold / freehold disposal at highest value) be pursued and the building no longer contained an acceptable offer in relation to the building's core purpose being that of an Interpretation Centre. The required scale of the interpretation element was discussed but both funders said that their positions could only be determined upon sight of an actual proposal.

3.4 A letter was sent to both Funders on 8th December 2021 which has asked them to formally confirm what they stated in the Forum.

3.5 It has been confirmed by Legal Services that CCF are unable to request any refund of any Grant monies so only HLF & DCC will be involved in any future discussions over the future use of the building.

3.6 Currently, in terms of Option 3, we will need to assume repayment of the funds (in part at least) from HLF and DCC should that be the preferred exit strategy for the building.

4.0 That the next steps set out in section 10 (of that report) are progressed.

4.1 Conclude and summarise where we are with DWT following them vacating on 17th September. This will provide clarity of the 'offering' available.

4.2 A Schedule of Dilapidations was served on DWT in two parts the first being 13th September & the second on 16th November 2021. DWT have largely complied with their obligations but some outstanding matters are still being resolved.

4.3 The Schedule cannot be fully signed off until all matters are resolved nor should it be until it is known whether EDDC wish DWT to reinstate the property and remove the fixtures and fittings they currently store in the building. This decision depends on future uses and it will not be possible to make such a decision until after the Tender exercise for the new Service provider /Operator has completed next spring.

- 4.4 Agreement of and formalising arrangements for potential back payment of water rates is needed as it is not clear whether DWT have been fully billed in this respect for their full period of occupation.
- 4.5 DWT were also issued with a formal letter on 6th December 2021 from the Council's CEO which confirmed that DWT have an ongoing mutual liability for a share of any refunds claimed by the Funders. This is in accordance with the terms of their Lease and Trading Agreement which contain a mutual indemnity relating to the consequences of either EDDC or DWT breaching the terms of the "Grant Funding" which is defined as 'any funding obtained jointly by DWT and EDDC which requires repayment in the event that there is a failure to comply with its conditions'. It is expressly stated to include funding from HLF. Therefore, this definition will encompass funding where EDDC acted in conjunction with DWT and/or where DWT's input was required to obtain such funding, even though DWT may not have been named as a party to the relevant funding agreement. DWT will therefore remain liable for any claim made by a funder for repayment of grant monies in the above circumstances. To protect EDDC's position, DWT must acknowledge and accept this ongoing liability, flagged to them earlier this year.
- 4.6 At the time of writing this report it is intended that DWT will take a further 6 month licence to store their fixtures and fittings (as the current Licence expires 17th December 2021) and until such time as EDDC determine whether we / or a future operator require any of them . The cost of purchasing such items will then also have to be agreed with DWT. Once the marketing exercise has been carried out for a new Provider/Operator, it will only then be possible to make a decision on what needs to be removed by DWT and the dilapidations finalised.
- 5.0 Engage with stakeholders
- 5.1 EDDC held a virtual meeting on 4th November with members of the Seaton Jurassic Forum, wider Funders, Cabinet, Ward Members and Officers. The purpose was to hear thoughts as to future uses and what was felt viable / deliverable .The meeting was very well attended and also had the benefit of two guest speakers who were very familiar with the initial Seaton Jurassic Project, Dr Sam Rose and Doug Huyler.
- 5.2 Questions included what was EDDC's vision for any future use of the building as an Interpretation Centre, what vision does the Council have for the future of Seaton now that it is no longer one of our 'regeneration towns' and does a relaunched / refocused Seaton Jurassic with closer ties to our work at Seaton Wetlands/ other local nature reserves and our work on the climate change emergency / concern over river pollution in the Axe have a role to play in Seaton? Further it was asked whether the Council had any plans to draft a Tourism strategy for the Town and surrounding areas.
- 5.3 It was clear that the attendees were all very keen to help EDDC find another Interpretation Centre Operator /Service Provider to take over the building which would ensure the link to the original vision for the centre was maintained, being that it remained an integral part of the 'string of pearls' showcasing the Jurassic heritage along the Devon & Dorset coastline.
- 5.4 All parties agreed to meet up in early in the New Year to review progress and this meeting is likely to take place at the end of January /early February 2022.
- 5.5 HLF & DCC representatives were in attendance and they confirmed (as far as they were able to do so in the absence of a formal proposal to consider) that they would expect part or full refund of the grant monies should the Centre cease to be used as an Interpretation Centre.

