



Agenda for Cabinet

Wednesday, 6th September, 2023, 6.00 pm

Members of Cabinet

Councillors: M Rixson, G Jung, D Ledger, M Hall, O Davey, S Jackson, J Loudoun, N Hookway, P Arnott (Chair) and P Hayward (Vice-Chair)

Venue: Council Chamber, Blackdown House, Honiton

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Tuesday, 29 August 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 4 - 14)
- 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 two items which officers recommend should be dealt with in this way.
- 7 Minutes of LED Monitoring Forum held on 27 June 2023 (Pages 15 - 18)
- 8 Minutes of Recycling and Waste Partnership Board held on 12 July 2023 (Pages 19 - 23)
- 9 Minutes of Scrutiny Committee held on 6 July 2023 (Pages 24 - 30)
- 10 Minutes of Overview Committee held on 20 July 2023 (Pages 31 - 35)

- 11 Minutes of Placemaking in Exmouth Town and Seafront Group held on 25 July 2023 (Pages 36 - 37)

Key Matters for Decision

- 12 Nature Recovery Declaration for East Devon (Pages 38 - 44)
- 13 Application for Local Authority Housing Fund for Afghan Refugee resettlement (Pages 45 - 51)
- 14 Decarbonisation of EDDC Swimming Pools - Consultant Appointment (Pages 52 - 57)

Matters for Decision

- 15 **Proposals for a Place and Prosperity Framework for EDDC** (Pages 58 - 62)
- 16 **Assistant Payroll Officer funding request** (Pages 63 - 65)
- 17 **Annual Treasury Management Review 2022/23 - 1 April 2022 to 31 March 2023** (Pages 66 - 67)
- 18 **Financial Monitoring Report 2023/24 - Month 4 July 2023** (Pages 68 - 76)
- 19 **Corporate Peer Challenge** (Pages 77 - 81)

Follow up report on adopted Council Motion - Actions to provide a strong, united and informed managerial and political leadership.

- 20 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

The Vice Chair to move the following:

“that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session (Part B)”.

Part B Matters for Decision

- 21 Strategic Land Acquisition (Pages 82 - 86)
- 22 Seaton Jurassic (Pages 87 - 100)

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

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

[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 12 July 2023****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 9.15 pm

12 Public speaking

Aynsley Jones, Cranbrook Community Hub Manager spoke on the item Home Office Asylum Hotel, Hampton by Hilton, Exeter Airport. She was connected to the school mentioned in the report. The school was a multi-agency school with 48 students on its roll seeking asylum. Safeguarding was paramount and everyone's responsibility within the community. They had weekly meetings with families at the hotel and had gathered substantial evidence albeit from talking to the children. Food was considered substandard, the menu didn't change and there was no consideration given to cultural differences. 30% of the children do not eat the food provided at the hotel, with 2 cases of malnutrition. There were no individual cooking facilities or fridges, which impacted the storage of medication and baby milk. Snacks were provided on a first come first served basis, if issued at all. 18% of the students had severe trauma and through the lack of funds could not be adequately supported and 21% had potential undiagnosed SEND. Untrained hotel staff were still triaging medical appointments resulting in residents suffering and not getting the medical attention they required.

Multiple hotel management changes resulted in misinformation or fear. There was no shuttle bus to Exeter or Pinhoe surgery and no provision of over the counter medication. The taxi company used was ineffective with an average waiting time of 4 hours. There was no chaperone on the school bus even with some children being as young as 4 years old. There was no transport for residents to leave the hotel. There was no clear complaints procedure. Each organisation was working independently of each other which resulted in action being slow and issues surrounding accountability and coordination; which the Home office should be doing. There needed to be an independent body to coordinate the wellbeing of the hotel residents. She commended the work being done by Refugee Support Devon, but one welfare officer was just not enough. She wished to see a 40-strong volunteer buddy scheme supported by the Pickwell Foundation with financial support from EDDC and others. This would ensure residents were supported and integrated into the community alongside having health and wellbeing advice.

13 Minutes of the previous meeting

The minutes of the previous meeting of Cabinet held on 7 June 2023 were agreed.

14 Declarations of interest

Min 17. Home Office Asylum Hotel - Hampton by Hilton, Exeter Airport.
Councillor Jess Bailey, Affects Non-registerable Interest, Devon County Councillor.

Min 17. Home Office Asylum Hotel - Hampton by Hilton, Exeter Airport.
Councillor Nick Hookway, Affects Non-registerable Interest, Retired member of the National Education Union.

Min 17. Home Office Asylum Hotel - Hampton by Hilton, Exeter Airport.
Councillor Peter Faithfull, Affects Non-registerable Interest, Member of the Ottery Refugee Response Group.

Min 18. Minutes of Placemaking in Exmouth Town and Seafront Group held on 30 May 2023.

Councillor Nick Hookway, Affects Non-registerable Interest, Is a Exmouth Town Councillor.

Min 18. Minutes of Placemaking in Exmouth Town and Seafront Group held on 30 May 2023.

Councillor Olly Davey, Affects Non-registerable Interest, Is a Exmouth Town Councillor.

Min 25. Place & Prosperity Team Resourcing.

Councillor Olly Davey, Affects Non-registerable Interest, Is a Exmouth Town Councillor.

Min 26. Broadclyst Neighbourhood Plan ('the Plan') to be formally 'made'.

Councillor Eleanor Rylance, Affects Non-registerable Interest, Parish Councillor for Broadclyst and was a member of the Neighbourhood Planning Group.

Min 30. Zed Pods Housing Development.

Councillor Tony McCollum, Affects Non-registerable Interest, Lives in the proposed area referred to in the report - (he left the meeting at this point).

15 **Matters of urgency**

There were none.

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

There is one item which officers recommend should be dealt with in this way Zed Pods Housing Development recorded at Minute 30.

17 **Home Office Asylum Hotel - Hampton by Hilton, Exeter Airport**

The Director Housing, Health & Environment provided a position statement on the background and current issues being experienced by asylum seekers placed in hotel accommodation in the district by the Home Office. The Multi-Agency Coordination Group had been very effective in securing services for asylum seekers under partners control, however, a number of issues outside of EDDC's and partners control had persisted from mobilisation of the hotel. Despite the council's best efforts these concerns centred mainly around the adequacy of food and robust safeguarding arrangements remained issues. The report advocated continuing to work with local partners to ensure that the Home Office responded positively to the issues being raised with them. The report proposed extending the welfare support being provided by Refugee Support Devon to go some way towards improving the situation.

Councillor Kevin Blakey read out a statement that had been approved by all 3 Cranbrook ward members, this is summarised below:

'The recommendation is that Cabinet endorse measures being taken to ensure the Home Office are accountable for providing adequate feeding and safeguarding of the asylum seekers. This is fine so far as it goes but it does not address the real and urgent matter of the provision of inadequate food for the disparate groups of people occupying the hotel.

I have been to the hotel, along with Cllr Kim Bloxham and Cllr Jess Bailey, to observe the foodservice operation. While the residents say that matters have improved with the availability of fresh fruit such as oranges and bananas over the last few weeks; since the local school raised its concerns with us, the main meals remain woefully unappetising to many. There was a lack variety and no provision of fresh vegetables or salads to ensure a healthy and balanced diet. On the occasion we visited, people were taking platefuls of only rice or potatoes, much of which was then thrown away, particularly potatoes that had not had eyes removed before cooking and were pale in colour even though they purported to be roast potatoes.

Meat is an issue. The small amount served sat in bland sauce that some of the residents disliked, the remaining residents could not eat it because their faiths do not permit the consumption of red meats. They will not eat the chicken because, according to all those that we spoke to the meat stinks and they do not believe it is safe or good to eat. Whilst there are certainly cultural issues with food at the hotel, we understand that the children are eating all types of foods at the Cranbrook Education Campus which seems to confirm the problem with the quality of the food being shipped in by the current contractor at the hotel.

Simon Jupp MP has been in touch with the service provider, who told him that they had received no complaints about the food and that all special dietary needs were being met. All the residents we spoke to complained about the food and 2 people who are diabetic have never been offered food appropriate to their medical needs. Perhaps these complaints have never been expressed to the service provider.

Some of those we spoke to reported increasing illness and weight loss. In short, many are suffering from malnutrition. This is not about quantity, it is about the quality, nutritional balance and cultural acceptability of what is offered. Remember that a significant proportion of the residents are children who need suitably balanced food to grow. The monotonous and unappetising offering currently provided is not working.

This is not about providing a restaurant experience for the residents. We are not forgetting that all the residents are waiting for their asylum or residency applications to be determined by the Home Office, who will decide whether they have valid reasons to be in the UK. Whatever the outcomes of their applications, it is clear to us that while they wait for the Home Office decisions, they should be treated humanely and with respect. The rights and wrongs of how the asylum seekers got here is not a matter for us, but in the 21st century the UK has no excuse for treating anybody in such a careless and inappropriate manner. East Devon surely cannot permit poor treatment of our guests, whether they are welcome or not.

The report shows that a grant of £217,500 is available to meet local needs. £31,000 has already been earmarked for transport (actually extending welfare support provision), leaving around £186,000 for other support. First and foremost we believe that the Home Office should cancel the current food supply contract. Sending bulk cooked food over long distances makes no sense financially, environmentally or qualitatively. We suggest that the food should be prepared locally, particularly as this will enable council officers and members to have close contact.

The food does not need to be more expensive than that which is currently provided so we are not suggesting that the Home Office increase the budget, just spend it better. Indeed many of the foods wanted by the residents are cheap to make, particularly meat-free meals with an emphasis on pulses and fresh vegetables. We ask that this council writes to the Home Office urgently to robustly ask for this.

We also note that local schools, particularly the Cranbrook Education Campus, are providing food and even school uniforms with no additional funding. This is clearly unsustainable, and government should provide additional funding for the extra costs incurred by the schools.

Transport is another issue. The fact that the hotel is in an isolated location with no facilities within a walkable distance means that the residents are reliant on buses or taxis to get to schools or doctors. In the case of school transport, some children as young as 4 years are travelling without a chaperone, clearly unacceptable. We suggest that some of the available budget be used to pay for a coordinator to manage all residents' needs, including transport, health and food requirements so that children can get to and from school with appropriate safeguarding and that transport to doctors can be effectively arranged.

In conclusion, EDDC must press the Home Office to make the changes we have suggested. This is a highly emotive matter but I believe the decisions made by Cabinet today should be guided by the humanitarian needs that are pressing here and now. We feel sure you will make the right choices.'

Further discussions included the following:

- Why was the Home Office not providing bus passes and additional support to medical facilities?
- Call on Simon Jupp MP to put pressure on the Home Office to terminate the food contract particularly as the school summer holidays were coming up, so the children would not have access to food from the schools
- Set up a mobile kitchen on site to alleviate the lack of access to kitchen facilities
- Give temporary working permits to those residents that could work
- The need for a Safeguarding Lead to protect young people and vulnerable adults
- The hotel management lacks capability
- The urgency to act and step-up now as the Home Office was not
- The need to hold the Home Office to account
- The need for rapid action – there were residents in the hotel more than capable of cooking for large numbers
- This was shameful and embarrassing – less talk more action
- There were plenty of capable and willing local providers
- Should a Task and Finish Forum be set up to get things done?
- The need for clear communications with the Home Office to what the issues are and to keep up the pressure on issues we cannot control or deliver
- There has been limited sight of the self-audit report from the Home Office

RESOLVED:

1. To delegate authority to the Director of Finance, Director of Housing, Health & Environment in consultation with the Portfolio Holder Finance (Assets) and Portfolio Holder Sustainable Homes and Communities as well Cllrs Bailey, Bloxham and Blakey to spend up to £217k. The spend is to be used for welfare support, transport, kitchens, food contract, healthcare & medication, fridges, hotel management, safeguarding, insurance concerning the use of kitchens and infant food.
2. To send a further letter to the Home Office expressing the council's ongoing concerns, while still putting pressure on the local MP Simon Jupp to take further action with the Home Office

3. To explore the issues of an off-site meeting and the hiring of a co-ordinator type role.

REASON:

To maintain pressure on the Home Office to ensure that asylum seekers in the district are properly fed and safeguarded whilst in their care.

18 **Minutes of Placemaking in Exmouth Town and Seafront Group held on 30 May 2023**

Members agreed to note the Minutes of Placemaking in Exmouth Town and Seafront Group held on 30 May 2023.

19 **Minutes of Housing Review Board held on 15 June 2023**

Members agreed to note the Minutes and recommendations of Housing Review Board held on 15 June 2023.

Cabinet RESOLVED the following:

Minute 10 Results of tenant satisfaction survey

1. The facilitation of a series of focus groups to be held with tenants who have offered to provide further insight and information on their experiences with the housing services. Officers would then review and use these findings to further inform future improvements.
2. The further surveying of tenants over the coming months in order to monitor satisfaction levels more closely and more frequently and as a way of assessing whether levels of satisfaction were improving.

Minute 12 Consumer Standards – self assessment

A joint workshop is undertaken with officers and tenants on receipt of the revised Consumer Standards from the regulator.

Minute 14 Finance report

The Housing Revenue Account and Housing Capital Finance 2022/23 year end outturn report, and approve the reserve recommendations.

Minute 15 Chartered Institute of Housing Qualifications

The approach set out in the report and support the drive towards ensuring officers had or worked towards achieving a relevant professional housing qualification, which would improve the ability to deliver a service that met the needs of the tenants and the standards required by the Social Housing Regulator in a sustainable and timely way.

Minute 16 Subscription for Advantage South West

1. To continue paying the annual subscription to maintain the membership to Advantage South West.
2. In future the decision to continue paying the annual subscription for housing frameworks be delegated to the Assistant Director Housing.

Minute 20 Interim Housing Operations Manager

The recently created Housing Operations Manager position be filled on an interim basis using the individual put forward by a recruitment agency with the additional costs to be financed through the Housing Revenue Account.

20 **Minutes of Asset Management Forum held on 19 June 2023**

Members agreed to note the Minutes of Asset Management Forum held on 19 June 2023.

21 **Minutes of Poverty Working Panel held on 26 June 2023**

Members agreed to note the Minutes of Poverty Working Panel held on 26 June 2023.

22 **Water Safety & Drowning Prevention Policy**

The Beach Safety Officer explained that the MCA code of practice Managing Beach Safety 2019, required that every council with coastal water had a specific policy detailing how they manage coastal risk. Further the National Water Safety Forum's Drowning Prevention Strategy asked all councils to have strategic plans in place to prevent drowning at their beaches and open water sites. As EDDC currently does not have either policy, the policy sought to address these issues.

RESOLVED:

That the EDDC Water Safety and Drowning Prevention Policy be adopted.

REASON:

The MCA code of practice Managing Beach Safety 2019, required that every council with coastal water had a specific policy detailing how they manage coastal risk.

23 **Decarbonising our housing stock and providing affordable warmth for tenants**

The Assistant Director Housing Task Force updated Members on the work with local business Remit Zero who were based at Exeter Science Park. The work was on a proposal to install their 'cylo' product in ten council homes as a way of decarbonising council homes and providing tenants with affordable warmth. Cylo was a ground-breaking technology that provided zero emission affordable heating and hot water. Cylo had the potential to support the decarbonisation of most UK homes and was particularly well suited to homes occupied by those on lower incomes, given its ability to store electrical energy as heat during low-cost periods from the grid and/or generated by local renewables such as solar PV.

RESOLVED:

1. That Support for the Innovate UK funding bid and the council's role as a collaboration partner be agreed.
2. That Funding of the Council's contribution to the bid of up to £108,540 plus recoverable VAT as outlined in the above mentioned bid be agreed.
3. That Regardless of the outcome of the Innovate UK application, commit to funding the project, £475,862 (excluding recoverable VAT) from the HRA, initially authorising the issuing of an order to Remit Zero in the sum of £285,056.7 + VAT to enable the timely delivery of this project ahead of autumn 2023, be agreed.
4. To grant a waiver of Contract Standing Orders for the reasons outlined in the report be agreed.
5. That delegated authority be granted to the Director of Housing, Health & Environment to agree the terms of the contractual arrangements with Remit Zero in consultation with the S151 and Monitoring Officer, be agreed.

6. That delegated authority be granted to the Assistant Director Housing Task Force and Director of Finance in consultation with Portfolio Holder Finance (Assets) and Portfolio Holder Sustainable Homes and Communities to investigate the issue of battery storage, and that members are given to opportunity to view the technology in action to inform members and alleviate any misconceptions.

REASON:

The project would advance the commitment to decarbonise the council's housing stock and provide tenants with affordable warmth.

24 **Revenue and Capital Outturn Report 2022-2023**

The Finance Manager presented his report which set out the revenue budget and capital outturn positions at the end of the financial year. The 2022/23 outturn position of the General Fund was a positive one with a surplus balance for reallocation of £1.367m.

RECOMMENDED to Council:

1. The outturn position for 2022/23 including the implications and proposals relating to the Balances and Reserves held by the Council.
2. The proposed reserve transfers contained within the report and give delegated authority to the Director Finance in consultation with the Finance Portfolio for any amendments to these transfers as additional year end data becomes available.

