

Agenda for consultative meeting of the Scrutiny Committee

Thursday, 29th July, 2021, 6.00 pm



Members of Scrutiny Committee

Councillors V Ranger (Vice-Chair), M Allen, M Chapman, A Colman, O Davey, C Gardner, S Hawkins, V Johns, F King, H Parr, C Pepper, E Rylance, A Bruce, P Millar and T Wright (Chair)

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(or group number 01395 517546)

Tuesday, 20 July 2021

**Important - this meeting will be conducted online and recorded by Zoom only.
Please do not attend Blackdown House.**

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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/UCmNHQruge3LVI4hcgRnbwBw>

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>

1 Public speaking

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

2 Minutes of the previous meeting (Pages 3 - 8)

3 Apologies

4 Declarations of interest

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

5 Matters of urgency

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

6 Confidential/exempt item(s)

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

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

There are no items identified

- 8 Report on proposed actions to improve staff morale (Pages 9 - 21)

- 9 Planning Enforcement Process (Pages 22 - 28)

- 10 Quarterly Monitoring of Performance - Quarter 4 2020 - 21 (Pages 29 - 37)

- 11 Forward Plan (Pages 38 - 40)

Proposal forms received:

1. Playing Pitch Strategy – Cllr Millar

[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held Online via the Zoom app on 8 April 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.07 pm

140 Public speaking

One member of the public had registered to speak. It was agreed that the member of the public would speak at agenda item 7, Decisions made by Cabinet (including Portfolio Holders) called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure rules [minute 145 refers].

141 Minutes of the previous meeting

Cllr Val Ranger proposed that the minutes of the previous meeting held on 4th March 2021 be amended to include the following points at minute 137 (Comments and questions raised by Committee members and responses from the Chief Executive and Mark Everden including):

- Early informal verbal intervention in the event of any suggestion of bullying should be considered
- Restorative justice as a form of mediation should be considered

The amendments were agreed and the minutes of the meeting held on 4th March 2021, as amended, were agreed as a correct record.

142 Declarations of interest

Minute 145. Decisions made by Cabinet (including Portfolio Holders) called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules. Councillor Eleanor Rylance, Personal, The member is Assistant Portfolio Holder for Coast, Country & Environment and advised that she had not been involved in the Portfolio Holder decision which had been called in for scrutiny and would be discussed at agenda item 7 [minute 145].

Minute 146. Quarterly Monitoring of Performance - Quarter 3 2020 - 21. Councillor Olly Davey, Personal, Member of Exmouth Town Council.

143 Matters of urgency

There were no matters of urgency.

144 Confidential/exempt item(s)

There were no confidential / exempt items.

145 **Decisions made by Cabinet (including Portfolio Holders) called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules**

The Committee considered the call-in of the decision of the Portfolio Holder for Coast, Country and Environment of 16th March 2021 (Portfolio Holder report of February 2021 refers), in accordance with paragraph 15 of part 4.5 of the Overview and Scrutiny procedure rules. The call-in related to the decision that the Council agrees to no longer provide short term lets of beach huts in Budleigh via the TIC and offer them instead as EDDC sites for long term rental.

The call-in was proposed by Councillor Alan Dent and supported by Councillors Colin Brown, Maddy Chapman, Bruce de Saram, Paul Jarvis and Tom Wright.

The member of the public, Helen Warren, a director of the Budleigh Information Centre (BIC) [note: the TIC had closed and the new entity is the BIC] and Chair of the Budleigh Chamber of Commerce, addressed the Committee and made the following points:

- The TIC had closed in March 2020 during the first Covid-19 lockdown and re-opened in August 2020 under a new model with volunteers as a more viable concern
- The TIC had closed again in November 2020 and January 2021 and was preparing to re-open on 12th April
- The TIC is self-funded with running costs of approximately £12,000 per annum and no longer receives a financial contribution from EDDC
- Renting out the beach huts had raised significant income for the TIC in previous years due to their popularity
- Beach huts have been rented out on a daily or weekly basis, often by local holiday accommodation providers and play a vital role in promoting tourism
- Plans were in place to produce a town guide and grant funding had been received to update the TIC website
- The loss of the rental income from the beach huts would significantly impact the revenue for the TIC

Ward members for Budleigh made the following points:

- Providing short term lets was an important tourism offer and supported local holiday businesses
- There had been no tourism since May 2020 and no need for the TIC during the intervening period
- EDDC had not attempted to contact the director of the TIC and had not involved the TIC in consultation
- Ward members had also not been contacted for information regarding the position of the TIC
- The Portfolio Holder for Coast, Country and Environment had not consulted ward members on the proposed changes and no stakeholder discussion had taken place
- Notifying members of the changes by way of the weekly email lacked openness and transparency
- Recovery after the Covid-19 pandemic lockdown will rely on tourism and visitor footfall
- The TIC had worked very hard to obtain external financial support and to cut costs by relying on volunteers
- Lack of local consultation was disgraceful

- The ability to offer short term lets of the beach huts had a wider impact than just generating income for the local economy

Comments from non-members of the Committee included the following points:

- There is a long waiting list for use of the beach huts which includes local people and families
- Ward members should have been consulted on this decision and should be consulted on local decisions as a matter of course

Andrew Hancock, Service Lead for Streetscene advised that the proposal had been made for practical reasons based on the understanding that the TIC was no longer operating. That understanding had now been shown to be incorrect and it was agreed that ward members should have been consulted. The beach huts had been inspected and a budget of £14,000 was needed to replace them, together with a £5,000 budget for annual dismantling and storage as there was no dry storage space available to EDDC in Budleigh.

It was noted that consideration may need to be given to a legal agreement with the TIC if the short term lets continued.

Councillor Geoff Jung, Portfolio Holder for Coast, Country and Environment apologised for the lack of consultation with ward members on this particular decision, and noted that this was not normally the case. The Portfolio Holder decision had been made on the basis of the information contained in the report with a very short timescale for signing off.

Comments from members of the Committee were made as follows:

- Long term beach hut rents are very high and short term lets at an affordable rate are very attractive to visitors
- The opportunity for the beach hut experience should be widely available to as many people as possible
- Ward member consultation had been improving and it appeared that the decision under discussion had resulted from miscommunication
- There was a case for a full review of beach hut policy and rentals across the district
- Concern was raised as to the practicality of deep cleaning the beach huts if they were let on a short term basis

The Service Lead for Streetscene advised that officers would need to check the current situation regarding the implementation of the Portfolio Holder decision and the status of the tenants for the 2021 season. The decision had been implemented for practical reasons due to the timescale involved. Any decision made by the Scrutiny Committee would not preclude the letting of the beach huts reverting back to the TIC, only the type of tenancy for the current season.

Councillor Eleanor Rylance proposed that the decision be referred back to the Portfolio Holder to reconsider his decision, to consult with ward members and to update the accuracy of the report with regard to the Budleigh TIC and to consider whether there is any more information that should be taken into account. This was seconded by Councillor Vicky Johns and was agreed.

RESOLVED that the decision of the Portfolio Holder for Coast, Country and Environment of 16 March 2021 [Portfolio Holder report of February 2021 refers] relating to the decision that the Council agrees to no longer provide short term lets in Budleigh via the TIC and

offer them as EDDC sites for long term rental, be referred back to the Portfolio Holder to reconsider his decision, to consult with ward members and to update the accuracy of the report with regard to the Budleigh TIC and to consider whether there is any more information that should be taken into account.

Ward members thanked the Committee for its consideration of this matter. The Chair thanked the public speaker, Helen Warren, for attending the meeting.

146 **Quarterly Monitoring of Performance - Quarter 3 2020 - 21**

This item had been deferred from the previous meeting and was presented by the Deputy Monitoring Officer.

Comments from the Committee members highlighted the following:

- The figure for voluntary turnover of leavers had reduced from previous years which was viewed very positively
- Officers were thanked for their work during the very difficult circumstances of the Covid-19 pandemic
- Regarding the number of working days lost due to sickness absence, the Deputy Monitoring Officer would circulate the figures after the meeting

RESOLVED:

That the Quarterly Monitoring of Performance – Quarter 3 2020 – 21 be noted.

