



Agenda for Scrutiny Committee Thursday, 2nd November, 2023, 6.00 pm

Members of Scrutiny Committee

Councillors: J Bailey, I Barlow, A Bruce, F Caygill, M Chapman, B Collins, R Collins, M Goodman (Chair), A Hall, J Heath, J Kemp (Vice-Chair), D Mackinder, S Smith, A Toye and J Whibley

Venue: Council Chamber, Blackdown House, Honiton

Contact: Sarah Jenkins;

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(or group number 01395 517546)

Wednesday, 25 October 2023

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This meeting is being recorded for subsequent publication on the Council's website and will be streamed live to the [East Devon District Council Youtube Channel](#)

- 1 Apologies
- 2 Minutes of the previous meeting (Pages 3 - 6)
- 3 Declarations of interest
Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)
- 4 Public speaking
Information on [public speaking](#) is available online
- 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 Update on climate change action plan progress (Pages 7 - 28)
- 9 Draft Scrutiny protocol (Pages 29 - 45)

- 10 Portfolio Holder report on Communications and Democracy (Pages 46 - 49)
- 11 Update on S.106 and CIL Resources and Processes Task and Finish Forum
- 12 Forward Plan (Pages 50 - 51)

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[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 5 October 2023

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.26 pm

19 Minutes of the previous meeting

The minutes of the previous meeting held on 7 September 2023 were agreed as a true record.

20 Declarations of interest

There were none.

21 Public speaking

No members of the public had registered to speak at the meeting.

22 Matters of urgency

There were no matters of urgency.

23 Confidential/exempt item(s)

There were no confidential or exempt items.

24 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.

25 Update on draft Scrutiny Protocol

The Deputy Monitoring Officer informed the Committee that the draft Scrutiny Protocol is delayed and an update will be provided from the Monitoring Officer in due course.

26 Correspondence from Simon Jupp MP regarding South West Water

The Chair introduced this item, explaining that South West Water (SWW) had attended a Scrutiny Committee meeting in November 2022. The Committee subsequently requested that Richard Foord MP and Simon Jupp MP attend this evening's meeting or, in the alternative, provide reports on actions they have taken to require improvements from SWW, primarily regarding sewage discharge into the district's rivers and coastline.

A response dated 29 September 2023 had been received from Simon Jupp MP, for the Committee's consideration.

The Chair invited comment.

The Portfolio Holder Coast, Country and Environment made a number of comments in relation to the response from Simon Jupp MP, including the following:

- It is valuable to have the MP's report, but it is disappointing the Portfolio Holder Coast, Country and Environment was not asked what he and EDDC Officers had been doing with regards to SWW.
- Why are MPs having a crackdown on water companies, when this is the job of Ofwat? Perhaps this is because the regulator has not performed.
- Why is surface water allowed to enter the foul sewerage system, when it is known that this causes problems? The present regulations require that surface water goes to a soakaway, filtration system, watercourse or sewer. Is it the fault of the government, water companies or Ofwat that action has not been taken to reduce surface water in the foul sewerage networks?
- The planned investment to tackle sewage discharges is coming from bill-payers at a cost of £150 per year, because the government and Ofwat have not been ensuring that the water companies have been doing their job previously.
- The government's new targets to generate £56 billion of capital investment will also be funded by the general public.
- Millions was pulled from the Environmental Agency annual budget in 2014, specifically covering river surveys; it is not possible for the Environment Agency to clamp down, if there are not the staff to do this.
- The government has passed new laws to allow regulators to impose unlimited civil penalties; but is removing the threat of criminal conviction the best approach?

Discussion included the following points:

- Some members commented positively on the efforts of Simon Jupp MP in requiring improvements from SWW, recognising that there is no easy solution.
- Other members were of the view that the measures set out in the MP's report fail to address fundamental, systemic issues with the water industry, and there needs to be wholesale revision and funding of the regulators.
- Sewage discharges have been going on for years; water companies are making massive profits and taking too long to fix the problems.
- There have been continual issues with discharges from the new treatment works at Fluxton, which should have been built with capacity for the number of buildings it needed to accommodate; the issue is not simply about a Victorian infrastructure.
- Where there are developments of multiple houses, water companies are taking more money from more homes, but need to be making relevant changes to the water system, to do something with the sewage.
- SWW's meters measure sewage discharge output by hours and not by volume, and so the amount that is being leaked is not known. Different sorts of measurements are needed, in order that SWW can be held to account.
- The water industry should not have been privatised and needs to come back into public ownership. It was recognised that this is a national matter outside of the Council's control.
- Water quality results for East Devon's beaches were received this week, and all beaches will qualify for the Blue Flag award next year. Members commented that it would be helpful to know if the water quality has had a direct effect on marine life.
- It would be useful to know how many free water butts SWW have delivered, and the impact of this.
- It was suggested that a reminder is sent to Richard Foord MP inviting him again to provide a response for this Committee.
- Water companies published their 5-year plan earlier this week, with action plans setting out what they are intending to do.
- The Scrutiny Committee could consider the following actions:
 - Explore the extent to which regulators in East Devon have been defunded, the resource they have to carry out investigations and how this has changed, and whether this Council can be pressing for more resource locally.

- The Council could help the Citizen Science projects get off the ground.
- The Communications Manager could be asked to consider the ways in which this Council can promote water butts, to tie in with messaging from SWW.
- It would be appropriate to invite SWW CEO, Susan Davy, to attend a future meeting of Scrutiny Committee, to answer questions; this can be added to the Forward Plan. It was suggested that SWW be asked to provide a report in advance of the meeting detailing where there are issues, when these were first identified, what is being done about them, and how quickly.

27 **Update on scoping for grass cutting and re-naturing report**

The Chair invited the Portfolio Holder Coast, Country and Environment to update the Committee on this item.

The Portfolio Holder Coast, Country and Environment advised that the Council is working with Devon County Council on a Nature Recovery Policy, which will identify where the nature is and which areas of grass need to be cut or not cut. It is appropriate for this piece of work to be completed first, which will in turn inform the scoping exercise for the grass cutting and re-naturing report. He added that there have been some delays due to staff shortages throughout the summer, and some staff changes.

Discussion included the following points:

- People are strongly divided on the issue of grass cutting and re-wilding, with some very supportive of biodiversity and not cutting grass, and others preferring to see areas neat and tidy.
- Sites designated as Wildlife Improvement Areas are listed on the Council's website.
- There have been operational issues during Covid and around staffing which have meant that there have been some delays with grass cutting.
- There is no strategic map for the district which sets out which agency is responsible for which areas; mapping is problematic and will take some time to do. It was noted that this Council is not responsible for all areas for which complaints are received, and some areas are the responsibility of Devon County Council.
- It would be appropriate for Scrutiny Committee to ask for data along multiple aspects, e.g. the extent to which rewilding enhances diversity and species numbers, and whether people are happy or unhappy with their local area. It is important to communicate to people what the Council is doing, and get consensus from the population that the Council is doing the right thing.
- Members recognised that Officers do not currently have the capacity to gather the data, and there is currently no strategy in place.
- It was suggested that Officers could start by gathering data for a small area, e.g. Sidmouth, and build on that.
- The Portfolio Holder Coast, Country and Environment will arrange for a report to come to the Committee in March 2024 which sets out what the Council intends to do during the year. Work on the strategy can then be progressed during 2024.
- The Chair suggested that the aforementioned report includes a data analysis of Sidmouth.

28 **Forward Plan**

The Committee agreed the Forward Plan.

Attendance List

Councillors present:

J Bailey
I Barlow
B Collins
R Collins
M Goodman (Chair)
D Mackinder
S Smith

Councillors also present (for some or all the meeting)

P Arnott
P Faithfull
G Jung
T Olive
M Rixson

Officers in attendance:

Sarah James, Democratic Services Officer
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)

Councillor apologies:

A Bruce
M Chapman
A Hall
J Heath
A Toye
J Whibley

Chair:

Date:



Report to: Scrutiny Committee

Date of Meeting 2 November 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Climate Change Strategy and Action Plan Update

Report summary:

Carbon neutrality by 2040 is a key priority for the Council. In 2020 the Council published its Climate Change Strategy and Action Plan. This report gives an overview of progress in meeting the action plan targets and an update on current and future actions.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Scrutiny Committee note the progress made with the Climate Change Strategy and Action Plan and work carried out since the portfolio holder update in February 2023.

That Scrutiny Committee note that a comprehensive review of the Strategy and Action Plan has been brought forward from 2025 and is currently being undertaken and will be reported on in due course.

Reason for recommendation:

This is a mid-year update with significant work-in progress.

Officer: Matt Blythe, Assistant Director - Environmental Health

Portfolio(s) (check which apply):

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

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; As this is a report to Scrutiny Committee it looks at work that has already occurred

Links to background information

[EDDC Carbon Descent Plan](#)

[Heat Decarbonisation Plan Guidance](#)

<https://devonclimateemergency.org.uk/view-devon-carbon-plan-full/>

<https://eastdevon.gov.uk/climate-change/climate-change/council-strategy/>

<https://eastdevon.gov.uk/climate-change/climate-change/action-plan/>

[2023 Progress Report to Parliament - Climate Change Committee \(theccc.org.uk\)](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

Introduction

At Council on 24 July 2019, it was resolved that East Devon District Council would sign up to and endorse the Devon Climate Emergency Declaration, adopting a target of 2040 for carbon neutrality at the latest. Council also resolved to embed tackling the Climate Emergency as a key strategic priority of all parts of East Devon District Council and reflect this as a priority in the new Council Plan and future updates of Services Plans and relevant corporate policies.

At Council on 8 January 2020, it was resolved to adopt the Climate Change Strategy and Action Plan as part of the Council's response to Devon's declaration of a Climate Emergency. The strategy sets out the Council's vision:

"To become a carbon neutral council working within a low carbon economy and lifestyle, reflected in our travel, homes, businesses, visitor experiences and communities."

Our overall target is to reduce our carbon emissions annually, and to be carbon neutral by 2040.

The Strategy and Action Plan were to be reviewed after five years (2025).

This report updates Scrutiny Committee on Climate Action work undertaken since the Portfolio Holder's report of 8 February 2023 and gives a brief overview of progress with the 5 years Action Plan.