REASON:

To accord with the Council's financial regulations, the report presents the outturn position for the Council's approved budgets for the General Fund, Housing Revenue Account and Capital Expenditure. The financial position would align to the Council's Statement of Accounts but the position in the report was presented in a style that accorded to the budget setting and monitoring reports that members receive.

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

25 **Place & Prosperity Team Resourcing**

The Assistant Director Place, Assets & Commercialisation explained to members that the work of the Place & Prosperity Team within the Place, Assets & Commercialisation Team had significantly increased in recent years with many significant and high profile current and pipeline projects insufficiently resourced.

RECOMMENDED to Council:

that additional revenue budget is secured to;

- a) make the 2 year fixed term Project Manager – Exmouth post permanent at Grade 6. Revenue cost including on-costs of an additional £74,000 per annum from 2024/25 with a pro-rata allowance for latter 3 months of 2023/24, and
- b) make the Project Officer post full time. Additional revenue cost including on-costs would be £21,000 per annum from 2024/25 with a pro-rata allowance for latter 6 months of 2023/24.

REASON:

To provide an appropriate level of resource to fulfil Service Plan objectives, Council, business,

residents and others expectations in Placemaking.

26 **Broadclyst Neighbourhood Plan ('the Plan') to be formally 'made'**

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

RESOLVED:

1. That the Broadclyst Neighbourhood Plan be formally 'made'.
2. Noted that once made the Plan will carry full weight in the planning decision making process as part of the statutory development plan for this Neighbourhood Plan Area (the parish of Broadclyst).
3. That Broadclyst Parish Council and their Neighbourhood Plan Steering Group be congratulated on all their hard work in developing the Plan.

REASON:

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

27 **Delivering Environment Act 2021 new duties**

The report informed Members that the Environment Act 2021 new duty for Biodiversity Net Gain becomes 'live' in November 2023. This would have a significant impact on the workload and ability of the Development Management team and District Ecologist to meet the demand generated by this new process. It was both a complex and technically specialised area of work, which required an additional Ecology Officer and further support, working alongside Development Management to provide advice on the requirements and application of the new regime.

The Portfolio Holder Coast, Country and Environment thanked officers for this report which he really welcomed and totally support its recommendations. He read out the following statement:

'We are required to start delivering the Biodiversity Net Gain duties this November, but we do not have the required experience in the field of Ecology or the knowledge amongst our work force to ensure this is carried out effectively and diligently, as we only have one officer at present to oversee everything. The alternative will be to bring in consultants to consider every application initially over 10 dwellings to check they are compliant and to train our planning team into the very technical aspects of this new ground breaking initiative. To hire consultants will be more costly in the long term, and probably cause delays in approving planning applications.

Why do we need more Ecology expertise?

We actually have 2 major emergencies, our dwindling Nature and our changing Climate. We have declared a Climate Emergency but we have not declared a Nature Emergency. Yet we know that without reversing the dramatic decline in Nature we have little chance in achieving zero carbon any time in the future. Enhancing and reversing the declining trend to Nature goes hand in hand with Climate Change.

Our ecological work already assists on current planning applications plus involved in the multi-agency, multi county River Axe catchment area where at present no building work

can proceed due to nutrient neutrality, plus supporting our already nature recovery work, plus working on a new Devon wide Tree Policy, and shortly our emerging East Devon's Local Nature Recovery Plan. We have talked to Councils who have already been engaged on Biodiversity Net Gain trials and their valued experience says we need more staff. We are only a few months away from the specified launch day and therefore this proposal is most urgent.

This proposal includes an Ecology Graduate Apprenticeship which fits neatly into our desire to "grow our own" quality knowledgeable staff for our future needs. I propose the recommendation but would like to add a further recommendation. That we write to our MPs and ministers saying we totally support the Biodiversity Net Gain policies within the Environment Act 2021, but are concerned on the cost implications associated in administering it. Therefore, can an urgent review and implementation of raising the fees for planning applications be carried out, to cover these extra costs, rather than the council looking at service reduction, or increased rate demands?'

Cllr Matt Hall did not take part in the debate and vote due to his planning work outside the district.

RECOMMENDED to Council:

1. The appointment of an Ecology Officer and an Ecology Graduate Apprenticeship role to help enable the Council to meet its new duty for Biodiversity Net Gain;
2. To provide funding for an Ecology Officer role and an Ecology Graduate Apprenticeship role to enable the delivery of the new Environment Act 2021 duties for Biodiversity Net Gain, at a budget of £47,049 per annum for the Ecology officer role and £27,344 for the Graduate Apprenticeship role. To be funded initially from the Government's new burdens payments and the Council's General Fund Revenue budget, whilst this new burdens payment is made available and thereafter by the Council's General Fund Revenue;
3. That a letter is written to our MPs and ministers saying EDDC totally support the Biodiversity Net Gain policies within the Environment Act 2021, but are concerned on the cost implications associated in administering it. Therefore, can an urgent review and implementation of raising the fees for planning applications be carried out, to cover these extra costs, rather than the council looking at service reduction, or increased rate demands?

REASON:

To be able to meet the Environment Act 2021 duty to deliver Biodiversity Net Gain from November 2023.

28 New Council Plan Process

The Chief Executive's report was provided to get agreement on the process for developing a new council plan. It included a draft timetable for that process.

RESOLVED:

1. That the suggested approach to the development of the new council plan including the member workshops with support from external consultants, be agreed.
2. To agree the timetable for the development of the new council plan.
3. That the continuation of the three council priorities with the inclusion of a fourth covering central services, be agreed.

RECOMMENDED to Council:

4. A budget of £10,000 for this work.

REASON:

To progress the development of the new council plan with member inclusion and SMT+ support.

29 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

that under Section 100(A) (4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public (including the press) be excluded from the meeting as exempt and private information (as set out against each Part B agenda item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

30 **Zed Pods Housing Development**

The report sought approval to enter into a fully compliant Pre-Construction Services Agreement with Zed Pods Ltd. This would be procured via the South West Procurement Alliance Framework.

The Chair of Council, Cabinet, members and officers applauded and thanked Jo Garfoot for her dedicated hard work in introducing this brilliant project. The Leader also wished to thank Jo and officers as well as the Portfolio Holder Sustainable Homes and Communities for getting this project to this stage.

RESOLVED:

1. Subject to legal and financial due diligence, that the compliant Direct Award of a contract to Zed Pods Ltd (via the South West Procurement Alliance (SWPA) Framework to deliver the full Pre-Construction Service Agreement (PCSA) works on our behalf, be agreed.
2. That the fully resolved scheme and final ratified costs to be brought back to Cabinet for final approval and budget allocation upon completion of the PCSA works, be agreed.
3. EDDC writes to the Government requesting the revision of legislation regarding the issue of Right to Buy.

RECOMMENDED to Council:

4. To approve a capital budget of £302k (to be funded from HRA) for the PCSA and the 'indicative' scheme costs to support the delivery of this scheme.

REASON:

To meet the council's aspiration to build new, carbon neutral homes and increase its housing portfolio, following its district wide depletion due to extensive Right to Buy purchases. There had also been a change in Right to Buy legislation which now requires Local Authorities to build new homes with their receipts rather than acquire homes from the open market, as the council had historically done.

Attendance List

Present:

Portfolio Holders

M Rixson
G Jung

D Ledger
M Hall
O Davey
S Jackson
N Hookway
P Arnott
P Hayward

Cabinet apologies:

J Loudoun

Also present (for some or all the meeting)

Councillor Jess Bailey
Councillor Ian Barlow
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Roy Collins
Councillor Peter Faithfull
Councillor Tony McCollum
Councillor Todd Olive
Councillor Eleanor Rylance

Also present:

Officers:

Peter Blyth, Beach Safety Officer
Tim Child, Assistant Director Place, Assets & Commercialisation
Amanda Coombes, Democratic Services Officer
Simon Davey, Director of Finance
Will Dommett, District Ecologist
Jo Garfoot, Assistant Director Housing Task Force
John Golding, Director of Housing, Health and Environment
Andrew Hopkins, Communications Consultant
John Symes, Finance Manager
Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of LED Monitoring Forum held at Online via Zoom app on 27 June 2023

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.40 pm

1 Appointment of Chair

In a vote of Forum members present, Cllr Sam Hawkins was appointed as Chair.

2 Public Speaking

There were no members of the public registered to speak.

3 Appointment of Vice-Chair

In a vote of Forum members present, Cllr Nick Hookway was appointed as Vice-Chair.

4 Minutes of the previous meeting held on 11 April 2023

The minutes of the previous meeting held on 11 April 2023 were received and noted as a true and accurate record.

5 Declarations of interest

Cllr S Smith: Minutes 8 – 14: Affects Non-Registerable Interest: Member of LED Community Leisure as a service user.

6 Matters of urgency

There was one matter of urgency (minute 13 refers).

7 Confidential/exempt item(s)

There was one item to be considered in private session (minute 14 refers).

8 Exmouth Pavilion Report

The Pavilion Manager introduced this report which included the following points:

- Ticket sales and food and beverage income are back to pre-Covid levels and ahead of budget.
- Ticket sales analysis for April and May 2023 were included with the report; these were live numbers at the time of the report and it was noted that sales pick up as each event gets closer.
- Outdoor events in the gardens have been held for the past 10 years and these are free of charge to the community. LED's investment in them is circa £10k and the events are worth circa £200k in the annual revenue budget. There have been some issues around the outdoor events but these have now been resolved.
- External and internal maintenance of the building is ongoing; major works to address roof leaks are planned for January and February 2024.

- The Pavilion do not have a daytime cleaner and the staff team must therefore clean up after the public, some of whom come in from outside purely to use the toilets. The Pavilion has been asked by the Council to accommodate this but it was noted that the cost of toilet rolls and cleaning materials quadruples during the school holiday period, when traffic and usage is high.
- As with most hospitality businesses, there are significant problems with recruitment of staff.

Discussion and clarification included the following points:

- A horse box has been purchased from which drinks will be served during outdoor events. It is intended that the horse box will be located at the Pavilion during the summer season but it is portable and could potentially be used at other venues subject to licensing and planning.
- For a fee of £2.00 per ticket, customers can now protect their ticket purchase under the 'Secure my Booking' scheme, for the eventuality that they are unable to attend a show for some reason. The fee includes a small profit margin for LED.

9 **LED Facilities and Activities update**

The LED CEO introduced the update report which provided a summary of the activities going on as well as a projects update, and invited questions.

Discussion and clarification included the following points:

- Where direct debits are rejected for LED memberships, the LED Customer Engagement Team follow up by telephone with the customers concerned. Out of 198 payments rejected during May 2023, the administrators managed to get 103 paid.
- The LED team aim to interact with 53.5% of members identified as being of high risk of leaving, to support them on their fitness journey; the number of interactions can vary throughout the month, depending on staff levels across the facilities.
- In-house customer feedback for the Axminster Hangar has been positive; however, the NPS (Net Promoter Score) is sent through a digital platform and does not always align with the verbal feedback.

10 **LED Community Engagement report**

The LED CEO introduced this report which outlined the work of the LED Community Engagement Team.

Clarification and discussion included the following points:

- LED has no contractual obligation to carry out work in the community but does so voluntarily to fill an important gap, as identified in the Leisure Strategy. LED now receives some additional funding from the Council, through the UK Shared Prosperity Fund, to support this work.
- There is a lot of work with schools, targeting pupils who are disengaged from mainstream sport, to try to build a love of physical activity. One member suggested consideration is given to whether schools ought to be making a funding contribution towards this work.
- A lot of work is done with refugees and it was confirmed that the LED team has received training in safeguarding.
- The Community Engagement Team carry out a number of pop-up events across the district, in addition to delivering programmes for long term change.

11 **LED KPI Dashboard May 2023**

The Forum received and noted key details of the performance of LED Community Leisure for May 2023.

12 **Leisure Strategy Delivery Plan updates**

The Assistant Director – Countryside and Leisure ran through the updates on the Leisure Strategy Delivery Plan, outlining the progress made with key actions, and where there are difficulties due to capacity issues.

He confirmed that a report and presentation will be brought to the next meeting on the progress with Cranbrook Leisure Centre.

It was noted in discussion that limited resources internally have meant that whilst all actions are important, it has been necessary to prioritise some over others.

The Leisure Strategy Delivery Plan is a living document and the update is a standing agenda item for the Forum.

13 **Update report on Activities by Property & FM Team**

The Principal Building Surveyor ran through the report which provided a summary of the Property and Facilities Management Team activities at LED managed properties over the last few months, and planned future activities, as well as an update on the ongoing approved capital work.

Clarification and discussion included the following points:

- Works being carried out on the Exmouth Pavilion building are essential for the facility to continue operating over the next 4 – 10 years. There are a number of options potentially in the mix for the longer-term future of the facility but no decisions have been made and the Placemaking consultants will consider the options in relation to responses from the consultation last summer.
- The cost for roofing repairs to a number of LED occupied buildings is considerable, but these are essential works that have arisen mainly due to age. The amount of investment needed is cyclical and once these works have been undertaken, they will not come up again for another ten years or so.
- A sum of £60k has been approved to appoint consultants for energy efficiencies at LED occupied buildings, and corporate stock; the Property and FM Team are in the process of obtaining fee proposals from consultants, for consideration.
- Work is ongoing to renegotiate dual-use agreements with schools. It was noted that LED no longer have access to the Axe Valley sports hall and studio during school hours, due to safeguarding issues raised by Ofsted.

The Forum members noted the report.

The meeting then went into private session.

14 **LED Leisure Contract Budget 2023-24**

The LED CEO presented a summary of the budget for this year, with a breakdown against sites. This was the same summary as presented to the previous Forum meeting in April and the LED CEO explained that it was being re-presented to ensure the new Forum members have sight of it.

It was intended to report to the Forum quarterly on progress against budget.

Attendance List

Councillors present:

P Arnott
V Bonetta
M Hall
S Hawkins
N Hookway
G Jung
J Loudoun
S Smith
A Toye
J Whibley

Councillors also present (for some or all the meeting)

J Heath
M Rixson
E Rylance

Representatives of LED Community Leisure in attendance:

Janette Cass, Pavilion Manager
Andrew Dare, LED Leisure Delivery
Lottie Edwards, LED Community Engagement
Peter Gilpin, LED CEO
Richard Purchase, Chairman of LED Board

Officers in attendance:

Tim Child, Assistant Director Place, Assets & Commercialisation
Simon Davey, Director of Finance
Sarah James, Democratic Services Officer
Debbie Meakin, Democratic Services Officer
Charles Plowden, Assistant Director Countryside and Leisure
Jorge Pineda-Langford, Principal Building Surveyor, Property & FM
John Golding, Director of Housing, Health and Environment

Councillor apologies:

P Hayward

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Recycling and Waste Partnership Board held at online via zoom on 12 July 2023

Attendance list at end of document

The meeting started at 2.10 pm and ended at 3.30 pm

1 Minutes of the previous meeting

The minutes of the previous meeting held on 20 April 2023 were agreed as a true record.

2 Declarations of interest

Declarations of interest.

Councillor Geoff Jung, Affects Non-registerable Interest, Ward member for Woodbury and Lypstone which includes Greendale Business Park.

3 Matters arising

There were no matters arising.

4 Terms of reference and membership of the Recycling and Waste Partnership Board

The Chair welcomed all those present to the meeting and invited them to introduce themselves. Following this he gave a brief explanation of the recycling and waste contract with SUEZ.

The Service Lead – Streetscene reminded those present of the way the Recycling and Waste Partnership was intended to operate. It was different to many of the Council's other committees in that it had councillor, officer and SUEZ membership and was intended to discuss the more strategic business of running the partnership service. The terms of reference were included with the agenda papers and members were asked to consider whether, aside from titles, they needed to be updated.

Recycling & Waste Partnership Board were asked to confirm the following points:

- To allow maximum participation the Board meetings remain virtual, with decisions being reported to and ratified by Cabinet.
- The Board should focus on strategic/business improvement items. Parochial or regular service issues should be raised directly with officers outside of the Board meetings.
- To use the Board membership (terms of reference reminder) to debate business direction, new and emerging threats and opportunities in a more commercial way, also drawing on Suez expertise to assist in this.
- Observing members were welcome but should only comment if called by the Chair.
- Members should ensure they read any papers ahead of the Board meetings and submit any questions one week in advance so officers and SUEZ partners can provide full and considered answers.
- That the Board note it had the ability to use improvement forums (subgroups) to work on ideas in areas such as the circular economy and environmental ethics, with reports back to the Board for debate.

- Board debate and decision making would centre in more depth around items such as contract replacement, depot provision, fleet decarbonisation, DRS/EPR/consistency, material markets, future direction, participation projects.
- SUEZ to be asked for injects regarding national/global issues and the Board to use this to help keep the service fit for purpose and continuously improving.

RESOLVED: that subject to the terms of reference being updated to reflect changes to titles, the Recycling and Waste Partnership Board note the terms of reference.