147 **Forward Plan**

Members considered a proposal form submitted by Cllr Maddy Chapman on the production of the Local Plan 2013-31 and Goodmores Farm. Cllr Chapman introduced the proposal form and highlighted the following points:

- Issues and concerns with the development of the site had been ongoing for eight years
- There is a lack of community infrastructure on the site which comprises 16 affordable homes out of approximately 300 dwellings
- There was concern that trees and hedges are being removed from the site

Non-members of the Committee made the following points:

- It was noted that, under the Constitution, the Scrutiny Committee is not permitted to comment on planning site allocations, but that perhaps this should be reviewed
- The issue was with the public consultation process and this aspect should be scrutinised to learn lessons for the future

The Deputy Monitoring Officer confirmed that the Scrutiny Committee is precluded by law from scrutinising planning applications and queried the benefit of looking at the process for the Goodmores Farm application which had been upheld by the Planning Inspector previously.

The Service Lead for Planning advised that, in his view, the issue with the Goodmores Farm site was with the viability of the development and that this may explain why the site

does not meet the ward members' and community's expectations in terms of infrastructure delivery. The process for ensuring that development is viable and deliverable is prescribed by planning legislation and policies in the Local Plan. It was noted that, with regard to learning lessons for the future, legislation has changed since the current Local Plan was adopted and now requires greater scrutiny of the viability and deliverability of developments at the point of allocation through the Local Plan process. If the Committee was minded to proceed with the proposal, careful scoping would be needed to ensure that the Committee remained within its legal remit.

In response to a question, the Service Lead for Planning advised that open book viability appraisals are already required and that Goodmores Farm would have been subject to this requirement under the current policy framework.

Cllr Chapman recommended to the Committee to scrutinise the different steps that were taken with regard to Goodmores Farm and the subsequent issues with this development in order to understand what had gone wrong.

Cllr Olly Davey proposed that the Committee requests the Service Lead for Planning to bring a report to the Strategic Planning Committee to consider the lessons to be learned from the Goodmores Farm development, with particular reference to the role of public consultation and historic site allocations.

The Deputy Monitoring Officer advised the Committee to consider requesting the Service Lead for Planning to bring a scoping report back to Scrutiny to ensure that any work undertaken was in line with the Committee's requirements.

The Service Lead for Planning suggested that a report could scrutinise how the allocations within the Local Plan come to fruition through the planning process and how policies in the Local Plan are translated into the delivery of a development. Goodmores Farm, together with other allocations by way of examples, could be considered, rather than looking at one application in isolation. The report, to come to the Scrutiny Committee, would cover the process and how the outcomes envisaged in the Local Plan have or have not been delivered, and why.

Councillor Chapman proposed that the report as outlined above by the Service Lead for Planning be requested. This was seconded by Cllr Ranger and was agreed.

RESOLVED:

That the Service Lead for Planning brings a report to the Scrutiny Committee setting out how the allocations within the Local Plan come to fruition through the planning process and how policies in the Local Plan are translated into the delivery of a development. Site allocations would be considered by way of examples, including Goodmores Farm, rather than looking at one particular application in isolation. The report would cover the process and how the outcomes envisaged in the Local Plan have or have not been delivered, and why.

It was agreed to defer the proposal form on playing pitch strategy, submitted by Councillor Millar, to the next meeting.

Attendance List

Councillors present:

C Brown (Chair)
V Ranger (Vice-Chair)
E Rylance
M Chapman
I Chubb
A Colman
V Johns
O Davey
S Hawkins
H Parr

Councillors also present (for some or all the meeting)

P Arnott
D Bickley
K Bloxham
S Bond
B De Saram
A Dent
M Howe
P Jarvis
G Jung
P Millar
A Moulding
M Rixson
J Rowland
I Thomas
E Wragg
T Wright

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
Andrew Hancock, Service Lead StreetScene
Wendy Harris, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

F King
T McCollum
B Taylor
C Wright

Chair

Date:

Report to: **Scrutiny Committee**



Date of Meeting 29/07/2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Proposed actions to improve staff morale

Report summary:

Committee will recall that a Health and Safety Executive approved survey was undertaken of all staff during February of this year. This was carried out following comments made and concerns expressed at the Joint Overview & Scrutiny Committee when members were considering the draft budget proposals and the draft service plans for the 2021/2022 financial year. In total 329 officers responded representing a 67% response rate.

The findings of this survey were presented to this Committee on 4 March 2021. Strategic and Service Leads have since worked with their teams to discuss the results and develop action plans to work on any issues raised regarding operational matters. The action plans form part of an ongoing work plan to address and where necessary revisit issues raised through the survey results. This report outlines the issues raised in the action plans.

It is intended that the same Health and Safety Executive approved questionnaire will be distributed to staff during October/November and this will allow for a comparison position to be established and also an assessment of the extent to which the concerns raised have been addressed.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

(1) That the Scrutiny Committee consider the suggested actions as set out in this report.

Reason for recommendation:

There were results of significant concern in the survey of staff. Further investigation by Service and Strategic Leads has resulted in an action plan being created for each council service, which will improve upon these areas of concern over the coming months. Through this process issues have been raised which require the attention and action of Elected Members.

Officer: Mark Williams, CEO. mwilliams@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency
- Economy and Assets
- Finance

- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Currently low impact. Any actions taken / not taking action on issues could have a high equalities impact and may require impact assessments.

Climate change Low Impact

Risk: Low Risk; Currently low risk, any actions taken / not taking action on issues could be high risk and may need risk assessments.

Links to background information

- Report to Scrutiny Committee on 4 March 2021:

<https://democracy.eastdevon.gov.uk/ieListDocuments.aspx?CId=148&MId=1479&Ver=4>

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

1. Background

- 1.1** EDDC has traditionally been an organisation where staff morale has been high. In September 2019 EDDC was described as an organisation with a 'strong track record of successful delivery'; 'strong financial management'; 'high quality services' and a 'hardworking and committed workforce.' (source: LGA Peer Review - <https://eastdevon.gov.uk/papers/cabinet/271119bpcabinetpeerreviewfinalreportsept2019.pdf>). Committee should note that we are due a follow up review from an LGA team. This follow up review will reflect on what has happened in the Council since the 2019 report.
- 1.2** In January 2020 the Council achieved Platinum Investors in People status which is the highest status achievable. Previous to that the Council had been at Gold level (the previous highest status) for some 6 years. The IIP report has previously been circulated to the Committee ([east-devon-district-council-review-2020-platinum-report-ac.pdf](#)). In the context of this report the following extract is apposite: 'You...provide effective people management and development in order to achieve high levels of engagement, which has in turn delivered higher levels of performance overall and has enabled you to drive your ambition forward 'to be an outstanding and well run council which provides great services and outstanding opportunities for East Devon – now and for future generations'' This was further endorsed by people's passion around levels of service and support given to their residents, the community they serve and a genuine desire for EDDC to succeed, which I found inspirational. The encouraging high levels of involvement through working groups and team discussions during 1-2-1's and SMT/SMT+ meetings, is something which is highly appreciated by people across the business'.
- 1.3** In June 2020 a staff survey was carried out to ascertain how the organisation had fared during the first part of the pandemic. The results were considered by managers and a range

of responses introduced to ensure that as best we could, the concerns that were being raised were addressed. Noticeable in terms of the comments were an increase in workloads and the practical impact of working from home. Overall the feeling of staff was that we had adapted well to the pandemic but there were matters that required ongoing monitoring and careful consideration.

1.4 In February 2021, a Health and Safety Executive approved questionnaire was sent out to all staff. In total 329 officers responded, representing a 67% response rate.

The results of this survey confirmed that in terms of the H&SE stress factors the highest scoring returns were in respect of role, peer support and relationships. This confirmed some of the factors noted in the IIP report and was a positive result reflecting the inherent strength within our teams. In terms of inappropriate behaviour however, it was noticeable that although 83% stated they were never bullied at work, 6% of respondents stated they were sometimes bullied at work and 11% stated they were seldom bullied. The fact that 17% have given a qualified answer was considered to be significant due to the nature of the question. Also, in terms of not being subject to personal harassment in the form of unkind words or behaviour, although 62% of respondents stated they were never subject to personal harassment at work, 38% stated they were seldom, sometimes, often or always subject to personal harassment in the form of unkind words or behaviour. This was also significant due to the nature of the question.