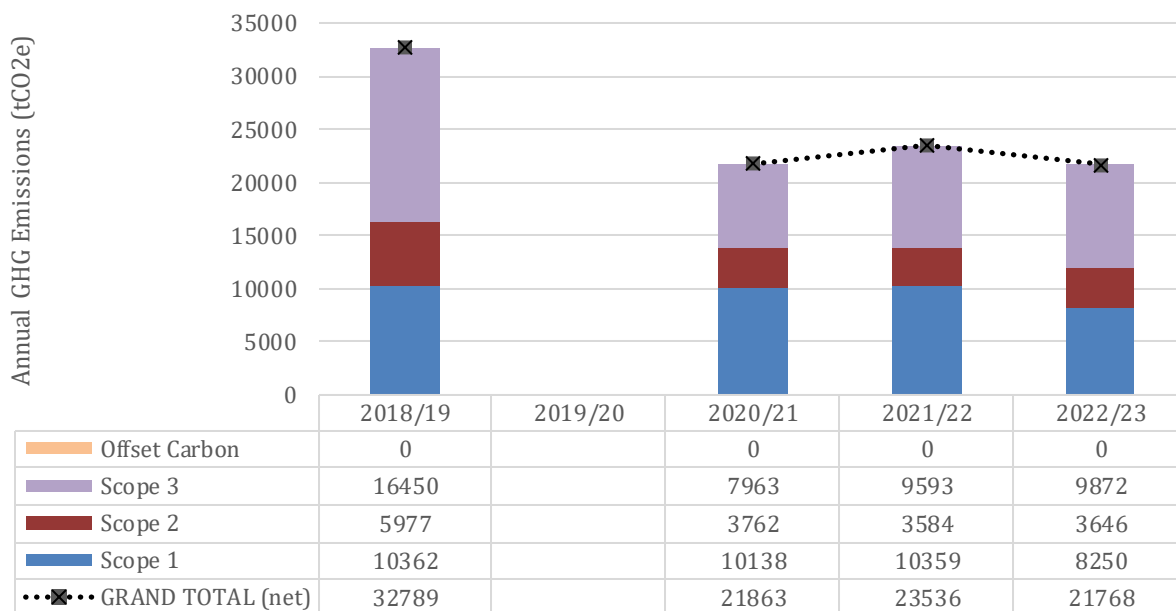
Carbon Emissions

The Council carries out an annual 'carbon footprint' calculation. This has been done since 2018/19 with the exception of 2019/20 due to COVID (see Figure 1).

It can be seen that there was a significant reduction in emissions from 2018/19 to 2020/21. This is likely to be due to changes in working patterns imposed by COVID. This also explains the slight increase in 2021/22 as we returned to business as usual. It is reassuring to see that emissions dropped again in 2022/23, particularly the drop in Scope 1 Emissions (direct emissions from buildings, vehicles etc). Scope 2 relates to how energy used is generated and Scope 3 is due to indirect sources (e.g. contractors).

Due to the changes imposed by COVID and as we have improved data capture and analysis, it is difficult to draw any definitive conclusions regarding progress. However, what we now have is an excellent baseline on which to build our updated action plan.

Figure 1. EDDC Carbon Emissions



Budget

As part of the original Strategy and Action Plan a budget for Climate Action work was allocated. In year 2023/24 this is £241,400.

Between 2020/21 and 2022/23 this budget was not utilised. It is understood that the response to COVID took precedence during this time and climate action was delivered through individual service plans. As a result, a reserve of £747,000 had built up.

One of the key roles of the newly formed Green Team is to consider requests from services for funding to support Climate Action. Since April 2023 the Green Team has approved/recommended using the budget as follows:

- £333,000 to produce Heat Decarbonisation Plans for three East Devon District Council owned swimming pools.
- £20,000 for a cycling infrastructure in Exmouth.
- £25,038 for full membership of South West Energy and Environment Group.

More projects are due to come forward for consideration later this year.

Action Plan Review

A summary of progress with the action plan is given in Appendix 1. Since the publication of the Strategy and Action Plan in early 2020, the Country has been through a pandemic and there have been significant staffing changes at East Devon.

The original action plan is highly aspirational and has been hugely influential in embedding the Council's commitment to carbon reduction. The Action Plan was due to run until 2025 but it is apparent that the majority of target dates have now passed as can be seen from the review. The '8% Campaign' to halve 2020 carbon emissions by 2030 has also been introduced.

For these reasons, it has been decided to bring forward the five-year review of the strategy and action plan to ensure that it meets the new Council's priorities. This was identified early in 2023 and much of the work on Climate Action in 2023 has focussed on quantifying the Council's carbon impact and identifying priority areas. This will allow us to set clear 'SMART' targets and plan for the future.

Key Current Climate Action work streams:

- Green team. This was identified as a key internal delivery structure/body. A regular (quarterly) meeting of senior service representatives who act as champions and ensure that Climate Action is embedded in the services (complimenting and enhancing the requirements to consider climate change in Service Plans). Corporate strategy and policy are discussed and members are able to bid for funding for climate change related projects. The Green Team approved in principle the budget for the heat decarbonisation plans (prior to Cabinet) and the funds for the carbon descent plan and the Exmouth Bike project. Further projects are coming forwards for consideration.
- Full Membership of South-West Energy and Environment Group (SWEEG). This partnership between Exeter University and other public sector bodies gives members access to expert advice on reducing corporate carbon impact. Having been an associate member for a number of years, the increasing demand to achieve carbon neutrality led to the agreement that the Council would become a full member with access to 28 days of consultancy per year (see below).
- Carbon footprint. This annual review of the Council's carbon emissions is now up to date carried out by SWEEG. It provides a baseline against which to measure progress.
- Carbon descent plan. This significant piece of work is currently being finalised by SWEEG and is a critical element in producing the updated action plan. Working with key services to understand their current activity, it will give the Council the understanding of the different measures that could be taken to reduce carbon emissions and how to achieve its target of being carbon neutral by 2040. SWEEG will also work with us to create a dashboard to measure the impact of our work.
- Review of current action plan. As part of the production of the updated strategy and action plan a review of the current plan is ongoing. This will be reported as part of this process.
- Reporting into SMT+ (SLT). This is now a standing agenda item for SLT meetings.
- Green travel plan. Previous plan has been reviewed and updated.

- Housing stock decarbonisation plan. The stock condition survey is almost finished which will give key data to support future actions (see also descent plan). A new Social Housing Decarbonisation Fund is due to be launching soon.
- Corporate building decarbonisation. In a significant move forwards Cabinet agreed for £330,000 to be allocated from the climate action budget for the production of Heat Decarbonisation Plans for three LED swimming pools. These plans identify the actions required to decarbonise the pools which are some of the biggest carbon emitters in the asset portfolio. They are also a prerequisite to bid for future capital funds to deliver this decarbonisation work.
- Meeting with Ian Williams to discuss carbon reporting. The aim was to encourage the gathering of data to support our scope 3 (carbon emissions outside our direct control) reporting requirements. As our largest contractor this is likely to be an area to focus on in the future. The principles of Carbon Reduction are embedded within the Integrated Asset Management Contract and performance is captured against a number of KPIs.
- Green procurement. The Council has adopted Devon County Council policy. This is high level and is likely to require significant local implementation. It is thought likely that procurement is going to be a priority area going forwards.
- Website. A review of the website has been undertaken and is due to be launched imminently, once the green team has had the opportunity to review it.
- Training team. An internal training team to build corporate knowledge of the climate emergency and promote a culture of carbon reduction. Climate change is now to be included in officers' training. There will also be a mandatory induction module and training for new councillors.

In-Year Specific Service Actions (additional to Action Plan)

- There are 89 'wildlife improvement areas' and there are proposals to include another 15 (at the moment) in 2024, after feedback from grounds teams, area officers, ward members and residents.
- Streetscene also worked with primary schools in Exmouth, Sidmouth and Seaton when planting Emergency Tree Fund trees in 2023.
- Love Parks Week had events in the three Green Flag gardens, as well as green spaces that we have plans to be future green flag sites (The Glen, Honiton and Phear Park, Exmouth).
- Streetscene have also engaged the community via social media and via online surveys for different green spaces.
- Development of new carparking strategy exploring the options of how car parks are used, looking at nonstandard uses such as bike parking, EV charging and resident permits.
- Environmental Health are developing a bike infrastructure improvement project to install additional bike parking spots across Exmouth to support active travel. This will include a first of its kind residential bike parking locker at two town centre locations using dead space in our carparks. This is the first step towards using our carparks as mobility hubs. If successful we will expand to the main villages and towns across the district.
- Growth, Development and Prosperity have seen 39 applicants for the Culture Leisure and Tourism Fund. 21 were community organisations wanting decarbonisation equipment and

18 were tourism businesses. Of those 18, 16 wanted decarbonisation equipment. We had 23 successful projects, 9 community orgs and 14 businesses (12 of whom received funding for decarbonisation equipment). We did have a 24th successful project but they withdrew from the scheme. The total awarded was £181,000. The forecast carbon saved from both funds is around 70 tonnes p/a.

Conclusion

As can be seen from the action plan review there has been a huge amount of work towards the Council's target of being carbon neutral by 2040 across all services. The action plan was due to be reviewed in 2025 but the majority of target dates have now passed. For this reason, the Strategy and Action Plan review has been brought forwards. The current focus of Climate Action is to build on the work already undertaken by quantifying and prioritising future actions in a refreshed action plan. A 'whole Council' approach to achieving our strategic target, led by the Green Team with support from SWEEG, will be essential.

Financial implications:

There are no direct financial implication from the recommendations in the report.

Legal implications:

As this is an update report only, there are no significant legal issues directly arising.

October 2023 Update

The **purpose** of the Action Plan is to achieve a carbon neutral position for the Council.

The Action Plan will also be used to encourage others to adopt a similar approach. Whilst this is primarily an EDDC plan it recognises the influence we have on others who share our ambitions. We have an ambition to reduce our carbon use at every opportunity and work towards the **Think Globally – Act Locally** aspiration that is still relevant today.

The **themes** in this plan where the Council can make meaningful climate change interventions include: (1) **energy supply and consumption**; (2) **permitting and encouraging low carbon development**; (3) **improving the carbon footprint of existing buildings (public and private sector)**; (4) **protecting and enhancing the natural environment**; (5) **water supply and flood protection**; (6) **transport and travel**; (7) **purchasing and consumption**; (8) **community resilience**; (9) **education, communication and influencing behaviour**.

We need to be brave and bold if we are genuinely committed to reducing our carbon footprint, and ensuring residents and business adopt similar aspirations. We propose undertaking five yearly reviews to update and refresh the plan.

This Action Plan is about social and organisational responsibility, lifestyle change and consideration of future generations.

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MITIGATION				
ACTION	WHEN	WHO	COMMENTS	Oct 2023 Update
Objective 1 Ensure that EDDC identifies realistic and deliverable plans and actions that contribute to reducing EDDC’s greenhouse gas (GHG) emissions so the Council can achieve its ambition of becoming carbon neutral.				
Establish a carbon footprint baseline for all Council buildings, activities and services (scope 1 & 2 emissions). This will enable us to accurately calculate the reductions required, set meaningful targets, and fully understand what it requires to be carbon neutral. It will also enable us to estimate a realistic timeframe in which to become carbon neutral, and where we can have the greatest impact in implementing mitigation and adaptation measures. The actions in the Action Plan need to be costed to ensure that plans are realistic and achievable.	December 2019	JG	To be completed by December 2019 and reported to Cabinet in January.	Annual Carbon footprints have been completed up to 2023. Full membership of SWEEG has given us the opportunity to run a ‘carbon descent Plan’ which should give us the ability to target key areas of work.