5 **Joint contract and operations report**

The Recycling and Waste Manager and the SUEZ Contract Manager gave the Board a joint report on a contract and operational update for the first quarter of 2023/24. It had been a positive start to the financial year, with both service levels and overall performance levels being high. Complaints and missed collections remained below thresholds of the performance framework. The bank holidays, including the additional coronation bank holiday weekend (which was operated differently to the usual arrangements) went smoothly due to multi-layer communications and crew briefings.

There had been rewards for positive attitudes and crew performance over the recent months. Annual pay reviews for all staff were recognised by the staff along with a company cost of living incentive which started in April 2023. Long serving agency staff had joined the business, helping to strengthen the business and staff were continuously being promoted to go through LGV training, with positive results. It was reported that no staff on the East Devon contract were currently in a union, so the partnership was not affected by the industrial action being taken elsewhere.

During the quarter the business plan target of 19,250 green waste bins subscribed was passed a lot earlier in the year than anticipated keeping the business plan on track for 2023/2024. The small price rise of £2/year had not impacted new subscriptions or renewals. It was noted that there was currently sufficient vehicle capacity in the green fleet. Some small round rebalancing would take place in September, with more planned for February 2024.

The SUEZ Contract Manager reported that East Devon Municipal, Devon Household Waste Recycling Centres and Devon I&C all joined together to have a stand at the Devon County Show in May, working together and connecting with the community. Each organisation had a different goal for the show. For East Devon it was to educate on how to reduce food waste, which was done with having an interactive game for children where they had to sort food items out into different lunch boxes depending on if they were wasteful or waste free. A request was made for the interactive game to be taken other local events across the district to encourage recycling.

It was noted that material sales had remained static since the last meeting, with indications of a rise in June figures. Plastics were increasing in both price and quantity. In response to a question about waste flows, the Recycling and Waste Contract Manager explained that waste flows had peaked through 2021 into 2022. Although this was now decreasing the trend was being reversed due to the increase in households in the district.

In response to a question about registering new properties the Recycling and Waste Contract Manager explained that EDDC's planning department was in correspondence with the council tax department. Bins/containers were ordered at the time a property was registered with council tax and this information was uploaded to SUEZ promptly so that

there was no delay in service. It was noted that a Valuation Office Agency (VOA) report was received monthly but that properties tended to take approximately three months to get through the VOA

The Partnership continued to receive approaches from local authorities around the country seeking to learn from its experience and expertise, with positive responses received. In the last quarter meetings had been held with Teignbridge, South Gloucester, North Kesteven and South Tyneside.

6 Performance framework

The Board noted the performance framework which showed performance across the contract. It allowed officers to look for areas of improvement and put plans in place to correct actions if necessary. It was noted that overall missed collections were below target which was positive news. There was a need to focus on missed assisted collections and container deliveries. The SUEZ Contract Manager reported that the rise in missed assisted collections was due to lack of round experience with a new crew. There had been a staffing issue with container deliveries, but extra resource had been put in place and this would be resolved quickly. The Recycling and Waste Assistant was thanked for preparing the performance report.

7 Contract extension proposal update

The Streetscene Service Lead gave the Board an update on the contract extension proposal. He confirmed that a four-month interim extension agreement with Suez for the continuation of the service on the cost plus 5% basis had been agreed and signed. This four-month period would allow EDDC to complete the negotiations on the capped costs and contract detail and to bring a full report to Cabinet (4 October) and Council (18 October) for agreeing the basis for the three year extension (following on from the agreement to extend from Cabinet on 22 March). These reports will be on the Forward Plan for October.

It was noted that the next scheduled meeting of the Partnership Board was 25 October, which meant that the Board would not have an opportunity to scrutinise the report before it was presented to Cabinet. The Board agreed to hold an extraordinary meeting prior to the October Cabinet and Council meetings to input into the process. The Chair of the Scrutiny Committee also offered to support and wished to be involved in the process. It was agreed that he would be invited to the extraordinary meeting of the Recycling and Waste Partnership Board.

RESOLVED: that an extra ordinary meeting of the Recycling and Waste Partnership Board be held before October 2023 to consider the contract extension proposal report.

8 Green waste accounts

The Recycling and Waste Contract Manager presented the year 2022/23 green waste accounts to the Partnership Board and explained the background to the green waste service. The service began in 2018 and was a self-financing, joint venture between EDDC and SUEZ, with profit being shared at the end of the financial year on a 60 (EDDC)/40 (SUEZ) basis. The accruals position for 2022/23-year end was noted in the accounts.

Residents could subscribe to the green waste service at any time. Sharp spikes were often seen in income across the year, but the costs remained linear. There had been a small price increase of £2 for the service for the first time since the start of the contract to cover staff and fuel costs. This was below inflation and there were no signs that it had impacted subscriptions. The service represented good value for money when benchmarked against neighbouring authorities.

9 **Electric vehicle progress**

The Recycling and Waste Contract Manager explained that as part of the bridging solution Cranbrook had been arranged into its own Monday to Friday collection schedule in order to rebalance rounds. There were dedicated crews and vehicles to address the extra ordinary growth in the 'growth zone'. As new vehicles were required it was decided to trial the use of electric vehicles, particularly as the growth zone was near to the depot so that range concerns with electric vehicles would be managed.

The partnership had nearly completed trials of all the fleet options for electric vehicles, apart from the electric refuse collection vehicle (RCV), which required more investigation. The vehicles were returning to the depot with 50% battery charge remaining. It was noted that a big issue with the current depot was the incoming electricity supply which only allowed for a small number of vehicles to be charged. This would be explicitly considered when undertaking the depot review.

An order was due to be placed for 2 electric recycling vehicles to cover the growth zone area, subject to reviewing the current capital allocation. These would be provided by Romaquip, the supplier of the current recycling fleet. The 7.5-ton narrow access Romaquip would be in service soon, subject to the delivery of some parts, and routes were being developed to bring a CO2 saving to the partnership and an increase in performance/versatility.

Further investigations would be made into electrifying other rounds in the future. The Recycling and Waste Contract Manager explained that the bulk of the current fleet had been procured in 2016/17, with a planned 10-year life. Some refurbishments would be made to the older part of the fleet, and although some additions had been made to the fleet as the contract had grown, the bulk of the vehicles would need to be replaced in one go. Once the electric vehicles had been purchased more could be learnt from carrying out extensive in-house trials. This would enable the partnership to be in a much more knowledgeable position by the time the fleet required replacing in 2026. The Recycling and Waste Contract Manager outlined the costs of replacement diesel vehicles and the electric equivalents. It was noted that decarbonisation came at a large price.

The SUEZ Contract Manager thanked the Somerset contract for the use of their ERCV for a period to see how the East Devon partnership could manage an electric RCV in the growth zone.

The Board thanked all those involved in impressive partnership working.

10 **Words of thanks**

On behalf of the Recycling and Waste Partnership Board the Chair thanked the Director - Housing, Health and Environment who had been involved with the contract since its early days, for his guidance, inspiration and control. He had overseen the introduction of the three weekly black bin collections and mixed kerbside recycling collections, overseen all

the change and overcome the hurdles with great calmness and co-ordination between the contractors, PR and press, councillors and residents. It was now the best performing recycling service in the country. His forethought, guidance and help would be missed, and the Chair wished him a fantastic well-deserved retirement.

In response the Director – Housing, Health and Environment commented that he was really proud to have worked with such a high performing team and been involved with such a good partnership with SUEZ, which was the envy of many. It had been incredibly rewarding to have been given the opportunity to experiment a bit and maintain such a strong high performing service for the residents.

Attendance List

Board Members:

Councillors present:

S Gazzard

G Jung (Chair)

M Rixson

Officers present:

G Bourton, Recycling and Waste Contract Manager

J Golding, Director of Housing, Health and Environment

A Hancock, Assistant Director StreetScene

Suez present:

N Tandy, Principal Commercial Manager

J Gatter, Contract Manager

Councillors also present (for some or all the meeting)

P Arnott

I Barlow

C Fitzgerald

M Goodman

T Olive

E Rylance

Officers in attendance:

Andrew Hopkins, Communications Consultant

Lou Hodges, Recycling and Waste Officer

Steve Maclure, Waste Management Officer

Alethea Thompson, Democratic Services Officer

Suez representatives in attendance:

Jessica Prosser, Recycling Officer

Board Member apologies:

James Pike, SUEZ Regional Director

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 6 July 2023****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.36 pm

1 Public speaking

Jack Rowland asked a question in relation to the Service Plan reports showing a variation on delivery – specifically on:

- the objective to “Develop a mitigation strategy for phosphate levels arising from development affecting the River Axe”. The report showed the reason for the variation being due to the post of District Ecologist becoming vacant, but is soon to be filled. He asked when the post would be filled, and if the previous post holder had begun work on a mitigation strategy or if the new post holder would have to start from scratch. Bearing in mind the importance of such a strategy in relation to planning applications in the area, and impact on other authorities. The timescales for delivery were requested.
- the objective “Seaton Jurassic – conclude how best to deal with the building defect issues and alongside let/sell to ensure the site is continued to use in some form or another by March 2023”. The report showed comment that discussions progressing constructively with Seaton tramway as future operator. An opening prior to Easter 2024 is looking unlikely. Cabinet decision made September 2022 on a lease, can officers confirm if current negotiations are on track without divulging commercially sensitive information. Will the centre be open by the tourism season for 2024.

Written responses to the questions had been received from officers as follows:

River Axe phosphate levels:

The post of Ecologist, following resignation and departure of the previous post holder last year, was filled in mid-April 2023 and as part of his job the new ecologist is taking the lead on River Axe mitigation matters. The previous ecologist had left handover notes with the work that had been undertaken to date, including a review of potential mitigation options, and the new ecologist has been getting up to speed with the work previously undertaken and upskilling themselves in this complex and specialised area.

The Council are also looking to secure additional ecological staff support, specifically on account of the new demands and work requirements with Development Management associated with the implementation of mandatory Biodiversity Net Gain (BNG) required under the Environment Act 2021 from November 2023. Some of this work may overlap with the River Axe mitigation work, e.g., exploring options for nutrient mitigation and stacking these with BNG environmental credits to deliver best outcomes for the environment and land managers.

The Council has taken the role of lead authority in respect of collaborative working with partners in other planning authority areas (Dorset and Somerset) and is advancing work on strategic solutions to provide appropriate mitigation in respect of addressing net increases in phosphates arising from development and adversely impacting on the River Axe. It is relevant to note, as well, that developers can identify and deliver mitigations measures themselves that would allow for new development to come forward. It is understood that a number of schemes are being investigated by developers.

The Council are working with a wide range of stakeholders and partners including industry and farming interests to identify appropriate mitigation measures and much of the work is geared around identifying and implementing actual projects, as opposed to developing or having a strategy that is not necessarily and directly linked to projects and implementation. Milestones will arise as and when projects are identified but at this stage specific schemes that can be implemented on the ground, on specifically defined sites, are still to be properly and fully identified and progressed. The theory around what will work is understood, the bigger challenge is actually developing and implementing specific projects.

Mr Rowland had a supplementary question, which was, Somerset Council have an agreed phosphate systems, so would it be worthwhile examining this system to see how it may benefit this authority.

Seaton Jurassic

A recommendation was made by Cabinet in October 2022 to progress heads of terms with Seaton Tramway. Negotiations continue and whilst the building has disappointingly remained closed for the summer 2023 season, both parties are committed to doing all they can to ensure a visitor attraction is open ready for Easter 2024 if the process can be agreed swiftly. A further report to Cabinet is planned for September with recommendations that will help to ensure that the project can be successfully concluded.

Mr Rowland did not have a supplementary question in response to the provided response, but looked forward to the report being before Cabinet in September.

He did have a further suggestion in relation to the Portfolio Holders' annual report and recommended they be given at least four weeks notice for preparation of the report, to take account of the time that the portfolio holder would need to prepare a comprehensive report alongside officers.

Questions arising from the officer responses included seeking clarification on monitoring the delivery of a mitigation strategy, in that any new strategy should go before the Overview Committee. The Chair advised that this issue would be left to the appropriate officer to deal with as required.

2 Minutes of the previous meeting

The minutes of the previous meeting held on 9 March 2023 were agreed.

3 Declarations of interest

Councillor V Johns; Other Registerable Interest: Director of OSM Community Larder that deals with Fairshare. Cllr Johns did not leave the meeting during this item.

Councillor B Collins: Other Registerable Interest: Company Director of Foodsave CIC which also deals with Fairshare. Cllr B Collins did not leave the meeting during this item.

4 Matters of urgency

None.

5 Confidential/exempt item(s)

None.

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

None.

7 Quarterly performance report - quarter 4 2022 - 2023

The Committee considered the quarterly monitoring report of the quarter January to March 2023, providing performance information and progress against the performance indicators and key objectives.

The report highlighted four indicators showing a status of concern:

- Number of households living in temporary accommodation
- Working days lost due to sickness absence
- Percentage of Stage 2 complaints responded to within stated timeframes
- Days taken to process new Housing Benefit claims and Days taken to process changes to Housing Benefit claims

Actions to mitigate those indicators were set out in the report.

The report also listed seven key service objectives showing a status of concern:

- Continue to collect and spend Community Infrastructure Levy monies to deliver the infrastructure needed to support new development
- Improve void turnaround times and review the Void Standards for properties being re-let as part of our Price Per Void contract and ensure that a suitable lettable standard is achieved for new tenants achieving “right first time”
- Review compliance procedures by an external body to drive continuous improvement
- To report on our delivery of high quality new and improved play areas, open spaces and sports pitches funded from development proposals
- Working with the neighbouring land owner to deliver a masterplan for the Hayne Lane site in Honiton December 2023
- Review of Taxi Policy to help seek to meet climate change targets, to reduce emissions and incorporating the national standards recommended by the Department of Transport
- Revising the Cemetery Regulations to ensure an updated and fit for purpose regime for burials by December 2022

Actions to mitigate those delays were set out in the report.

Discussion by the committee included:

- Lack of post holder to liaise between local councils and others to deploy s106 monies means that some money cannot be released, particularly with time sensitive linked funds, so concern that money will be lost; the issue of resourcing was still present and further enquiries will be made to try to establish what can be done to remedy the situation.
- Work signed off by contractors on housing stock where the work has not been completed. In relation to voids, clarification will be sought from the Housing service for the committee.
- Revising the cemetery regulations – are the team any nearer to completing this or is additional resource needed to get this achieved? Cllr Whibley, as Chair of Licensing, outlined the extensive increase in work for the Licensing team and the pressures for prioritising work. If there is any scope to add additional resource to the team, this would be welcomed.
- S106 money delays the delivery of parish play areas and this has been ongoing for some time and should be prioritised to avoid loss of funds. Parishes are getting frustrated and some recommendations should be made to Cabinet to either resource correctly or relax

the schemes to permit some schemes to proceed; The Chair suggested debate under their forward plan item to undertake some research into the situation before coming up with recommendations to Cabinet. A report was expected from Ed Freeman on this issue which would be taken into account.

- Manor Pavillion attendance figures and ticket sales clarification requested;
- Fly tipping incident increase clarification – was it a seasonal issue or just a general increase? In response, there had been changes to the way these are reported which may have generated the rise, but will be investigated to provide clarification to the committee; in response the Portfolio Holder commented that he kept a close eye for last eight years, overall there had been a downward trend, including Devon wide, so will look at the reporting mechanism to see how to correct to give a clear picture to the committee.

The Chair outlined how the report presented to the Committee would be reviewed, involving a small task force from the committee. Cllrs Whibley and Barlow volunteered to work with the Chair on this review.

8 **Forward Plan 2023 - 2024**

The Chair asked the committee to consider a manageable schedule of work for the them to undertake whilst maintaining some flexibility to handle any urgent matters that may come up during the year.

Waste and recycling contract

Waste contract discussion had already taken place prior to the meeting, and the Portfolio Holder for Coast, Countryside and Environment was present to discuss how Scrutiny can get involved with this work. The Portfolio Holder outlined how current work on an extension to the current contract was progressing, with three months extension almost agreed. Aside from this, consideration was needed for the next contract term, including aspects such as the vehicle fleet in respect of how they are powered and kept powered; changes in how waste streams are changing; charges for waste by manufacturers; changes to collection timings.

The Portfolio Holder informed the committee that the Waste and Recycling Team are working on reviewing options for future service provision to take account of industry changes and the best routes to continue our excellent service from this authority, bearing in mind that the Council is the number one in the country. A briefing paper will go before the Strategic Management Team and Cabinet in the late summer/early autumn of this year, to instigate commissioning the replacement of our current contract. He welcomed cross party nominations, with interest and knowledge of the service, to get involved with this process, being mindful of the sensitivities of contractual information. The Scrutiny committee would be kept informed of progress.

The Chair responded, commenting that he would like to see Scrutiny members involved and view the Cabinet report as a critical friend before the decision is taken by Cabinet to extend the current contract. The committee would have the topic added to their forward plan for Spring 2024 or earlier as required.

Other issues

Cllr Ingham suggested inclusion of a number of issues and outlined how the Scrutiny Committee should timetable such work, particularly on the Local Plan as it does not reflect the wants and needs of the local community using the current methodology. He also felt there were no significant changes visible to deal with climate change; the threat to local business for the increase in car park charges should be examined; and concern

on the contract for Housing repairs not delivering what tenants needed, and residents suffering as a result.