The two lowest scoring (and therefore most negative) of the workplace stressors recognised by the H&SE were in regard to demand and change. In particular, officers reported that they were having to work intensively; having to work very fast; having to neglect some tasks because of having too much to do; different groups demanding things that are hard to combine; not having a choice in deciding what to do at work; and not always being consulted about change at work; and when changes are made at work, not being clear about how they will work in practice. When the results were split by teams and all the stressors were taken into account, the teams that were a priority for further assessment were Housing, Streetscene and Planning. The teams that had the highest average scores overall were HR/OD, Countryside and Economy.

2. Action Plans

Following the Health and Safety Executive questionnaire, all services within the council were engaged in follow up work. Strategic and Service Leads have worked with their teams to discuss the results and develop action plans to work on any issues raised. They will continue to work on these over the coming months and will regularly report back to their teams on progress. Committee should note that there have been reports to Cabinet addressing capacity and other issues directly related to staff morale so there is an evolving picture with a number of initiatives and actions being pursued concurrently.

The lists of issues and suggested actions for the consideration of Committee have been split according to the Health and Safety Executive list of 7 stressors, which relate back to the questions asked in the survey that was completed by staff. More information on these questions can be found in the previous report to this Committee:

<https://democracy.eastdevon.gov.uk/ieListDocuments.aspx?CId=148&MId=1479&Ver=4>

These stressors are:

- Demand
- Change
- Control
- Management Support

- Peer Support
- Relationships
- Role

As the Committee look through the tables of issues and suggested actions it can be seen that 'demand' is a big influencer of issues throughout the stressors. Not only did council services state that demand itself was a significant stressor, multiple services stated that demand was also having a significant negative impact on the other stressors of:

- Control
- Management Support
- Peer Support

There are also areas of concern throughout the stressors which result in the repeated suggested actions of:

- Having a clear, realistic and affordable council plan.
- Strata related actions such as a review sufficiency of current resource allocation to IT, considering whether software and IT systems reflect best of breed / modern expectations and possibly having more capacity within Strata?
- Further Member training, and a change in certain Member behaviours.

2.1 DEMANDS

Service(s) included in this response.	Issue	Suggested action(s)
<ul style="list-style-type: none"> - Governance and Licensing - Planning and Development - Housing Service - Housing and Environment DMT - Benefits, Revenues, Customer Services, Fraud and Compliance -Environmental Health and Car Parks - Streetscene - Place, Asset and Commercialisation - Countryside and Leisure - Growth, Development and Prosperity 	<p>A lack of enough staff resources to do the work due to: <i>Not all services listed had all these issues, but all had a lack of staff resources to do the work for one or more of the reasons below.</i></p> <ul style="list-style-type: none"> • Increases in workload, some but not all due to Coronavirus, backlogs of normal work, increased workloads in other teams having a knock on effect. • More complex workload. • We need to create new roles to carry out the work that's being asked of us. • High staff turnover. • Staff being off on sick leave / other leave. • Staff leaving and not being replaced. • Not being able to attract professional, experienced staff to take up / stay in posts. • The recruitment process is often delayed, and takes too long. • Increased and unrealistic expectations from customers. • Poor staff morale affecting productivity. 	<p>Increased capacity:</p> <ul style="list-style-type: none"> • Review staffing levels and recruit extra, suitable staff where necessary. • Recruit more suitable, knowledgeable temporary staff to cover sick leave / other leave / work on backlog. <p>Change in policy:</p> <ul style="list-style-type: none"> • Review council's existing pay and reward policy and assess whether council is still a median payer. • Speed up the recruitment process, / review the Recruitment Policy. • Have a realistic and clear Council Plan that staff can work towards to help prioritise what they should and should not be spending time on. What can staff say 'no' to. • Recognise that there's been a change in working practices due to Covid. Where that has been beneficial to workloads, have policies to keep it in place. • Cut back on non-statutory services where possible. <p>Change in behaviour:</p> <ul style="list-style-type: none"> • Members to play their part in making sure customer demands and expectations are also realistic. • Recognise need for ongoing Code of Conduct training and re-enforcement of good Member behaviours.
<ul style="list-style-type: none"> -Streetscene -Governance and Licensing -Planning and Development 	<p>Inefficient IT systems: <i>Not all services listed had all these issues, but all had issues with inefficient IT systems for one or more of the reasons below.</i></p>	<p>Increased capacity:</p> <ul style="list-style-type: none"> • Review sufficiency of current resource allocation to IT.

	<ul style="list-style-type: none"> • Current IT systems / Global Desktop / software aren't working properly. This needs to be fixed. • Need new, more efficient software to decrease workload on staff. 	<ul style="list-style-type: none"> • Consider whether software and IT systems reflect best of breed / modern expectations. • More capacity within Strata?
<p>-Streetscene -Governance and Licensing -Housing and Environment DMT -Organisational Development - Place, Asset and Commercialisation -Countryside and Leisure</p>	<p>Demands due to Members have increased significantly: <i>Not all services listed had all these issues, but all had issues with this for one or more of the reasons below.</i></p> <ul style="list-style-type: none"> • Members not re-enforcing preferred communication channels. • Members not supporting performance standards when responding to the public. • Members contacting staff and wanting immediate responses. • Pressure applied by Members on staff to do what is asked immediately and not respecting existing workloads. • Some Members seeking to micro-manage officers/ projects / reports with resulting increase in workload and undermining of officer confidence and morale. 	<p>Change in policy:</p> <ul style="list-style-type: none"> • Have a realistic and clear Council Plan that staff can work towards to help prioritise what they should and should not be spending time on. What can staff say 'no' to. • Review interaction between CSC and service departments to ensure optimum engagement with customer. <p>Change in behaviour:</p> <ul style="list-style-type: none"> • Further training for Members around who is responsible for what, who to contact with their requests and how. In addition, training in how councils are split into operational and strategic. • Make sure Member demands and expectations are realistic, and, if relevant, are reported to the right place / person in the most efficient way. • Members to not micro-manage projects / reports.
<p>-Countryside and Leisure -Planning and Development</p>	<p>Childcare issues due to the Coronavirus pandemic put undue pressure on staff.</p>	<p>Change in policy:</p> <ul style="list-style-type: none"> • Review the relevant policy taking childcare issues into account.

2.2 CHANGE

Service(s) included in this response.	Issue	Suggested action(s)
-Streetscene -Revenues, Benefits, Customer Services, Fraud and Compliance - Place, Asset and Commercialisation	The email method often used to communicate council changes doesn't always work for us: <i>Not all services listed had all these issues, but all had issues with this for one or more of the reasons below.</i> <ul style="list-style-type: none"> • No time to read long emails / newsletters. • Need a strategy to make sure everyone engages with the communication. • Bigger changes need to be discussed in a group. 	Change in behaviour: <ul style="list-style-type: none"> • Review methods of how bigger changes are communicated to staff. For example use videos, paper, virtual / face to face meetings, phone calls as well as email.
-Housing and Environment DMT -Planning and Development	There is a lack of a sense of purpose and direction, Members aren't clear on Council direction/haven't set a clear agenda/overly focused on criticism of Council.	Change in policy: <ul style="list-style-type: none"> • Have a realistic and clear / affordable Council Plan that can guide where change happens.
-Countryside and Leisure -Housing and Environment DMT	Current IT systems and support make change more difficult: <i>Not all services listed had all these issues, but all had issues with this for one or more of the reasons below.</i> <ul style="list-style-type: none"> • Global Desktop isn't a stable platform for Zoom / Video meetings to discuss change. • Wifi at satellite sites doesn't work well, makes discussing change difficult. • IT support not keeping pace with changing service demands. 	Increased capacity: <ul style="list-style-type: none"> • Review sufficiency of current resource allocation to IT. • Consider whether software and IT systems reflect best of breed / modern expectations. • More capacity within Strata?