EDDC CLIMATE CHANGE ACTION PLAN 2020 – 2040 (Ten Point Plan v7)

MITIGATION				
Provide a realistic estimate of scope 3 emissions to provide a comprehensive and accurate footprint for the Council.	August 2020	JG	These emissions are harder to plot and accurately determine the quantum involved.	Included in carbon footprint work.
We will require our main contractors and partners to perform their own carbon footprint produce plans to become carbon neutral. We will support change and monitor progress. We will assist our partners and contractors perform this work using the knowledge that we in plotting our own carbon footprint.	December 2020	JG	This will cover our partners with high value contracts, including Ian Suez; LED and Strata.	Initial discussions with Ian Williams. Strata carry out own carbon footprints which apportioned to EDDC.
Adopt the Circular Economy approach of refuse; reduce; reuse and recycle, whilst continuing implement the Waste Strategy, which aims to continuously improve our recycling rate, and high environmental credentials.	December 2019	JG	This is intended to reduce the Council's consumption of materials, goods and consumables.	Principles are being used and we have one of the highest recycling rates in the Country.
Implement a Sustainable Environmental Procurement policy, which commits the authority to ensuring environmental risks and opportunities are considered at the outset of any procurement activity. We will ensure that the Council makes sustainable and informed purchasing choices. Support and encourage local purchasing and the development of local supply chains. Promote and encourage new business models focused around the Circular Economy. Build the commitment to sustainable procurement in both the public and private sectors.	December 2019	SD	We need to have a better appreciation of supply chain issues in relation to carbon and other greenhouse gas emissions.	We have signed up to the Devon procurement strategy. This is a high-level document and will require local Implementation. It is likely to be a priority area going forwards.
Include an agreed sustainability/environmental statement within all tender documents to ensure that suppliers consider climate change implications in their proposals. We will ensure that tender evaluation criteria gives weighting to tender submissions with strong climate change content.	December 2019	SD	This will demonstrate our commitment to climate change and require tenderers to factor this into submissions.	DCC leading on this but currently not resourced – need to chase this up.

EDDC CLIMATE CHANGE ACTION PLAN 2020 – 2040 (Ten Point Plan v7)

MITIGATION				
<p>Conduct a review of the carbon footprint of materials, products and services we procure to identify options to reduce carbon emissions from the Council's supply chain. Include specific low carbon alternatives, for example in civil engineering projects (low carbon concrete) and show the carbon benefits and cost implications of such decisions.</p>	March 2020	SD	This is part of the circular economy adoption with an emphasis on reducing consumption.	Not achieved overall. However individual services have applied to specific projects.
<p>Review our investments and satisfy ourselves that we are investing in ethical, environmental and green activities consistent with our climate change agenda. The Pension Fund investments should be subject to a similar review.</p>	December 2020	SD	This will ensure that our investments follow our environmental and climate change principles.	DCC manage the pension fund. They have a goal to be net-zero by 2050 at the latest and committed to "decarbonise all its current investments at a rate of seven per cent a year and to increase investments into carbon solutions".
<p>Be a signatory to the Devon Climate Change Declaration and deliver the commitments contained therein. Contribute towards the DCC Action Plan where relevant. Participate in Devon County Council led Themed Workshops and Citizens Assembly activities.</p>	July 2019	JG	Signed following the July Cabinet report and the subsequent full Council meeting.	Complete Currently reviewing in light of review of Strategy and Action Plan.
<p>Maintain a climate change Issues Log to capture difficult or unresolved issues that need solutions during the life of this Action Plan. Apply Systems Thinking techniques to the climate change agenda, where appropriate. Establish a purpose, what matters, and other aspects of Check & Redesign to our climate change journey.</p>	July 2019	JG	Systems Thinking Issues Log for matters with no obvious or immediate solution.	Green Team to pick this up.

EDDC CLIMATE CHANGE ACTION PLAN 2020 – 2040 (Ten Point Plan v7)

MITIGATION Objective 2 EDDC will contribute to the reduction of GHG emissions from buildings in the district by planning for new low-carbon development and to retrofit energy efficiency and low-carbon heating measures.				
Support the Cosy Devon Partnership, the Local Energy Advice Partnership, and similar to enable networking, project collaboration and the testing of new solutions between local authorities, community energy organisations, installers and other interested parties to deliver domestic energy retrofit measures by seizing opportunities for grant funding and market offers.	September 2019	MS	Encourage energy efficiency measures being installed in homes with financial incentives.	Ongoing. Supporting and promoting ECO3 and HUG2 schemes Private Sector Housing and Revs and Benefits working together on financial resilience. Officers make referrals to ECOE and Financial Resilience team to support residents experience damp & mould/excess cold Looking to offer 'green grants' through existing provider Lendology.
Use enforcement and education powers to improve the energy efficiency of private sector homes encouraging landlords, tenants and owners to reduce greenhouse gas emissions.	September 2019	MS	Target the use of powers and educational measures towards private owners and tenants.	Ongoing. Private Sector Housing utilise powers as per the Enforcement Policy.
Continue to encourage new buildings in East Devon to meet high construction standards with new homes achieving high standards of energy efficiency/sustainability, and commercial buildings the equivalent of BREEAM Very good in accordance with Strategy 38 of the Local Plan.	Ongoing	EF	Having a robust policy for granting permissions for low energy buildings.	Ongoing. We continue to seek the highest standards we can under the current policies.
Work with Exeter, Teignbridge and Mid-Devon Councils on developing strategic planning policies for inclusion in the Greater Exeter Strategic Plan that set a framework for directly and indirectly reducing the risks of climate change on the communities of East Devon.	June 2020	EF	Developing a strong planning policy position to achieve carbon neutrality.	The GESp is no longer being pursued and so this action should be deleted.

EDDC CLIMATE CHANGE ACTION PLAN 2020 – 2040 (Ten Point Plan v7)

MITIGATION				
Deliver large scale zero carbon development comprising over 10,000 homes and 2m+ sq. ft. of commercial space in the West End of the District.	April 2023	AW	Demonstrating how new west end development can be delivered to a carbon zero standard.	Ongoing - we continue to progress the business case for investing in decarbonising the two district heating networks in the areas. This will underpin the large scale delivery of low and zero carbon development.
Gather evidence and develop policy ideas for consideration for inclusion in the review of the East Devon Local Plan for specific measures to address climate change in new developments in the district in the future. (September 2020).	September 2020	EF	Directing funding raised through planning contributions towards carbon reduction initiatives.	Complete – draft policies were consulted on in late 2022/early 2023.
Continue to require all major commercial developments and residential developments of 10 or more homes to manage surface water run off through sustainable drainage systems unless demonstrated to be inappropriate in accordance with Policy EN22 of the Local Plan (Ongoing).	Ongoing	EF	Managing surface water through engineered sustainable drainage schemes.	Ongoing. We continue to seek the highest standards we can under the current policies.
Progress the Cranbrook Plan DPD through examination and to adoption including policies that seek to encourage zero carbon development at the new town and requires connection to the existing heat and power network and a number of other measures to require low carbon development such as electric vehicles charging points, fabric first measures in all new buildings, the provision of high quality digital connectivity to minimise travel, the provision of good walking and cycling links, accessible services and facilities etc.	June 2020	EF	Encouraging zero carbon development in Cranbrook and facilities that encourage a low carbon lifestyle.	Complete – The Cranbrook Plan DPD was adopted October 2022
Continue to support the provision of new developments in sustainable locations where there is good access to services and facilities and resist developments in locations which would lead to occupants and users of the development to be reliant on private vehicles to undertake day to day journeys to access places of work, shops, health care and other services and facilities.	Ongoing	EF	Promoting low carbon development and sustainable behaviours on new build projects.	Ongoing – We continue to give substantial weight to these issues when considering planning applications and in assessing sites for allocation in the new Local Plan.

EDDC CLIMATE CHANGE ACTION PLAN 2020 – 2040 (Ten Point Plan v7)

MITIGATION				
Continue to resist planning applications that lead to the loss of high grade agricultural land other than in exceptional circumstances in order to protect sources of food and reduce reliance on imported food products.	Ongoing	EF	Protecting high grade agricultural land from development and encourage local food production.	We continue to give significant weight to the protection of the best and most versatile agricultural land in the district.
Require new developments of at least 1000 sq. m in floor area or comprising 10 or more dwellings to connect to any existing decentralised energy network and larger scale developments to explore options to deliver such a network as part of the development.	Ongoing	EF	Requiring connection to local energy networks and green energy suppliers.	We continue to require this and have seen the district heat network in the west end significantly expand in recent years as new developments at Cranbrook, Science Park, SkyPark, Tithe Barn etc have all connected.
Support and encourage both commercial and domestic renewable and low carbon energy projects through the granting of planning permission for developments such as solar panels, wind turbines and other renewable energy solutions where they comply with Strategy 39 of the Local Plan.	Ongoing	EF	Encouragement for renewable energy generation applications.	We continue to support new low carbon energy projects where appropriate.
Pilot the Council Tax and Business Rate discount scheme for those who install energy efficiency measures to their homes or business as funded by BEIS. Evaluate and report on the issues and recommend how this incentive might be rolled out more widely.	December 2020	LJ	This is a project to test the issues around incentivising home and business owners who install energy efficiency measures.	Awaiting update
Require the landscaping proposals incorporated within new developments in the district to incorporate a mix of new tree and other planting that can adapt to climate change and incorporate permeable surfacing and other measures that utilise run-off on the site and ensure that the landscaping is resilient.	Ongoing	EF	Encouraging tree and planting suitable for climate change and in particular on site drainage.	Ongoing
Provides support to the Low Carbon Task Force of the Greater Exeter Strategic Plan that is evidencing the need for area-wide low carbon development policies.	September 2019	AW	Officer and member support for the strategy and actions	Stopped – The Low Carbon Task Force no longer meets

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MITIGATION				
Accelerate the upgrading of insulation and energy saving measures in the Council's housing stock. Install air and ground source heat pumps when upgrading of off-gas properties. Upgrade insulation to minimise fuel poverty. Complete an up to date stock condition survey to identify where interventions and improvements will have the greatest impact.	April 2020	AGJ	Update improvement and planned work programmes to accelerate the range and number of energy savings measures provided in Council homes.	A 100% Stock condition survey is nearing completion. This data will give us a comprehensive understanding of the investment required in the stock over the course of the next 30 years and an Asset Management Strategy will be developed that will centre around the need for us to ensure our properties are energy efficient. Work has continued on properties as a direct result of Government funding that we successfully secured in Wave 1 of funding and this has focused on insulating our properties- particularly where we have installed air source heat pumps.
Develop and acquire energy efficient Council housing or housing that can be improved to low carbon standards.	December 2019	AGJ	Ensure that the housing we acquire for the Housing Revenue Account is energy efficient or capable of being upgraded at reasonable cost.	Developing proposals for modular construction opportunities. Considering environmental issues during re/development, acquisition programme for increasing housing stock.
Ensure that housing repairs and improvement contractors are actively reducing their carbon footprints when performing work on Council homes. This includes efficient work scheduling, right first time repairs etc.	December 2019	AGJ	Ian Williams as main contractor to actively work on reducing their carbon footprint.	These principles are embedded within the Integrated Asset Management Contract and performance is captured against a number of KPIs.
Progress regeneration proposals that minimise the carbon footprint and use of natural resources.	December 2019	RC	Incorporate climate change ambitions in regeneration projects.	Is being included.
Encourage new business and economic development that operate to sustainable credentials and prioritises a minimal environmental footprint.	March 2020	RC	Advise and educate business on the carbon reduction projects that they could usefully undertake.	Ongoing – reducing carbon emissions forms a key part of our approach to deploying Shared Prosperity Funding.
Energy - Reduce electricity consumption within the commercial and public sectors. <i>Develop heat supply networks to deliver low carbon heat.</i> <i>Encourage the use of smart meters and energy storage solutions.</i> <i>Increase the amount of energy generated locally using renewable technologies.</i>	December 2020	RC	Provide support and leadership for business and public sector partners who share our desire of reducing the organisations carbon footprint.	Heat supply networks have been progressed. Local plan identifies areas for renewable energy.

