



Agenda for Cabinet Wednesday, 31st January, 2024, 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, 23 January 2024

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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 - 14)
- 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

There are two late items;
Agenda number 7 - Minutes of the joint budget meeting of the Overview and Scrutiny Committees held on 11 January 2024.

Agenda number 9 - Minutes of Housing Review Board held on 25 January 2024.
- 6 Confidential/exempt item(s)
To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way.
- 7 Minutes of the joint budget meeting of the Overview and Scrutiny Committees held on 11 January 2024 (Pages 15 - 26)

8 Minutes of LED Monitoring Forum held on 16 January 2024 (Pages 27 - 32)

9 Minutes of Housing Review Board held on 25 January 2024 (Pages 33 - 41)

Key Matters for Decision

10 Council Tax Charges for Second homes and Empty properties (Pages 42 - 47)

Matters for Decision

11 **Revenue and Capital Budgets 2024/25** (Pages 48 - 52)

12 **Capital Strategy 2024/25 - 2027/28** (Pages 53 - 54)

13 **Treasury Management, including the Minimum Revenue Provision Policy Statement and Annual Investment Strategy for 2024/25** (Pages 55 - 56)

14 **Gypsy and Traveller Site Provision at Cranbrook** (Pages 57 - 60)

15 **Safeguarding Policy Review** (Pages 61 - 72)

16 **Exmouth Motorhome Parking & Extension of Estuary Long Stay Car Parking area** (Pages 73 - 84)

17 **Elections support** (Pages 85 - 86)

18 **Calendar of meetings 2024/2025** (Pages 87 - 90)

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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 3 January 2024

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.05 pm

101 **Minutes of the previous meeting**

The minutes of the previous meeting of Cabinet held on 29 November 2023 were agreed.

102 **Declarations of interest**

Min 114. Project Boards set up for Feniton (flood) and Exmouth (beach).
Councillor Peter Faithfull, Affects Non-registerable Interest, is a Ottery St Mary Town Councillor.

Min 115. Entering Contract above £100k - Feniton Flood Alleviation Scheme.
Councillor Peter Faithfull, Affects Non-registerable Interest, is a Ottery St Mary Town Councillor.

Min 117. Public Toilets Review Project.
Councillor Brian Bailey, Affects Non-registerable Interest, is a Exmouth Town Councillor.

Min 117. Public Toilets Review Project.
Councillor Dan Ledger, Affects Non-registerable Interest, is a Seaton Town Councillor.

Min 117. Public Toilets Review Project.
Councillor Jenny Brown, Affects Non-registerable Interest, is a Honiton Town Councillor.

Min 117. Public Toilets Review Project.
Councillor John Loudoun, Affects Non-registerable Interest, is a Sidmouth Town Councillor.

Min 117. Public Toilets Review Project.
Councillor Matt Hall, Affects Non-registerable Interest, is a Exmouth Town Councillor.

Min 117. Public Toilets Review Project.
Councillor Mike Goodman, Affects Non-registerable Interest, is a Sidmouth Town Councillor.

Min 117. Public Toilets Review Project.
Councillor Nick Hookway, Affects Non-registerable Interest, is a Exmouth Town Councillor.

Min 117. Public Toilets Review Project.
Councillor Olly Davey, Affects Non-registerable Interest, is a Exmouth Town Councillor.

103 **Public speaking**

Kay Hilton a Sidmouth resident and employee of a Sidmouth based holiday lettings business, spoke on the agenda item Mill Street Reserved Permits. She stated she was a non-permit holder and understood the difficulties of owning a car without a parking

space. She stated there should be a minimal increase to pay and display prices to both Option 1 and 2 as set out in the report recommendations. Option 3 would cause issues for local businesses who require parking to operate and reduce revenue to the council. It also had the potential to reduce visitor numbers and footfall to outside Sidmouth visitors. There would also be little ability to fund subsidised permit spaces for Sidmouth residents who did not have a parking space. She concluded that Option 4 which was taking the car park back to permit holders only, was the most logical for many reasons. She stated that the revenue would be greater for the council, it would fulfil the ability for the provision of discounted spaces for residents centrally, with lower enforcement needed and administration costs. This would reduce or eliminate the threat to breach of contract for permit holders and would help to maintain visitor numbers.