2.3 CONTROL

Service(s) included in this response.	Issue	Suggested action(s)
-Streetscene -Organisational Development -Governance and Licensing -Planning and Development -Growth, Development and Prosperity	There needs to be a plan for the future of flexible working.	Change in policy: <ul style="list-style-type: none"> • Carry out staff survey on working from home and revise flexible working policy / Worksmart to take account of views raised.
-Streetscene - Place, Asset and Commercialisation -Environmental Health and Car Parks -Housing and Environment DMT -Financial Services -Governance and Licensing	Demand is too high to allow me control: <i>Not all services listed had all these issues, but all had issues with this for one or more of the reasons below.</i> <ul style="list-style-type: none"> • Demand is so high we can't always take a break when needed. • Demand from certain Members needs to be planned more fully to consider workload, capacity and budget. • Lack of control of types of / volume of working coming in. • Demand can't be switched off. • Too many competing priorities, nothing is de-prioritised. 	See DEMAND section of this report and it's suggested actions.
-Housing and Environment DMT	Greater direction from and involvement in operational matters by Members leads to staff having a lack of control, choice and confidence.	Change in behaviour: <ul style="list-style-type: none"> • Improve relationships, communications and engagement with Members. • Further training for Members around how councils are split into operational and strategic / how the best councils operate.
-Governance and Licensing	Not enough breaks in meetings involving Members, and those that happen aren't long enough.	Change in behaviour: <ul style="list-style-type: none"> • More, longer breaks in meetings.

2.4 MANAGEMENT SUPPORT

Service(s) included in this response.	Issue	Suggested action(s)
-Environmental Health and Car Parks -Revenues, Benefits, Customer Services, Fraud and Compliance - Place, Asset and Commercialisation -Organisational Development -Governance and Licensing	Due to demand, the service can't provide proper management support: <i>Not all services listed had all these issues, but all had issues with this for one or more of the reasons below.</i> <ul style="list-style-type: none"> • Managers picking up extra workload so less time to manage staff properly / have 121s and PERs. Managers are too busy to manage people. • High turnover of management staff. • Not being able to successfully recruit to vacant / new management roles. 	See DEMAND section of this report and it's suggested actions.
-Housing and Environment DMT	Current IT systems and support make it more difficult to receive and give management support. Global Desktop isn't a stable platform for Zoom / Video meetings.	Increased capacity: <ul style="list-style-type: none"> • Review sufficiency of current resource allocation to IT. • Consider whether software and IT systems reflect best of breed / modern expectations. • More capacity within Strata?
- Place, Asset and Commercialisation	Staff don't feel they've been properly recognised by Members for their commitment, dedication and results in very challenging working environments.	Change in behaviour: <ul style="list-style-type: none"> • Consider training for Members on principles of motivation / effective relationships with people.

2.5 PEER SUPPORT

Service(s) included in this response.	Issue	Suggested action(s)
-Streetscene -Planning and Development -Housing and Environment DMT -Environmental Health and Car Parks	Peer support is suffering due to demand: <i>Not all services listed had all these issues, but all had issues with this for one or more of the reasons below.</i> <ul style="list-style-type: none"> • Other services and members of staff are now too busy and this impacts on the ability to support others. • If anyone is away from work it adds too much pressure to others. • Demoralised colleagues are struggling with demand. 	See DEMAND section of this report and it's suggested actions.

2.6 RELATIONSHIPS

Service(s) included in this response.	Issue	Suggested action(s)
<p>-Housing, Health and Environment DMT - Place, Asset and Commercialisation -Organisational Development -Planning and Development -Governance and Licensing -Streetscene</p>	<p>Unacceptable behaviour of some Members towards some staff: <i>Not all services listed had all these issues, but all had issues with this for one or more of the reasons below.</i></p> <ul style="list-style-type: none"> • Some Members are seriously mistreating some officers, bullying, intimidating, harassing and being disrespectful. • Some Members are fostering a blame / fear culture and not trusting some professional officers. • Constant negativity of some Members towards staff / the work. • Morale of some managers due to Members conduct has filtered down through teams. • Some Members of the new administration are difficult to work with and make staff feel unappreciated. • Some staff are fearful of emails from some Members. • Lack of understanding by Members of their role / procedures within the council. • The Administration expect us to say yes to everything, when we can't. 	<p>Change in policy:</p> <ul style="list-style-type: none"> • Review / revise the Member / officer protocol. • Work with LGA and others to promote good behaviours and initiate appropriate interventions <p>Change in behaviour:</p> <ul style="list-style-type: none"> • Members to treat staff with respect, and apply the Code of Conduct. • Leading Members to stop creating a blame / fear culture and a culture where bullying is exhibited, encouraged and rewarded. • Further training for Members around their roles, council procedures and the Code of Conduct.
<p>-Housing, Health and Environment DMT - Housing -Financial Services -Benefits, Revenues, Customer Services, Fraud and Compliance - Place, Asset and Commercialisation -Organisational Development -Planning and Development -Governance and Licensing</p>	<p>Working relationships between council services need to adapt to changed work practices: <i>Not all services listed had all these issues, but all had issues with this for one or more of the reasons below.</i></p> <ul style="list-style-type: none"> • How to help other teams succeed. • Ensuring the right balance between the internal and external customer. • Cross-team issues and tension between services due to workload. 	<p>Change in behaviour:</p> <ul style="list-style-type: none"> • Whole organisation to work to a 'one council' ethos.

-Planning and Development	Member involvement and ownership has declined since the loss of Member Champions. These roles were particularly useful in supporting some areas.	Change in policy: <ul style="list-style-type: none"> • Consider re-instating Member Champions.
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2.7 ROLE

Service(s) included in this response.	Issue	Suggested action(s)
-Planning and Development - Place, Asset and Commercialisation -Revenues, Benefits, Customer Services, Fraud and Compliance -Housing	We don't know what the council's priorities are: <i>Not all services listed had all these issues, but all had issues with this for one or more of the reasons below.</i> <ul style="list-style-type: none"> • We don't know what the corporate / Member's priorities are. • Unsure how we fit into the overall strategy of the council. • We need the direction of travel for EDDC as a whole to be communicated. 	Change in policy: <ul style="list-style-type: none"> • Have a realistic, clear and affordable Council Plan that staff can work towards to help guide the roles of all staff within the council.

Financial implications:

There are no direct financial implication to be highlighted from the recommendation in the report. There are however actions identified that are likely to require additional resources particularly around pay and staffing levels, any proposals that will require additional budget will require a separate report for Cabinet and Council to consider

Legal implications:

There are no specific legal implications identified in the report requiring comment



Report to: **Scrutiny Committee**

Date of Meeting 3rd June 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Planning Enforcement Process

Report summary:

This report responds to a request from Scrutiny Committee to look at the planning enforcement process and the resourcing of planning enforcement. It seeks to outline the principles of planning enforcement, the process followed and how the work is resourced. It is hoped that this will enable Members to further consider these issues or at least further scope the issues.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That the Scrutiny Committee:

1. Consider the planning enforcement process and the resourcing of this area of work as outlined in the report.
2. Make any recommendations for changes to the planning enforcement process to Council having regard to the Local Enforcement Plan and the legal framework for planning enforcement.
3. Make any recommendations for changes to the resourcing of the planning enforcement service to Council.

Reason for recommendation:

To ensure that Members fully understand the planning enforcement process and how this is resourced and are able to appropriately scrutinise this area of work and make recommendations to the appropriate committees of the council.

Officer: Ed Freeman – Service Lead Planning Strategy and Development Management – Tel: 01395 517519; e-mail – efreeman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency
- Economy and Assets
- Finance

- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

If choosing High or Medium level outline the equality considerations here, which should include any particular adverse impact on people with protected characteristics and actions to mitigate these. Link to an equalities impact assessment form using the [equalities form template](#).

Climate change Low Impact

Risk: Low Risk; Click here to enter text on risk considerations relating to your report.