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Objective 3				
EDDC will contribute to the reduction of emissions associated with transport and travel by supporting low-carbon vehicles, by promoting sustainable transport and communication choices, and through the sustainable planning of new development.				
Deliver a Fleet Management Plan which is part of delivering a low carbon future through smarter choices, including electric vehicle infrastructure.	July 2020	AE /AH	Create a change in personal travel.	FMP in progress. Applying for funding for EV infrastructure. 33% fleet now EV. Plans to get to 50% by 2024/25.
Actively investigate and switch to low carbon council operated fleet and equipment, taking into account increased costs of such fleet and installing appropriate charging infrastructure. May take up to 2030 depending on the speed of development of commercial vehicles.	Dec 2025/ 2030	AH	Reduction in Council carbon emissions.	See above. Have also introduced electric equipment in Street Scene. Approved funding for EV trials for 2 kerb side sort vehicles and 1 Refuse Collection Vehicle.
Update the Green Travel Plan for staff and members. Require staff to reduce travel and utilise sustainable modes of travel. Make electric pool cars available to travelling staff.	July 2020	AE	Changing options for personal travel and business mileage.	Green travel Plan has been updated and is due to be published soon. Work Smart has reduced staff travel (business and commute)
Support sustainable transport in East Devon to avoid leaving any community isolated taking into account public and community transport facilities.	December 2020	AE	Working with transport providers to improve public transport options.	VCSE are looking at community transport.
Support the emerging Exeter Transport Strategy being prepared by DCC which anticipates up to 50% of trips being made by walking and cycling— <i>NB: this is a very challenging figure which no city currently meets. It will be impossible to meet it in more rural areas but there is a question as to whether this is the type of modal split we should aspire to in the West End. Also we will need to support the delivery of a significant amount of the new infrastructure (e.g. Park and Ride) that will be needed to meet this target.</i> Support and enable the delivery of a passing loop on the Exeter/Waterloo rail line to double the frequency of rail services between Exeter and Axminster. Support and enable the roll out of the Clyst Valley Trail to provide a new multi-use trail between Killerton and Topsham.	April 2023	AW	Creating a shift in travel arrangements from the car to travel that has a positive health & wellbeing benefit.	Working with DCC on LCWIP. Clyst Valley Cycleway ongoing. We continue to engage with DCC, Network Rail and the Train Operating Companies to support the development of the Strategic Outline Business Case for the passing loop.

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MITIGATION				
Continue to promote the Connecting Devon and Somerset project, the aim of which is to provide superfast broadband speeds of over 24Mbps to all premises by 2020.	January 2020	RC	Improved broadband to enable more homeworking and improved business connections.	Ongoing – we continue to support the Connecting Devon and Cornwall program.
Implement WorkSmart principles to minimise staff travel and encourage new forms of service delivery and communication.	April 2020	KS	Spread the use of mobile working, Skype and other tools that reduce commuting and business miles travelled.	Ongoing post Covid. 66% reduction in commuting to office but may be increasing.
Through our Licensing activity, encourage the 'greening' of our licensed taxi fleet by promoting electric and other low emission vehicles.	April 2021	HGL	Use of our enforcement powers to increase the proportion of	Awaiting update
<p>Encourage the development of a transport infrastructure that supports more low carbon travel options for people in East Devon.</p> <p>Reduce energy use and 'embodied energy' in the transport infrastructure.</p> <p>Encourage non-car travel for all sectors of the population, through targeted advice, incentives and enforcement.</p> <p>Support car share initiatives and low emission pool cars for essential business activities.</p> <p>Install electric car charging points in all car parks and explore the opportunities for charging points in other public spaces, street furniture etc.</p> <p>Campaign to reduce the air pollution from vehicles.</p>	April 2022	AE	Link to the Green Travel Plan and improved public and personal transport.	LEVI (resident on street charging)/Deletti 1/2 (car park charging units) schemes.

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Objective 4				
EDDC will help reduce emissions from waste by encouraging a reduction in the amount of waste generated in East Devon and an increase in recycling rates, prioritising energy recovery technologies above landfill, and utilising any energy, fuels or compost that are produced as a result of processing waste.				
Ensure the Waste Strategy policies continue to promote the waste hierarchy and the efficient use of energy and fuels generated by Energy Recovery facilities, and that these are implemented effectively.	December 2020	AH	Refresh the waste strategy to ensure that we are optimising recycling and income from recycling.	EDDC part of DCC waste strategy. Own collection service is exemplar.
MITIGATION				
Encourage refuse, reduce, reuse, recycle and reduction – The Circular Economy.	September 2019	AH	Embed the circular economy in the Council's thinking and actions.	Waste messaging
Ensure that recycling processors are based in the UK and that we work towards a transparent audit trail of destinations for our residents recycling, and confidence that the supply chain does not result in polluting recyclate being exported.	December 2020	AH	Working closely with Suez and DCC to satisfy ourselves that the recycling supply chain is UK based.	DCC control
Improve recycling facilities at our offices, streets and beaches.	December 2019	AH	Provide better facilities to recycle materials at locations where significant numbers of people congregate.	Complete but ongoing (continuous improvement)
Eliminate single use plastics from all Council premises, events and partners activities.	December 2020	TC	Encourage and require the ban on single use plastics where organisations use our land and premises.	Now banned. Meeting with Street Scene to discuss ref events.
Lobby for a solution for hard to recycle products and/or a ban on their use.	July 2021	AH	Continue to press for recycling solutions to products that are hard to recycle using our industry contacts.	Trialing absorbent hygiene products. Engaged with/lobbied DEFRA ref Env Act duties
Enhance the green waste scheme and encourage composting of garden waste and use on our parks, gardens and nature reserves.	December 2019	AH	Continue to increase our customer base and subscribers to reduce the amount of green waste recycled.	19.5k people signed up to GWS

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Objective 5 EDDC will support low carbon energy by helping to identify new models for investment, reducing consumption and enabling lifestyle change, particularly those involving the community.				
MITIGATION				
Continue to support the delivery of regional energy initiatives such as the Local Enterprise Partnerships.	July 2010	AW	Explore investment opportunities in green energy generating companies.	Ongoing – we are engaged in helping to develop a Local Area Energy Plan for Devon
Continue to facilitate the growth of the community energy sector in Devon by assisting funding, partnerships, networking and training.	December 2020	AW	Scan the market for opportunities and funding to grow the energy generation	Ongoing – support has been provided to community groups through the Shared Prosperity Fund
Support the delivery of the FAB (France-Alderney-Britain) project where this enables low electricity to flow, assist the application of marine renewable energy, and enhance energy security.	2025	AW	Supporting a large infrastructure project which is due to be commenced in 2021 and completed in 2025.	The planning permission has recently been refreshed. The progression of the project is dependent on wider international agreements.
Utilise our Nature Reserves and green space for carbon offsetting projects, including tree planting and other carbon sinks.	December 2019	CP	Explore opportunities for carbon offsetting to enable us to achieve our carbon neutral goal.	Offsetting is no longer applicable and seen as a 'last resort'. Tree planting is part of wildlife improvement.
Build community activity relating to sustainable communities. Build community resilience to support climate change and self-sufficiency. Reduce consumption by building a 'sharing economy' such as tool and toy libraries. Build an 'alternative economy' focused on quality of life and emphasising sustainable communities.	July 2021	JG	Assist communities to become more self-sufficient	Currently evaluating project to deliver community support. Work with VCSE.
Further integrate sustainable behaviour promotion and practice throughout schools, colleges, universities and workplaces. Ensure that communication which is aimed at influencing climate change related behaviour is delivered in a consistent and targeted way. Engage organisations in the private sector, including residential and commercial landlords, in effective action to reduce their carbon footprint. Develop the market for climate change related local business and the skills to ensure that local jobs are created in line with the growing low carbon economy.	December 2021	JG	Encouraging behaviour change and lifestyle choices that are targeted at reducing the emission of greenhouse gases.	Talks to schools and workplaces. Referrals to SWMAS and EECO and ESD. See above ref Prosper. Exploring targeted business support to help enable the transition to a low carbon economy

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MITIGATION				
Improve the quality and connectivity of natural habitats. Encourage local community groups and businesses to become more involved in the management of local green spaces. Ensure that we address biodiversity and environmental issues as part of our climate change response reflecting the wider issues arising from our carbon neutral journey.	September 2020	CP/AH	Encourage the use of outdoors and the management of open spaces, developing the volunteering programme.	‘Friends of..’ groups being set up. Biodiversity campaign.
Manage demand for and supply of water to reduce the expected impact of water shortages on consumers and on wildlife. Encourage rain water harvesting. Reduce the risk of damage to infrastructure and assets due to flooding.	December 2021	AE	Work with water supply companies to ensure water security in the future.	Work with the LRF Promoted flood mitigation grants DCT.

ADAPTATION				
ACTION	WHEN	WHO	RESOURCES	
Objective 6 EDDC will ensure it remains aware of the implications for the district of the most recent projections of climate change.				
A briefing and workshops for the Council on Climate Projections will be prepared and the organisation to raise awareness and achieve buy in.	December 2019	JG	Briefing staff and members on climate change issues and responsibilities.	Complete. Training team set up to run again.
We will implement carbon offsetting schemes on our Nature Reserves, Wetlands and space. This includes a programme of woodland creation/tree planting and Nature Recovery Corridors.	December 2021	CP	Use our green and open spaces to carbon offset our reduced carbon footprint.	Carbon offsetting is now seen as a ‘method of last resort’.

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Objective 7 EDDC will continue to provide advice to the community about improving their resilience to a changing climate, and how they can prepare for and respond to extreme weather.				
ADAPTATION				
Ensure EDDC's online and printed advice to communities remains relevant and up to date.	Ongoing	KS	Maintaining a website presence that is both informative and accurate.	Currently being updated and published imminently.
Continue to support the Devon Community Resilience Forum to encourage communities to develop their own Emergency Plans and Flood Plans. Support Town & Parish Councils in their efforts	Ongoing	AE/AH	Supporting communities to be more self-supporting and resilient to climate change.	Support the LRF. EP Officer is arranging community events to support this work.
Assist partners, contractors, Town and Parish Councils, community and voluntary groups make meaningful contributions towards reducing their carbon footprints.	Ongoing	JG	Spread the messages and actions that we learn in our carbon neutral journey.	Project currently being developed to support Towns and Parishes.
Provide advice, guidance and support on reducing carbon use and how to lower the carbon footprint. We will campaign for people to consume less, reuse and recycle. We will also educate on the need for food and water security, changes required to agriculture and diet.	Ongoing	SMT+	Implement the circular economy approach to waste and recycling.	Review
Promote local produce with low 'food miles' and educate on dietary and nutritional changes needed to ensure food security.	Ongoing	AE	Encourage behaviour change and initiatives that reduce food miles travelled.	Review
Objective 8 EDDC will continue to ensure it is prepared for and able to respond to weather and climate-related events affecting the district.				
Remain an active member of the Devon, Cornwall & Isles of Scilly Local Resilience Forum.	Ongoing	AE	Maintain links with the Devonwide group.	Ongoing membership.
Keep the EDDC Emergency Plan, Business Continuity Plans and Recovery Guidance under regular review. Ensure that there is good awareness of the plans to aid implementation in emergency situations.	Ongoing	AE	Maintain up to date plans to deal with emergencies and business interruptions.	Currently being reviewed, updated and exercised.
Enhancing EDDC's parks and open spaces to increase biodiversity. To assist species adaptation and dispersal. Encourage the use of native species.	April 2020	AH/CP	Adapt our open spaces having regard to climate change impacts.	Being implemented. Moved from annuals to perennials, peat free plants etc.
Progress plans for the Clyst Valley Regional Park as an opportunity for significant carbon offsetting in terms of tree planting. In the past 12 months 2,800 trees have been planted at Mosshayne and Bishops Court with 500 more planned at Cranbrook.	April 2022	AW	A demonstration tree planting project at scale contributing towards carbon offsetting in the district.	Ongoing – we have acquired the 25 acre Clyst Meadows site to become an area of publicly accessible

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ADAPTATION

Ensuring that planting in open spaces owned or managed by the Council is drought less watering.	March 2021	AH	Adopt a fresh planting regime that has regard to climate change implications.	Complete
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Objective 9

EDDC will continue to manage the risk of coastal and fluvial flooding in East Devon in collaboration with partners and work to improve flood resilience.