Debate from the committee on the topic of the Local Plan included arguments on the methodology, changes in central government advice, but the plan should not be stalled and it would only confuse the issue to examine it while it is already underway and legislation is still pending that may change it again.

The Chair outlined recent discussions with other Chairs on housing issues and work was underway to see how best to scrutinise that work, as that remit fell to the Housing Review Board as the scrutiny function for Housing. There may be a way forward working as a collective but he needed further discussion before coming back to the committee with a way forward.

The Chair commented that car park charges would be picked up after a report went to Cabinet in November.

Making access to S.106 monies easier for towns and parishes was discussed with some examples given of those difficulties in accessing the funds. Views could be sought from town and parish councils on their experiences to date. A balance on the outstanding amount will also be required.

The 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, should be followed up. Links with neighbouring authorities on their scrutiny work should be developed.

Poverty working panel recently reported 60 families in temporary accommodation – should the authority be paying rent to private landlords when there is empty housing stock that could be used. Desire to move to a position of minimal to no temporary accommodation. The Chair will raise this with the Chair of HRB and the Portfolio Holder.

Progress in finding a site for travelling community was raised. In response, the Portfolio Holder suggested a meeting with Members to discuss this, but there is a report soon to be provided in confidence to Members on the issue.

Councillors discussed grass cutting and verges, alongside re-wilding.

The Portfolio Holder informed the committee:

- Of a pending Cabinet biodiversity paper;
- that review of planning policy, in particular relating to bird boxes and bee bricks, were an issue for strategic planning to review;
- Climate change on track for most of performance; awaiting DCC input to additional policies but he agreed the benefit of scrutinising delivery;
- September Cabinet paper on nature emergency, including “re-naturing” rather than “re-wilding”.

Committee members commented on complaints from the public in respect of visibility issues when grass verges were too long; and linking with Devon County Council on their policies for verges. The committee could consider the management plan for grass verges in Dorset; and check if East Devon have got cut and mulch machines which reduces amount of grass left on site and benefits the soil.

Flooding events recently; Devon County Council are reporting on this soon and the report should be considered by the Scrutiny Committee in order to consider working with resilience groups in the area to prepare for future flood events.

The Chair also had meetings planned to discuss public toilet provision but also wanted the scrutiny committee to review this.

In reviewing their work plan, the committee added:

- Making access to S.106 monies easier for towns and parishes, for the September meeting;
- 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
- South West Water report
- Review effectiveness of Blackdown House, in terms of fit for purpose for both employees and Members
- Budget scrutiny in line with the requirements prior to recommendation to Cabinet – November/December
- Climate change action plan progress - October
- Rewilding grass verges/grass cutting review – October
- Toilet provision
- Devon County Council's flood event report

The Monitoring Officer asked the committee about the adoption of a Scrutiny Protocol. This would set out what the purpose of the committee is, the four principles of scrutiny being included. It would also set out the process that would be followed in undertaking the scrutiny process, as well as lay out expectations. This would help inform both Members, officers and members of the public. The Monitoring Officer would bring forward a draft protocol for discussion at the September meeting.

The committee considered the draft Terms of Reference for annual reports by Portfolio Holders, with the intention for the annual report to be presented to Council once during a civic term. The terms of reference could also be included in the protocol.

RESOLVED

1. that the forward plan for the Scrutiny Committee be updated; and
2. that the Terms of Reference be included in the draft Scrutiny Protocol to be presented to the Scrutiny Committee at their next meeting.

Attendance List

Councillors present:

J Bailey
I Barlow
M Chapman
B Collins
R Collins
M Goodman (Chair)
A Hall
J Heath
J Kemp (Vice-Chair)
A Toye
J Whibley

Councillors also present (for some or all the meeting)

B Ingham
V Johns
G Jung

Officers in attendance:

Jo Avery, Management Information Officer
Andrew Hopkins, Communications Consultant
Sarah Jenkins, Democratic Services Officer
Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)

Committee apologies:

S Smith

Other Councillor apologies:

M Hartnell
S Richards
P Arnott

Chair

Date:

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

Overview Committee held on 20 July 2023

Minute 6 Proposals for a Place and Prosperity Framework for East Devon District Council

The Committee recommends the amendment of the Place and Prosperity Framework to reflect the addition of an additional non-executive member and recommends that the Framework proceeds to Council.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 20 July 2023

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.33 pm

1 Public Speaking

There were no members of the public registered to speak.

2 Minutes of the previous meeting held on 21 July 2022

The minutes of the previous meeting held on 21 July 2022 were signed as a true and accurate record.

3 Declarations of interest

Cllr J Brown – Minute 14; Affects Non-Registerable Interest: Member of Honiton Town Council.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no confidential or exempt items.

6 Proposals for a Place and Prosperity Framework for East Devon District Council

The Project Manager – Place and Prosperity (Exmouth) presented this report which provided Members with an update on progress with developing a new Place and Prosperity Framework.

The Framework sets out the mechanism where Place and Prosperity investment proposals will be screened against the borrowing requirements of the Public Works Loans Board (PWLB) in a standardised way, and sets out a revised governance process for agile and robust decision making.

In presentation, the following points were highlighted:

- The aim is to provide a fund through the PWLB which will allow the Council to borrow money for three key purposes; i) service delivery; ii) economic regeneration; and iii) preventative action.
- The proposed Place and Prosperity Framework addresses the opportunity to have a single fund of circa £20M investing as a first tranche borrowed from the PWLB.
- It is envisaged that the fund will be used only where, in the assessment process, it is considered that all other sources of government funding are exhausted.
- In the event of a feasible investment opportunity, a Place and Prosperity Investment Assessment Group of Officers (with the support of consultants, if necessary) will prepare

a recommendation to be considered by a Place and Prosperity Investment Assessment Board (the Board).

- It is proposed that the Board is a sub-committee of Cabinet comprising the Leader, the Portfolio Holder for Finance and the Portfolio Holder for Economy. The Board will be supported by senior officers.
- Where it is deemed necessary, consultation will take place at the full appraisal stage with members who represent the ward where the proposed investment is to be located, and with relevant Portfolio Holders.
- The Board will have authority to make decisions up to and including £5,000,000. In making a decision, the Board should be fully agreed; a decision that is not unanimous cannot proceed,
- For investment opportunities in excess of £5,000,000, the Board will need to recommend the investment to Cabinet or Council, as appropriate.

Members were asked to consider the proposed draft of the Place and Prosperity Framework and recommend any changes for consideration by Cabinet.

Discussion included the following points:

- The proposed Place and Prosperity Framework is assessed as low impact for climate change and equalities but the wider impact of any specific projects will be assessed in detail if or when those projects are developed. In assessing impacts, specialist advice will be sought where appropriate.
- The PWLB is considered a fund of last resort and attempts will always be made to first identify if grant funding is available. It was noted however that the Council might need to move swiftly in transactions, and grant funding can take some considerable time to access.
- Borrowing from the PWLB can be for up to 50 years at either index-linked or fixed rates or interest. Sensitivity analysis takes place as part of the appraisal process to assess the financial impact of repayment terms and changes in interest rates. To comply with the Prudential Code, the Council is required to put in a 'Minimum Revenue Position'; an investment vehicle such as an annuity, to safeguard for the eventuality that the Council cannot make a repayment or there is a sudden interest rate rise.
- A mechanism is in place which enables officers to carry out a quick initial assessment on whether a project is feasible, before significant time or resource is invested in taking it forward.
- There is a requirement to comply with the Prudential Code but it is for Members to decide the financial limit that the Board can approve up to. It was noted that at £5M, the proposed cap is significantly less than many other local authorities who are more versed in working in this way and delivering these types of projects. Local authorities often have to move quickly; decision making therefore needs to be agile yet robust, and officers expressed confidence that this is achieved through the proposal.
- It is for Members to decide the size and composition of the Board. Members were keen to ensure appropriate Member involvement in the decision-making process balanced against the need for strict confidentiality on the Board, so as not to compromise the Council's position in sensitive negotiations. It was noted that in one similar situation, two Members were appointed at the Leader's discretion to be non-executive observers at the Board meeting. It is understood that this worked well and whilst the non-executive members did not always agree with the Board's decision, they were always content with the robustness of the process.

RECOMMENDED to Cabinet:

- The Committee recommends the amendment of the Place and Prosperity Framework to reflect the addition of an additional non-executive member and recommends that the Framework proceeds to Council.

Members were of the view that the additional non-executive member to the Board should be able to enter into debate as part of the decision making process, but should not have voting rights.

7 Minutes of Scrutiny Committee held on 9 March 2023

The following recommendations from the Scrutiny Committee meeting held on 9 March 2023 were received and noted:

1. That the Council aims to complete the Leisure Strategy stock condition survey by the end of the next Council term to enable both the Council and the public to be aware of the condition of their local assets and so that the required maintenance can therefore be budgeted for.
2. In the event that a cultural or leisure site is to close as a result of the stock condition survey, a public consultation be held where possible.

8 Work Programme 2023-2024

The Chair asked the Committee to consider items for addition to the Overview Committee's work programme.

The first item for consideration was a proposal form submitted by Cllr Anne Hall regarding grass cutting in urban areas with the management of rewilding areas. It was noted that the Scrutiny Committee would be looking at this issue at its September meeting to ascertain the current position, and could refer its research to the Overview Committee. In discussion at length, Members agreed that the item should be added to the Overview Committee's work programme for scoping, with an officer's report to be expected for its November meeting.

Members also reported that there was some public misconception around the council's rationale for allowing grass to grow and it was felt that the council could better communicate with the public about the good work that it is doing.

A second item for consideration was an item referred from Council on 19 July 2023 concerning car parking payments and a preventative motion to consider not going to cashless machines. The Committee agreed to add this item to its work programme and the Parking Manager is expected to bring an initial report to the Committee's September meeting.

A third item for consideration was concerning a referral from Cabinet in July 2022 for Overview Committee to look into online petitions, and it was expected that the Monitoring Officer will bring a view on this to the Overview Committee's next meeting. At that point, the Committee will make a decision on whether to add this item to its work programme.

Finally, Members had received the Cabinet Forward Plan and were asked to consider if the Overview Committee should receive a report on key decisions prior to Cabinet. The Committee asked for a report on the StreetScene Public Bin Review and it was agreed to add this to the Committee's work programme.

The following points were noted in further discussion:

- Cllr Martin was expected to submit a proposal form concerning snares and glue traps.
- Members were keen to ensure that the issue of housing voids is being scrutinised at the appropriate committee. It was noted that scrutiny of this issue is taking place at Housing Review Board.

Attendance List

Councillors present:

J Brown
P Fernley
A Hall (Chair)
J Heath
Y Levine
T Olive
D Wilson (Vice-Chair)

Councillors also present (for some or all the meeting)

P Arnott
I Barlow
C Brown
M Goodman
M Hartnell
N Hookway

Officers in attendance:

Tim Child, Assistant Director Place, Assets & Commercialisation
Sarah James, Democratic Services Officer
Gerry Mills, Project Manager Place & Prosperity (Exmouth)
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)

Councillor apologies:

B Bailey
T Dumper
M Martin
C Nicholas
H Riddell

Chair:

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Placemaking in Exmouth Town and Seafront Group held at Online via the Zoom app on 25 July 2023****Attendance list at end of document**

The meeting started at 10.00 am and ended at 10.29 am

5 Public speaking

There were no members of the public registered to speak.

6 Minutes of the previous meeting held on 30 May 2023

The minutes of the previous meeting held on 30 May 2023 were noted as a true and accurate record.

7 Declarations of interest

Cllr Davey wished it to be recorded that he is on the membership of the PETS Group in his capacity as Portfolio Holder Strategic Planning, Exmouth Town Ward Member and as Chair of Exmouth Town Council. He stated that in discussion, he would make clear the capacity in which he was speaking.

8 Progress update on Placemaking in Exmouth

The Project Manager – Place and Prosperity (Exmouth) ran through the update report which summarised progress since the last meeting of the Placemaking in Exmouth Town and Seafront Group, and set out the details and objectives for two workshops with the Placemaking consultants and multiple stakeholders, scheduled for 31st July and 11th September.

In appendices to the report, Members also received an Exmouth Place Plan presentation from the Placemaking consultants detailing their understanding of the brief and the key deliverable stages, and the Exmouth Placemaking Delivery Plan setting out what has been achieved, and the next key tasks.

Discussion and clarification included the following points:

- The LED CEO will be invited to provide an update on LED's activities at the Queen's Drive Fitness Space.
- A carousel will be placed on the seafront for 28 days in August.
- It was noted that Devon County Council will be installing additional car parking signage by September which will signpost drivers to the more underused car parks on the seafront but it is disappointing that it could not be installed in time for peak tourist season.
- Devon County Council are holding a drop-in event at Exmouth Leisure Centre on Thursday 27th July to look at the plans for Active Travel (formerly known as Destination Exmouth) and both East Devon and Exmouth Town Councillors are encouraged to attend.
- It was clear from the public consultation that environment is considered a high priority. The Climate Change Strategy is a horizontal principle in the Placemaking vision and will impact on the designs and proposals coming forward from the Placemaking consultants.

Members noted the report and the progress since the previous meeting.

Attendance List

Councillors present:

P Arnott (Chair)
M Chapman
A Hall
D Wilson
O Davey (Exmouth Town Council)
G Deasy (Exmouth Town Council)

Councillors also present (for some or all the meeting)

G Jung
A Toye

Officers in attendance:

Sarah James, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Gerry Mills, Project Manager Place & Prosperity (Exmouth)
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Simon Davey, Director of Finance

Councillor apologies:

M Hall
N Hookway
J Whibley

Also in attendance:

Lisa Bowman, Town Clerk, Exmouth Town Council

Chair:

Date:

Report to: Cabinet



Date of Meeting 6 September 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Nature Recovery Declaration for East Devon

Report summary:

East Devon DC is required to have input into the Local Nature Recovery Strategy (LNRS) process under the Environment Act 2021. Devon CC as the identified 'Responsible Authority' has requested that all District Authorities who are identified as 'Supporting Authorities' contribute to the consultation and preparation of the Local Nature Recovery Strategy. This will mean identifying what is important to us so that our local priorities and views are taken full account of in the Local Nature Recovery Strategy (LNRS) process. Defra has provided advice on the preferred approach to developing all Local Nature Recovery Strategy's and the governance arrangements each Responsible Authority should put in place to enable the preparation of the Local Nature Recovery Strategy (LNRS). The Nature Recovery Declaration for East Devon recognises the crisis we are facing ecologically alongside climate change and sets out how the Council will respond to this emergency at a high level. The actions East Devon DC will need to take will flow from this Declaration and also be guided by the new responsibilities placed upon local authorities by the Environment Act 2021 for developing a Nature Recovery Network that targets our most important and vulnerable habitats and species.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☐ No ☒

Recommendation:

That Cabinet recommend to Council;

1. To adopt the Nature Recovery Declaration for East Devon
2. To support Devon CC as the 'Responsible Authority' in developing a Devon Local Nature Recovery Strategy in our role as a 'Supporting Authority' as defined by the Environment Act 2021;
3. To develop a Local Nature Recovery Plan and Local Habitat Map for East Devon as a 'Supporting Authority' as defined by the Environment Act 2021.

Reason for recommendation:

This will enable East Devon DC to fulfil its role as a Supporting Authority as defined in the Environment Act 2021 and support Devon CC in developing a Devon Local Nature Recovery Strategy (LNRS). It will also enable East Devon CC to prepare a Local Nature Recovery Plan and Local Habitats Map that will develop the district's Nature Recovery Network and improve those habitats and species most under threat.

Officer: Charlie Plowden, Assistant Director – Countryside & Leisure, Will Dommett – District Ecologist & James Chubb – Countryside Team Manager.

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: Medium Risk; The Environment Act 2021 has created a new duty for a Local Nature Recovery Strategy to be prepared by the Responsible Authority (Devon CC) and that all Supporting Authorities (District Councils) to have regard to it so that it can be integrated within the Local Plan making process as policy. Therefore, if we fail to be part of the process of collaborating and informing the Devon Local Nature Recovery Strategy and then preparing a Local Nature Recovery Plan and Local Habitat Map for East Devon we may fail in our delivering on this new duty.

Links to background information [Nature Declaration for East Devon](#)

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. What is the problem?

We have both a Climate and Biodiversity crises and currently the United Kingdom is within the bottom 10% countries globally and also the worst G7 nation for biodiversity loss. Nature is key to mitigating and adapting to climate change, and supporting health and wellbeing. These twin crises present environmental, social and economic impacts and risks.

- Economics of Biodiversity, The Dasgupta Review (2021) stated: “Our economies, livelihoods and well-being all depend on our most precious asset: Nature”.
- Our approach over past 70 years has been a focus on nature conservation: this has led to preserving pockets of nature. However, this approach hasn’t stopped decline of biodiversity so as a matter of urgency we now need to move towards nature restoration and nature recovery, In the words of Lawton Report (2010) we need: ‘Bigger, better, more, more joined up’.