Links to background information Local Enforcement Plan - [local-enforcement-plan-final-march-2020.pdf \(eastdevon.gov.uk\)](#); Government Guidance - [Enforcement and post-permission matters - GOV.UK \(www.gov.uk\)](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Background

At the meeting of Scrutiny Committee on the 4th February 2021 a proposal form was considered by Members that asked committee to consider the role of planning enforcement. The form raised issues around consistency across the district, transparency, a clearer process with timescales and apparent disparities between actions taken against developers and those taken against private individuals. Issues around the checking and enforcement of planning conditions, the checking of building heights and the enforcement of works to trees were also raised.

In response the Scrutiny Committee resolved:

- “1. That a report on the planning enforcement process should come to Scrutiny Committee so that Members can ask questions and fully understand the forces at play be agreed.
2. That Scrutiny Members consider whether the Planning Enforcement Team are fully resourced be agreed.”

Planning Enforcement Principles

Government guidance defines a breach of planning control as:

- “the carrying out of development without the required planning permission; or
- failing to comply with any condition or limitation subject to which planning permission has been granted.

Any contravention of the limitations on, or conditions belonging to, permitted development rights, under the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#), constitutes a breach of planning control against which enforcement action may be taken.”

It goes on to stress the importance of effective enforcement to:

- “tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area;
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.”

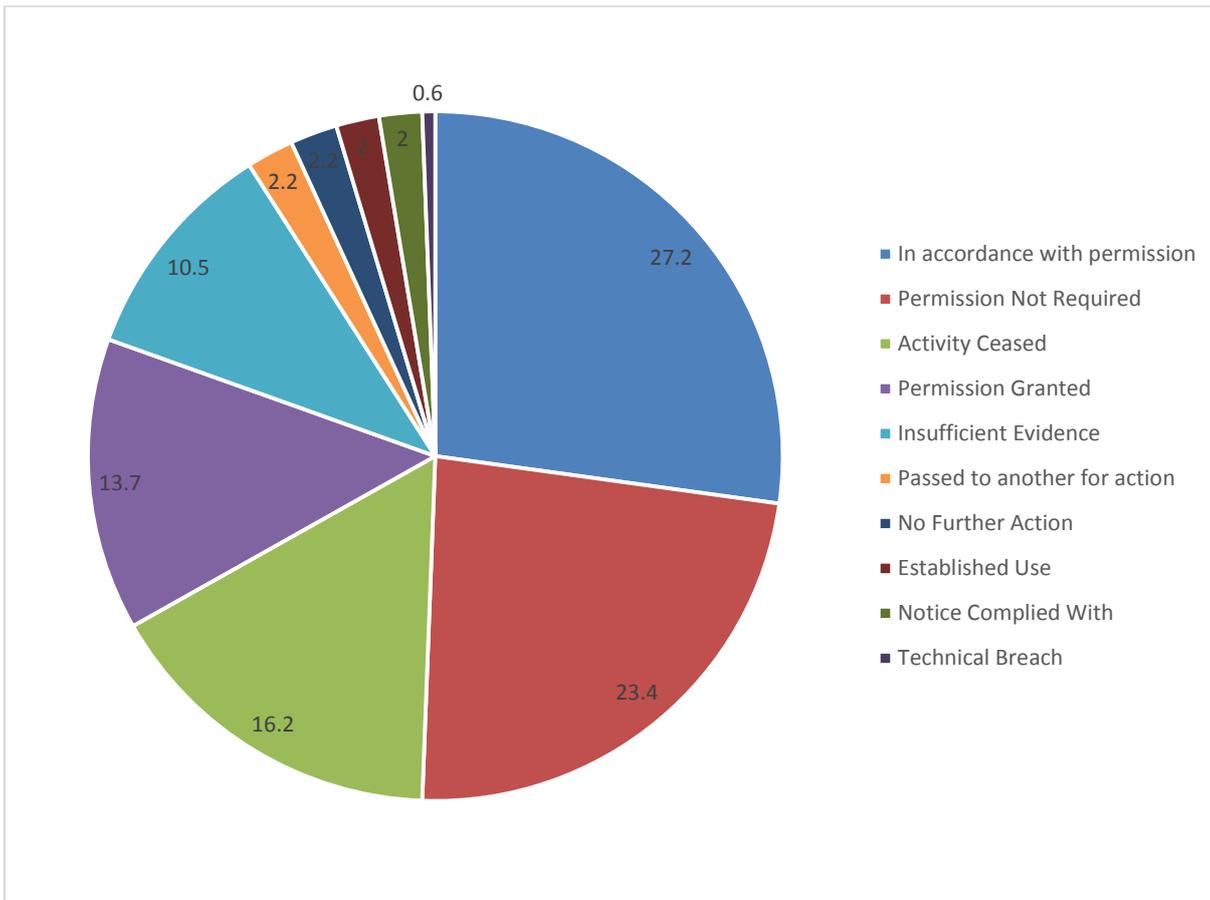
Before considering the planning enforcement process it is important to first understand some of the basic principles that are set by government legislation and guidance in relation to planning enforcement. There are many preconceptions that people have with regard to planning enforcement action which often mean that they think that we have more powers that we actually do. Basic principles include:

- Planning enforcement is discretionary but we have a duty to investigate.
- We can only take enforcement action where the unauthorised works are unacceptable in planning terms. We cannot take action simply because someone has failed to get planning permission if the works would be granted planning permission had an application been made.
- Developers undertaking unauthorised works have the right to make a retrospective planning application to retain the works and for this to be considered in the same way as if the application were made in advance. There is no penalty for applying retrospectively.
- Formal enforcement action is an evidence led process with the burden of proof on the Council to prove that a breach of the legislation or a planning condition has occurred and that this is harmful in planning terms.
- Any enforcement action must be reasonable, proportionate, expedient and in the public interest.
- It is not illegal to breach the planning legislation. It only becomes an offence where a formal notice is served and it is not complied with.

The limitations on our powers mean that in the majority of cases issues are resolved through discussion and negotiation with the developer or individual undertaking remedial works to secure compliance. The service of formal legal notices is a time consuming and resource intensive process that does not yield quick results. Legal action is used as a last resort when all other options have failed and the unauthorised works are causing significant and evidenced harm.

On average we receive about 500 cases per year and in the period April 20 to March 21 the average length of time for a case from start to finish was 173 days. This is however heavily skewed by a small number of cases where due to the service of a notice and or an appeal the case takes upto a few years to resolve thereby increasing the overall average. Most cases are resolved within a few weeks. The pie chart on the following page shows the outcomes of the 401 cases closed during the April '20 to March '21 period. It can be seen the most common closure reasons are that once checked the development was in accordance with the approved plans (27%) and the works did not require permission (23%). Between them these categories make up half of all cases. In almost 30% of cases officers have managed to get the unauthorised activity to cease or successfully secured a planning application that has then been granted. The remaining categories relate to cases such as where there was insufficient evidence of a breach or the matter was a technical breach such as where a fence is only slightly over the permitted height for example.

Chart 1: Proportion of enforcement cases closed between 1 Apr 20 and 31st March 21 by closure reason.



The majority of cases are resolved in good time, however where formal action is needed this takes significantly longer. This is because of the need to draft a notice, serve it, deal with any appeal against the notice, wait for it to take effect and the compliance period to expire. Then if it is not complied with gather the required evidence and prosecute the offender sometimes multiple times in order to secure compliance. As a result where formal action is taken the time taken from complaint to resolution can run into several years. This is largely a result of the process that the legislation requires us to follow. Fortunately it has only been necessary to serve a notice in a small proportion of cases with only 2% of cases in the 20 – 21 period being closed because a notice has been complied with.

The full enforcement process is documented in the Councils Local Enforcement Plan which can be found on the Council’s website at: local-enforcement-plan-final-march-2020.pdf (eastdevon.gov.uk). The plan explains the process of an investigation and all of the possible outcomes. It also explains the various notices that can be served to seek to remedy breaches of the legislation. The plan also covers enforcement against unauthorised works to trees and breaches of Section 106 agreements and the CIL regulations

Consistency and Transparency

The planning process whether through the determination of planning applications or planning enforcement is often accused of being inconsistent. In reality every enforcement case is different both in terms of the location and the circumstances of the site and in terms of the works themselves. The local enforcement plan seeks to establish a clear process for officers to follow and for the public to understand how we will act in particular circumstances. It seeks to ensure a

suitable level of consistency and transparency. In addition officers will speak to one another and discuss cases to seek advice and understand how each other would act to also aid consistency.

