



Agenda for Cabinet Wednesday, 1st November, 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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(or group number 01395 517546)
Tuesday, 24 October 2023

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

- 1 Minutes of the previous meeting (Pages 3 - 10)
- 2 Apologies
- 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 is one item which officers recommend should be dealt with in this way.
- 7 Minutes of Scrutiny Committee held on 5 October 2023 (Pages 11 - 14)
- 8 Minutes of Strata Joint Executive Committee held on 5 October 2023 (Pages 15 - 16)

Key Matters for Decision

- 9 Review of bin collection service and town and parishes' service charges (Pages 17 - 23)

- 10 Housing Benefit Modified Scheme Policy (Pages 24 - 31)
- 11 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 Key Matters for Decision

- 12 Discretionary Rate Relief (Broadclyst Ward) (Pages 32 - 40)

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[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 10 October 2023****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.45 pm

52 Minutes of the previous meeting

The minutes of the previous meeting of Cabinet held on 6 September 2023 were agreed.

53 Declarations of interest

Min 54. Public speaking.

Councillor Paul Arnott, Affects Non-registerable Interest, Member of Colyton Parish Council.

54 Public speaking

The Chair handed the meeting over to the Vice Chair at this point due to a personal interest.

Cllr Ian Priestley spoke as Chair of newly formed Colyford Parish Council. The judicial review brought by Colyton Parish Council was taking up a huge amount of their time and causing an unwelcome distraction. It was delaying providing for the village, for which they had the duty of care and responsibility, which they took very seriously. Cllr Priestley stated that Colyton Parish Council still owed over £11k plus interest to Colyford PC. He asked that EDDC take up the shoulder of responsibility of chasing Colyton PC for this sum, and that they needed one impartial district councillor who would be happy to represent, guide and help them in this matter.

The Portfolio Holder Communications and Democracy confirmed that a meeting would be set up with herself, Cllr Priestley, EDDC's Monitoring Officer and Colyford's Parish Clerk, with confirmation of this being sent to Cllr Priestley tomorrow.

55 Matters of urgency

There were none.

56 Confidential/exempt item(s)

There were 3 items which officers recommend should be dealt with in this way recorded at Minutes 69 to 71.

57 Minutes of the Strategic Planning Committee held on 5 September 2023

Members agreed to note the Minutes and recommendations of Strategic Planning Committee held on 5 September 2023.

Minute 22: Gypsy and Traveller Site Provision

1. That the Council agree in principle to taking over the lease arrangements for the Elbury Close site at Broadclyst and progress discussions with Devon County Council and the National Trust over these arrangements be agreed as well as to discuss the opportunities to continue the current management arrangements with Elim Housing. A detailed proposal for the new lease and management arrangements to then be brought to Cabinet for Members consideration.
2. That option 3 of paragraph 3.11 of the report be recommended as the preferred option.

Minute 24: Section 106 and CIL Resources and Processes

1. That the proposed revised S106 Monitoring Fees charging schedule appended to this report be supported.
2. That the proposed Planning Obligations Team incorporating the existing COL and Section 106 Officer posts and the proposed new Planning Obligations Manager and Planning Obligations Support Officer posts be created with the new posts to be funded from S106 Monitoring Fees and CIL admin funds be approved.
3. That the current spend process for S106 receipts for spend in the community on play areas, open space and other community spaces be amended as per option 2 as detailed in the report and delegated authority be given to the Assistant Director – Planning Strategy and Development Management to issue best practice guidance on the Council's website on how town and parish councils should engage their communities on spend decisions be approved.

58 Minutes of Scrutiny Committee held on 7 September 2023

Members agreed to note the Minutes and recommendations of Scrutiny Committee held on 7 September 2023.

Minute 15 Section 106 and CIL Resources and Processes

That an interim solution be found to put resources in place as soon as possible in respect of dealing with the approximately 150 outstanding cases where a notice of payment has been issued and monies remain outstanding. Officers were asked to give this matter their earliest attention.

59 Minutes of Placemaking in Exmouth Town and Seafront Group held on 12 September 2023

Members agreed to note the Minutes of Placemaking in Exmouth Town and Seafront Group held on 12 September 2023.

60 Minutes of Budget Setting and Capital Allocations Panel held on 18 September 2023

Members agreed to note the Minutes of Budget Setting and Capital Allocations Panel held on 18 September 2023.

61 Minutes of LED Monitoring Forum held on 19 September 2023

Members agreed to note the Minutes of LED Monitoring Forum held on 19 September 2023.

62 Minutes of Extraordinary Recycling and Waste Partnership Board held on 20 September 2023

Members agreed to note the Minutes of the Extraordinary Recycling and Waste Partnership Board held on 20 September 2023, when under discussion at Minute 69 - Recycling and Waste Contract extension.

63 Council Tax - Local Discount for Care Leavers

The Assistant Director Revenues, Benefits & Corporate Customer Services presented her report which sought Members approval to implement a council tax discount scheme of up to 100% relief for care leavers until their 25th birthday from 1st October 2023.