- 5.6 Both of these Funders have been asked to formally confirm their positions as stated in section 3 of this report and a response is awaited.
- 6.0 Engage with those who've expressed an interest – soft marketing on a 'without prejudice' basis
- 6.1 The eight interested parties who had previously expressed an interest in Seaton Jurassic were contacted in November 2021 and asked to complete a standard pro-forma, template attached as a background document. Each party was asked to confirm whether they were still interested and if so, to provide additional details on the nature of that interest, including who they were and what they had in mind to do with the Centre, but they were not asked to make any formal offer.
- 6.2 Four parties out of eight in total responded (details omitted due to this being a public report):
- 1) A start-up who is looking for support from the Prince's Trust, with no previous related experience, confirmed interest for use of the Centre for play, café and community space
 - 2) A visitor experience operator who runs national visitor attractions and leisure facilities and who wishes to run the building as a visitor experience/interpretation Centre combined.
 - 3) A successful local business who along with completing the pro-forma, provided further detailed information which reinforced their ability to offer a viable solution which meets the criteria set out in Option 1 (continuing as an Interpretation Centre).
 - 4) A sports / leisure operator.
- 6.3 Officers took three interested parties around the building and a meeting was held with the fourth. Each interested party expressed a desire to run the café on a temporary basis during the Spring / Summer and also asked whether the freehold was available but confirmed they would be interested in a long term lease if it wasn't. They also all asked whether soft play would be permitted in part of the Centre in the summer and permanently. The link to the original vision for the Centre was discussed and that they would need to demonstrate an understanding of what is required in any subsequent formal bid in relation to sustaining the interpretation offer in the Centre and its importance to the string of pearls concept in relation to the World Heritage Site designation. They were all also prepared to consider carrying out any necessary M & E works to the building as part of the overall deal.
- 6.4 The best way to now secure a genuine and viable interest in the Centre is to carry out a national marketing campaign as this exposure to the wider property market was not achieved by the soft marketing exercise undertaken to-date. A formal marketing campaign will ensure the property is promoted to all possible interested parties and that EDDC receive serious offers for the property which can be properly considered. It will also evidence best consideration obligations are being met in any leasehold disposal and will also demonstrate to the Funders that all reasonable attempts have been taken to secure a new Interpretation Centre operator.
- 6.5 Each potential new provider also had no issue with Countryside having a permanent small 'base' in the Centre going forward, subject to reasonable terms being agreed in respect of their occupation.