The proposal form submitted to Scrutiny Committee raising issues with Planning Enforcement indicates that the actions taken against homeowners seem more harsh than those taken against big corporate developers. It is important to remember that the legislation requires us to treat everyone equally. Developers are likely to have a much greater understanding of the system and the consequences of not complying with the legislation. That does not mean that they get away with things that others wouldn't simply that they will often have more resources and expertise at their disposal to argue their case and resolve matters. In contrast a homeowner may not understand the potential consequences of breaching the legislation and feel hard done by when they are treated the same as a developer. Their home will likely be their biggest investment and vital to them and so they will fear the worst when an issue with it is raised causing stress and anxiety. This can mean that they feel hard done by compared to what they perceive happens to commercial developers, however the response from officers is the same in either case. It is often the fact that our approach is the same that raises concerns about the fairness of the approach with people arguing that we should be much harder on developers because of their greater knowledge, understanding and resources, however to do so would in itself be unfair. All we can do is help private individuals to understand the process and their options and signpost them to sources of help but the requirements of the legislation are the same regardless of who the person responsible for the works is and so our approach must also be the same.

The perception that commercial developers are "getting away with it" is often fuelled by a lack of understanding of both the system and the individual cases. In the past the planning online system has enabled people to see when we are investigating a development at a particular site. They could also see basic information about how the case was progressing. The intention was that residents and members could check whether we were aware of an issue before reporting it themselves and that this and the basic progress shown would reduce incoming telephone and e-mail demand and enable customers to self-serve. However we received complaints that particular sites or developments were indicated on the website as an active enforcement case often before the owner of that site or the developer was aware of an investigation. Affected owners and developers also argued that by showing this information it indicated that something untoward was taking place in a "name and shame" approach when in many cases an investigation would show that there was no breach of the legislation and everything was OK. There was some sympathy with this concern and as a result this information is no longer displayed on our web-site and only cases where a formal notice has been served are shown. These are cases where a breach of the legislation has been proven and formal action taken and so the concerns raised could not be applied to these cases.

Proactive vs reactive approach

Currently the planning enforcement service works by responding to complaints received from the public, members of the Council and town and parish councils. We do not usually investigate anonymous complaints. The reason for this is that as a customer focused service it is important that we have a customer to respond to but also because action can ultimately only be taken where the unauthorised development causes harm and so it is important that a customer has contacted us and identified the harm that they are concerned about to focus our investigation.

Proactive enforcement work can be initiated by an officer who observes or becomes aware of unauthorised works but the enforcement officers do not routinely check works taking place on construction sites in the district to ensure that they are complying with the approved plans and any

associated conditions. Matters are sometimes highlighted by our own building control surveyors should they observe something in their duties that is of concern but it is important to note that unlike planning the building control process is led by the works on site rather than what is shown on plan.

We do not have the resources to carry out routine monitoring of construction sites. We are therefore reliant on matters being reported to us. This is clearly not ideal and can lead to reputational harm where a complainant thinks the matter they are complaining about should have been picked up by ourselves. It also runs the risk that developers feel that they can get away with things in the belief that we will not notice or find out. It is however considered that to start doing monitoring work even in a relatively light touch way would generate significant amounts of additional work that we are not resourced to handle. There is also a danger that investment in this area while good reputationally and sending out the message that we are watching to developers may yield little in the way of actual breaches of the legislation that cause material harm and are therefore of concern. Given the high number of complaints that are received each year which is often 500 to 600 a year it is considered that most issues that have an impact in planning terms are identified through these complaints. It is impossible to know how many other deviations from approved plans and breaches of condition take place that are not picked up but in all likelihood they have not caused material harm in planning terms otherwise they would have been reported to us. Although natural justice would suggest that such matters should still be addressed it is important to remember that unless they cause material harm in planning terms then formal action could not be taken. Identifying them would therefore simply generate additional applications and non-material amendments each of which cost the council to process and would generate additional work for the already stretched planning teams and nothing would actually change in terms of the built form. The additional cost of going through this process may not therefore be worth the outcomes that it would achieve.

Resources

The Council's Development Management Service is divided into a number of teams of which there are 3 area based teams. Each of these has an Enforcement Officer who is dedicated to investigating planning enforcement complaints in their area.

From time to time some informal benchmarking has taken place with similar authorities in the area to check the levels of resource committed to this area of our work. This was last done in 2018 and the results can be seen below:

Local Authority	Number of enforcement cases	Number of enforcement officers	Cases per officer
East Devon	598	3	199
North Devon	438	2.6	168
Taunton and West Somerset	333	2	166
Teignbridge	441	2.8	157
Torbay	287	1	287
Torrige	218	2	109

It should be noted that the above is a snap shot of a single year with the number of cases fluctuating from year to year. In 2019 the number of cases for EDDC dropped slightly to 575 but dropped markedly in 2020 to 461.

Overall the level of resource is considered to be appropriate for the level of demand and is able to cope with the cases received based on the current scope of the service. However if Members were minded to take a more proactive approach to planning enforcement either by taking a more forceful approach by serving more enforcement and related notices then further significant resource would be needed both within Planning Enforcement but also within the legal team who are required to draft the notices. If Members were minded to take a more proactive approach to checking works on authorised construction sites to ensure compliance with the plans and conditions then additional resource would also be required. In that instance it is considered that the resource would potentially need to be a qualified surveyor to ensure all dimensions and levels could be thoroughly checked.

Legislation

From various interactions with those raising enforcement issues with us over the years and officers own frustrations it is considered that many of the issues with planning enforcement are a result of deficiencies in the legislation. As stated at the start of the report our ability to take action is limited to those cases where the unauthorised development causes material harm in planning terms and even then the notices that can be served can only secure remedial works to rectify the harm. This has never felt like much of a deterrent.

Often even minor breaches of other legislation can lead to a fine being issued and yet what can be significant and harmful breaches of the planning legislation only reach the point of fines upon failure to comply with an enforcement notice and then prosecution proceedings are required. Even then the fines issued are often minimal. A system whereby the Council could issue fines for unauthorised works that continue until such time as consent is granted or the works removed would provide a suitable disincentive to those minded to breach the legislation and an income source by which to fund the additional resources needed to fully monitor developments taking place in the district and ensure compliance. Clearly this would require changes to the legislation that only government could achieve however the Council could seek to lobby the government for a review and suggest changes to the system.

Financial implications:

The employee specific budget for enforcement within the planning service, excluding equipment and the allocation of overheads is £110k for the current financial year. Any additional resource requirements will require additional budget and therefore resolution by council.

Legal implications:

Provided the statutory and government guidance is followed in any proposed changes to the planning enforcement process there are no legal implications from this fact finding report.

Report to: Scrutiny Committee



Date of Meeting 10 June 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Quarterly monitoring of performance – 4th quarter 2020/21 January to March 2021

Report summary:

This report provides performance information and progress against our performance indicators from across the council services.

Recommendation:

It is recommended that Members consider performance against delivery of our key performance indicators for the 4th quarter of 2020/21 so that issues can be addressed in a timely way.

Reason for recommendation:

So that Members can gain a clear view of progress against what we said we would deliver in our council plan and service plans and deal with performance issues arising.

Officer: Joanne Avery- Management Information Officer – javery@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action
- Coast, Country and Environment
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Finance
- Policy Co-ordination and Regional Engagement
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no direct financial implications

Legal implications:

No legal comments are required.

Equalities impact Low Impact

If choosing High or Medium level outline the equality considerations here, which should include any particular adverse impact on people with protected characteristics and actions to mitigate these. Link to an equalities impact assessment form using the [equalities form template](#).