RECOMMENDED to Council:

1. To agree to a Care Leavers discount scheme of up to 100% relief until their 25th birthday where Devon County Council has acted as their corporate parent. Scheme to apply from 1 October 2023 using our provision under S13A (1) (C) of the Local Government Finance Act 1992.

RESOLVED:

2. That delegated authority is given to the Assistant Director for Revenues, Benefits, Corporate Customer Services to finalise the scheme criteria and make technical changes to ensure the scheme is aligned with the other Devon districts including any potential changes in scheme funding, be agreed.

REASON:

Care leavers face the challenge of having to cope with the demands of living on their own at a young age. They must manage finances, maintain a home and manage their lives independently, without the support from their families. Whilst not mitigating the impact of all the disadvantages that care leavers have experienced, a council tax discount can provide a positive financial measure.

64 Updates to Discretionary Rate Relief Policies

Approval was sought to update the following policies relating to technical and administrative changes:

- Local Discretionary Rate Relief and Hardship Policy
- Discretionary Rate Relief for Partly Occupied premises.

RESOLVED:

1. That the updated Local Discretionary Rate Relief and Hardship policy and the Discretionary Rate Relief for Partly Occupied premises policy, be agreed.
2. That delegated authority be given to the Assistant Director responsible for Business Rates to update the policy to take account of technical or administrative changes.

REASON:

Policy updates currently required Cabinet approval as this had not been allowed for officers to make technical changes; moving forward the second recommendation would allow for this.

65 Financial Plan 2024-2034

The Director Finance presented the annual formulation of the Financial Plan and approval process which helped the Council plan ahead to maintain balance budgets. The

Budget Setting and Capital Allocation Panel had considered the draft Plan and have recommended it to Cabinet.

RECOMMENDED to Council:

To consider the draft Financial Plan 2024 – 2034 and recommend its adoption.

REASON:

It was essential the Council considered its financial resources in advance to allow time to make necessary amendments in its service provision to ensure balance budgets were maintained.

66 **East Devon - Local Economic Review**

The Economic Development Manager presented the main findings of the Local Economic Review (LER) recently completed by the Economic Development team. The core issues and challenges facing the district economy were evidenced from the most up to date Census and ONS data.

Endorsement of the work was sought alongside approval for its use in informing both the emerging Council Plan and in the development of a new Economic Development Strategy for East Devon.

During discussions the inclusion of any available broadband connectivity data for the district was suggested. It was also suggested the Neighbourhood Planning Officer should disseminate this evidence to local Neighbourhood Planning groups.

Members from across parties wished to thank and congratulate Rob Murray, Tom Winters and the team on this hugely important in-depth report, whose evidence and data had far reaching consequences that would help shape future decisions in the district.

RESOLVED:

1. That the report and detailed Local Economic Review which underpins it, be endorsed.
2. That the use of the Local Economic Review and up to date statistical evidence it comprises be used to inform the development of the emerging Council Plan, be agreed.
3. That the development of a new Economic Development Strategy for East Devon that would directly engage the core challenges highlighted by the Local Economic Review, be agreed.

REASON:

To ensure that the Council was informed, and so able to act upon, the most reliable, transparent, and up to date local economic evidence. This data could then inform the emerging Council Plan in identifying local economic and employment priorities, as well as providing baseline evidence for the development of a robust Economic Development Strategy to deliver on the new Council Plan aims.

67 **Enterprise Zone**

An update was provided on the operation and performance of the Exeter and East Devon Enterprise Zone designation. This included a review of what had been delivered to date since the beginning of the designation in 2017. The assessment focused particularly on the capacity for investment in specific projects, funded through borrowing against ring-fenced business rate income. This provided important wider context for specific investment proposals that would be reported to Cabinet over the coming months.

RESOLVED:

1. That the progress with the delivery of the Enterprise Zone designation to date, be noted.
2. That the current position regarding borrowing against retained business rate income and the capacity to support further strategic investment, be noted.

RECOMMENDED to Council:

3. that up to £250k is borrowed against future ring-fenced business rate income to support the ongoing progression of the Interconnector Project.

REASON:

To ensure that Cabinet was aware of the progress to date with the Enterprise Zone designation. To provide context for further investment decisions that would be reported to Cabinet in the coming months. To support the ongoing development of the Interconnector Project.

68 **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).

69 **Recycling & Waste Contract extension**

The report outlined the terms of the EDDC Recycling & Waste contract extension and explained why it was required, along with the due diligence that had been undertaken to assure that the terms were commensurate with the changing sector and the commercial pressures that were present. Agreement in principle to take the 3-year extension available in the contract was approved by Cabinet in March 2022.