2. Overarching Nature Recovery Network (NRN) strategic ambition

The Nature Recovery Network (NRN) is a national network of wildlife-rich places, connecting across urban, rural and coastal landscapes, recovering nature at scale, benefiting people and nature. Through establishing a Nature Recovery Network:

- Enhances, restores and expands existing wildlife sites.
- Complements and connects sites through wildlife corridors and stepping stones, buffering zones of sustainably managed land.
- Provides ecosystem benefits such as carbon capture, climate resilience, flood management, improved air and water quality, pollination, sustainable resources.
- Enables access to and enjoyment of nature – benefitting health and wellbeing.

3. Why is it important for local authorities?

For local authorities, nature recovery links to a range of agendas:

- Addressing the climate and biodiversity emergencies.
- Flood resilience and drought management.
- Mental and physical health and wellbeing.
- Green infrastructure (GI).
- Access to greenspace and nature.
- Sustainable management of public green spaces to encourage wildlife and improve forage for pollinators, including wildflower meadow and longer grass cutting regimes
- Energy efficiency.
- Improving air and water quality.
- Providing healthy soil that supports sustainable food production.
- Thriving wildlife, including services like pollination.
- Secure livelihoods and the basis of a healthy economy.
- Place-making.

These are all areas that have been identified within the current Council Plan and also within East Devon's Climate Change Strategy, Public Health Plan and Greenspace Strategy as well as the East Devon and Blackdown Hills AONB Management Plans.

4. Background to Local Nature Recovery Strategies (LNRS)

Local Nature Recovery Strategies are a new system of spatial strategies for nature, contained in the Environment Act 2021. The Local Nature Recovery Strategies have been designed to work closely alongside other measures in the Act. They will, for example, support delivery of mandatory Biodiversity Net Gain (BNG) and provide a focus for a strengthened duty on all public authorities to conserve and enhance biodiversity. They will also work to develop partnerships and to integrate nature into our incentives and land management activities.

They are designed as tools to drive more coordinated, practical and focussed action to help nature. Each strategy will, for the area that it covers:

- Agree priorities for nature's recovery.
- Map the most valuable existing areas for nature.
- Map specific proposals for creating or improving habitat for nature and wider environmental goals.

The production of each Local Nature Recovery Strategy (LNRS) will be evidence based, locally led and collaborative, to help create a network of shared plans that public, private and voluntary sectors can all help to deliver. This will provide a locally owned foundation to the developing Nature Recovery Network, identifying the places, which, once action has been taken on the ground, will enable the network to grow over time.

Defra has identified that each LNRS needs to be developed by a Responsible Authority:

- Appointed to lead the LNRs for an area by the Secretary of State this will be Devon CC.
- Local leadership, knowledge and expertise, underpinned by a national framework of regulations, guidance and support.
- 48 provisional responsible authorities appointed who must: prepare > publish > review > republish their LNRs.
- Regulations include rules on how to do these things to promote consistency and minimum standards.
- Not prescriptive – about how responsible authorities must work with others to create strategies with collective support to create foundations for joint delivery.

The core purpose of LNRs is to help reverse an ongoing decline of nature and biodiversity in England. To do this, a key feature of the strategies is that they will identify areas that are already of importance for nature, along with areas that could become of particular importance and where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits. In other words, LNRs will identify where we should take action for nature's recovery as well as where nature-based solutions can help address wider environmental problems. There are specific initiatives in East Devon where LNRs will help to deliver long-term solutions, which are identified in the report.

5. The role of East Devon DC in the LNR process

Where upper tier authorities have been identified as the Responsible Authority for leading the process then District Councils have been defined as Supporting Authorities in the process in helping to contribute to the LNR and what is important to them. This means that the LNR process is both collaborative and inclusive so accounting for local priorities and views.

The Regulations create the role of “supporting authority” and say how responsible authorities must work with them. Supporting Authorities are in essence local planning authorities (including National Park Authorities) in the Strategy area and Natural England for all LNRs;

5.1 Why are they needed?

- To make sure LNRs dovetail with the planning system as we don't want conflicting steers for the same piece of land.
- LNRs will identify areas for nature recovery for Local Plans;
- Local Plans will help LNRs understand which areas of land are earmarked for other uses so that the LNR reflects Local Planning Authority thinking on delivery of Biodiversity Net Gain.
- To provide a different point of view & constructive challenge.
- Natural England will provide support and advice, and encourage consistency and join-up.

5.2 The role of East Devon DC as a Supporting Authority is also critical in a number of ways:

- Adopting a Nature Recovery Declaration for East Devon that recognises the crisis nature is facing and is used to inform all strategic council plans and policy areas.
- Developing a Local Habitat Map for East Devon.
- Developing a Local Nature Recovery Plan (an updated and refreshed version of East Devon DC's Local Biodiversity Action Plan).
- Ensuring that these documents are considered and embedded within the Local Plan review work.
- That East Devon DC's Local Nature Recovery Plan and Local Habitat Map links directly to our Biodiversity Net Gain policy and delivers off site mitigation enabling the integration of nature recovery into the planning system.

- Working collaboratively with the Responsible Authority to ensure that the Districts priorities are considered through active engagement with the process. This includes sitting on specialist task groups, e.g., BNG, raising any concerns with the Responsible Authority (Devon CC), and ensuring any agreements to consult and publish on the LNRS is consistent with our Nature Recovery work.

Supporting Authorities will “have regard” to their LNRS and further advice is due to be published by DLHUC for Local Planning Authorities on this issue and how the LNRS needs to be consistent with Local Plans. It will be essential that any plans for new housing allocations and significant development will need to be compatible with both the LNRS and Local Plan policy as they will be feeding into each other.

6. Existing nature recovery plans/delivery partners

6.1 Areas of Outstanding Natural Beauty (AONBs):

- The two AONBs (Blackdown Hills and East Devon) both have Nature Recovery Plans which already prioritise where and how nature recovery can be implemented within the AONBs.
- These plans identify targets to achieve the objective of 30% of land in wildlife management by 2030 (a target of the 25 Year Environment Plan).
- They both identify habitats and species which are the focus of the Nature Recovery Plans. In order to achieve the goals of the Nature Recovery Plan, a range of mechanisms are proposed to deliver nature recovery:

6.2 Clyst Valley Regional Park

- The Clyst Valley Regional Park masterplan contains detail on species recovery targets and contains an indicative nature recovery network map (which is separate to the ongoing Nature Recovery Network mapping being carried out for the LNRS, although is similar in principle).
- The Clyst Valley Regional Park aims to generate a pipeline of projects to deliver nature recovery, amongst other benefits. Within this, a focus is placed on community engagement, volunteering, citizen science, engagement with land owners/managers and Non-Government Organisations, advice to landowners regarding grants and drivers for land use change (Biodiversity Net Gain delivery investigations).

6.3 Triple Axe initiative

- The River Axe is designated as a Special Area of Conservation (SAC). The Triple Axe Action Plan (2021-26) contains specific targets for improvements within the Axe catchment. These have the ultimate goal of improving the condition of the River Axe, but will achieve this goal through a range of mechanisms which ultimately provide nature recovery.
- The Triple Axe is based around three main themes – Farming, Nature and People. The key principles of the Triple Axe Action Plan are:
- A focus on supporting farming businesses to further improve, adapt or transform.
- Involving farmers, their representatives, milk companies and the wider industry, with a focus on business as well as environmental advice.
- Encouraging peer support networks to share best practice and collaborate in practical ways.
- Targeting activity to the sub-catchments that are either most vulnerable or appear to be generating the most impact.
- Tying this work to the development of a Nature Recovery Network.
- Involving the whole community.
- Increasing the focus on regulatory obligations and enforcing regulations when required.

- Recognising the costs of this work and access the finance required.
- Investing in monitoring to enable gauging of problems and improvement.
- Creating a single programme that cuts across county, AONB and organisational boundaries, supported by all partners and agencies.

Within the LNRS, responsible bodies are encouraged to work in a cross boundary way, in order to integrate the Devon LNRS with bordering counties. The Triple Axe is perfectly positioned to do this.

6.4 EDDC Countryside

- The Countryside team hosts projects such as Wild Exmouth and Wild Honiton, and has direct links into local community groups. These advise and facilitate urban nature recovery, as well as community engagement with nature assets in the wider landscape.
- The Countryside team in general plays a significant role in community nature related engagement and environmental education in the district. There is significant potential for the Local Nature Recovery Plan and Countryside Team activities to complement each other in these two areas .

6.5 Common themes

Common themes to all of these delivery partners are

- Provision of farming and land management advice, including dissemination of information on grant funding e.g. Biodiversity Net Gain, Nutrient Neutrality and Farming in Protected Landscapes (FiPL).
- Building relationships with land owners and managers.
- Creation, support and engagement with local community groups, for the purposes of volunteering and citizen science.
- Small-scale community funds for projects.

7. Potential new projects, strategy and policy

There are potential East Devon DC specific priorities (outside of the AONBs nature recovery objectives) that have been discussed between the Countryside Team Manager, Green Infrastructure Project Manager, Habitats Regulations Delivery Manager and District Ecologist. These areas should be progressed as part of the Council's commitment to delivering a Nature Recovery Network for East Devon. A summary of those potential area are:

- Investigate delivery of a District-wide Nature Recovery Network that is focused around the District's six major towns – this would take the form of Green Infrastructure (GI) Strategies and Local Nature Recovery Strategy (LNRS) based master planning. This is where the LNRS process will have the most impact in protecting important wildlife areas from development and providing green infrastructure in and around our main towns.
- Embed the master planning of a second new community around the principles and processes of both LNRSs and a Green Infrastructure framework/strategy.
- Expand farm advice and community engagement work to areas outside of the AONBs – using lessons learned from and advice of the AONBs.
- Implement Development Management team training to effect meaningful protection of biodiversity and nature recovery through planning processes.
- Identify species to target through East Devon's Local Habitat Map and Local Nature Recovery Plan for those which present specific opportunities for habitat creation and

integration into policy/strategic nature recovery such as Cirl Bunting consultation zones, Nightjar foraging areas into policy as a Habitat Regs Assessment (HRA) measure.

These will form part of the delivery outcomes of developing and adopting a Local Nature Recovery Plan for East Devon DC and shaping the future Nature Recovery Network for East Devon.

Financial implications:

There are no financial implications identified within the report.

Legal implications:

This report refers to the Council's legal responsibilities under the Environment Act 2021 and seeks members approval to the adoption of a Nature Recovery Declaration for East Devon.



Report to: Cabinet

Date of Meeting 6 September 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Application for Local Authority Housing Fund for Afghan Refugee resettlement

Report summary:

The Department for Levelling up, Homes and Communities (DLUHC) have issued grant funding primarily to assist Local Authorities in providing temporary accommodation for Afghan Refugees currently housed in bridging hotels across the country. It also provides limited funding for the provision of housing for general temporary accommodation.

This document provides details of how we intend to utilise this funding and the level of match funding that may be required to support our application. It also sets out the longer term plans for the accommodation supplied through the fund to be utilised to meet the needs of the local community.

We are seeking member approval of our application.

Is the proposed decision in accordance with:

Budget Yes ☐ No ☒

Policy Framework Yes ☐ No ☒

Recommendation:

That Cabinet:

- 1 Delegate authority to the Assistant Director of Housing in consultation with the S151 officer, Monitoring officer and Portfolio Holder for Sustainable Homes and Communities to purchase four units of accommodation for refugees and one unit for general temporary accommodation.

Recommend to Council:

- 2 Approval of £750K from the Local Authority Housing Fund to enable the provision of temporary accommodation for Afghan Refugees and others in need of temporary accommodation
- 3 Approval of a Housing Revenue Account capital budget of £975,000 as match funding for the project – if required

Reason for recommendation:

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The LAHF round 2 has been specifically designed to help those Afghani citizens who assisted us during the conflict in their country. All local authorities have been encouraged to participate in this national effort to ensure that we provide accommodation and support to those individuals.

We do not have sufficient appropriate accommodation for large families. Whilst this funding will initially only provide one property for general needs temporary accommodation, the properties originally allocated to assist with Afghan resettlement can revert to general needs housing once the need for refugee resettlement has been satisfied. This fund will therefore enable us to either bring back into use or purchase family-sized accommodation that will assist local families in need both in the short and long term.

Officer: Amy Gilbert-Jeans, Assistant Director for Housing, agilbert-jeans@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 Medium Impact

[EIA](#)

Climate change Medium Impact

Risk: Medium Risk; Housing for residents of East Devon is currently at a premium, and we have a large number of families on our Housing Register, Devon HomeChoice. Using funding to initially provide homes for Afghan Refugees may cause some concerns for local families who have been waiting for accommodation for a long time. It should be noted however, that once the accommodation provided through this fund is no longer required for our Refugee population, these can revert to general temporary accommodation for all those in need.

Links to background information [Local Authority Housing Fund: Round 2 prospectus and guidance - GOV.UK \(www.gov.uk\)](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

1. Background

- 1.1 DLUHC have opened a second round of Local Authority Housing Fund (LAHF) grant monies for Local Authorities to support the resettlement of Afghan refugees currently housed in Bridging hotels across the country.

- 1.2 The main focus of round two of the LAHF is for the initial resettlement of Afghan refugees. Eligibility for the bulk of the funding is for those refugees arriving under the Afghan Relocations and Assistances Policy (ARAP) and the Afghan Citizens Resettlement Scheme (ACRS) in the first instance. Once this accommodation is no longer required for providing temporary accommodation for this cohort, properties utilised for this element of the funding can be re-purposed to meet local housing needs.
- 1.3 DLUHC have set aside the rest of the funding to provide temporary accommodation for all those owed a homelessness duty by local authorities. The funding available is split between the two cohorts.

2. Funding details

- 2.1 EDDC have been allocated an indicative grant amount of £750,000 by DLUHC. They have stipulated that this funding should provide:
 - Four units of accommodation for refugees initially
 - One unit for general temporary accommodation.
- 2.2 As the fund is split between Refugee resettlement and general temporary accommodation, we cannot mix our indicative allocation (e.g. offer to provide 3 units for refugees and 2 for general temp). If we did seek to increase the numbers in either cohort this would only be granted if there was sufficient funds available within the national allocation for that cohort.
- 2.3 EDDC are required to provide match funding based on a ratio of 40:60 with us providing the larger proportion of the total cost. Under our preferred approach set out later in this report, we would seek to use the void properties themselves as our match-funding contribution, meaning there would be no additional funding required to fulfil the requirements of the grant.
- 2.4 It should also be noted that the £750,000 includes £20,000 per property for additional costs (such as refurbishment, legal costs etc.) which does not require match funding.
- 2.5 As the level of grant awarded is based on us providing 5 properties, the funding provided will be reduced should we seek to deliver less than the minimum suggested number of properties.
- 2.6 We can use the funding in a number of ways, including but not limited to:
 - the purchase of new properties
 - bringing empty or dilapidated properties back into use
 - expanding existing delivery programmes (either ours or Housing association partners)
 - modular housing development
- 2.7 DLUHC are prioritising properties for larger families to reflect the difficulty of rehousing this cohort.
- 2.8 Under the terms of the fund, we need to have exchanged contracts/acquired any properties by the end of March 2024.
- 2.9 The funding will also be released in two tranches, with 30% provided immediately, and the remaining 70% will be released only when we have evidenced that the majority (60%) of the first payment has been committed.

- 2.10 Although the purpose of this fund is to provide temporary accommodation for Afghan Refugees, once this purpose has been fulfilled the properties can be used as general purpose temporary accommodation or be transferred to our general needs housing portfolio.

3. Identified Need

- 3.1 As previously stated, the primary purpose of the LAHF is to provide initial accommodation for Afghan refugees. Any properties delivered through this programme must therefore first be offered as support for the resettlement effort.
- 3.2 It is very difficult to identify the current need for this accommodation in relation to the Afghan refugee cohort. Our Housing options team have been working very hard with colleagues from Devon County Council and other agencies to ensure that all current refugees in the bridging hotel in Exmouth have been provided with suitable accommodation ahead of the hotel closure on 1st August. Therefore there is currently no local refugee need for the new properties.
- 3.3 DLUHC have indicated that more Afghan refugees, currently residing in other countries, will be arriving in the next few months and into the new year. They would have priority for the allocation of the four properties set aside for refugee resettlement.
- 3.4 It is not possible to say with certainty for how long the accommodation will be needed for its primary purpose. Afghan Refugees arriving under the two eligible schemes do have a right to remain in the UK.
- 3.5 However, based on our experience of the bridging hotel, most families have looked to move to other areas (usually larger cities such as London or Birmingham). This would suggest that the length of time for any placement would likely be more temporary (perhaps less than 1 year).
- 3.6 In relation to the general temporary accommodation, the biggest challenge is housing larger households. We currently have 7 families with a 3+ bed need, including 4 families with 4+ bedroom need and anticipate that there will continue to be a need for family sized temporary accommodation for the foreseeable future.
- 3.7 In addition, on our housing register we have 990 households with a 3+ bedroom need currently waiting for social housing. This indicates that once the primary purpose of the LAHF has been fulfilled, all five of the properties will be easily re-purposed to meet local need.