- 6.6 The Countryside Service have considered the potential for them to occupy Seaton Jurassic. They have considered an immediate term solution (2022 spring / summer season) but also longer term. I will deal with the two separately:
- 6.7 Countryside Service Immediate Term Solution– If a café operator were to occupy in part, and therefore the building (or part) was opened, the Countryside Service could have a modest presence in the reception/foyer area or cafe where we can provide staff/volunteers to help raise awareness of the Jurassic coast link and also to signpost visitors to the Wetlands. The presence of the building design defects, the ageing exhibition, items removed by DWT, along with the lack of revenue funding and staffing makes a more comprehensive offering by the Countryside Service not possible.
- 6.8 Countryside Service Longer Term Use - The creation of a Seaton Wetlands Visitor Centre (SWVC) that would deliver a repurposed and reimagined centre which would be a direct physical and intellectual link to the Seaton Wetlands which focusses on delivering a wetlands experience/journey starting from the centre. This could be achieved by:
- Aligning the centre with a wider countryside and nature theme (with climate change themes) that draws together all the strengths and success stories of the Seaton Wetlands as an award winning wetland reserve.
 - The original vision for the centre was for it to be the “hub” acting as an attraction/centre for the town as a ‘Natural Seaton’ destination for its unique natural environment with the Wetlands as one of the “spokes”. This still remains true despite the failure of the Jurassic Coast brand to attract visitors as anticipated.
 - The USP for a Seaton Wetlands Visitor centre lies with the unique and obvious links physically into the Wetlands via the Stop Line Way cycle path and Seaton Tramway halt links, which will create an exciting countryside experience which can be monetized without the need for an entry fee to the building itself.
 - The planned capital investments are also vital to further enhance the visitor experience leading to and from the Wetlands – the access from the centre onto Sheep’s Marsh will be crucial to deliver that linkage.
 - The repurposed centre would provide visitors with information, interpretation and engagement based around the wildlife on the wetlands and its ecology with a virtual experience delivered through webcams on “wildlife hotspots” (think Spring watch!) and how to participate in events and activities being run on the site by our team.
 - The SWVC would also still provide an important educational resource for all schools at primary and secondary level that links seamlessly with what the Wild East Devon team currently deliver on the wetlands – the centre provides an excellent indoor learning facility which will help provide an all year round offer for schools. We would look to make this a premier destination as a non-residential field studies centre for schools and universities.
 - Further developments will include looking to market a “Wetlands experience” via bicycle from the SWVC with a unique opportunity for a local cycle hire facility to fully exploit the Stop Line Way & nature reserve linkages – ambition is to mimic the success of the Camel Trail as a safe recreational route working with DCC to develop/invest in.
 - Also to further develop our health & wellbeing work with providing mindfulness courses & activities within the centre working with local mental health organisations and AGE UK that we have already developed to provide activities and events that deliver our Public Health Plan...as well as consolidating our volunteer network (which is now over 200 signed up volunteers).

- Develop the cultural arts offer working with THG and the proposed ACED platform which can utilise the centre for commissioned art exhibitions that draw in the locality's high quality natural environment and linked climate change messages (e.g. Climate Cabin, THG's "out & about" programme etc.)

6.9 Notwithstanding the opportunities here for the Countryside Service to deliver, significant revenue and capital funding would be required. If other operators are interested in continuing an Interpretation type centre, as appears to be the case, this might be a better outcome. The Countryside Service would clearly work closely alongside any new operator, potentially even having a physical presence within the building. Should interest not materialise through the proposed marketing, then the Countryside Service will look at the concept in more detail.

6.10 Any future marketing of Seaton Jurassic will therefore include a requirement for any future operator /owner of the property to retain a small space for use by Countryside on a permanent basis to promote the Wetlands and the heritage of Seaton Jurassic.

7.0 Further report back to Members for an instruction on which of the 3 options to pursue and then pursue formal marketing (as appropriate) as per the agreed option

- Continue as an Interpretation Centre focussing on the Jurassic Coast (or perhaps other local/ Jurassic / heritage themes)
- Interpretation Centre / more general attraction but not focussed on the Jurassic Coast
- Market freehold / leasehold to highest bidder

7.1 For the following reasons, this is simply no longer feasible by January 2022:

- Essential Building defects information and costings have not yet been provided by the external Consultant and fully scoped out proposals will not be ready until Spring 2022.
- A decision on whether or not EDDC have to carry out the building works should only take place once potential new occupiers have confirmed whether or not they will be prepared to undertake the building works in return for a contribution or similar concession from EDDC.
- It was clear from the Forum meeting that taking all steps necessary to find a new operator /service provider under Options 1 & 2 should be exhausted before any decision on the future of the building is made.
- The Tender exercise required in order to identify a suitable new operator has not taken place and is not planned to start until February 2022.
- The Soft Marketing exercise has suggested that there are four possible suitable operators who would meet the requirements of the Funders but no formal offers have been requested nor made at this stage as the Centre must be exposed to the wider property market in order to secure best value.
- Legal advice has also not been received from external Legal Consultants and this advice should be available before any decision is made over the approach to be taken to the building defects.
- Dilapidations have not been agreed with DWT including reinstatement obligations.
- The two principal Funders will only confirm their position in respect of repayment of any grant monies once they have been presented with a formal and firm offer from another potential Operator /Service provider and that is not going to be available until after the Tender exercise completes in Spring next year.