The Portfolio Holder Coast, Country and Environment wished to thank Gareth Bourton and Andrew Hancock for their hard efforts in getting the extension contract through to this stage. In turn the Chair and Vice Chair thanked the Portfolio Holder Coast, Country and Environment for his constant support and dedication on this matter.

RESOLVED:

1. That the principal terms of the contract extension to the Recycling & Waste contract to take the contract up to its full contract term to June 2026 as set out in the report, be agreed.
2. That delegated authority is given to the Assistant Director StreetScene, Director of Finance and Director of Governance and Licensing, in consultation with Portfolio Holder Coast, Country & Environment to negotiate, agree the terms of the contract extension reflecting the agreement to agree from the Interim-extension letter and to enter into the contract extension.

RECOMMENDED to Council:

3. That an additional budget be allowed for 23/24 and future budget implications be modelled through annual budget setting for 24/25.
4. That a Portfolio Team be convened to take forward the preparation work for contract replacement from 2026, building on initial investigation work undertaken by the

department, to commission the scope of future services required to meet legislative and budgetary changes. The team to be politically balanced and consist of no more than 7 Members plus Portfolio Holder.

REASON:

Approval of the EDDC contract extension terms would allow the successful partnership to remain in place for the full available contract term of ten years, taking it up to June 2026. It would also provide continuity to allow the Recycling & Waste team to continue to appraise the forthcoming changes to the recycling and waste sector as DEFRA issue more information on legislative change for the industry, and thus prepare EDDC for implementation of the changes from 2025 onwards. Along with scoping and building a clearer specification for contract replacement in 2026.

70 **Review of Lifeguard provision 2023**

Increased tourism, the rise of the staycation, and an increased interest in water sports combined were leading to a rise in beach use, therefore the need to review and increase our lifeguard provision was required. At the same time the RNLI (lifeguard provider) were finding their budgets squeezed and costs increased and so needing to pass a greater proportion of the seasonal costs on to EDDC.

RESOLVED:

1. That the continuation of RNLI as best practice lifesaving service provider with step increases in % contribution payable by EDDC for the service, be agreed.
2. That the expansion of service to Budleigh (peak season only) for the reasons set out in the report, at 100% of cost contribution rate, be agreed.
3. That waiving standing orders to enable the contract with the RNLI to be extended, be agreed.
4. That procurement advice was obtained to ensure compliance with public sector procurement requirements.

RECOMMENDED to Council:

5. That a budget be approved for this service for Exmouth and Budleigh Salterton in 2024/25, to be confirmed through the budget setting process.

REASON:

As covered in the report lifeguarding provision was essential to meet the council's health and safety and water safety responsibilities.

71 **Review of the Home Safeguard Service**

The report outlined a review of the Home Safeguard (HSG) service and proposed interim changes that could address immediate issues. A comprehensive review with recommendations to be brought back to Cabinet at a future date, would be undertaken.

RESOLVED:

1. That a further 18-month contract between EDDC and Night-Owl; pending a full review of the services provided by Home Safeguard, be agreed.
2. That a review of the Out of Hours Service ensuring appropriate staff were in place to respond and with effective escalation procedures to deal with higher-level emergency issues, be agreed.

3. That the business plan and growth strategy undertaken in 2020 by an external consultant be reviewed and the draft report be updated with current changes in structure and data analysed, be agreed.

4. That delegated authority be given to the Assistant Director of Housing in consultation with the S151 Officer for the approval a budget for additional resource, as part of ensuring the interim structure sufficiently meets the needs of the service, be agreed.

RECOMMENDED to Council:

5. The authority to procure a new call handling system and agree the additional resources for IT improvements identified in this report to support the service.

6. That the amendments to the permanent and new interim structure, at the recommended grades (subject to job evaluation), for an 18-month period to enable the service to carry out IT implementation and carry out the reviews outlined in this report, be agreed.

REASON:

Home Safeguard provided a 24/7 monitoring and support service to approximately 1400 tenants and 2000 private sector residents. It provided support and guidance at point of need at all hours of the day and night. It was a statutory requirement for the Authority to provide an Out of Hours service to deal with emergencies and Home Safeguard performed this role for EDDC and Teignbridge District Council.

The service previously had not been running as a commercial entity and the review would investigate the options and opportunities this could present.

Attendance List

Present:

Portfolio Holders

G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Sustainable Homes & Communities
M Hall	Portfolio Holder Economy
O Davey	Portfolio Holder Strategic Planning
S Jackson	Portfolio Holder Communications and Democracy
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
N Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
P Arnott	Leader of the Council
P Hayward	Deputy Leader and Portfolio Holder Finance (Assets)

Also present (for some or all the meeting)

Councillor Ian Barlow
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Colin Brown
Councillor Roy Collins
Councillor Mike Goodman
Councillor Todd Olive

Also present:

Officers:

Gareth Bourton, Recycling and Waste Contract Manager

Robert Murray, Economic Development Manager

Amanda Coombes, Democratic Services Officer

Simon Davey, Director of Finance

Amy Gilbert-Jeans, Assistant Director Housing

Andrew Hancock, Assistant Director StreetScene

Naomi Harnett, Delivery Manager

Tracy Hendren, Director of Housing, Health and Environment

Andrew Hopkins, Communications, Digital Services and Engagement Manager

Libby Jarrett, Assistant Director Revenues, Benefits, Corporate Customer Access, Fraud & Compliance

Andrew Melhuish, Democratic Services Manager

Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)

Andrew Wood, Assistant Director Growth Development and Prosperity

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 5 October 2023****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.26 pm

19 Minutes of the previous meeting

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

20 Declarations of interest

There were none.