<p>Maintain and deliver flood and coastal defence schemes. This includes:</p> <ul style="list-style-type: none"> • Beach Management Plans and coastal defences • Sustainable drainage systems • Flood defence measures • Natural flood management • Partnership working and collaboration with other risk management authorities • Influence spatial planning to implement the principles of the Strategy 	September 2019	JG	Part of our ongoing flood and coastal protection work. areas of flood risk and produce plans to reduce the risk of flooding.	Being updated Promoting DCC grants for flood mitigation.
Introduce a climate adaptation risk assessment tool and provide a support service to undertake the assessment in their Services.	March 2020	JG	Develop a methodology to assist Service managers to assess the impact of climate change on their Service.	Reviewing options.
Identify where natural flood management approaches can be used to increase carbon sequestration and deliver improved catchment management. Identify opportunities for carbon sequestration and adaption in coastal areas where management of natural processes can aid flood defence and reduce coastal erosion.	December 2020	JG	Develop an approach that provides for carbon offsetting and carbon sinks.	See tree planting/planning/streetscene issues above.

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ADAPTATION Objective 10 EDDC will consider the effects of climate change on policy, decisions, projects and infrastructure.				
Implement EDDC’s Public Health Strategy, Green Space Plan, Housing Strategy, Waste Strategy, and Culture Strategy and Action Plan which will ensure climate adaptation is included in our thinking and actions.	September 2019	Service Leads	Ensure that all new strategies and policies have regard to the climate change agenda.	Ongoing
Align council strategies and policies with the climate change emergency and Devon Declaration.	Ongoing	Service Leads	Ensure the golden thread through all policies, service plans and objectives.	Ongoing
Embed the climate change priorities within the Council’s internal and external marketing, website narrative.	December 2020	Managers	Ensure consistency of messaging and a clear narrative towards the carbon neutral goal.	Ongoing
Update the committee report template and Service Planning template to include a the climate change and sustainability considerations of the reports content.	September 2019	HGL	Require report writers to consider climate change implications when preparing their reports.	Complete
Ensure that carbon management and stewardship objectives are included within staff and team performance management processes. Identify Service ‘Green Champions’ who are empowered to challenge Service policies and practices.	July 2020	Service Leads Managers	Objectives set at individual and team levels to achieve carbon reductions.	Complete Looking at including in PERS
Make available learning and development opportunities for staff to improve their carbon use and reduction opportunities.	March 2020	KS	To raise awareness of GHG emissions and opportunities for reductions.	Training team up and running
Deliver a cultural and behavioural change programme focused on enabling staff to footprint at work and at home.	December 2020	KS	Encouraging the making climate change personal theme.	See above ref training team
Deliver a Culture and Climate Change programme led by the Thelma Hulbert Gallery to of climate change through art and culture reinforcing the need to change lifestyle and acting now.	April 2020	CP	Raising awareness of the implications of climate change through art and culture.	Ongoing

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ADAPTATION				
Devise a Sustainable Leadership programme as part of the Managers Competencies and Framework.	September 2020	KS	Managers equipped to lead the climate change challenges.	SMT+ did carbon Literacy Training. Possibly look to re-run.
EDDC will ensure all key services develop a suitable climate change risk assessment, and consider climate impacts and are reviewed at regular intervals.	September 2020	Service Leads	A service template will be produced.	Now part of Service Plan
Develop assessment and tracking methods to monitor the environmental benefits of climate change actions. Perform further annual carbon footprint exercises to demonstrate carbon reductions from the baseline established. Create a climate change dashboard/scorecard and reporting methodology that are embedded in performance monitoring systems and Service Plans. Ensure that the climate change agenda and ambitions are resourced sufficiently to achieve the	September 2020	JG	To monitor progress against the carbon reduction targets and have full visibility of where we stand against the targets set.	Dashboard is being produced in association with the descent plan. This will be a fundamental part of the updated action plan. Footprint is annual.



Report to: **Scrutiny Committee**

Date of Meeting 2 November 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Scrutiny Protocol

Report summary:

To consider a draft Protocol for the Scrutiny Committees

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- (1) That Scrutiny consider and recommend changes to the draft Scrutiny Protocol attached at Appendix A
- (2) Alongside any changes recommended by the Overview Committee and Cabinet and taking into account any feedback from the review by the Centre for Governance & Scrutiny, that the draft Scrutiny Protocol be recommended to Members for approval in early 2024

Reason for recommendation:

To ensure that the role of the Scrutiny Committees and the relationship with the Cabinet is clear, effective and is consistent with best practice

Officer: Melanie Wellman, Monitoring Officer melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

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

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
-

Report in full

- 1.1 The Centre for Governance & Scrutiny (CfGS) has identified the following four principles which underpin effective scrutiny:
- Providing a constructive ‘critical friend’ challenge to the Cabinet as well as outside agencies.
 - Reflect the voice and concerns of the public and its communities.
 - Be led by independent people who take responsibility for their role.
 - Drive improvement in public services.
- 1.2 There are three further components of good scrutiny and good governance which support and reinforce these principles. These are:-
- Accountability – where responsibility for services and decisions is clear and those holding responsibility can and are answerable for success and failure;
 - Transparency – publication of information relating to services and decisions to allow people to hold decision-makers to account;
 - Involvement – whereby a range of stakeholders can play an active role in holding to account and influencing policy.
- 1.3 The relationship between Cabinet and Scrutiny is governed in part by law and in part by the Council’s Constitution. To assist Members of the Council’s Scrutiny Committees, all Members of the Cabinet and Senior Officers who attend before a Scrutiny Committee, a Protocol has been produced at Appendix A to this report. This Protocol provides guidance on the various ways in which Members and Senior Officers are required to interact with the Scrutiny Committees to enable the Authority to carry out an effective Scrutiny function. It also sets out the expectations of Members, Senior Officers and the Committee when carrying out those Scrutiny functions.
- 1.4 Members are invited to consider and recommend any changes to the draft Protocol. Such changes to be taken into account, alongside any changes requested by the Overview Committee, Cabinet Members and taking into account any recommendations from the review by the Centre for Governance & Scrutiny in November 2023. A final draft of the Protocol to be presented to members early in 2024.
-

Financial implications:

There are no financial implications directly arising from this report

Legal implications:

The requirement for local authorities in England to establish overview and scrutiny committees is set out in sections 9F to 9FI of the Local Government Act 2000 as amended by the Localism Act 2011. The Government issued Statutory Guidance in relation to Overview and Scrutiny

Committees in May 2019. In addition, the Centre for Governance & Scrutiny has issued guidance, both of which have been taken into consideration in the developing of the attached Scrutiny Protocol.

SCRUTINY PROTOCOL

1. Effective Scrutiny

- The Centre for Governance & Scrutiny has identified the following four principles which underpin effective scrutiny: -
 - Providing constructive “critical friend” challenge to the Cabinet as well as outside agencies.
 - Reflecting the voice and concerns of the public and its communities.
 - Being led by independent people who take responsibility for their role.
 - Delivering improvement in public services.
- There are three further components of good scrutiny and good governance which support and reinforce these principles. These are: -

Accountability – where responsibility for services and decisions is clear and decision-makers are answerable for success and failure;

Transparency – involving publication of information relating to services and decisions to allow people to hold decision-makers to account;

Involvement – whereby a range of stakeholders can play an active role in holding to account and influencing policy.

2. Objectives

2.1 The objectives of this Protocol are:

(i) to establish a positive framework and build upon the procedures laid out in the Council's Constitution, which exist to enable the Scrutiny Committees to work effectively;

(ii) to maximise the personal effectiveness of Scrutiny Members, Cabinet Members and officers by enabling them to fully understand their powers, roles and responsibilities in relation to the Scrutiny function;

(iii) to promote and maintain an ethos of mutual respect, trust and courtesy in the inter-relationships between Scrutiny Members, Cabinet Members and officers and a climate of openness that leads to constructive, yet challenging, debate;

(iv) to create a culture of holding the Cabinet to account on behalf of the electorate, by monitoring the effectiveness of the Council's policies and through the regular review of its performance in relation to service delivery, with a view to ensuring service improvements;

(v) to define and clarify the role of the Cabinet as an integral component of the Scrutiny process; and

(vi) to achieve an appropriate level of alignment between the work of Scrutiny and the policies and priorities of the Cabinet and also to the work of the Audit and Governance, Regulatory and Inspection bodies.

3. Constitution

3.1 More Information on the Scrutiny process can be found in the Council's Constitution. In summary, within their terms of reference, Scrutiny Committees may:

(i) review or scrutinise decisions made or other actions taken in connection with the discharge of any of the Council's functions (including the draft budget), but with exception of

any matter which is specifically identified in the terms of reference of any other Scrutiny Committee;

(ii) enable members to refer matters relevant to the functions of the Committee to it and should it decide not to exercise those functions further, to give reasons to the member(s) concerned;

(iii) make reports and / or recommendations to the full Council and / or the Cabinet in connection with the discharge of any functions;

(iv) assist the Council and the Cabinet in the development of the policy framework and budget;

(v) consider any matter affecting the area or its inhabitants; and

(vi) exercise the right to "Call-In" for consideration, decisions made but not yet implemented by the Cabinet.

4. Role of the Scrutiny Committees

4.1 One of the fundamental principles of Scrutiny is the ability to hold the Cabinet to account. The principle of the "Cabinet" style of local government is that, by having a small Cabinet responsible for decision-making, the decision-making process will be quicker and more efficient. However, local people need to be assured that this small group of Members are making decisions effectively and acting in the best interests of the local community they serve.

4.2 Holding the Cabinet to account can involve scrutinising Cabinet decisions at a number of different stages of the decision-making process:

- before decisions are made,
- before they are implemented and
- after they are implemented.

4.3 Holding the Cabinet to account shouldn't be about confrontation. It is more about non-Cabinet Members providing a "critical friend" challenge to the Cabinet and individual Cabinet Portfolio Holders.

4.4 It should be remembered that Scrutiny is not about challenging individuals or personalities but is about challenging decisions and securing improvement where possible. Neither should holding the Cabinet to account be about party-political loyalties.