Cllr Ben Ingham stated that although the Exmouth residential parking scheme was working for residents within the town, the introduction of the £2 per day parking charge in EDDC car parks had raised an unexpected issue for shoppers and those wishing to use the sports facility at Exmouth LED. With the introduction of residents parking within the town, commuters now used the parking available behind the train station, leaving residents wishing to use the station to get to Exeter unable to park their cars. The £2 fee at the short-term car park by the leisure centre has meant that this was full most of the day, but not by shoppers or gym users and annual permit holders could not use the car park which invalidates the reason for having one. The repercussions were that shoppers unable to park would shop elsewhere. Meanwhile the coach and lorry park remained mostly empty which could be turned into a permit holders car park. Could the short-stay car park remain a short-stay with a reduce fee so shoppers could get a space.

The Chair confirmed a further report on Car Parks would be brought to the next meeting of Cabinet on 31 January 2024.

104 **Matters of urgency**

There was one item dealt with in this way recorded at Minute 121.

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

There was one item dealt with in the way recorded at Minute 123.

106 **Minutes of Poverty Working Panel held on 13 November 2023**

Members agreed to note the Minutes of Poverty Working Panel held on 13 November 2023.

107 **Minutes of Asset Management Forum held on 4 December 2023**

Members agreed to note the Minutes of Asset Management Forum held on 4 December 2023.

108 **Minutes of Budget Setting and Capital Allocations Panel held on 7 December 2023**

Members agreed to note the Minutes and recommendations of the Budget Setting and Capital Allocations Panel held on 7 December 2023.

1. that the following bids be included in the Capital Programme:

- a) Car Park relining across the District for £20,000 in 2024/25
- b) Land of Canaan Car Park resurfacing for £60,000 in 2024/25
- c) Beer Cliff Top Car Park drainage works for £40,000 in 2024/25
- d) Phear Park anti-traveller measures for £30,000 in 2024/25
- e) Wall repairs across the District for £50,000 in 2024/25
- f) Public Open Space maintenance across the District for £150,000 in 2024/25
- g) Footpath Resurfacing works at Gunfield, Manor, Phear and Brixington for £170,000 in 2024/25
- h) Phear Park Parking extension for £70,000 for 2024/25
- i) Cemeteries maintenance across the District for £150,000 in 2024/25
- j) Carter Avenue Play Area for £150,000 in 2024/25
- k) Byron Way Play Area for £130,000 in 2024/25
- l) Allhallows Play Area for £150,000 in 2024/25
- m) Slewtown Crescent Play Area for £100,000 in 2024/25
- n) Cheriswood Avenue Play Area for £75,000 in 2024/25
- o) Vandalism Play Equipment for £50,000 in 2024/25
- p) Feniton FAS Risk Budget for £250,000 in 2024/25
- q) Budleigh Salterton Beach Management Plan for £20,000 in 2024/25
- r) Recycling and Waste Vehicle Refurbishment Programme for £705,000 in 2024/25
- s) Recycling and Waste Drive Train Failure contingency fund for £50,000 in 2024/25
- t) Recycling and Waste MRF and Baler refurbishment site compliance for £145,000 in 2024/25
- u) Manor Pavilion Internal decorations and refurbishment for £5,000 in 2024/25 and £261,000 in 2025/26
- v) Thelma Hulbert internal decoration and refurbishment for £2,600 in 2024/25 and £65,400 in 2025/26
- w) Exmouth LC – Cold Water Storage Tank works for £36,500
- x) Various EDDC Swim Pools water quality monitoring for £26,000 in 2024/25
- y) Withycombe changing rooms decarbonisation works for £10,000 in 2024/25 and £99,200 in 2025/26 and £4,300 in 2026/27
- z) Seaton Seafields and Festival Garden depot site improvements for £56,500 for 2024/25.