21 Public speaking

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

22 Matters of urgency

There were no matters of urgency.

23 Confidential/exempt item(s)

There were no confidential or exempt items.

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

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

25 Update on draft Scrutiny Protocol

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

26 Correspondence from Simon Jupp MP regarding South West Water

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

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

The Chair invited comment.

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

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

Discussion included the following points:

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

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

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

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

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

Discussion included the following points:

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

28 **Forward Plan**

The Committee agreed the Forward Plan.

Attendance List

Councillors present:

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

Councillors also present (for some or all the meeting)

P Arnott
P Faithfull
G Jung
T Olive
M Rixson

Officers in attendance:

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

Councillor apologies:

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

Chair:

Date:

STRATA - JOINT EXECUTIVE COMMITTEE

THURSDAY, 5 OCTOBER 2023

Present:

Councillors Bialyk, Wrigley and Arnott (Chair)

Members Attendance:

Councillors Radford and Nuttall

Apologies:

Phil Shears and Jo Yelland

Officers in Attendance:

Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer

Bindu Arjoon (Exeter), Chief Executive - Exeter City Council

Steve Mawn, Director of IT and Digital Transformation

Neil Blaney, Head of Place & Commercial Services

Simon Davey, Strata Board Director

David Sercombe, Head of Business Systems & Business Intelligence

Martin Flitcroft, Chief Finance Officer & Head of Corporate Services

**These decisions will take effect from 10.00 a.m. on 12 October 2023
unless called-in or identified as urgent in the minute**

7. ELECTION OF A CHAIR FOR 2023/2024

Cllr Arnott of East Devon District Council was elected Chair for the 2023/24 Municipal Year.

8. MINUTES

The minutes of the meeting held on 17 January 2023 were approved as a correct record and signed by the Chair.

9. DECLARATIONS OF INTEREST

None.

10. STRATA BUDGET MONITORING OUTTURN 2022-23

The Director of IT and Digital Transformation presented the report which advised on the financial position of Strata at the end of 2022-23.

Key variations from Revenue Budget were highlighted.

RESOLVED that the report be noted.

11. STRATA BUDGET MONITORING REPORT APRIL 2023-24

The Director of IT and Digital Transformation presented the report which advised on the financial position of Strata at the end of April 2023.

RESOLVED that the report be noted.

12. PRESENTATION BY DIRECTOR OF IT AND DIGITAL TRANSFORMATION, STRATA SERVICES SOLUTIONS LTD

The Director of IT and Digital Transformation, Strata Services Solutions Ltd gave a presentation – attached to the agenda.

The presentation was noted.

The meeting started at 10.04 am and finished at 10.45 am.

Chair



Report to: Cabinet

Date of Meeting 1 November 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

A review of the StreetScene bin collection service and town and parishes' service charges

Report summary:

The review of the StreetScene bin collection service has examined the council's litter, recycling and dog collection service charges and operational model.

- An increase in operating costs requires an uplift in service charges that are consistent charges across the district.
- The review has started looking at alternative operational models which follows national trends and internal and external challenges, and has identified the need for further future strategic planning.
- An electronic map of the bins locations has been produced to provide management information and support future planning.
- The anticipated population growth in Cranbrook, the proposed new town and the wider district will significantly impact on the delivery of the bin collection service and further work is required to develop a strategic plan with stakeholders.
- This report has been considered by the Overview Committee who voted in favour of the following recommendations:
 1. That the proposed increase to the litter bin collection rate should be applied to the dog bin collections.
 2. That the increase to all town and parish service charges should be spread over two years.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. Cabinet to endorse the continuation of the current litter and dog bin collection service whilst further strategic options are considered.
2. Cabinet to agree to increase all town and parish service charges to £4.00 per litter bin collection which will be spread over two years to reduce the impact on customers.
3. Cabinet to consider increasing charges for dog bins in line with litter bins following a recommendation made by Overview.
4. QR codes to be introduced on all litter, dog and recycling bins to improve quality management.

5. Further work will be undertaken to explore alternative models and working relationships between StreetScene Operations and Recycling and Waste as part of the SUEZ contract replacement work which is currently underway.
6. StreetScene Operations to develop a strategic plan to manage the anticipated population growth in Cranbrook, the proposed new town and the wider district.
7. The Strata project to provide StreetScene Operations with an appropriate software package to manage its operations efficiently is prioritised.