4.5 There are a number of ways in which the Scrutiny process can operate:

- using the "Call-in Procedure", whereby any individual Member can, within 5 days of publication of a Cabinet decision, challenge or "call in" the decision. This usually leads to the relevant Scrutiny Committee meeting reviewing the decision and the Committee may make specific recommendations to the Cabinet.
- "Requests for Consideration" – any Member can request the inclusion of an item on any Scrutiny Committee. All Members routinely receive an electronic link to all Cabinet agendas.
- examining the Cabinet's Forward Work Programme, which will be published on a monthly basis. The Work Programme will (as far as is possible to do so) give advance notice of issues to be considered by the Cabinet and the date upon which this will take place. This provides an early opportunity for Scrutiny Members to

identify forthcoming issues and to review whether it is considered Scrutiny should play a part in the process. It is also essential that the Cabinet Work Programme is taken into account when Scrutiny committees are drawing up their own Work Programmes;

- calling the Cabinet Portfolio Holder to give account. This may be in relation to an item being considered by the full Scrutiny Committee or the work of a single-issue Task and Finish Group or an annual update on their work;
- specific meetings with Cabinet Portfolio Holders;
- receiving updates on Cabinet responses to Scrutiny Committee recommendations (known as “decision-tracking”).

5. Working relationship between Cabinet and Scrutiny

5.1 The relationship between Cabinet and Scrutiny is governed in part by law and in part by the Council’s Constitution.

5.2 Cabinet and Scrutiny have very different functions and responsibilities. However, the aim of both is to secure the best outcomes for the people who live and work in the District of East Devon.

5.3 The following four principles set out how the working relationship between Cabinet and Scrutiny should operate:

1. Cabinet and Scrutiny recognise that they each have different functions and responsibilities and the contribution that both can make to securing the best outcomes for residents.
2. Cabinet and Scrutiny will work alongside each other in a positive manner. Cabinet recognises that scrutiny has a number of rights, such as “Call-In” and requiring Cabinet Members to attend its meetings and will respect those rights. Scrutiny Committees will exercise those rights responsibly.
3. All participants in the working relationship between Cabinet and Scrutiny will look to work within a spirit of mutual respect and constructive challenge.
4. The relationship will be open and transparent.

6. Scrutiny Work Programmes and Agendas

6.1 Scrutiny is most effective when it is focused on a limited number of in-depth topics and priorities. When considering agenda items, Scrutiny Committees should have regard to the likely value and impact gained from any report or review. This will need to be carefully balanced against the time and resources required to undertake the activity. To be effective, Scrutiny Committees need to focus on strategic issues where it can make an impact. Cross-cutting issues which affect communities across the district rather than single ward issues should be the focus.

6.2 Forward Work Programmes will be prepared to list the subject matters of decisions that the Cabinet intend to take and what business the Scrutiny Committees will be considering and when those matters will be discussed. This does not prevent urgent or unforeseen matters being considered. Each of these bodies will be responsible for their own Work Programmes. Annual Forward Work Programmes will be prepared from the beginning of the Municipal Year.

6.3 Regard should be paid by Scrutiny Committees to the need to take into account alignment with the Work Programmes of Audit and other Committees.

6.4 The Cabinet may also request a Scrutiny Committee to assist in undertaking a review to help policy development.

6.5 The Cabinet Forward Programme will include details (as far as is known) of those areas which it is intended will be subject to "Pre-Cabinet Scrutiny" prior to a formal decision being made. This Work Programme should, in turn, form a key element, when the Work Programmes of the Scrutiny Committees are being drawn up.

6.6 Consideration of what items are intended to be subject to "Pre-Cabinet Scrutiny" should be carefully undertaken by the Leader and Cabinet Members. A consistent approach should be adopted when deciding on such items.

6.7 Usually at the first meeting in the Municipal Year, each Scrutiny Committee will consider and determine its priorities for the coming year, which are to be included in the Work Programmes. Again, it is essential that the Cabinet Work Programme is taken into account when Scrutiny committees are drawing up their own Work Programmes.

6.8 The appropriate Cabinet Member(s) may be invited to attend to comment on the Committee's proposed priorities within the Work Programme. This will inform the selection process and the Cabinet Member(s) may be invited to assist the Committee by providing advice on potential conflict between proposed Scrutiny topics and areas of planned policy development.

6.9 Scrutiny Committees' Work Programmes will be monitored on a regular basis, with advice provided by officers as to when reports will be presented. This will also allow the Members of the Committees to regularly review and update their work programmes.

6.10 The work programmes of Audit and Regulatory Committees should be closely aligned to the Scrutiny Committees' work programmes, with relevant reports presented to Members in a timely and consistent manner.

6.11 Scrutiny Committee agendas will, at regular intervals, include any relevant performance management information available. The purpose of this item will be to assist Members with monitoring the performance of services against key targets and to make recommendations.

7. Agenda setting meetings

7.1 Agenda planning for individual meetings of Scrutiny Committees will revolve around a system of "agenda setting" meetings. These are recognised as an invaluable mechanism in the Scrutiny process. In attendance will be the Chair and the Vice-Chair and the relevant senior officers.

8. Scrutiny Reports

8.1 Reports may be submitted to a Scrutiny Committee by one of the following routes:

- (i) Report referred to a Scrutiny Committee by Cabinet for consideration;
- (ii) Report submitted directly to a Scrutiny Committee as part of its Work Programme;
- (iii) As a result of the "Call-In" procedure;
- (iv) As a result of a "Request for Consideration" item submitted by a Member;

(v) in the form of a reference from another Scrutiny Committee or other Committee (e.g. Audit and Governance Committee).

8.2 Reports which are “for information” should be disseminated to Members outside of the formal Cabinet and Scrutiny Committee agenda arrangements via the Democratic Services Team.

9. Conduct of Meetings

9.1 Scrutiny Committees should seek to promote an atmosphere of openness and should strive to ensure that questioning and debate takes place within a climate of mutual respect and trust between Scrutiny Committee Members, the Cabinet Member(s), Officers and other participants.

9.2 Scrutiny Committee Members should normally be prepared to ask searching and challenging questions of Cabinet Members and Officers, who, in turn, should be willing to respond to any question put. However, Scrutiny Committee Members should be aware of, and show an understanding, of the fact that Cabinet Members and Officers may not always be in a position to answer every question immediately or in detail.

9.3 Cabinet Members should, in so far as possible, anticipate and be prepared to answer questions on decisions taken, or proposed to be taken, which fall within their remit. Cabinet Members should also value the contribution of Scrutiny Committee Members who raise questions and should respond in an appropriate and professional manner.

9.4 The Chair of the meeting shall at all times ensure that the conduct of the meeting shall be fair and that all participants are treated courteously.

9.5 Officers will be asked questions by Committee Members in a dignified and respectful manner. Responses should be clear and concise with Officers mindful that members of the public, who may be present, may not have a full in-depth knowledge of the topic being discussed.

9.6 The Chair, supported by the Officers, should provide leadership and guidance to the Committee on all Scrutiny matters and should promote the Committee’s role to improve services and monitor the effectiveness of Council policies.

9.7 Meetings of Cabinet and Scrutiny Committees are subject to the relevant provisions in the Council’s Constitution, including that they must normally be held in public, unless factors allowed for by law and the Council’s Constitution are judged to require consideration of a matter with the public and press excluded.

9.8 Meetings should be carried out in a business-like, non-aggressive and non-confrontational manner, with courtesy extended to all participants.

9.9 Members should have regard to the Members’ Code of Conduct and the Protocol on Member/Officer Relations as set out in The Council’s Constitution.

9.10 Scrutiny Committee meetings should be held using a room layout appropriate for the business to be conducted.

9.11 Scrutiny Committees and Scrutiny work should be conducted in a non-party political manner.

10. Attendance by Cabinet Members

10.1 Each Scrutiny Committee Chair will have discretion when deciding upon whether a Cabinet Member is required to attend a Committee meeting. It will be common for Cabinet Members to be invited to attend a Scrutiny Committee meeting for the purpose of being held to account in relation to decisions taken.

10.2 Cabinet Members are also encouraged to attend meetings to listen and gauge the views of Scrutiny Members on any issues falling within their remit.

10.3 An open discussion and exchange of views will be of importance to the Cabinet Member(s) and Scrutiny Members, particularly where consideration is being given to the development of the Council's budget or policy framework.

10.4 Depending on the nature of the agenda item, either the Cabinet Member or Senior Officer will be asked to present the item. Members of the Committee should be aware that although officers can reply to specific questions regarding the operational performance of a service, the reasoning behind why a decision was made should be directed to the Cabinet Member(s).

10.5 If a Cabinet Member is required to attend a Scrutiny Committee for a specific reason, then they should receive sufficient notification of why they are being invited to the meeting. This should be, if possible, notified to them in writing, and copied to the Committee Members so everyone understands the basis on which they are attending. The Overview and Scrutiny Procedure Rules in the Constitution set out the procedure that needs to be followed for requiring a Cabinet Member to attend.

11. Annual Portfolio Holder Reports

11.1 Each Cabinet Member will be invited to present an annual report once during the Council year. The report should summarise the work undertaken since the last report.

11.2 Members of the Committee may submit questions on the portfolio to the Democratic Services Officer at least one month before the report is due.

11.3 The Cabinet Member will present the report at the meeting, after which the Committee will have the opportunity to ask any further questions, to clarify points and to scrutinise the report and the work of the portfolio in more depth. The Cabinet Member will have up to 10 minutes to present the report and it will be assumed that the Committee will have read the report in advance. A total of 35 minutes will be allowed for questions. The range of responses available to the Cabinet Member are set out in paragraph 13.

12. Attendance by Senior Officers

12.1 Meetings of Scrutiny Committees will normally be attended by Senior Officers with responsibility for any agenda item under discussion. Senior Officers include the Chief Executive, Directors, Assistant Directors or Service Managers. The role of the Senior Officer will be to assist the Committee through the provision of professional advice and to ensure access to relevant information and personnel. However, where the agenda item relates to a "Call-In", the relevant Cabinet Member will respond in the first instance.

12.2 The Overview and Scrutiny Procedure Rules in the Constitution set out the procedure that needs to be followed for requiring a senior officer to attend and is via a request from the Chair to the Chief Executive.

12.3 Senior Officers will be expected to proactively contribute to a debate on an agenda item. Senior Officers can be required to attend a Scrutiny Committee to present an agenda item report and to answer questions or provide advice regarding operational aspects of a

particular service. This will allow Members to question Officers on the likely impact of any decisions made by the Cabinet and for Members to gather a greater appreciation of reasons why a course of action was agreed upon.

12.4 Members of a Scrutiny Committee will also regularly question Officers about issues affecting the performance of a specific service and to ask for more detail around the level resources available within a service area.

12.5 Officers in attendance at Scrutiny Committee meetings should also be prepared to assist the Cabinet Member in the provision of information to the Committee in response to any question raised.

12.6 A Senior officer in receipt of a request to attend a Scrutiny Committee meeting should make reasonable efforts to do so. Where they are unable to attend on a particular date, they should notify the Chair (or relevant Officer within Democratic Services) as soon as possible, in order to agree the most appropriate course of action, which may include the attendance of an alternative representative.

12.7 Relevant Senior Officers will normally be expected to attend any meeting of a Scrutiny Committee at which it is intended to consider a 'Call-In' request in relation to their service.

13. Cabinet Member responses

13.1 Following a question raised during a Scrutiny Committee meeting, the Cabinet Member may respond in the following ways: -

(i) by way of a direct oral answer;

(ii) where the desired information is in a publication of the Council or other published work, by reference to that publication;

(iii) where an Officer is in attendance at the meeting, who can reasonably be expected to be in a position to give a reply, by referring the matter to the officer concerned;

(iv) where the reply cannot conveniently be given orally, by way of a written answer circulated to all Members of the Committee within five working days; and

(v) where the reply cannot be given within the above timescale, a brief explanation for the delay and the likely timescale for response should be provided to all Members of the Committee.