Climate change Low Impact

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

Links to background information

[Appendix A – Performance indicator progress Q4](#)
[Appendix C - Explanations and definitions.](#)

Link to [Council Plan](#):

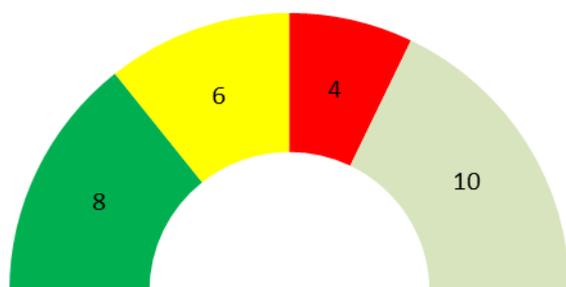
Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

Report in full

1. This quarterly report will only be providing details of our performance of our council wide performance indicators. This quarter will not include performance against our council plan or our service objectives which are both under review following the change in administration and the impact of the Covid-19 crisis.



Number of Measures
(Total measures for outcome = 28)

- Achieved / Excellent
- Variation
- Concern
- Data not yet available
- No target

2. Several of our performance indicators are showing on track or variation but four are showing a status of concern.

Number of households living in temporary accommodation - Overall number of households in temporary accommodation includes 28 households in spot purchase accommodation (ie B&B/holiday lets) 4 of which are being accommodated following the serving of Prohibition Orders by the Private Sector Housing team.

Working days lost due to sickness absence - A full absence report looking at short and long term absence trends is due to be published in June. Throughout this year wellbeing advice and courses (such as mental health awareness) have been offered to all staff through our weekly staff communication and HR have been working proactively to help support those staff on longer term absence.

Percentage of Stage 2 complaints responded to within stated timeframes - The complaints team and services are experiencing a period of very heavy workload resulting in some deadlines being missed. The complainant is kept informed with progress wherever possible.

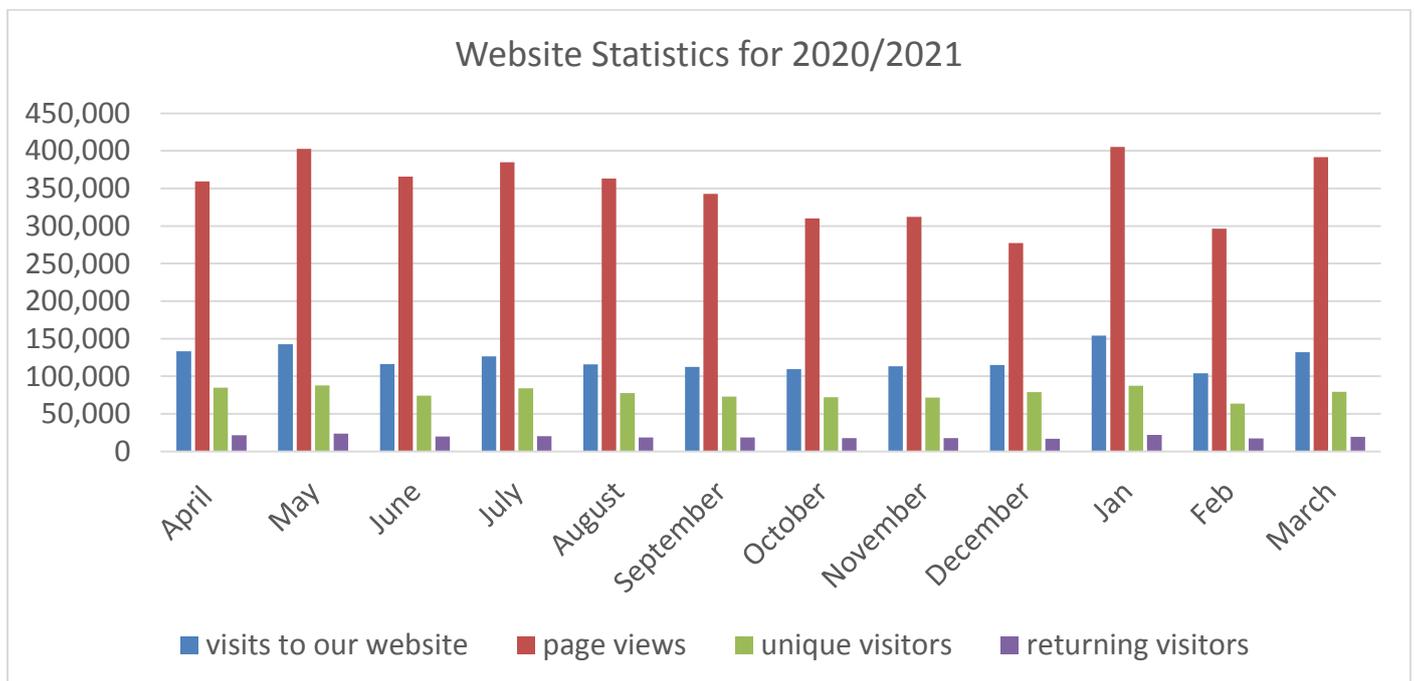
Days taken to process new Housing Benefit claims - As per previous months we are still receiving a high amount of work in the section. We are continuing to prioritise new claims and to look at the processes to reduce the number of days below our target of 13 days. However this is likely to take some further time before this has an effect.

3. Further details of the progress of our performance indicators can be found in [appendix A.](#)

4. Website statistics - from 1 January 2021 to 31 March 2021

- 390,008 visits to our website
- 1,093,370 page views
- 230,544 unique visitors
- 58,642 returning visitors
- 46.95% bounce rate (the percentage of visitors to our website who navigate away from the site after viewing only one page)

Full year data 2020/2021



PIs report 20/21

Quarterly report for 2020/2021
Arranged by Aims
Filtered by Flag: Include: Quarterly

Key to Performance Status:

Performance Indicators:	No Data	Concern	Variation	Achieved	Excellent
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Key to change on same period in previous year:

↑	Improved Performance	↓	Worse Performance	↔	Unchanged
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Key to +/- Column:

+	Higher figures are better	-	Lower figures are better	OFF	Direction cannot be determined
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* indicates that an entity is linked to the Aim by its parent Service

PIs report 20/21

Priority: Encouraging communities to be outstanding

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
<u>Number of households living in temporary accommodation</u>	-	44	30	50	40	52	51	↓	Andrew Mitchell

Management Notes:

(Quarter 1 - 4)

Overall number of households in temporary accommodation includes 28 households in spot purchase accommodation (ie B&B/holiday lets) 4 of which are being accommodated following the serving of Prohibition Orders by the Private Sector Housing team.

(AM)

<u>NI155 Number of affordable homes delivered (gross) (LAA)</u>	+	247 (3/4)	100	19	59	111	168	↓	Amy Gilbert-Jeans
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Management Notes:

Priority: Developing an outstanding local economy

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
<u>Creditor days - % of invoices paid within 30 days</u>	+	96	99.00	98.99	95.67	98.04	92.77	↓	Mark Worth

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Print Date: Tuesday, June 1, 2021
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PIs report 20/21

Priority: Developing an outstanding local economy

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
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Management Notes:

Priority: Delivering and promoting our outstanding environment

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
<u>NI191 Residual household waste in kg per household</u>	-	60		67	66	63	67	↓	Lorraine Tolman

Management Notes:

<u>NI192 Percentage of Household waste sent for reuse, recycling and composting</u>	+	59	50	60	62	61	59	↔	Lorraine Tolman
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Management Notes:

<u>Percentage of municipal waste for disposal (incineration and landfill)</u>	-	41		40	38	39	41	↔	Lorraine Tolman
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Management Notes:

Priority: Continuously improving to be an outstanding council

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
<u>Working days lost due to sickness absence</u>	-	8.70	8.50	1.64	4.09	7.17	9.52	↓	Sarah Vincent

Management Notes:

(March)

A full absence report looking at short and long term absence trends is due to be published in June. Throughout this year wellbeing advice and courses (such as mental health awareness) have been offered to all staff through our weekly staff communication and HR have been working proactively to help support those staff on longer term absence.