Reason for recommendation:

StreetScene Service Plan Objective 5 - Review of the collection model for street litter bins and dog waste bins and the charges

- Bring about a more equitable scheme of charges for such services, which cover delivery costs.
- Appraise the various models of collection and charges a clearer and more equitable charging schedule across the district where we provide such services.

Officer: David Snape, StreetScene Project Officer and Andrew Hancock Assistant Director - StreetScene

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 Medium Impact

Risk: Medium Risk; Failure to prepare and plan for future growth could lead to a degradation of service standards and inefficiency and budget pressure. The current service charges are not consistent across the district and there is a risk of inequity. A revision in the charges will result in some customers incurring higher charges with potential reputational damage.

Links to background information

- [StreetScene's Main Annual Budgets 2023/24](#)
- [Streetscene Bin Product Range – June 2023](#)
- [\(Public Pack\)Agenda Document for Council, 28/04/2021 18:00 \(eastdevon.gov.uk\)](#) Question 3 outlines where EDDC are responsible for emptying bins and where they are not.

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

Baseline Data

1. There are 762 litter and 71 recycling bins in the district that are emptied by the StreetScene operatives. There are 396 dog bins that are emptied by Suez.
2. The cost of the dog bin collections is included in the domestic bin collection service contract for household bin and recycling collections, which is managed by Recycling and Waste.
3. The frequency of bin collections ranges from once a week in rural areas to three collections per day on the Exmouth Esplanade during the summer.

Dog Bin Collections

4. Dog waste is mixed with non-recyclable waste when it is taken to the Energy From Waste (EFW) facility in Exeter, as EFW do not accept unmixed dog waste.
5. There are 3 full-time Suez operatives emptying the dog bins and there is no provision to cover holiday, sickness from the Recycling and Waste workforce. This will lead to inconsistent collections and an increase in complaints.

Service Charges

Dog Bin Collections

6. Dog bin costs are currently linked into the overall SUEZ contract. The cost per collection will be reviewed as part of the contract replacement work, which has recently started within the Recycling and Waste Team. As part of this work, we will also review the best place for the dog bin collection service to sit within the council.
7. The Portfolio Holder report rates set out below are based on 3 dog bin collections per week and are charge pro-rata as required. These charges are reviewed every year as part of our annual charges review and we will continue in this way until contract replacement.
8. The rate equates to £2.12 per collection and is lower than the proposed new litter bin collections and we intend to address this rate during SUEZ contract replacement.

CHARGES 2023-24

	2020-2021	2021-22	2022-23	2023-24
Additional Waste Collections (10 bags)	£40.00	£42.00	£45.00	£47.00
Dog Bin Collections for Parish Councils (per bin)	£260.00	£270.00	£300.00	£330.00
Green Waste (annual)	£48.00	£48.00	£48.00	£50.00

9. Members to consider applying the proposed increase to the litter bin collection rate to the dog bin collections. Dog bin collection costs are included in the Suez contract and so are more complex to extrapolate, but based on our own measures of collection costs and because we

are entering a cost-plus arrangement with Suez it would seem prudent to increase collection charges to ensure the council is covering costs. Alternatively, more work can be undertaken in preparation for contract replacement in 2026. Overview Members have considered this and recommended that dog bins charges be increased in line with the litterbins.

Litter Bin Collections

10. The 2023/24 bin collection charge to town and parish councils is £110 per bin per year (£2.12 per collection). This is based on an historical cost with annual inflation uplifts and bears no relation to our actual service costs.
11. Cranbrook Town Council (CTC) is charged £5.00 per bin collection, based on 29 bins located on unadopted land. This charge is based on two collections per week, but three collections are made each week to deal with the volume of waste. This reduces the weekly charge to £3.45 per bin collection.
12. The Cranbrook Town Council collections were priced at a level to achieve full cost recovery. The charge to other town and parish councils does not cover costs and this has led to the imbalance between what Cranbrook and other town and parish councils pay.
13. StreetScene Operation's services charges have not been previously benchmarked and the council recognises that they have been artificially low for many years.
14. Local district councils were approached to participate in a benchmarking exercise, but have failed to respond. During the next stage of the project, benchmarking will be extended further to enable comparisons to be made.

Service Delivery Costs

15. StreetScene's main [annual budgets](#) 2023/24:
 - Labour salaries, including superannuation: £1,333,200
 - Vehicles and associated costs for cleansing, excluding sweepers: £172,022
16. We have reviewed the Cranbrook Town Council service costs and established that current service charges do not cover the cost of delivering the service. Labour charges are based on the lowest hourly paid to an operative and do not include oncosts for pensions, holidays and sickness pay. Fuel is included, but there is no allowance for vehicle purchase or lease costs, maintenance costs, PPE or equipment and management costs.
17. Based on 2023/24 salaries, the service charge will need to increase to [£4.00 per collection](#) to cover operating costs. This will need to be applied to all town and parish councils from April 2024 to ensure costs are covered and are consistent charging across the district. To mitigate the impact of the increase that the charge is increased over two years + RPI.