4. Our proposals

- 4.1 We have considered the potential approaches we could take to deliver the number of properties needed by the end of March 2024. We have concluded that bringing long term void properties within our housing stock back into use would be the preferred way of achieving this.
- 4.2 We have a number of void properties within our housing stock that are in an unlettable condition. We will use the LAHF funding to fund the currently prohibitive cost of renovation work required which has so far prevented us from bringing these homes back into our rental stock, with the option to include an extension to increase the size of the accommodation if needed.

- 4.3 Once renovated, these properties would initially be made available as temporary accommodation for Afghan refugees arriving under the ARAP and ACRS schemes.
- 4.4 Whilst in these homes, wraparound support will be provided through existing support mechanisms, with funding from the Home Office, until more permanent accommodation is found in the area of the country where they wish to reside in the longer term.
- 4.5 Once our commitment to the refugee cohort has been fulfilled, the properties can then be brought back into our housing stock to be used as temporary or longer term accommodation for people on our housing waiting list.
- 4.6 We would intend to utilise the £20,000 per property highlighted in paragraph 2.3 above to recruit a project manager to deliver the programme of remedial works.
- 4.7 Should it not be possible to deliver the programme of works required to bring our long term voids back into use within the timescales of the LAHF, we would seek to purchase homes on the open market or through a developer.
- 4.8 This approach would require a financial contribution from EDDC. Table 1 below sets out the potential costs per property.

Table 1: Spending commitments

No. Properties	LAHF fund (40%)	Addition cost funding from LAHF	TOTAL LAHF	EDDC Match (60%)	Total Budget
5	£650,000.00	£100,000.00	£750,000.00	£975,000.00	£1,725,000.00
4	£520,000.00	£80,000.00	£600,000.00	£780,000.00	£1,380,000.00
3	£390,000.00	£60,000.00	£450,000.00	£585,000.00	£1,035,000.00
2	£260,000.00	£40,000.00	£300,000.00	£390,000.00	£690,000.00
1	£130,000.00	£20,000.00	£150,000.00	£195,000.00	£345,000.00

- 4.9 The £345,000 per property budget would need to include any repair works required to bring any homes bought up to a lettable standard, as well as all other costs associated with purchasing properties.
- 4.10 In order to match fund any grant received we would look to use PWLB loans against the Housing Revenue Account. The current borrowing rate is 5.01% (August 2023). When using this funding approach, we look for the loan to be repaid through rent received.
- 4.11 It should be noted that the following calculations are based on our preferred approach of purchasing properties either through a developer or off the open market.
- 4.12 Based on the level of match funding required, our affordability modelling indicates that we would have a shortfall of up to £140,000, based on purchasing five 4 bedroom properties utilising the full indicative grant allocation. It should be noted that this shortfall may be higher if we purchase a smaller property as the rental income would reduce.

- 4.13 Based on purchasing **one** 4 bed property for the indicative amount of £345k, the LAHF would fund £150,000 with EDDC using PWLB to provide the remaining £195,000. We estimate an affordable rent rate of £220 per week. Table 2 below sets out net annual rent we could use to service the debt.

Table 2: Annual net rental income estimation

Gross annual rent income	£11,424
LESS:	
management & maintenance costs	£1,200
4 week rent loss	£879
void loss 2%	£228
Net annual rent income to service debt	£9,117

- 4.14 The net rental income could enable us to borrow c. £167,298 at current interest rates, a shortfall of £27,701.

- 4.15 This shortfall should be balanced against:

- the cost of providing alternative temporary accommodation for this cohort
- The limitations of the modelling tool - the modelling does not take into account annual increases in rent over the term of the loan.
- new build properties would come with a 10 year warranty that would minimise maintenance costs over that period. It has not been possible to calculate to what extent these factors would offset the shortfall in costs.

5. Risks

Risk	Likelihood	Mitigation
Need to repay LAHF funding due to failure to deliver	medium	Keep funding separately to ensure ability to pay back. Acquisition proposal means money will only be spent if purchase goes through
Lack of resources to deliver programme	Low	Support and resource from Social Housing Task Force team.
No need for accommodation once bought	Medium	Awaiting confirmation from DLUHC that properties can be reassigned for temporary accommodation or addition to HRA stock Potential use of RTB receipts if grant needs to be returned

Public disharmony through perceived prioritisation of refugees over local population for housing	High	Carefully designed communications strategy, highlighting on the national focus of this fund, and the opportunity and duty to assist Afghans who supported our forces in the conflict and the longer term benefits of additional affordable accommodation for local needs.
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6. Other authority approaches

- 6.1 Our partner authorities have been contacted to provide us with a summary of their approach to the LAHF. A verbal update will be provided at the meeting.

7. Next Steps

- 7.1 Our validation form has been submitted and confirmation that our application has been successful has been received.
- 7.2 A Memorandum of Understanding has been sent to us for signing. The original deadline for signing was 14th August 2023. However we have been granted an extension to allow for our proposal to be considered by Cabinet. This will be signed when/if Members have approved our application
- 7.3 The first tranche of funding will sent to us in September.

Financial implications:

Financial details are contained in the report.

Legal implications:

The Housing Act 1985 gives the Council to acquire houses. The council will be purchasing affordable homes that will be rented to council tenants. Section 79 of the Housing Act 1985 provides that the tenant of a council property will be a secure tenant provided that in accordance with Section 81 of the Housing Act 1985 the dwelling is the tenant's main or principal home. Accordingly the provisions of the Housing Act 1985 will entitle the tenant to purchase their home under the right to buy scheme. However, the cost floor rules in S131 Housing Act 1985 operate to ensure that for the next 15 years any discount is limited to ensure that the purchase price of the property does not fall below that spent on acquiring and maintaining the property.

Report to: Cabinet

Date of Meeting 6 September 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Decarbonisation of EDDC Swimming Pools, Consultant Appointment

Report summary:

This report outlines a request for a key decision to be made regarding the allocation of up to £333,000.00 from the Climate Change budget towards the production of Heat Decarbonisation plans for three swimming pools.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation

1. That Cabinet approves the allocation of £333,000.00 from the Climate Change budget for the production of RIBA Plan of Works Stage 3 decarbonisation plans for Exmouth and Honiton Leisure Centres, including swimming pools, and Sidmouth Swimming Pool.

Reason for recommendation:

To support the Council's journey towards its net-zero target by 2040

Officer: Matt Blythe, Assistant Director, Environmental Health, matthew.blythe@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 High Impact

Risk: Medium Risk; The production of Heat Decarbonisation Plans will give the Council a clear understanding of the work required to decarbonise swimming pools, which are significant emitters of Carbon Dioxide. The funds for this work exists in the Climate Change budget is so is low risk. However it should be noted that it had been hoped to use this work to prepare for the two external funding

opportunities opening in the 'autumn 2023' which is now unlikely due to the extent of work required. But going forwards undertaking this work will allow us to apply for future external funding opportunities and will still provide invaluable information for deciding how to take this decarbonisation work forwards.

Links to background information [Heat Decarbonisation Plan Guidance Phase 4 LCSF](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

In April 2023, East Devon District Council applied for funding from the Low Carbon Skills Fund (LCSF) to produce Heat Decarbonisation Plans (HDP) for three LED swimming pools in the East Devon area (Honiton, Exmouth and Sidmouth). The purpose of a heat decarbonisation plan is to describe how an organisation intends to reduce direct greenhouse gas emissions by replacing fossil fuel heating systems with low carbon alternatives (for example heat pumps, electric heating, or other low-carbon fuel sources) within its estate. Unfortunately on this occasion our bid was unsuccessful.

Swimming pools are a particular focus in terms of local authority carbon saving, due to the high level of energy usage. Putting it into context; taking the latest DEC (Display Energy Certificate) for Exmouth Leisure Centre (LC) (August 2022), based on the energy use only, the building produced 485 tonnes of CO₂. Extrapolating figures from another LC that has been through the process, savings can be estimated at 221.24 direct (energy use) and 23.92 indirect savings, giving 245.16 tonnes saved annually in total.

The total estimated cost of decarbonisation works across the three identified pools, excluding professional fees, is as follows (estimated figures extrapolated from similar sites):

- Exmouth Leisure Centre, £4.14m
- Honiton Swimming Pool and Leisure Centre, £3.96m, and
- Sidmouth Swimming Pool, £1.54m

Therefore an estimated total construction cost of £9.64m.

Over the past few years there have been opportunities to bid for funds towards the capital costs of this work (up to 50%). However in order to be in a position to apply to these funds we will need HDPs and we will need consultants to produce them and also to prepare the bids. We will also need to be prepared the fund the actual works or the balance after any external funding is secured.

Due to the complexity and the type of professional work required, it is beyond our resources and expertise to deliver this work in house, hence the need to appoint consultants. Some of the professional services required to undertake the works include:

- Environmental services
- Architectural services
- Building surveying services
- Quantity surveying
- Project management
- Principal designer services, (CDM – construction health and safety)
- Mechanical, electrical and public health services (MEP)
- Structural engineering

We have asked two consultants to provide fee proposals to undertake decarbonisation projects at EDDC swimming pool sites; Exmouth Leisure Centre, Honiton Swimming Pool and Leisure Centre and Sidmouth Swimming Pool. The fee was itemised by the Royal Institute of British Architects (RIBA) Plan of Work Stages.

Whilst the fee proposals obtained cover all the RIBA Stages, in practice at this stage we will be committing to the fees identified up to RIBA Stage 3.

The outcomes of RIBA stages 0-3 include:

- The best means of achieving the Client Requirements confirmed
- Project Brief approved by the client and confirmed that it can be accommodated on the site
- Architectural/Design Concept approved by the client and aligned to the Project Brief
- Architectural and engineering information Spatially Coordinated

Core tasks include:

- Prepare Client Requirements
- Develop Business Case for feasible options including review of Project Risks and Project Budget
- Ratify option that best delivers Client Requirements
- Review Feedback from previous projects
- Undertake Site Appraisals
- Prepare Project Brief including Project Outcomes and Sustainability Outcomes, Quality Aspirations and Spatial Requirements
- Undertake Feasibility Studies
- Agree Project Budget
- Source Site Information including Site Surveys
- Prepare Project Programme
- Prepare Project Execution
- Prepare Architectural/Design Concept incorporating Strategic Engineering requirements and aligned to Cost Plan, Project Strategies and Outline Specification
- Undertake Design Reviews with client and Project Stakeholders
- Undertake Design Studies, Engineering Analysis and Cost Exercises to test Architectural/Design Concept resulting in Spatially Coordinated design aligned to updated Cost Plan, Project Strategies and Outline Specification
- Initiate Change Control Procedures
- Prepare stage Design Programme

At the end of RIBA Stage 3, construction costs estimates are re-evaluated and more certain, a decision is then made whether to proceed to the remaining stages and the consultants' fees are then reviewed and agreed. Stage 3 goes further than required to bid for funds. However if we are to progress the projects in due course we will need to carry out this work and it makes sense to carry it out at the same time as the budget allows it.

Both lead consultant approaches are in frameworks accessible to public authorities and those include an option to directly appoint a consultant, which is what we intend to do in this case.

Possible External Funding opportunities

There are two current funds that may be available to us once we have completed the decarbonisation plans. These could potentially fund up to 50% of the capital costs of decarbonisation. It is unlikely that the HDPs will be completed in time to apply this year but puts us in a good position for future bids. The current funds are:

- **Public Sector Decarbonisation Scheme (PSDS)**
The consultant's work to prepare for the PSDS bid would roughly equate to RIBA Stage 2 with some elements of Stage 3.
- **Swimming Pool Support Fund (SPSF)**
The requirements for the SPSF have been recently published and appear to be similar to the PSDS, except that this is a completely new funding opportunity and there is no experience over view of the actual application process. A further consideration is that Sidmouth Swimming Pool will not qualify for the PSDS funding as the gas boilers at this site are less than 3 years old.

Best value, for the purpose of appointing a consultant:

As it is highly unlikely that we will secure external funding this year, the consideration here should be the worst case scenario, i.e. aborting the projects at the end of RIBA Stage 3 or before, we should therefore consider the fee proposals to RIBA Stage 3 only. Considering EDDC has committed to being Net Zero by 2040 and that will not change, it is logical to appoint a consultant to lead on the decarbonisation projects to RIBA Stage 3 as this will give us usable information to take forwards, irrespective of funding bids. Based on the fee proposals obtained, the best value proposal is in the region of £333,000.00, not including specialist work and surveys, and lead consultant admin fee. If this is not possible due to budgetary constraints, it is recommended reducing the scope, i.e. the number of sites. Should this be a consideration, fee proposals for each site, not including specialist work and surveys, and lead consultant admin fee, are as following:

- Exmouth Leisure Centre, £139,000.00
- Honiton Swimming Pool and Leisure Centre, £134,000.00,
- Sidmouth Swimming Pool, £60,000.00

Having carried out the work to RIBA stage 3 will allow the Council to consider how to prioritise the capital works required.

Conclusion

Heat Decarbonisation Plans provide a 'road map' towards reduced carbon emissions and are a prerequisite for applying for the capital funds to carry out the required works. By extending the scope to RIBA stage 3 we will ensure that irrespective of success in funding bids we will have robust data on which to base any future decisions regarding works to decarbonise our leisure centres.

Financial implications:

The monies to be allocated are from underspends in this budget from previous years which have been held in reserve to be allocated. The report highlights the level of work required to enable the Council to decarbonise its swimming pools and this funding allows us to reach the stage of placing bids for external funding and/or to make a bid to the Council's own capital funding programme. As can be seen the likely overall cost are substantial but the full details need to be determined and presented for members to consider.

Legal implications:

The legal issues are covered within the report, Legal Services will assist with any documentation and further advice coming out of the project.

Report to: Cabinet

Date of Meeting 6 September 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release NA



Proposals for a Place and Prosperity Framework for East Devon District Council

Report summary:

The purpose of this report is to provide Members with the proposed new Place & Prosperity Framework for consideration and To Allow the Framework to move forward for consideration through the democratic process and, subject to agreement, onwards to the implementation phase.

The Framework sets out the mechanism where Place and Prosperity investment proposals will be screened against the borrowing requirements of the Public Works Loan Board in a standardised way with sufficient assessment of the risk. Additionally, it sets out a revised governance process for decision making to enable agile but robust decision making. This draft Framework (appendix A) sets out in detail the:

- Legal & Regulatory Powers
- Key Objectives of Place and Prosperity Framework
- Different Types of Investment
- Horizontal Principles – Climate Change
- Informing Investment Criteria Risks and Mitigation
- Required Skillsets
- Assessment of Investment Opportunities - Weighted Scoring Matrices
- Assessment of Investment Opportunities – Process & Governance
- A set of documents which will be used to assess proposals - these are guidance documents and not the Framework itself (please see appendices B-D) *

*The assessment process may be adapted to ensure a specific project is assessed proportionately and appropriately.

In addition to the adoption of the Framework itself, the Council will need to make agree a sum to borrow from the Public Works Loan Board (PWLb) to enable the Framework to deliver investment opportunities in the District – the Framework recommends £20m in the first tranche.

This Cabinet report outlines the Framework itself, but is not to be read as part of the Framework, which is contained in Appendix A.

Is the proposed decision in accordance with:

Budget Yes ☐ No ☒

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet;

1. Consider the recommendation from Overview Committee on the 20th July 2023 that the Place and Prosperity Framework be amended to include an additional, non-executive Board member.
2. Consider, subject to recommendation 1 being agreed, amending the Place and Prosperity Framework to specify that the additional, non-executive Board member should be able to enter into debate as part of the decision-making process, but should not have voting rights.
3. Consider the proposed draft of the Place and Prosperity Framework and recommend its adoption by Full Council – with or without recommendation 1 being incorporated.
4. Recommend to Council the borrowing of up to £20,000,000 as a first tranche from Public Works Loan Board to deliver investments in accordance with the adopted Framework.

Reason for recommendation:

To Allow the Framework to move forward for consideration through the democratic process and, subject to agreement, onwards to the implementation phase.

Officer: Gerry Mills, Project Manager Place and Prosperity (Exmouth) gmills@eastdevon.gov.uk

Tel 01395 519960

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

Risk: Low Risk; With any asset-based projects, particularly where development is taking place, there are risks involved. Risk will be the key factor in looking for opportunities as laid out in detail, in the framework.

Climate change Low Impact

Risk: Low Risk; The report sets out clearly the importance of assessing climate change impacts as a horizontal principle.