14. Call-in

14.1 When a decision is made by the Cabinet, the decision shall be published by the Democratic Services team, normally within two working days of the date when the decision was made. The relevant "Call-In" period will expire three clear working days after the publication of the decision.

14.2 If the "Call-In" is accepted by the Chief Executive, the relevant Scrutiny Committee will have the opportunity to discuss and evaluate the merits of the decision. This shall take place within one calendar month of receipt of the "Call-In" request.

14.3 Unless there are extenuating circumstances, the relevant Cabinet Member would be expected to attend a Scrutiny Committee meeting when a "Call-In" is being considered. It is accepted, however, that officers are often better placed to present greater detailed information that led up to the decision and this is deemed to be acceptable, although it should always be the decision-maker that is held to account.

14.4 The following procedure will be followed when a “Call-In” is being considered:

- (i) The Chair outlines the nature of the request;
- (ii) The Member who “called-in” the decision will be invited to explain the reasons for the request;
- (iii) The Chair will then invite the Cabinet Member to respond;
- (iv) The Committee can then ask questions of the Cabinet Member, who may ask a relevant officer to supply further information if necessary;
- (v) The Committee debates the issue and may form recommendations for consideration by the Cabinet or to Full Council, who may, in turn, refer the matter back to Cabinet for further consideration.

14.5 In the event where the relevant Cabinet Member cannot attend a meeting when a “Call-In” is being considered, another Cabinet Member will seek to attend and be accountable for the decision.

15. Minutes of meetings

15.1 The minutes of each Scrutiny Committee will include any recommendations made during a Committee meeting and the reasons for those recommendations. On a quarterly basis, Scrutiny Committees will monitor progress of each recommendation, with updates provided by the relevant Officers.

15.2 Recommendations from the Scrutiny Committees will be referred to Cabinet at the earliest possible opportunity.

15.3 Where Cabinet has decided not to implement a specific recommendation made by a Scrutiny Committee, the reason for not doing so should be minuted. This will be reported back to the Committee on a quarterly basis when the Committee considers its’ “decision tracking”.

16. Meetings between Scrutiny Committee Chairs and Cabinet Members

16.1 Whilst the Scrutiny process is essentially a public one, it is recognised that the development of an informal dialogue between the Scrutiny Committee Chair and the relevant Cabinet Member(s) will enhance the interaction between the two functions. Informal dialogue will be encouraged in order to allow the Cabinet Member(s) to understand the Scrutiny Committee Chairmen’s viewpoints and vice versa.

16.2 Such dialogue will also allow the relevant Scrutiny Committee Chair and the Cabinet Member(s) to discuss major policies and key decisions that are likely to be progressed over the forthcoming months and provide an opportunity for further input into the strategic elements of the work programme.

16.3 Such dialogue could also allow consideration of Audit, Regulatory and Inspection work programmes to take place to ensure that reporting arrangements are well-planned and fully “joined up” (particularly within the context of Forward Work Programming for both Cabinet and Scrutiny).

17. Public Speaking at Scrutiny Committee Meetings

16.1 The Council has published a Guide to Public Speaking at Scrutiny Committee Meetings, intended to enhance the ability of members of the public to speak at meetings of the Council's Scrutiny Committees. A copy of the Guide is attached at Appendix A.

WHAT TO EXPECT WHEN ATTENDING A SCRUTINY MEETING

This guide provides information on what to expect when attending a Scrutiny meeting. It is split into guidance for observers, guidance on public speaking and guidance for external witnesses.

This guide has been approved and adopted by the Overview and Scrutiny Committees.

1. GUIDANCE FOR OBSERVERS:

Where and when are the meetings held?

Meetings usually take place in the Council Chamber at Blackdown House, Honiton, East Devon.

Occasionally, alternative times and venues may be used, for an up-to-date schedule of meetings please visit our website or contact us (details are at the end of this guide).

Who will be there?

Membership of the Scrutiny Committees is made up of elected Councillors from all political parties on the Council on a proportionate basis. The Council has an Overview Committee and a Scrutiny Committee. The Council also has a Housing Review Board which is a Scrutiny Committee but due to the different make-up of that Committee, this guidance does not apply.

A member of the Democratic Services Team will be present to provide advice to the Committee and a Democratic Services officer will take minutes at the meeting. A representative of the legal section will also be present to provide legal advice. Other officers with an interest in one or more of the topics on the agenda may also be present.

As Scrutiny meetings are open to the community (unless otherwise stated – i.e., confidential matters are being discussed), members of the community are welcome to attend and the press and media may also be present.

Meetings may involve contributions from a wide range of sources, including members, officers, officers from other public bodies, local businesses, voluntary groups, specialists and other members of the community.

What happens when I arrive to attend a meeting?

If you are attending the meeting as an observer, you will be greeted by one of the Democratic Services Officers who will show you to the public seating area and provide you with a copy of the agenda (if available).

How will the meeting room be set out?

A typical room layout is shown towards the end of this guide.

Will a written record of the meeting be produced?

Minutes of the meeting will be taken and the meeting will be aired via YouTube. The minutes will include a summary of the matters discussed and any recommendations made. They will be submitted to the following meeting for approval by the Committee.

2. GUIDANCE FOR PUBLIC SPEAKERS

Who Can Speak?

Anyone who lives or works in the East Devon District Council administrative area, including Town / Parish Councillors and County Councillors, is entitled to speak at a meeting of one of the Council's Scrutiny Committees provided that they have registered to speak.

Where do I sit?

When it is your turn to speak, the Chair will call you forward to the registered speaker's podium. Once you have spoken, you will be asked to return to the public gallery. The typical room layout is shown towards the end of this guide.

How Long Do I Have To Speak?

Each speaker will have three minutes speaking time.

What Can I Speak On At The Meeting?

A member of the community speaking on an agenda item must address their speech to the item they have registered to speak upon on the agenda and cannot address other agenda items or unrelated business. The right of the community to speak, or indeed to attend, does not apply to business on the agenda in respect of which a resolution to exclude the press and public for the consideration of confidential or exempt business has been carried.

What can I not Speak on At The Meeting?

The right to speak does not apply to the following agenda items: Apologies; Minutes; the Forward Plan, the Scrutiny Work Programme, any agenda item that is not accompanied by a written report or any agenda item for which the Chair has exercised her or his discretion to withdraw the right of public speaking.

The Chair of the committee will have the discretion to stop a speaker before their allotted time has concluded if, in the Chair's view, the speaker is making any comments that are, or appear to be, defamatory, vexatious, discriminatory, contain offensive language, are unrelated to the agenda item under consideration, or behaviour otherwise not appropriate for a Scrutiny Committee meeting.

The right to speak does not include the right to ask any questions of any District Councillor, Officer of the Council, invited attendee, or any other public speaker.

How Do I Register to Speak?

The agendas for Scrutiny Committee meetings are published on the Council's website five working days before the date of the meeting. Members of the community who wish to register to speak at meetings of the Council's Scrutiny Committees should register to speak by no later than 12.00 noon two working days before the meeting by contacting Democratic Services (see the contact details at the end of this guide). Any requests received after this time will automatically be rejected. In addition, no request to speak will be accepted prior to the publication of the Scrutiny Committee agenda. To assist the Committee, Democratic Services will ask you to provide an outline of the issues you wish to raise at least 24 hours prior to the meeting.

3. GUIDANCE FOR EXTERNAL WITNESSES:

If a Scrutiny Committee decides that they would like to invite you to come along to one of their meetings as a witness, the Democratic Services Officer will contact you informally about the process. There is no obligation for people from outside the Council to attend (except where legislation provides otherwise), but by attending you will be making a valuable contribution in helping the members of the Committee to gain an accurate view of the issue/s being discussed. You can nominate another person to come on your behalf if they are fully briefed on the issue. Occasionally, organisations, rather than an individual, are invited to give evidence. In this case, it is up to you to decide who would be most appropriate to attend.

Where and when are the meetings held?

The Democratic Services Officer will contact you beforehand and provide details of the date, time and location of the meeting. If you agree to come along you will be sent a formal invitation confirming these details.

Meetings usually take place at xpm in the Council Chamber, Blackdown House, Honiton. Occasionally, alternative times and venues may be used, but you will be informed accordingly beforehand.

How can I prepare for the meeting?

The formal invitation will contain details of the relevant inquiry (including any notes of previous evidence sessions) and the way Scrutiny works at the Council. You will also be provided with an outline of the likely questions to be asked of you or issues to be discussed.

If you have been asked to give a presentation, the Democratic Services Officer will discuss with you beforehand the style and length of your presentation and ask you to provide a copy of any PowerPoint presentation before the start of the meeting. If you haven't been asked to give a presentation but feel that it would be beneficial, please contact the Democratic Services Officer to discuss.

You will be informed of any documents that the councillors wish to have produced for them. Councillors will usually find it helpful if you can prepare a brief paper setting out some of the key facts and issues. Please consult with the Democratic Services Officer co-ordinating the meeting about arrangements for copying and distribution. If you have any further information that you think will aid the inquiry then please send it to the Democratic Services Officer (contact details at the end of this guide) who will make sure that it is put on the agenda or circulated to councillors prior to the meeting. If you have any special requirements, please contact the Democratic Services Officer.

Who will be there?

Membership of the Scrutiny Committees is made up of elected councillors from all political parties on the Council. A Democratic Services Officer will also be present to provide advice and to take minutes at the meeting. A representative of the legal section will also be present to provide legal advice. Other officers with an interest in one or more of the topics on the agenda may also be present.

As Scrutiny meetings are an important means of democratic accountability and are open to the public (unless otherwise stated – i.e. confidential matters are being discussed), members of the community are welcome to attend and the press and media may also be present.

Meetings may involve contributions from a wide range of sources, including members, officers, County Council employees, NHS employees, education representatives, local businesses, voluntary groups, specialists and other members of the community.

What happens when I arrive to attend a meeting?

One of the Democratic Services Officers will show you to your seat.

How will the meeting room be set out?

Please see the diagram of the typical room layout towards the end of this guide. **To be produced**

What happens at the meetings?

At the beginning of the meeting there will be a number of procedural items of business that the Chair will address, such as approving the minutes of the last meeting and taking apologies from absent members etc. Whilst these are formal meetings of the Council, the structure tends to be much more informal, with free and open discussion.

If there is any information that you do not wish to give in public, you should make this clear to the Chair prior to the meeting. The Council is able to conduct some of its business in private provided that the information in question falls within a number of set criteria such as personal information or financial or business details. These categories are set out by statute – further details are available on request. If a meeting (or part of a meeting) is to be conducted in private, the public and press will be asked to leave and, whilst minutes will be produced, they will only be made available on a restricted basis.

What happens when I give evidence?

We will ensure that all witnesses are treated with courtesy and respect and that all questions to witnesses are made in an orderly manner as directed by the Chair of the meeting.

When it is your turn to speak on your agenda item, the Chair will ask you to introduce yourself and to make your presentation. Once you have finished your presentation Members of the Committee will be invited to ask you any questions.

You should try to be honest and open in your responses and to volunteer relevant information and views, even if not specifically asked by the Committee. If there is factual information available to back up any views which you may have, it will be helpful to refer to this, either directly or by stating the source of the information. You should try to be as precise as possible in your responses. If you do not know the answer to a question, simply say so and if appropriate send us the information after the meeting. Also, if you are only able to give an estimate, for example of costs involved in a project or about timescales, explain that it is only an estimate and not a definitive amount. Explain if there are factors or assumptions which may have a significant impact on any figures or estimates given.