Council	Dog Bins	Litter Bins	Frequency	Total	23/24	Charge	24/25	25/26
Town A	0	4	Weekly	Collections	Total	per	Total	Total
			1	208	Recharge	collection	Recharge	Recharge
					£440.00	23/24	£636.48	£832.00
CHARGES	2023/24	2024/25	2025/26		Charge	Charge	Charge	
					per	per	per	
					collection	collection	collection	
1 x weekly	£110.00	£159.12	£208.00		23/24	24/25	25/26	
2 x weekly	£220.00	£318.24	£416.00		£2.12	£3.06	£4.00	
3 x weekly	£330.00	£477.36	£624.00					

A Combined Litter And Dog Waste Collection Model

18. A combined waste collection model would see the removal of all the dog bins in the district and the dog waste collected in the black litter bins, which is already happening in many of areas in the district.
19. Although this model would remove the need for a separate dog waste collection service, significant additional capital investment will be required to install larger litter bins if the dog bins are removed.
20. Throughout the district there are many bins that cannot be easily accessed by the collection vehicles, which requires the operatives to carry the litter long distances to their vehicles. The additional weight of dog waste will make this impractical in these locations and will require bins to be relocated. Dog waste is heavy and will significantly increase the total weight of the waste in the bins. There are 768 litter bins in the district that may need relocating or replacing in order to manage the larger volume of combined waste.
21. More vehicles with side-lifts will be required to tip the wheelie bins into the vehicle to reduce manual handling issues. These vehicles are leased at a cost of £54,000 per vehicle over 6-years.
22. The review has considered the costs and benefits of introducing a combined waste pilot to evaluate an alternative operating model. It is estimated that the setup costs of a pilot project would be over £13,300 to replace the existing 19 bins with 14 larger bins. The average cost of installing a replacement bin would be approximately £951.
23. Based on this pilot costings, if the council was to replace the current 768 litter bins the total cost would be approximately £730,000. It is anticipated that not every bin would need replacing, but designated barbeque areas will incur additional costs as these bins require steel internal casings to prevent fire damage from hot barbeques.
24. An existing vehicle with a side-lift could be used during a pilot to lift the wheelie bins, but additional staff may be required to deal with extra collections. Additional vehicles will be required if this model is introduced throughout the district.
25. Due the high setup costs, it is recommended that a pilot is not progressed. As the existing litter bins can be used to collect dog waste, there is limited benefit in removing the dog bins and installing larger litter bins. The council should promote that any bin can be used for general litter and dog waste and larger litter bins installed to replace existing bins if required.

Alternative Service Delivery Options

26. Local authorities are facing the challenges of external factors which include the legislative outcomes of the Environmental Act 2021 and market drivers. Many are looking to alternative models that can bring together existing services such as Recycling & Waste and StreetScene. There are 3 main models available to the council:
- In-house delivery
 - Outsourced delivery
 - Local Authority Trading Company
27. It is suggested that a Portfolio Holder Leader team be convened to take forward the preparation work to consider the best future option for EDDC.

Bin Mapping And Software

28. As part of this review the location of all of the council's bins have been mapped and this information is now available on the eMap system.
29. Next year a QR code and ID number will be added to every bin to enable members of the public to report damaged and full bins via the council's website.
30. During the bin mapping exercise it became apparent that a management system is required to monitor operatives' time, volume of work and the resources required to meet demand. There is a job in Strata's unrefined backlog of projects which came from an earlier project circa 2017 to converge the 3 council partners' software to manage their public realm cleansing.
31. It is recommended that this work is restarted to ensure our systems are as efficient as possible and provide the evidence based needed for alternative models of operations.

Bin Products

32. There is a diverse mixture of bin products throughout the district and many of the bins have been installed incorrectly or in the wrong location, causing difficulties when emptying the bins.
33. StreetScene Operations has introduced a [new range of bin products](#) for the town and parish councils to choose from when requesting new bins. At present, StreetScene Operations do not have capacity to increase the number of bins, but stage 2 of the project will present policy suggestions for members to consider.
34. All new bins will be installed by StreetScene Operations, who will look to work with the town and parish councils to ensure new bins are installed in appropriate locations for collections.

Cranbrook

35. The anticipated population growth in Cranbrook will significantly impact on the delivery of the StreetScene Operation's services. It is proposed that the next stage of the project considers the future strategic direction of the service in Cranbrook to address the operational issues identified during the review.
36. The council has already changed and adapted its Recycling and Waste service to allow capacity for growth in Cranbrook and StreetScene Operations will adopt a similar approach for its services.