Links to background information

Please See Appendices A—D

- A. [Place and Prosperity Framework](#)
- B. [Investment Framework Governance](#)

- C. [Scoring Templates](#)
- D. [Economic Appraisal Template Pt1 & 2](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

1.0 Introduction

- 1.1 On 6th February 2019, Cabinet adopted the Council's Commercial Investment Framework which provided for different forms of property investment - management of existing assets, acquisition for commercial income, acquisition for District wide benefits, direct development (i.e. commercial) and strategic partnerships / joint ventures. The Council made £20,000,000 available for investment in accordance with that adopted Framework. Ocean in Exmouth was acquired using this Framework and Fund but in 2020, the new administration felt the approach being used should be revised to include the aspirations set out at Section 1.3 below.
- 1.2 The operating environment is now very different and the Council Plan provides a focus on supporting businesses and also providing more social and affordable homes, at least in part to the response to the covid-19 pandemic. More urgently now is the fact that the UK economy shrank between July and September and was predicted to do the same in October to December 2022, this did not in fact happen but the predictions from the IMF are that the UK economy will shrink in 2023.
- 1.3 Back in early 2021 a Special Meeting of Asset Management Forum (AMF) considered the then current investment framework and Officers were asked to take forward the preparation of a new Framework to set out the aspirations shared by Members, namely:
 - a) A Framework specifically for Place & Prosperity Investments to support economic recovery. Must cover Public Works Loan Board (PWLB) borrowing costs, and where possible and remaining economically viable, a small risk premium, but not to generate a commercial yield.
 - b) Sitting behind the Framework, a Fund agreed by Council to deliver the Framework – avoiding each investment individual decision needing to go to Council.
 - c) There was still support to utilise in part the methodology of the Commercial Investment Framework but with some key additions, which included involvement of Ward Members and their comments being provided to decision makers. The general approach whereby the Framework underpins how investments will be considered is not to be dissimilar to the earlier Framework.
- 1.4 At an AMF meeting on 27th July 2021 Members were asked:
 - 1 What outcomes do these investments need to deliver?
 - 2 What is the priority of these outcomes and therefore the relative weighting?
 - 3 Next steps were also agreed with adoption of Framework by end of 2021.

- 1.5 Subsequently through the AMF, a delay in implementation was supported to reflect the lack of available Officer resource at that time. The project was then progressed during the latter half of 2022 through an Officer Project Group. The Officer Project Group comprised representatives from across the PAC Service along with the Economic Development Manager.
- 1.6 The draft Place and Prosperity Framework has now been written and was presented to the Senior Management Team on the 8th of March 2023. The Framework now aligns with the Council's ambitions, which include operating in a more economically focussed way, and utilising opportunities for economic stimulus as reflected within the Council Plan 2021-2023.
- 1.7 The Council Plan's Key priorities are:
- Better homes and communities for all
 - A greener East Devon
 - A resilient economy that brings prosperity to the district
- 1.8 The new Place and Prosperity Framework will supersede the previous Commercial Investment Framework and addresses the opportunity to have a single fund of circa £20M investing as a first tranche borrowed from the PWLB.
- 1.9 This will be used to invest under three broad categories which benefit the district as a whole:
- **Service delivery** (i.e. front line delivery of Council services),
 - **Economic regeneration**
 - **Preventative Action**, (Preventative action is a special category, which involves direct financial support to local companies or acquiring assets as a way to protect jobs, prevent social or economic decline. This type of activity is distinct from regeneration, as it is only preserving existing activity as opposed to creating additional activity but is **not** for 'investment assets bought primarily for yield' as yield is not the primary motive of the activity).
- 1.10 The benefits of investment by the Council include:
- Investing in social, economic, and environmental projects, which will bring benefits to the District as their primary goal
 - Regeneration benefits to District
 - Additional Business Rates income
 - Employment and prosperity
 - Unlocking of sites and opportunities that others might not invest in
 - accelerating delivery of sites
- 1.11 It is envisaged that this fund will be borrowed from the PWLB with all other sources of Government funding having to be considered exhausted as part of the assessment process.
- 1.12 **Assessment of Investment Opportunities – Process & Governance:**
Investment opportunities often arise unexpectedly and it is important when considering the allocation of resources (internal and external) that the decisions are made objectively, consistently, are informed by the correct advice and fit for purpose. Other Local Authorities who invest for these reasons have taken a similar approach and the proposal set out below is a proven model:
- The Place and Prosperity Assessment Group of Officers led by Assistant Director – Place, Assets & Commercialisation working with external agents,

colleagues and Councillors will identify investment opportunities. All property investment opportunities will be channelled via the PAC team (note all referrals must be recorded so that introductions and commission fees can be correctly paid).

- Any investment opportunity if considered feasible is considered alongside the criteria in this Framework, and if consistent, it is then scored against the relevant Scoring Matrix (see Appendix C).
- If the investment opportunity fails to deliver the necessary score and / or indicative return then it is dismissed but a record of it must be kept and reported to AMF as part of the normal reporting cycle.
- If the investment opportunity achieves the necessary score and indicative return then it progresses to a dedicated Place and Prosperity Investment Assessment Group of Officers (with support of consultants if necessary), these being existing staff with the right skillset and aptitude to think commercially. This Investment Assessment Group is to comprise:
 - Director – Finance
 - Director – Governance and Licensing
 - Assistant Director – Place, Assets & Commercialisation
 - Other Officers on a case-by-case basis
- A Full Appraisal (the method chosen should be proportionate to the costs and complexity involved) is prepared to enable a final recommendation on whether to invest to be considered by the Place and Prosperity Investment Assessment Board. The Board will be a subcommittee of Cabinet consisting of the Leader, the Portfolio Holder for Finance and the Portfolio Holder for Economy. The Board to be advised by the Director of Finance and other key officers. The Board will have authority to make decisions up to and including £5,000,000.
- If an investment opportunity exceeds this £5,000,000 limit, then the Council's normal decision making route will apply and the Board will recommend the investment to the Cabinet/Council as appropriate.
- In making a decision, the Board should be fully agreed. If a decision is not unanimous then it cannot proceed.

1.13 The draft Framework itself is attached as appendix A with supporting documents in appendices B-D.

Financial implications:

The financial details are outlined in the report. The financial cost of borrowing is intended to be covered by the related scheme which will come with associated risks, these are considered in applying the proposed framework. The scheme objectives it is considered will meet current PWLB lending conditions, but these do alter as Government control local authority borrowing and the position will be monitored.

Legal implications:

It is within the Council's power to invest in property in accordance with statutory and governance frameworks. Each transaction would need to be evaluated in accordance with the framework prior to legal due diligence taking place, including having regard to Subsidy Control (formerly State Aid).



Report to: **Cabinet**

Date of Meeting 6 September 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release n/a

Payroll Resource

Report summary:

To seek approval for funding for a new Assistant Payroll Officer post to support the effective operation of the Council's payroll.

Is the proposed decision in accordance with:

Budget Yes ☐ No ☒

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet recommends to Council that approval is given to increase the Human Resources Service team budget by £34,344 per annum to facilitate a new post of Assistant Payroll Officer to support the existing payroll resource provision.

That Cabinet invites the HR Manager to review the arrangements for the provision of payroll to external organisations to assess whether further costs can be recouped.

Reason for recommendation:

To ensure there is sufficient resource to operate an effective payroll.

Officer: Jo Fellows, HR Manager jfellows@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: Medium Risk; Insufficient payroll resource could lead to errors or difficulties with operating the payroll in an effective manner, which would impact on employee relations and have legal and cost implications.

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. This report seeks approval of funding of £34,344 per annum for an additional Assistant Payroll Officer post to join the existing HR and Payroll Team.

2. Background

- 2.1. The HR Manager has been reviewing payroll resource in light of the planned retirement of the Principal Payroll, Systems and HR Support Officer in December 2023. As part of this work she has reviewed current payroll volumes and operating arrangements, liaised with existing team members and also considered the service's Workforce Plan which recognises the need to improve succession planning in light of the team's age profile.
- 2.2. The payroll service, part of HR, is responsible for the operational payroll provision to the Council as well as Strata Service Solutions Ltd and five town/parish councils¹. It also administers member allowances and election fees and provides extensive statutory compliance reporting. As Council headcount has increased workloads have also increased and the current team capacity is causing challenges in the ability to administer the payroll.

3. Current and proposed structure and roles

- 3.1. Changes have already been made to the existing structure and roles, within budget, as follows:
 - 3.1.1. The Principal post is being recruited too, with interviews scheduled for 7th September. This post will continue to manage the payroll and HR support functions within the team, as well as taking on additional line management responsibility for two existing posts (PA to SMT+ and HR Support Apprentice, currently directly managed by the HR Manager). The postholder will oversee progress of the actions agreed following the current review of the Council's recruitment process to ensure that it is efficient, effective and provides a positive candidate journey, as well as reviewing other aspects of transactional HR and payroll processes to ensure that they remain fit for purpose.
 - 3.1.2. The Payroll Officer has been re-designated as Payroll and Systems Officer to reflect the technical nature of the role and that this post will take on system administration of the HR and Payroll system from the Principal, including liaison with Strata and the system supplier on issues such as system upgrades and security.

- 3.2. A new post of Assistant Payroll Officer is sought. Reporting into the Principal, but working closely with the Payroll and Systems Officer, this post will undertake day to day payroll operations, providing further capacity for the Principal to oversee operational improvements and for the Payroll and Systems Officer to take on the technical system requirements. The Assistant also provides an opportunity to develop an individual, including the potential for them to complete Chartered Institute of Payroll Professional qualifications, to support future progression, as part of team succession planning.
- 3.3. The Assistant post has been evaluated at Grade 2, at a cost of £34,344 per annum, inclusive of on costs. This is outside the existing HR budget.
- 3.4. Currently the team is primarily funded from the General Fund, with 17.26% (based on head count) of payroll costs charged to the HRA and this will be true for the £34k if approved, with £28k met by the General Fund and £6k by the HRA. There is also a small contribution of £2,371 per annum from the town/parish councils who use the Council's payroll services, which equates to 12.25 hours per month of the Payroll Officer's time, but does not take into account other associated costs. There is no charge to Strata currently for the provision of payroll services (as part of the agreement at the time that Strata was established by the three councils) and yet with some 70 employees and a lot of processing involved, including expenses and employee benefits, this has an impact on payroll resource. It is proposed that the funding arrangements for Payroll are therefore reviewed by the HR Manager and the new Principal Payroll and HR Support Officer, once appointed. With the following in scope, to be progressed in liaison with Finance and Legal:
 - 3.4.1. Review the existing contracts for the payroll provision to town/parish councils and negotiate new contracts, where possible, for existing customers, whilst also utilising the new contract for any new customers.
 - 3.4.2. Determine the costs associated with the provision of payroll to Strata and liaise with the Director of Finance and then Strata Board on any proposed changes.

4. Conclusion

- 4.1. It is recognised that the above proposed changes to the team's funding will require further exploration. However, with the impending retirement of the Principal Officer it is necessary to re-designate existing roles in advance of any funding change and this is only possible if additional capacity can be brought into the team, through the provision of a new Assistant post. The Assistant could be initially offered on a fixed term basis, pending the funding review, but to be attractive in the market this would need to be for a minimum of 12 months and therefore impact on the 2024/2025 financial year. Approval is therefore sought for ideally a permanent increase in budget of £34,344 per annum with any resultant funding changes then being used as budget savings at a later date.

Financial implications:

The Council has a gap in its Medium Term Financial Plan currently estimated at £900k for 2024/25. If the recommendation is approved, then this will add to the savings that will be required to be found in other areas of the Council.

Legal implications:

There are no substantive legal issues to be added to this report.

Report to: Cabinet



Date of Meeting 6 September 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Annual Treasury Management Review 2022/23 – 1 April 2022 to 31 March 2023

Report summary:

This report details the overall position and performance of the Council's Treasury Management Strategy during 2022/23.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet reviews the document and recommends to Council that they note the investment values and performance for the year to 31 March 2023

Reason for recommendation:

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

Officer: Janet Reeves – Accountant. jreeves@eastdevon.gov.uk 01404 515616, Extension 2033

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; any depositing of surplus funds exposes the Council to a certain degree of risk relating to the security of deposits, investment return and interest rate risk. However, through the Council's Treasury Management Strategy, the level of risk is proactively managed to an acceptable level.

Links to background information [Annual Treasury Management Review 2022/23](#)

Link to [Council Plan](#)

Priorities (check which apply)

☐ Better homes and communities for all

☐ A greener East Devon

☒ A resilient economy

Report in full

See link to background information for the Report in full.

Financial implications:

Contained within the report.

Legal implications:

The legal position is set out in the report and accompanying document and no further comment is required.

Report to: Cabinet

Date of Meeting 6 September 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Financial Monitoring Report 2023/24 – Month 4 July 2023

Report summary:

This report gives a summary of the Council's overall financial position for 2023/24 at the end of month four (31 July 2023).

Current monitoring indicates that:

- The General Fund Balance is being maintained within the adopted levels.

Early forecasts indicate a favourable position of £150k is predicted. We continue to see a short term favourable position in treasury management interest, offset with Housing Benefit subsidy costs and increased Refuse and Recycling contract costs. We also await any pay award outcome that remains to be accounted for.

- The Housing Revenue Account Balance is being maintained at or above the adopted level.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

The variances identified as part of the Revenue and Capital Monitoring process up to Month 4 be acknowledged.

Reason for recommendation:

The report updates Members on the overall financial position of the Authority at set periods and includes recommendations where corrective action is required for the remainder of the financial year.

Officer: John Symes, Finance Manager, jsymes@eastdevon.gov.uk, 01395 517413

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. Introduction

1.1 The purpose of this monitoring report is to update members of Cabinet on the overall financial position of the Authority following the end of month four. The report considers expenditure to date and projections on year-end spend to determine if the Council will maintain it's spending within budget and maintain the General Fund Balance and the Housing Revenue Account Balance within the adopted ranges.

1.2 The report contains the following sections:

- Section 2 General Fund Position
- Section 3 Housing Revenue Account
- Section 4 Capital Programme
- Section 5 Treasury Management

2. General Fund Position as at Month 4 July 2023

2.1 The following table shows the original budget set for the year and any supplementary estimates approved to date affecting the General Fund position. In year variances have been identified which are likely to alter the outturn position for the year as detailed in the table below. Budget monitoring will continue throughout the year with the outturn position being reported early in the new financial year along with any recommended reserve movements.

General Fund Position	£000
Original Budget Requirement	9,974
Budget increases to P4 reporting	60 (F)
Predicted adverse (A) / favourable (F) spend at year end	150 (F)
Predicted Outturn Position 31/3/2024	9,794

General Fund Position		£000
General Fund balance as at 1/4/2023		4,300 (F)
Net predicted favourable (F) spend at year end		150 (F)
Approved use of General Fund Balance in year – further budget in Verit report production		8 (A)
Approved use of General Fund Balance in year – Place and Prosperity team resourcing (23/24 implications)		29 (A)
Approved use of General Fund Balance in year - Delivering Environment Act 2021 new duties (new burdens funding of £43k assumed will cover year 1 costs)		0
Predicted General Fund Balance 31/3/2024		4,413 (F)

2.2 Outstanding from the above calculation is any staff cost of living increases that have yet to be agreed/confirmed. The 2023/24 budget includes estimated staff cost increases at 3.4%. As an example, an agreed increase at 6% will incur an increased cost of £495k.

2.3 **Cost of Service Variation to Budget in 23/24 (£0.997m (A))**

The variation across the council's portfolio of services is show in Appendix 1 with associated commentaries made on material items within each service.

2.4 **Interest Income from Treasury Management Activities (£1,062 (F))**

Estimates for interest income in the year have been projected using the first 4 months rate of receipt. The continuing rise of base rates and the associated impact on term deposit and money market rates is resulting in a significant surplus to budget. The prediction at the time of budget setting was for a gradual decline in rates over the period however rates remain high resulting in this short term favourable position. The increased interest return forecast may also reduce in year due the offset against any new Minimum Revenue Provision the council needs to make against new loan debt.

3. **Housing Revenue Account Position – month 4**

3.1 The following table shows the original budget set for the year and any supplementary estimates approved to date affecting the HRA position.

HRA Position	£m	F/A
Original Budgeted Surplus	(0.268)	
Approved Staff Budget Variations during reporting period	0.241	A
Additional GF funding for Housing Complaints Officer	0.034	A
Remit Zero Pilot – worst case scenario	0.475	A
Revised Budgeted Deficit (1)	0.482	

3.2 The breakdown of the variations solely relate to approved additional staff costs since budget setting, the staff budget variations being;

- New Housing operations manager at Grade/Level 7

- 2 x Estate Management officers plus 2 x Housing Officers

3.3 The Remit Zero pilot has been included assuming that government grant funding is not achieved, however, should we be successful then the deficit will drop to £0.110m.

3.4 Income Losses

Income was increased on rents by 7% and all other service charges by 3% in 2023/24. The year to date amounts and projections can be seen below. Lost rent due to voids continues to be above the budgeted levels and will add an additional £0.5m to the in-year deficit if it continues at the current level.

9AC	9AN - Level 9 Account Name	Sum of Actuals	Sum of Budget	Q1 Variatn	YE Variatn
6133	Voids Lost Rent	275,182	149,980	125,202	500,809
ALL	All Other Income Lines	-5,334,084	-5,350,360	16,276	65,104

3.5 The knock on effect of voids/significant planned works is the requirement for emergency accommodation/decants for tenants with the figures to Q1 resulting in a cost to the HRA of £68.7k. These two income associated losses will have the following impact on the deficit if they continue at the current levels;

HRA Position	£m	F/A
Revised Budgeted Deficit (1)	0.482	
Forecast Lost rent due to Voids	0.500	A
Forecast Emergency Accommodation/Decants	0.238	A
Revised Budgeted Deficit (2)	1.220	

3.6 The above forecast deficit position will be fully funded by HRA earmarked reserves.

4. Capital Programme Position up to Month 4

4.1 Below is the estimated current position for the capital programme, which reflects a re-profiling of expenditure taking into account carried forward from the 2022/23 budget.