If you are attending on behalf of an organisation, you should make it clear whether any views expressed are personal views or those of the organisation.

Will a written record of the meeting be produced?

Minutes of the meeting will be taken and the meeting will be live-streamed to YouTube. The minutes will include a summary of the matters discussed and any recommendations made. They will be submitted to the following meeting for approval by the Committee and will be published on the Council website.

What happens next?

Following the proceedings, you will be written to (where appropriate) and informed of the outcome.

Once the Committee has finished the review, a report will usually be written to present a full picture of the inquiry and recommendations will be made. If the recommendations are accepted, Scrutiny members will monitor progress on changed policies, procedures etc.

4. GENERAL DISTURBANCE

It is recognised that some matters being scrutinised may be controversial. However, to ensure that business is conducted in an orderly fashion, it is essential that the procedures outlined in this guide are followed. In the event of any disorderly conduct, the following rules will apply:-

- If anyone interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.
- If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/think thinks necessary.

Contact details for Democratic Services:-

To be inserted

Communications and Democracy Portfolio Report (May to October 2023)

Councillor Sarah Jackson

The last 6 months have been an interesting time of transition following the last District Council elections in May. Along with a number of newly elected Councillors, we have welcomed two new, key officers to the authority: Melanie Wellman, our new Monitoring Officer who started shortly before the elections and Andrew Melhuish, the new Democratic Services Manager.

Our new membership has now largely completed the induction training programme, but member development continues to remain under review to ensure that knowledge gaps can be addressed to help members continue to be as confident and effective within their roles as possible.

Moving into 2024 our communications priorities will largely be governed by the Council Plan. The goal is to ensure that we effectively communicate the Council's key priorities and aims, and that the membership and the public remain properly informed in those areas.

That said, building stronger relationships between EDDC and Town and Parish Councils is an area we are looking to develop. I believe this would be to the advantage of all stakeholders and is something that has already begun through the Council Plan engagement sessions. In that vein, public consultation is another area I would like to see us build upon, and work is ongoing in this area.

With respect to governance and democratic engagement, I anticipate the Peer Challenge may well identify where we can make positive changes, which will further inform our direction moving ahead.

There are several other initiatives in their infant stages, some not covered in this brief report, which need to be fleshed out a little more before being progressed, but I will be looking to the wider membership for their thoughts and views on these as they come forward to help inform how we can deliver these to the maximum benefit of all.

Below is an overview of just a few areas within the Communications and Democracy portfolio where work is ongoing or planned.

Democracy

Governance

Since the Council passed a Motion in July 2023 agreeing to undertake a Peer Review and for the Centre for Public Scrutiny to review our scrutiny procedures, a number of positive steps have been taken:

Peer Challenge – The S151 and Monitoring Officer have had a number of meetings with the Local Government Association, and the Peer Review has been organised for the first week of February 2024. A Peer Review officer working group has been set up, and this group has prioritised the steps that will need to be taken in the lead-up to the Peer Review. The team are currently in the process of preparing a Position Statement, the document that authorities are asked to produce for the Peer Review team, which will include information on local priorities and outcomes, organisational and place leadership, governance and culture, financial planning and management and capacity for improvement.

Centre for Public Scrutiny – The Centre for Public Scrutiny is hoping to start its review towards the end of October 2023. They have issued a short survey of members and senior officers, which members are encouraged to respond to. The more responses we have, the more information we will have to feed into the review and to inform any changes moving forward. The Centre for Public

Scrutiny is also seeking to interview key members and officers between the 8th and 10th of November and to attend the Overview meeting on the 9th of November. Again, Members' input into this process will be greatly appreciated.

Skills audit of all Cabinet members and key councillors – This has been allocated to the new Democratic Services Manager, who started a few weeks ago. Proposals will be presented to the Cabinet on 29th November 2023.

Work to further align the Cabinet and Senior Management Team – this has already started, and Cabinet and the Senior Leadership Team held a very positive first workshop on the 20th of September. Paul Clarke from the LGA attended part of that meeting. Regular Director meetings with the Leadership are also in place, and these are working well with a combined and collaborative approach to dealing with the business of the Council.

Constitutional Reform

The Monitoring Officer is due to start a review of the Constitution to ensure it is fit for purpose and up-to-date. This is a large piece of work and will take many months to complete. The Monitoring Officer and I would welcome member input into this process, and we will therefore be looking to set up a Constitution Working Group. A report will be presented to the next meeting of the Full Council, which will seek nominations for a politically balanced group.

Freedom of Information

The number of Freedom of information requests continues to rise. In 2021/22 we had 439. In 2022/23 we had 510. So far this financial year, we have had 306. This is not an unexpected trend, and one that I understand has been seen pretty consistently throughout the country. 98% of FOI's raised with EDDC have been responded to within the statutory deadline. The Information Commissioner assesses performance of less than 90% to be unsatisfactory, 90 to 95% as adequate and over 95% as good. The Council's performance therefore falls well within the parameters for the category of good performance.

Member Development

With the new Democratic Services Manager recently joining the Council, the opportunity is being taken to review the current member development programme, including ensuring that Members who have not had an opportunity to undertake all of their key training, have had the opportunity to do so. The member skills audit will also feed into this process, so this is a live piece of work that I expect will evolve over time. I will look to convene the Member Development Working Group to provide feedback or to consider any reports where appropriate. Members from outside of the Working Group are, of course, welcome to participate.

Communications and Engagement

Team update

The communications team has been a somewhat of a state of flux since it was restructured in August 2021 with some staff changes, but the team currently stands as listed below. The team is working hard to form a more strategic approach to our communication and engagement activities. It would be remiss of me not to acknowledge the fine – more project-specific – marketing and communications work which is also being undertaken by EDDC’s officers based in other service areas.

The permanent post of ‘Corporate Lead: Communications, Digital Services and Engagement’ has recently been recruited for, and I hope to be able to report back to the membership very soon once this post has been filled. The corporate lead sits on the Executive Leadership Team providing advice to the interim CEOs on external communications and reputational management. This is in addition to the postholder attending Senior Leadership Team meetings. In the interim, this function continues to be performed by Andrew Hopkins who has been managing the communications team in the absence of a permanent staff member. Andrew remains the primary contact for any press or communications enquiries that you might have.

Patrick Lowe has just been appointed as the full-time Digital Communications Officer.

Beth Sharp will return from maternity leave early next year to join Patrick, in the meantime a graduate from the Exeter University Business Graduate scheme will be recruited on a short-term contract to provide communications support until Beth’s return.

Victoria Williams has returned on a short-term contract as the full-time Community Engagement Officer and will be embedding a corporate consultation policy into the authority, using the Commonplace engagement tool. A permanent long-term appointment to this post will be made in early 2024.

Work update

In addition to producing press releases and responding to press statements, the team are responsible for all social media content posted through the East Devon social media channels, the production of digital content, the weekly residents’ e-newsletter update, East Devon app and website.

The team are actively supporting the emerging council plan and the peer review taking place next year. Corporate standards for communications and engagement are also currently being refreshed and the team give the corporate sign-off on all printed publications produced by the design service operated by Strata who they client manage.

The intention is to increase the amount of digital content (namely videos) over the next few months to encourage more engagement on our various platforms. Members feedback on how else we can improve our engagement with local residents’ is most welcome.

A new weekly e-newsletter is planned to be produced next month for Councillors in conjunction with the Democratic Services team, this e-newsletter will provide relevant information to members on council business and other key pieces of information.

As well as providing media advice to managers in the council, the team are happy to provide this support to all members too and I would encourage any member who is contacted by the local media or has a query about the service to contact Andrew Hopkins for advice.

Communications and Engagement statistics:

Press releases issued since April 2023: 70

Press statements issued since April 2023: 72

EDDC Facebook page: 9,500 followers

EDDC Instagram page: 2,135 followers

EDDC LinkedIn page: 2,400 followers

EDDC X/Twitter: 9,600 followers

EDDC You-Tube channel: 715 subscribers

App and Web statistics:

East Devon app installs: 89,000

East Devon app notification subscriptions: 60,000

Website visits (April to end of September 2023): 797,461

Page views: 2,379,050

Unique visitors: 437,045

E-newsletters:

Total number of e-newsletters issued since April 2023: 221

Open rates: 55%

Resident's update total subscribers: 14,501 recipients

Consultations:

Total number of consultations held since April 2023: 18 surveys (9 public and 9 private).

Total number of people subscribed for consultation updates: 465 subscribers.

Council hybrid meeting project

Finally, this is an area which sits between both democratic engagement and communication. The new MVI solution has been procured, and new cameras installed in the Council Chamber in Blackdown House. The new system has been programmed for use with the existing microphones.

Familiarisation training with the new system will take place over the next couple of months and members will be invited to attend some training meetings to get used to the new kit and learn more on how to use it.

Once fully installed members (or other speakers) will be able to attend meetings and speak remotely in the future, bearing in mind the requirement of the Local Government Act (1972) that they will still need to be in the Chamber for their vote to count! That said, the Levelling Up and Regeneration Bill which is currently going through the Houses of Parliament includes proposals to enable Council's to hold remote meetings. It remains to be seen as to whether this proposal will be supported. The outcome should be known in November.

Scrutiny Committee Forward Plan 2023/24
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Work for scoping and/or allocation to the Forward Plan

Proposed date	Topic
7 December 2023	Report on car parks review (following consideration by Cabinet)
7 December 2023	Portfolio Holder report on Economy (scope to be agreed)
7 December 2023	Quarterly performance report Q.2
10 & 11 January 2024	Joint Scrutiny and Overview budget meetings
1 February 2024	Interim update on progress with S.106 and CIL Resources and Processes
1 February 2024	Portfolio Holder report on Finance and Assets (scope to be agreed)
1 February 2024	Portfolio Holder report on Sustainable Homes & Communities (scope to be agreed)
7 March 2024	Report on future direction regarding grass cutting and re-naturing (Portfolio Holder Coast, Country and Environment) (agreed at October 2023 meeting)
7 March 2024	Portfolio Holder report on Strategic Planning (scope to be agreed)
7 March 2024	Portfolio Holder report on Climate Action and Emergency Response (scope to be agreed)
4 April 2024	Portfolio Holder report on Coast Country and Environment (scope to be agreed)
4 April 2024	Portfolio Holder report on Council and Corporate Co-ordination (scope to be agreed)
June 2024	Portfolio Holder report on Culture Leisure Sport & Tourism (scope to be agreed)
Late summer 2024	Report on progress with S.106 and CIL Resources and Processes
Dates to be confirmed	

TBC	Report from MPs setting out their actions on requiring improvements from South West Water (response from Richard Foord MP awaited)
TBC	Invitation to SWW CEO to attend a Scrutiny Committee meeting to answer questions. A report from SWW to be requested in advance of the meeting setting out the issues, when they were first identified and what actions have been taken (agreed at October 2023 meeting)
TBC	Proposal from Mid Devon DC Scrutiny Committee regarding a joint review into the planning controls and regulatory requirements associated with the bio-energy industry within Devon, in particular anaerobic digesters. Note: no response was received from MDCC with regard to their proposal; this to be followed up again and detailed scoping required
TBC	Review of effectiveness of Blackdown House in terms of fit for purpose for both employees and Members – proposal form from Councillors and scoping required
TBC	Devon County Council's flood event report
Correspondence regarding Scrutiny Committee topics	
Date received	Details