37. StreetScene Operations currently operates out of the Exmouth and Sidmouth depots. It is recognised that lost time and travel costs would be reduced if StreetScene Operations had a premises in the Cranbrook or Honiton area. StreetScene Operations is working with Property, Asset and Commercialisation Team to identify further depots locations throughout the district as part of the depot review to meet operation need into the future

Financial implications:

Financial implications are included within the report giving detail of the cost recovery position and providing an equitable pricing solution. With any further strategic options review the cost recovery position should be maintained including covering the cost of any required capital investment.

Legal implications:

The legal implications are dealt with in the body of the report.



Report to: Cabinet

Date of Meeting 1 November 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Housing Benefit Modified Scheme Policy

Report summary:

This report covers details of the Modified Scheme for disregarding income from war pensions for the purposes of administering Housing Benefit.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet agree the Housing Benefit Modified Scheme policy so that we can continue to disregard war pensions from the calculation of Housing Benefit.

Reason for recommendation:

EDDC are signed up members of the armed forces covenant and as part of this are committed to supporting veterans and their families. However, due to changes in senior management we have been unable to locate the existing covenant. A new signed covenant is currently being developed by our Corporate HR Manager and it is intended that the modified scheme policy will be reflected within it. However, in the interim we need to put in place a local Modified scheme policy so that we can continue to fully disregard income from war pensions.

Rents charged by private landlords remain high and Local Housing Allowance rates have not been raised to keep pace with these rising rents, therefore residents are finding it harder to fund shortfalls between the rent charged and the Housing Benefit or Universal Credit Housing Costs received. If we do not fully disregard war pensions residents will need to use this income to help pay their rental costs.

It is also worth noting that under Part 16A of The Armed Forces Act 2006 there is a legal obligation on public bodies to have due regard to armed forces personnel when carrying out healthcare, housing and education functions. Whilst this legislation does not give a legal obligation around financial assistance, it does support our current approach of fully disregarding the income from the means test.

By continuing our modified scheme we will ensure that the financial compensation received during service can be used for the purposes it was intended for.

Officer: Sharon Church, Benefits and Financial Resilience Manager. SChurch@eastdevon.gov.uk, 01395 571791

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 Culture

Equalities impact Low Impact

As this policy formalises our approach to fully disregarding war pensions the impact has been assessed as low but the impact assessment can be found [here](#).

Climate change Low Impact

Risk: Low Risk;

Links to background information

Link to [Council Plan](#)

Priorities (check which apply)

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

1. Background

- 1.1 Housing Benefit is a means tested benefit for residents on a low income to help with rental payments.
- 1.2 War pensions are granted as compensation for injuries, illness or death caused by service in the armed forces prior to 6 April 2005.
- 1.3 For injuries, illness or death caused on or after 6 April 2005 compensation is provided under The Armed Forces Compensation Scheme.
- 1.4 Under Housing Benefit legislation only £10 of the income received under one of these schemes is disregarded from the means test, however we can fully disregard the remaining 100% of income through a local modified scheme. This is made possible through the Welfare Reform Act 2007 and the subsequent War Pensions Disregards Regulations 2007.
- 1.5 Since these regulations came into effect EDDC have fully disregarded this income under our modified scheme along with most other Local Authorities in England, Scotland and Wales. Disregarding the income from these payments is a cost met by the Local Authorities.
- 1.6 Each year we have an external audit carried out on our subsidy claim (the payment we receive back from the Department for Works and Pensions (DWP) for administering Housing Benefit). During the audit for 2022/23 we were asked to provide sight of the policy and unfortunately due to the office moves, changes in management and the length of time since the original policy was put into effect, we have not been able to locate it. We are aware that there are some other authorities who are in a similar position. The DWP have requested that all Members have sight of the policy and hence the reason for this report.

2. Caseload

- 2.1 The number of veterans who are currently in receipt of Housing Benefit is broken down into types of accommodation they are residing in. This is either temporary accommodation (non-hra), council owned accommodation (rent rebate) and either privately owned or other social housing (rent allowance).

	2021/22	2022/23
Non-HRA	0	0
Rent Rebate	11	12
Rent Allowance	10	11
TOTAL	21	23

- 2.2 The following figures have broken the number of residents receiving Housing Benefit into working age and those residents who have reached pension age.

	2021/22	2022/23
Working Age	9	16
Pensioner Age	12	7
TOTAL	21	23

- 2.3 For this current financial year, 2023/24 we have 21 veterans receiving a full disregard from their war pensions under our modified scheme.

3. Proposed policy

- 3.1 The proposed policy is to continue allowing the full disregard of income received from war pensions for the purposes of Housing Benefit.

4. Other considerations

- 4.1 Disregarding the income received by veterans from war pensions is a cost that is met by EDDC directly.
- 4.2 The financial cost to EDDC for financial year 2022/23 was £56,258. This related to £28,941 for HRA properties and £27,317 for RA properties. There was no financial cost for Non-HRA properties during 22/23.
- 4.3 Based on the current number of veterans receiving Housing Benefit in September 2023 we are unlikely to see a large rise in the cost of the scheme.