8.0 Building Defects Update

8.1 Although a formal report from the appointed consultant on the anticipated costs for repairing

the building defects has not been received, the potential costs are still considered likely to be in excess of £100,000 which should cover the potential cost of both the works and associated fees.

- 8.2 The review carried out by the Consultant identified a number of issues relating specifically to the building fabric but these are less extensive than that of the MEP installations.

In principal M&E issues noted are as follows:

- The spaces are too cold in the cooler months and the heating system is unresponsive and takes too long to heat the space.
- Numerous plant failures
- Controls not integrating the operation of the heating and ventilation correctly.
- High energy costs due to the plant running for extended periods

The principal building fabric items have been identified as follows:

- Defective finish “Dusting” to polished concrete floors areas to the reception area, office, lobby and retail, / café space.
- Sliding entrance doors have been subject to a number of repairs to its thresholds which have dropped making the doors difficult to operate.
- Corroded areas to the metal plant room doors at high level
- No designed safe access for maintenance for the roof mounted PV system.
- Foul and surface water drainage systems installation/ design issues which has resulted in the flooding of the site and adjacent environs on one occasion

- 8.3 A Legal Data Room (digital) now contains all available documentation relating to the construction of the property. Legal Services have appointed Bevan Brittan to review the files and an initial letter of advice is expected to be received in January but not in advance of the Cabinet meeting.

9.0 Other Updates

- 9.1 Communications & Marketing Team activities - The Communications Team at EDDC continue to look after the digital assets (social media channels and web site) for Seaton Jurassic. Updates have been posted on these platforms when press releases have been issued by the council and when any other relevant news that would be of interest to visitors to the site has been communicated. A communications plan will be prepared by officers in 2022 and will report on any future significant milestones.
- 9.2 Valuation & Marketing Advice - A high level Options report was provided by Lambert Smith Hampton in November 2021. The report suggested that the best alternative use for the site was a mixed commercial & residential scheme as this would take into account the uncertainty of flooding at this location. Their view was that the existing building in its current layout and condition would only attract a special purchaser and that any potential for the building to be used as offices was extremely limited due to a lack of demand for such space in Seaton. Hotels, Childcare and Care Home interest is unlikely due to the small footprint of the site and although it would only be possible to gauge interest from Cinema operators, Bingo Halls, petrol filling stations, car showrooms and other sui generis users from a full marketing campaign, these uses are unlikely to be viable and planning consent is unlikely. The building does however offer potential for a mixed retail / café restaurant type offering. If the decision by Cabinet at a future date is to proceed with Option 3 as detailed in the Cabinet report of 6th October 2021, it is clear that the optimum way to achieve best value of the site is by appointing an external Commercial Agent who will prepare a more formal Marketing report prior to pursuing a Marketing campaign requesting any and all interested parties to make an offer for the building.

10.0 Next Steps

10.1 The following activities will take place between now and the provision of the Part B Cabinet Report in May/June 2022.

- External Marketing of the Centre with a view to securing a permanent new Service Provider /Operator
- External Marketing of the Café in order to secure a new café operator (and ancillary uses) for the Spring / Summer season of 2022
- Secure Legal advice on EDDC's position regarding the Building Defects
- Obtain a costed Building Defects & Recommendation Report from the external Consultant
- Go to Tender to obtain the costings for remedying the Building Defects
- Agree which items are to potentially be purchased from DWT in conjunction with any new operator and their price
- Carry out enabling works in order to self-contain the café for the summer season
- Hold another SJ Stakeholder Meeting
- Agree which fixtures and fittings in the building need to be acquired for a new service provider
- Oversee the removal of any remaining DWT fixtures and fittings /complete dilapidations

Financial implications:

The are no financial implications at this stage as this an update report.