(JA)

PIs report 20/21

Priority: Continuously improving to be an outstanding council

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
<u>Percentage of Council Tax Collected</u>	+	98.69		28.83	56.45	84.65	98.70	↑	Melissa Clode
<u>Management Notes:</u>									
<u>Percentage of Non-domestic Rates Collected</u>	+	97.91		22.65	54.02	78.82	93.00	↓	Melissa Clode
<u>Management Notes:</u>									
<u>Percentage of planning appeal decisions allowed against the authority's decision to refuse</u>	-	25.0	30.00	30.10	24.00	32.30	31.80	↓	Bob Capon
<u>Management Notes:</u>									
<u>Percentage of Stage 2 complaints responded to within stated timeframes</u>	+	78	100	89	89	75	60	↓	Kate Symington
<u>Management Notes:</u> (Quarter 4) The complaints team and services are experiencing a period of very heavy workload resulting in some deadlines being missed. The complainant is kept informed with progress wherever possible. (KS)									
<u>% of minutes and audio from council meetings uploaded together within 5 working days</u>	+	100	100	100	100	100	100	↔	Susan Howl
<u>Management Notes:</u>									
<u>Percentage of FOI responded to within the statutory timelimits</u>	+	99	100	99	100	88	99	↓	Kate Symington
<u>Management Notes:</u>									
<u>Percentage of 'higher risk' licensed premises inspected annually</u>	+	134		0	0	0	0	↓	Stephen Saunders
<u>Management Notes:</u>									

PIs report 20/21

Priority: Continuously improving to be an outstanding council

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
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(Quarter 4)

Continued closure of licensed premises until 12 April 2021, together with the ongoing risk posed by Covid19, prevented the usual visits and inspections to those premises over the previous period.

The Licensing team has also been committed to the processes of reviewing and managing a significant rise in the number of recent applications. The volume of new applications increased by over 50% for the first quarter of 2021. This has triggered need for more licensing hearings and the work associated through objections also increasing. The increase in applications and associated objections has reduced any proactivity within the team to undertake compliance visits over the last period.

(SS)

<u>Number of taxi vehicle licence complaint investigations</u>	+	29		0	0	0	0	↓	Stephen Saunders
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Management Notes:

(Quarter 4)

Due to Covid-19 situation with less use of taxis, there have been no complaints received over previous period.

(SS)

<u>Total average headcount (quarterly total)</u>	+	460		459	455	456	454	↓	Sarah Vincent
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Management Notes:

<u>Cumulative Staff Turnover as a percentage of all staff (voluntary leavers)</u>	-	6.51		3	5	6	7	↓	Sarah Vincent
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Management Notes:

<u>Capability at point of contact for Benefits</u>	+	84		52	22	32	84	↓	Melissa Clode
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Management Notes:

<u>% of residents who pay their Council Tax by Direct Debit</u>	+	80		80	81	81	81	↑	Melissa Clode
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Management Notes:

<u>Number of Level 2 complaints (year to date)</u>	+	36		9	18	30	45	↑	Kate Symington
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PIs report 20/21

Priority: Continuously improving to be an outstanding council

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
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Management Notes:

<u>Number of Freedom of Information Requests (year to date)</u>	+	494		82	221	342	473	↓	Kate Symington
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Management Notes:

<u>Days taken to process new Housing Benefit claims</u>	-	10.96	13.00	16.36	15.43	16.07	16.27	↓	Melissa Clode
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Management Notes:

(March)

As per previous months we are still receiving a high amount of work in the section. We are continuing to prioritise new claims and to look at the processes to reduce the number of days below our target of 13 days. However this is likely to take some further time before this has an effect.

(MC)

<u>Days taken to process changes to Housing Benefit claims</u>	-	3.36	5.50	4.62	4.94	5.31	4.34	↓	Melissa Clode
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Management Notes:

<u>Days taken to process local land charges property searches</u>	-	4	5	3	8	9	8	↓	Nick Wright
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Management Notes:

<u>Missed bin collections per 1000 households</u>	+	23		25	39	23	23	↓	Lorraine Tolman
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Management Notes:

<u>NI157b Percentage of Minor planning applications determined within 8 weeks</u>	+	73.88	65.00	86.71	76.54	72.93	70.87	↓	Nick Wright
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Management Notes:

<u>NI157c Percentage of Other planning applications determined within 8 weeks</u>	+	79.94	80.00	70.75	72.14	73.80	74.80	↓	Nick Wright
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PIs report 20/21

Priority: Continuously improving to be an outstanding council

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
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Management Notes:

Not linked to any aims

Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
<u>Number of redundancies (year to date)</u>	+	1		1	2	2	3	↑	Sarah Vincent

Management Notes:

Printed by: Jo Avery

SPAR.net

Print Date: Tuesday, June 1, 2021
10:38

Proposal form for items for consideration by Scrutiny Committee



Submitted by: Cllr Paul Millar

Date submitted: 23/02/2021

Item for Consideration: Implementation of the Playing Pitch Strategy 2015 Review

Expected outcome (i.e. new policy, new action, new partnership, review and/or scrutinise the performance of other public bodies or of the Council in relation to its policy objectives, performance targets and/or particular service areas):

Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets; which will inform a new strategy.

Priority for matter to be considered (please tick):

High (up to 3 months)	X
Medium (3 to 6 months)	
Low (over 9 months)	

Basis on which priority has been set:

The suggested item should be included in future programme(s) because: (please tick as appropriate)

a) It is a district level function over which the district has some control	x
b) It is a recently introduced policy, service area of activity which would be timely to review	x
c) It is a policy which has been running for some time and is due for review	x
d) It is a major proposal for change	
e) It is an issue raised via complaints received	x
f) It is an area of public concern	x
g) It is an area of poor performance	x
h) It would be of benefit to residents of the district	x

Which of the Council's objectives does the issue address?:

Outstanding Place and Environment, Outstanding Homes & Communities, Outstanding level of economic growth, productivity and prosperity

Is there a deadline for the Council to make a decision? (If so, when and why?): Yes, the new Playing Pitch Strategy is now being developed and learning lessons from the previous strategy is vital. The sooner the lessons are learned, the sooner they can be considered as part of the new strategy.

Members are requested to provide information on the following:-

What do you wish to achieve from the review?:

A better Playing Pitch Strategy which is properly implemented and where decisions are made according to the strategy not against it.

Are the desired outcomes likely to be achievable? Yes

Will it change/increase efficiency and cost effectiveness? Yes

Additional information – an explanatory sentence or paragraph to be provided below to support each box which has been ticked:

a, b, c and h are self-explanatory.

e, f and g- Exmouth forms a major part of the playing pitch strategy and yet it has taken five years the forfeiture of a former tenant to put one of the playing pitches - Warren View - out to tender, and no evidence of any focus on maintaining the pitches. Three usable playing pitches have now become one due to a failure of the Council to maintain and invest in them between 2015-2019.

In addition, it is concerning that at Brixington Park, an informal 11-a-side playing pitch was saved by Cllr Chapman and myself in terms of proposals for the site where officers had planned to install a concrete Multi Use Games Area in the middle of the field.

It was stated in a report to the Strategic Planning Committee on the date of submission of this form that "the previous Playing Pitch Strategy, from 2015, addressed playing pitch supply and need for [football, rugby union, cricket and hockey]"

However, the evidence suggests that in some areas we have been moving backwards. Indeed, due to the loss of playing fields at Rolle College, in Exmouth (added to the Warren View situation), we have fewer playing pitches than we had 10 years ago.

Therefore, a task-and-finish Scrutiny review (holding a number of Member meetings, not open to the public) will establish why this was allowed to happen, with a view of ensuring that officers seek to implement our Playing Pitch Strategy and where possible a situation prevailing of perfectly usable playing pitches to fall into dereliction, when the objective should be the direct opposite, to maximise their uses.

There may be consideration of the introduction of key performance indicators during the strategy to ensure the strategy stays on track.

Please can you return the completed form to Democratic Services via email to democraticservices@eastdevon.gov.uk.

MONITORING OFFICER COMMENTS

It is perfectly permissible for this matter to be subject to scrutiny for the reasons given. It will be for Scrutiny to decide whether it is necessary to look at this by way of a TaFF or whether it can simply be dealt with through the ongoing work programme of the Committee. Timings need to be considered to ensure that outcomes can feed into the work of delivering the new Strategy.

Date: 24.2.21