5. Summary

- 5.1 This policy is a relatively low cost to EDDC and would ensure that we continue to support veterans and their families.

Financial implications:

The cost of the scheme is already included in the Council's budget.

Legal implications:

The legal issues are dealt with in the body of the report.

Issue details	
Title:	Housing Benefit Modified Scheme
Version number	Version 1
Officer responsible:	Service Lead – Revenues, Benefits, Corporate Customer Services, Fraud & Compliance
Authorisation by:	Cabinet
Authorisation date:	

History of most recent Policy Changes – Must be completed			
Date	Section	Change	Origin of change (eg change in legislation)

East Devon District Council – Housing Benefit Modified Scheme

1 Why has the council introduced this policy?

This policy has been introduced to confirm how EDDC are financially supporting veterans of the armed forces who are residing in low income households and as such are entitled to receive Housing Benefit.

Housing Benefit legislation provides the ability for Local Authorities to disregard any prescribed war disablement pension or prescribed war widow's pension. This is known as a local modified scheme.

In addition EDDC are signed up to the Armed Forces covenant and this policy supports the covenant.

2 What is the council's policy?

2.1 Modified scheme

Through the local scheme provisions EDDC will fully disregard any amount of income not already disregarded through the national schemes from the following;

- Armed Forces and Reserve Forces Compensation Scheme - Guaranteed Income Payment - from 20th November 2006
MOD Early Departure Payment - from 2nd November 2009
- Naval, Military and Air Force Death and Disablement Pension - Children's Allowance
- War Disablement Pension, which includes - Services Attributable Pension and Services Invaliding Pension
- War Widow's/Widower's Pension,

2.2 Who is eligible?

Any resident who is receiving a payment listed under 2.1 and is in receipt of Housing Benefit will automatically receive the disregard.

2.3 Disregarding income for the purposes of a Discretionary award

Our discretionary awards are based on total income and expenditure for a household and the individual needs of the household. Each case is decided on its own merits therefore although income from war

pensions may not be fully disregarded in the calculation, we will take into account all reasonable expenditure when deciding if a discretionary award is appropriate.

3. How will we use & share information

The Council will only collect data relevant to a claim for Housing Benefit and Council Tax Reduction. Data will be held on our digital platform and will be protected using up-to-date technical and organisational security measures.

Data will also be used to:

- Determine eligibility for other discretionary funds such as Discretionary Housing Payments, The Household Support Fund and our Cost of Living Hardship Fund.
- Contact residents about decisions or updates related to an application

Personal data will not be kept longer than necessary (in line with our existing retention schedule).

Information collected during the application process will be used to assess an applicants' claim. Information will also be cross matched with other data held by the Council and third-party agencies e.g. Department for Work and Pensions (DWP), HM Revenue & Customs (HMRC) for verification purposes.

The Council may also share data with both internal and external organisations for the purposes of validating any applications made for other Council services such as Housing Applications, School Placements, Homeless Applications.

In addition, we may also share data within the organisation to support our efforts to redirect residents to other support that may be available (for example our Discretionary Housing Payment Scheme, Council Tax Reduction Scheme).

With permission we may also share data with partner agencies to enable them to provide the necessary support in order to achieve long term outcomes in building financial resilience (for example Exeter Community Energy, Citizens Advice East Devon, South West Water).

We may also share data within the organisation or with other Government agencies in order to prevent and/or detect potentially fraudulent activity. Subject to a legal gateway, information may also be shared for the prevention of fraud and criminal activity with (list not exhaustive):

- The police
- Immigration Service, Absconder Services and/or UK Border Agency
- Health and social care organisations
- Other Local Authorities

We will also share anonymised monitoring data with the DWP in order to complete the monitoring returns.

3. Fraud

The Council is committed to tackling and preventing fraud in all its forms. If a claimant attempts to claim an award of Housing Benefit or Council Tax Reduction by making a false declaration or providing false evidence or statements, they may have committed an offence under the Theft Act 1968. Where the Council suspects that fraud may have occurred it will investigate the matter as appropriate, and this may lead to criminal proceedings.

4. Policy Administration

Appendices and other relevant information

[Social Security Administration Act 1992 \(legislation.gov.uk\)](https://www.legislation.gov.uk)
[The Housing Benefit and Council Tax Benefit \(War Pension Disregards\) \(Amendment\) Regulations 2009 \(legislation.gov.uk\)](https://www.legislation.gov.uk)
[Armed Forces Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

5. Data Protection

Provide a general view of what personal data is to be used and how and provide a link to the [Council's Data Protection Policy](#) and reference the relevant privacy notices.

6. Policy consultation

Senior Leadership Team & Cabinet

Policy review

Libby Jarrett, Assistant Director for Revenues, Benefits, Corporate Customer Access, Fraud and Compliance. ljarrett@eastdevon.gov.uk

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

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