Legal implications:

The report covers the legal position in relation to certain aspects (building defects, external funding) although further work is still necessary in those areas to ensure decision making can be properly informed. This is still dependent in certain regards on the future use of the building, which is yet to be established. Consequently at this stage, and as previously, Legal Services will assist in the work and also advise generally on future uses as and when required. Otherwise the recommendations do not raise any specific legal implications requiring comment.

Report to: Cabinet



Date of Meeting 5 January 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Cranbrook Town Centre

Report summary:

It is 12 months since Cabinet resolved to accept the principle of signing a Memorandum of Understanding with the Cranbrook consortium of developers (New Community partners). This report provides an update as to progress on that exercise. The report also discusses progress on projects being progressed via Enterprise Zone funding.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- 1) That Cabinet note the progress made to secure the delivery of Cranbrook Town Centre during 2021.

Reason for recommendation:

Significant work has been undertaken during 2021 to progress the Memorandum of Understanding and its associated valuation exercise, the delivery of development on parcel TC4a and with Enterprise Zone funded projects within the Town Centre.

Officer: Thea Billeter, Cranbrook New Community Manager, tbilleter@eastdevon.gov.uk, 01395 571687

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change High Impact

Risk: High Risk;

Links to background information [Agenda for Cabinet on Wednesday, 28th July, 2021, 6.00 pm - East Devon](#) – minute 50 Cranbrook Town Centre; [Agenda for Cabinet on Wednesday, 6th January, 2021, 6.00 pm - East Devon](#) – minute 294 Cranbrook Town Centre; [Agenda for Strategic Planning Committee on Tuesday, 15th December, 2020, 2.00 pm - East Devon](#) – minute 94 Cranbrook Town Centre; [Agenda for Strategic Planning Committee on Thursday, 22nd October, 2020, 2.00 pm - East Devon](#) – minute 88 Cranbrook Town Centre

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
-

Report in full

1. [Background](#)

1.1. During late 2019 and 2020 officers and members were engaged in a negotiation with the developers of the current phase of Cranbrook (known as the New Community partners or NCp) in relation to the delivery of the town centre, which save for the Cranberry Farm pub, is presently vacant. This culminated in 6 January 2021 Cabinet (see link above) agreeing to the principle of a Memorandum of Understanding (MoU) being signed and delegating such authority to the Chief Executive and Portfolio Holder Strategic Planning to sign the final MoU.

1.2. The fundamental principles to be set out in the MoU were as follows:

- The NCp able to bring forward housing on a number of identified parcels in the town centre, with nil affordable housing on housing numbers over and above the existing outline planning permission. The additional housing to pay a reduced S106 contribution of £5,370 per dwelling
- District heating connections to all residential properties provided a connection charge of not in excess of £5,000/dwelling
- Offer to transfer all existing S106 town centre land obligations upon the MoU being signed (earlier than some of the current S106 triggers);
- Agreeing a financial contribution to be paid toward the construction of the Town Council Offices, Children's Centre, Youth Centre and Library in lieu of direct provision by the NCp;
- Give EDDC the option to purchase one or more of parcels TC3, TC4d & TC4e (see Appendix A for identification) at a market residential value.

1.3. Since the agreement of Cabinet negotiations have been under way in respect of both the precise wording of the MoU and the separate but linked valuation exercise for the land which EDDC will have an option to purchase.

1.4. Alongside these exercises the NCp have been working toward the submission of applications for planning permission for residential development on parcels TC3, TC4d&e, TC5a&b, TC6, TC7a&b and TC8 (See Appendix A) totalling circa 341 dwellings. The applications would be for a combination of reserved matters (balance of the existing consented housing numbers), full and outline planning permission. The housing parcels which EDDC will have an option to purchase would be sought in outline only to protect the

NCp's position should we not exercise our option to purchase one or more of the parcels. The NCp have advised that they will make the planning applications within two or three months of the MoU and valuation exercises being complete.