Capital Programme Summary	£000
Net Capital Programme Budget	10,216
Budget slippage into 2023/24	12,569
Revised 2023/24 budget	22,785
Identified likely slippage	4,815
Actual Capital Expenditure	2,881
Unpaid orders	1,819
Capital Budget Requirement per programme	13,270

4.2 Details of portfolio budgets and expenditure is available at appendix 2.

4.3 The Council currently does not hold a general capital reserve and all funding needs to be found. The cash required to fund the expenditure can be met from internal cash balances or through raising loans, this decision is made in line with Council's Treasury Management

Strategy. The revenue implications of funding this position has been factored into the revenue monitoring position.

5. Treasury Management

5.1 The treasury management interest received position is summarised below:

	Annual Budget £000	Forecast Outturn £000s	Forecast Variance £000s
Internal Investments	790 (F)	1,177 (F)	326 (F)
External Investments	347 (F)	1,083 (F)	736 (F)
	1,137 (F)	2,200 (F)	1,062 (F)

5.2 Detail of the treasury management portfolio is available at appendix 3.

Financial implications:

Contained within the report.

Legal implications:

Any legal implications are identified in the report and no further comment is required.

Appendix 1: General Fund Summary – Cost of Services

General Fund Revenue Budgets 2023/24					
Portfolio Budget - Net Expenditure	Actuals 2023/24 (£)	Budget 2023/24 (£)	Variation (£)	%age Var	Notes
Corporate Business	205,901	194,520	11,381	6%	1
Corporate Services	3,334,508	2,943,940	390,568	12%	2
Economy And Regenrtn Portfolio	568,307	588,060	-19,753	-3%	3
Environment Portfolio	5,641,390	5,629,120	12,270	0%	4
Finance	-845,784	-1,154,745	308,961	-37%	5
Strategic Development & P'Ship	2,931,985	3,318,342	-386,356	-13%	6
Street Scene Portfolio	13,869,254	13,151,070	718,184	5%	7
Sustainable Homes & Communitie	1,656,797	1,714,654	-57,857	-3%	8
Portfolio Totals	27,362,357	26,384,961	977,397	4%	
Reversal of Capital Charges (Depreciation)	0	0	0		
Portfolio Totals Net of Capital Charges	27,362,357	26,384,961	977,397	4%	
Interest Receipts (Net of investment management fees)	-2,200,084	-1,137,335	-1,062,749	48%	
Interest Payable	573	300	273	48%	
PWLB Interest	76,744	94,990	-18,246	-24%	
Principal Repayments	328,000	417,000	-89,000	-27%	
Net Expenditure	25,567,590	25,759,916	-192,326	-1%	
Government Grants					
New Homes Bonus Grant	-1,025,642	-1,025,642	0	0%	
Rural Services Delivery Grant	-264,441	-264,441	0	0%	
Lower Tier Services Grant	-1,530,145	-1,530,145	0	0%	
New Services Grant	-107,777	-107,777	0	0%	
Savings Target	0	-70,000	70,000	100%	
Use of Reserves					
Use of Collection fund surplus Income	-358,810	-358,810	0	0%	
Use of Other Earmarked Reserves	-5,800,319	-5,773,041	-27,279	0%	
Budget Requirement	16,480,456	16,630,060	-149,604	-1%	
Business Rates Income	-6,716,000	-6,716,000	0	0%	
Business Rates MIRs	0	0	0		
Council Tax Requirement	9,764,456	9,914,060	-149,604	-2%	
Vs EDDC Precept per MTFP	-9,973,900	-9,973,900	0	0%	
(Surplus) / Funding GAP	-209,444	-59,840	-149,604		

Notes

1. Corporate Business
No material variation on which to comment.
2. Corporate Services
Centralised salary saving expectations in 23/24 amount to £0.4m and are driving this variation –offsetting savings are anticipated across the rest of the portfolio.
3. Economy Portfolio
No material variations on which to comment
4. Environment Portfolio
No material variations on which to comment
5. Finance
The primary driver of the variance relates to the housing benefit subsidy, based on a subsidy recovery percentage of 94%. Car Park income receipts total £1.906m (£80k (A) against budget). July receipts are £145k down year on year due to the inclement weather.
6. Strategic Development
Salary savings based upon the current workforce and consultant savings based upon the ytd spend patterns.
7. Street Scene
The primary driver of the variance is the impact of the Suez refuse and recycling contract based upon a cost plus 5% model
8. Sustainable Homes & Communities
No material variations on which to comment

Appendix 2: Capital Programme

Capital Programme Portfolio Summary 2023/24						
	Portfolio	Budget after revisions	Likely Slippage in Budget	Actual	Unpaid Orders	Under/ (Overspend)
		2023/24	2023/24	2023/24	2023/24	2023/24
Line		£	£	£	£	£
1	Corporate Services	1,227,732	173,674	135,935	1,500	916,623
2	Community - Housing General Fund	1,460,181	232,687	130,109	0	1,097,385
3	Economy and Regeneration	4,057,117	1,624,819	66,366	312,477	2,053,455
4	Environment	2,646,762	816,655	38,645	804,051	987,411
5	Street Scene	12,503,245	2,637,299	751,212	700,950	8,413,784
6	Strategic Development	1,250,000	1,250,000	0	0	0
7	TOTAL GF GROSS EXPENDITURE	23,145,037	6,735,133	1,122,267	1,818,978	13,468,658
8	Community - HRA	4,456,710	0	2,698,788	0	1,757,922
9	TOTAL GROSS EXPENDITURE	27,601,747	6,735,133	3,821,055	1,818,978	15,226,580
10	Corporate Services	0	0	0	0	0
11	Community - Housing General Fund	(1,342,796)	0	(939,402)	0	(403,394)
12	Economy and Regeneration	(2,249,000)	(1,124,500)	0	0	(1,124,500)
13	Environment	(531,449)	(446,111)	0	0	(85,338)
14	Street Scene	(693,630)	(350,000)	0	0	(343,630)
15	Strategic Development	0	0	0	0	0
16	TOTAL GF EXTERNAL FUNDING	(4,816,875)	(1,920,611)	(939,402)	0	(1,956,862)
17	Community - HRA	0	0	(216)	0	216
18	TOTAL EXTERNAL FUNDING	(4,816,875)	(1,920,611)	(939,618)	0	(1,956,646)
19	Corporate Services	1,227,732	173,674	135,935	1,500	916,623
20	Community - Housing General Fund	117,385	232,687	(809,293)	0	693,991
21	Economy and Regeneration	1,808,117	500,319	66,366	312,477	928,955
22	Environment	2,115,313	370,544	38,645	804,051	902,073
23	Street Scene	11,809,615	2,287,299	751,212	700,950	8,070,154
24	Strategic Development	1,250,000	1,250,000	0	0	0
25	TOTAL GF NET EXPENDITURE	18,328,162	4,814,522	182,866	1,818,978	11,511,796
26	Community - HRA	4,456,710	0	2,698,572	0	1,758,138
27	TOTAL NET EXPENDITURE	22,784,872	4,814,522	2,881,437	1,818,978	13,269,934

Appendix 3: Treasury Management

TREASURY PORTFOLIO				
	Actual 31.3.23 £000	Actual 31.3.23 %	Current 31.07.23 £000	Current 31.07.23 %
Treasury investments				
Banks				
Lloyds Bank Call Account	1,000	1.7%	1,000	1.4%
Lloyds Bank Bonus Call Account	1,000	1.7%	1,000	1.4%
Bank of Scotland Call Account	2,000	3.4%	2,000	2.8%
Santander Business Reserve Account	1,000	1.7%	1,000	1.4%
Santander Business Notice Account	1,000	1.7%	1,000	1.4%
Building Societies				
-	-	-	-	-
Local Authorities				
-	-	-	-	-
DMADF (HMTreasury)	15,000	25.3%	25,950	36.6%
Money Market Funds				
CCLA - Public Sector Deposit Fund	3,000	5.1%	3,000	4.2%
Goldman Sachs - Sterling Liquid Reserves Fund	1,700	2.9%	2,300	3.2%
Morgan Stanley Sterling Liquidity Fund	3,000	5.1%	3,000	4.2%
Total managed in house	28,700	48.4%	40,250	56.8%
Money Market Funds*				
Payden Sterling Reserve Fund	15,120	25.5%	15,141	21.4%
Royal London Asset Management Short Term Fixed Income Fund	15,460	26.1%	15,633	21.8%
Total managed externally	30,924	51.6%	30,924	43.2%
Total treasury investments	59,624	100.0%	71,174	100.0%
Treasury external borrowing				
Local Authorities				
PWLB	84,046	100.0%	83,581	100.0%
Total external borrowing	84,046	100.0%	83,581	100.0%
Net treasury investments / (borrowing)	(24,422)	0.0%	(12,407)	0.0%
<i>* market value</i>				

Report to: Cabinet

Date of Meeting 6 September 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Follow up report on adopted Council Motion - Actions to provide a strong, united and informed managerial and political leadership.

Report summary:

Council agreed at its meeting on 19th July a Motion on actions to provide a strong, united and informed managerial and political leadership.

This comprised 5 key actions summarised as:

- A skills and knowledge audit of members in order to provide necessary support where required.
- Bring together Cabinet and Senior Management Team to become a unified team working together to meet challenges faced by the Council.
- Request the Local Government Association (LGA) to undertake a Corporate Peer Challenge.
- Ask the Centre for Governance and Scrutiny to conduct a review of the Council's scrutiny process.
- For South West Employers to undertake a training and support review of the Senior Management Team and how it functions as a coherent team.

The Motion also requested that the Council's S151 officer in conjunction the Portfolio Holder for Finance and Assets present a report outlining the costs to Council of these actions and to ascertain any risks associated with them.

This report addresses this last requirement and also outlines a timeline and plan for the other actions agreed.

Is the proposed decision in accordance with:

Budget Yes ☐ No ☒

Policy Framework Yes ☒ No ☐

Recommendation:

1. That Cabinet ask Council to agree a budget of £25k to be met from the Transformation Reserve to meet actions already adopted by Council.
2. That Cabinet note and agree the timeline for delivery of identified actions from the Council's adopted motion.

Reason for recommendation:

To meet the adopted Motion of Council as outlined in the report.

Portfolio Holder & Officer: Paul Hayward, Finance and Asset Portfolio Holder & Simon Davey, Director of Finance

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: Medium Risk; The actions adopted by Council are to ensure the Council is working in the most effective way for its residents. Any review is likely to identify weaknesses and recommendations for improvements, this needs to be acknowledged and the findings used in a positive way. This is essential for a healthy organisation, to do otherwise could be a risk reputation and risk continuous improvements for the Council.

Links to background information Council Report with adopted motion: [\(Public Pack\)Agenda Document for Council, 19/07/2023 18:00 \(eastdevon.gov.uk\)](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

1. Motion to Council.

- 1.1 At its meeting on the 19th July 2023 Council agreed to a Motion to provide a strong, united and informed managerial and political leadership with key actions adopted. The Motion can be found in full here [\(Public Pack\)Agenda Document for Council, 19/07/2023 18:00 \(eastdevon.gov.uk\)](#).

1.2 In summary those actions were to:

- Carry out a skills and knowledge audit of members in order to provide necessary support where required.
- Bring together Cabinet and Senior Management Team to become a unified team working together to meet challenges faced by the Council.
- Request the Local Government Association (LGA) to undertake a Corporate Peer Challenge.
- Ask the Centre for Governance and Scrutiny to conduct a review of the Council's scrutiny process.
- For South West Employers to undertake a training and support review of the Senior Management Team and how it functions as a coherent team.

1.3 The final part of the Motion was that the Council's S151 officer in conjunction the Portfolio Holder for Finance and Assets present a report outlining the costs to Council of these actions and to ascertain any risks associated with them. This report addresses this aspect and also outlines a roadmap of the actions contained in the Motion.

2. Estimated costs, assigned Leads and suggested timelines.

2.1 Discussions have been held with the Leader, relevant Portfolio Holders, external bodies, the Director for Finance and the Director for Governance & Licensing to understand the costs and suggested timeline of actions. This has been summarised below along with a suggested member and officer lead.

Action	Member Lead	Officer Lead	Budget needed	Timescale	Comments/ Further reports required
1. Skills & Knowledge Audit of Members	Portfolio Holder Communications & Democracy	Director for Governance & Licensing	Initially Internal resources	Audit completed by Nov 23 Report to Cabinet Feb 24 on training proposals	Once training requirements are reviewed then a report will be prepared on how best to deliver, over what timescale and costs involved. This will come as a separate decision to Council.
2. Bring together Cabinet and Senior Management Team to become a unified team working together to meet challenges faced by the Council.	Leader	Chief Executive (covered by Director for Finance during Chief Executive's period of leave)	LGA supported with funding available for external facilitation.	1 st session to be arranged by end of Sept 23	Working with LGA to find suitable support.

3. Request the Local Government Association (LGA) to undertake a Corporate Peer Challenge (CPC).	Portfolio Holder Council & Corporate Co-ordination	Chief Executive (covered by Director of Finance during Chief Executive's period of leave).	LGA Funded	On site by end of Feb 24	Support provided by Principal Advisor for the South West LGA. 3 to 4 months lead in time. Sessions for familiarisation and buy in, preparatory work and CPC team assembly.
4. Ask the Centre for Governance and Scrutiny to conduct a review of the Council's scrutiny process	Portfolio Holder Communications & Democracy	Director for Governance & Licensing	Part funding likely to be available from LGA. At this stage assume EDDC budget £5k	TBD in consultation with PH	It has been suggested that review can take place independently from the CPC but the implications on internal capacity will need to be considered
5. For South West Employers to undertake a training and support review of the Senior Management Team and how it functions as a coherent team.	Portfolio Holder Council & Corporate Co-ordination	Corporate HR Manager.	It is estimated a budget should be set aside of £10k	Report to Cabinet Feb 24 on review outcomes and to report any further budgetary implications such as training proposals	Any implications requiring Council decisions such as training proposals will come as a separate decision to Council. Links with the wider leadership and management development review work set out in the 2023/24 HR Service Plan, which is likely to continue into 2024/25.

2.2 The work involved in the above is significant and will cross over the work planned in delivering a new Council Plan. It is envisaged that an early draft of the Council Plan can be prepared to be available for CPC team to review and can be influenced with any key findings from their review before final adoption of the Plan by Council.

2.3 The adoption of the 2024 to 2028 Council Plan is likely to be outside the window available to significantly affect the 2024/25 budget which needs to be prepared in draft to meet committee deadlines by mid December 2023. Resources can be reallocated in year if deemed necessary to reflect the new Council Plan but any significant shift in resources required by the Plan is likely to be from 2025/26. This will need to be reflected in any Outcome Target dates contained within the Plan. This position is not unusual and it does take a period to shift a Council's direction if major but in reality the majority of objectives are achieved through existing staff and resources and it is where they are focused.

- 2.4 In summary from the above table an initial budget requirement for EDDC has been identified of £15k, it is proposed that a contingency of £10k is added to allow Lead Portfolio Holders and Officers the ability to employ temporary resources to help deliver an ambitious timetable alongside the delivery of the Council Plan and the day job. To prepare for Corporate Peer Challenge alone requires significant time in document preparation, statements to be produced and time for interviews and liaison with the Peer Team. It is proposed the spending of the overall budget of £25k is delegated to the Director for Finance in consultation with the Portfolio Holder for Finance and Assets. It is proposed that the budget is funded from the Council's Transformation Reserve.
- 2.5 As can be seen in the table above there is a significant contribution from the LGA in the form of direct funding to assist Cabinet and Senior Officers to work effectively as a Team, a contribution to support the associated costs with the Centre for Governance and Scrutiny and the substantial resource of providing a Peer Review Team. This support and guidance has come from the Principal Advisor for the South West LGA (Paul Clarke) and his involvement has been appreciated.

3. Associated Risks

- 3.1 The Motion also asked for any associated risks both financially and reputationally to be considered.

Financial Risk

The direct costs associated with the Motion have been identified and estimated. The Council has a Reserve set aside to fund Transformation one off costs and the direct costs identified can be accommodated within that Reserve. It is likely a review of member and officer training needs may require an additional budget to be allocated going forward but this will have to be considered when the details are known and it is likely this will have to be prioritised and scaled to what is practical and affordable but can be delivered in a plan over time.

The findings and recommendations from the external reviews are also unknown at this stage and there is a risk they may have financial implication, but again this will have to be considered by Council when the details are known and options for delivery can be considered.

Reputational Risk

The Motion adopted by Council is to ensure the Council is working in the most effective way for its residents. Any review is likely to identify weaknesses and recommendations for improvements, this needs to be acknowledged and any findings used in a positive way. This is essential for a healthy organisation, to do otherwise could be a risk to reputation and risk to continuous improvements for the Council.

Financial implications:

Details included in the report

Legal implications:

There are no substantive legal issues to be added to this report.

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

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