1.5. Additionally planning applications have now been made to deliver a supermarket the southern side of the high street comprising ground floor commercial units with residential above in two blocks separated by a town square and a children's day nursery on parcel TC4a. These applications require a Deed of Variation (DoV) to the principle S106 agreement to be finalised before they can be determined. This DoV will deal with a number of matters which are also to be covered in the MoU. Crucially however, the NCp will not allow the DoV to be finalised until the MoU has first been signed. This is due to the fact that the determination of the planning permissions will trigger a contractual ability for HDD (the TC4a developer) to complete their purchase of the parcel; a deal which has a lower than anticipated land value for the NCp.

2. Valuation

2.1. EDDC and the NCp have appointed valuers (LSH and Chesters Harcourt respectively) to act on their behalf to undertake a market residential valuation of parcels TC3, TC4d & TC4e pursuant to the proposal for EDDC to have an option to purchase the land. This valuation is Red Book compliant and should ensure that we secure value for money.

2.2. The three originally identified land parcels are detailed below:

Plot	Area (acres)	Plots
TC3	1.89	48
TC4d*	1.16	17
TC4e*	2.71	56
TOTAL	5.76	121

*Plots subsequently merged for the purposes of valuation

2.3 The valuation exercise is being undertaken based upon a set of principles agreed at the outset and then subsequently in July 2021, set out in a letter signed by EDDC, the individual NCp organisations and by HDD.

2.4 The principles include setting a date to which the valuation is based, an assumed price for the district heating connection, nil affordable housing, S106 costs per dwelling and basing the valuation upon a prescribed development scheme drawn up for the NCp. They also set out provisions for EDDC and the NCp to enter into a formal option agreement and for the valuation to be determined by an independent expert (appointed by RICS) should mutual agreement not be reached.

2.5 Negotiations between the valuers have been tricky and drawn out, not least due to there often being long periods of time between communications, usually on the part of the NCp and their valuer.

2.6 At the time of writing a purchase price for the land has recently been stated by the NCp but not agreed by EDDC. Advice received from LSH for EDDC puts the valuation of the land significantly below the figures being stated by the NCp and their valuer. Further details of this valuation process are given in the linked Part B Cabinet paper.

2.7 The delay in finalising the valuation is providing uncertainty for the NCp who cannot finalise their partitioning of the town centre residential land. This causes delay with drawing up plans for the development of those parcels.

3. Cranbrook Strategic Delivery Board

3.1. The Cranbrook Strategic Delivery Board includes representation from members of Cranbrook Town Council, East Devon District Council and Devon County Council and were involved in the negotiations with the NCp in relation to the town centre which culminated in the Cabinet resolution of January 2021. The Board have had sight of both this part A and the linked part B paper and have indicated their support for the recommendations set out for both papers.

4. Conclusion

4.1. Progress continues to be made to support the delivery of Cranbrook town centre, with the appointment of consultant support providing the professional support and additional capacity needed to support the Council.

4.2. This paper provides information on the progress made and the next steps that are recommended to support the delivery of the town centre.

Financial implications:

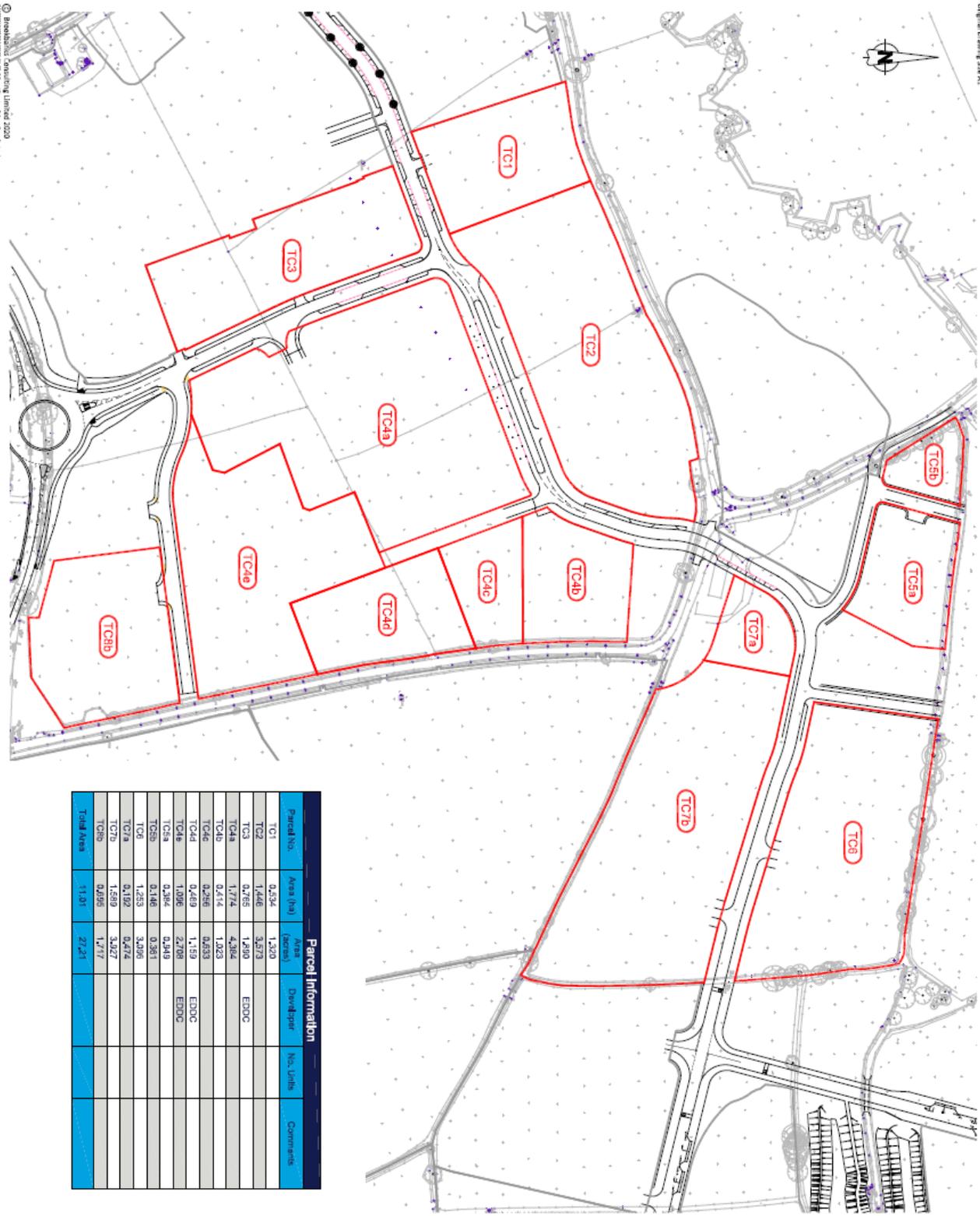
There are no direct financial implications from the recommendations in the report at this stage. Clearly there are significant financial implications in the details being considered and these will need to be covered when Cabinet are asked to consider making actual land purchases.

Legal implications:

The report does not raise any specific legal implications requiring comment.

Appendix A – Town Centre Plan

Original Drawing Size A1



Parcel No.	Area (sq)	Area (acres)	Development	No. Units	Comments
TC1	0.534	1.230			
TC2	1.446	3.273	EDDC		
TC3	0.785	1.780	EDDC		
TC4a	1.774	4.064			
TC4b	0.414	1.023			
TC4c	0.246	0.563	EDDC		
TC4d	0.449	1.019	EDDC		
TC4e	1.398	3.168	EDDC		
TC4f	0.246	0.563			
TC5a	0.188	0.428			
TC5b	1.253	2.866			
TC7a	0.192	0.441			
TC7b	1.589	3.627			
TC8a	0.695	1.577			
Total Area	11.01	27.21			

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- NOTES:**
1. See notes on the drawing.
 2. All dimensions are in metres unless otherwise stated.
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EDNC Consortium

East Devon New Community
 Town Centre

Parcel Structure & Areas

Client: East Devon New Community
 Drawing No: 10301-PA-08
 Date: 18.01.2021
 Scale: 1:1000
 Author: C

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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