2. That the following bids be supported in principle, and be referred to the LED Monitoring Forum for further consideration before recommending for inclusion in the Capital Programme:

- a) Exmouth Pavilion Flytower and Auditorium works for £335,100 in 2024/25 and £444,900 in 2025/26
- b) Exmouth Pavilion Roof Works for £5,000 in 2024/25 and £504,000 in 2025/26
- c) East Devon Tennis Centre Roof works for £791,095 in 2024/25 and £21,405 in 2025/26

3. That the following bids put forward for inclusion are not supported at this time:

- a) Cheriswood Avenue Play Area for £75,000 in 2024/25 for reason of a play area at Brixington Park being close by;
- b) Norman Lockyer Observatory repairs and conservation works for £147,400 in 2024/25 and £5,500 in 2025/26 for reason of further exploration as set out in recommendation 4.

4. That the bid for Norman Lockyer Observatory repairs and conservation work be referred to the Asset Management Plan working group tasked with work on the new Asset Management Plan; and delegated authority be given to the Assistant Director for Place, Assets & Commercialisation to enter into discussion with the tenants, working with the Finance Director (CFO/s151) & Interim Chief Executive and the Portfolio Holder for Finance.

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

Minute 49: Employment of agency staff in the Planning Policy Team

That funding of £55,000 be committed to appointing an agency planning officer on an interim basis to work in the Planning Policy Team to support the Local Plan production and cover the vacant Planning Officer post in the team.

110 **Carbon Action Programme**

The Economic Development team sought approval to procure a £207,000 package of decarbonisation support for businesses and community organisations from the business support and Green Team budgets. The package would include the provision of workshops, carbon surveys and carbon action plans for those who take up the offer.

RESOLVED:

1. That Cabinet endorse the development and delivery of the Carbon Action Programme for East Devon businesses and community organisations.
2. That Cabinet agree to the procurement of the £207,000 support package required to deliver the support element of the Carbon Action Programme, and delegate authority to the Assistant Director (Growth, Development and Prosperity) to award the support package contract.

REASON:

Cabinet approval was required to procure a service of this value.

111 **Blackdown Hills AONB and East Devon AONB Management Plan reviews**

Approval was sought from EDDC on the reported timetables and public consultation processes for the Blackdown Hills National Landscape and East Devon National Landscape draft statutory National Landscape Management Plans, that lie within the district. In future years, formal approval for the final draft of both National Landscape Management Plans would be required following the completion of a public consultation. This would then be sent to Defra/Natural England confirming that the Management Plans have met the legislative requirements of the Countryside and Rights of Way Act 2000.

Tim Youngs Blackdown Hills National Landscape Manager said they were in the process of undertaking a survey asking people what the priorities should be for the National Landscape. They had reviewed past strategies to see what needing changing. Both National Landscape plans would have to finally approved by March 2025.

Chris Woodruff East Devon National Landscape Manager said this delegated work had been in progress since 2004 and the rebranding was part of this continuing process, with the focus now on responsibility to conserve and enhance natural beauty.

The Portfolio Holder Coast, Country and Environment and Chair wished to thank Chris Woodruff for all this hard work as the East Devon National Landscape Manager, as he was now leaving the role.

RESOLVED:

That the proposed timetables and public consultation processes for the review of the Blackdown Hills National Landscape and East Devon National Landscape Management Plans, as required under Section IV of the Countryside and Rights of Way (CRoW) Act 2000 be agreed.

REASON:

This would provide the Council's approval for the two National Landscape Partnerships to begin the process of reviewing their Management Plans on behalf of East Devon District Council.

112 **Council Tax Base 2024/2025**

The report set out the tax base for 2024/2025 and included the breakdown for each parish, expressed in terms of Band D equivalent properties on which the council tax would be based. This was an important component in the Council's budget setting process for 2024/2025.

RESOLVED:

1. That the approval of the tax base for 2024/2025 at 62447 Band D equivalent properties be agreed.
2. That the amount for each parish as detailed under section 3 of the report be agreed.

REASON:

The calculation of the tax base was prescribed in regulations and was a legal requirement. The council tax base was defined as the number of Band D equivalent properties in a local authority's area. The tax base was necessary to calculate council tax for a given area.

113 **Council Tax Reduction Scheme 2024/25**

Members were asked to consider and approve the Council Tax Reduction (CTR) scheme for 2024/25 which was being recommended to remain unchanged from the current scheme. These were:

- Increased Band 1 support from 85% to 100%
- Introduced a 16 hour a week minimum income floor for the self-employed.
- Introduced a maximum of 12 months backdating for new claims.
- Increased the income band widths to allow for couples as well as allowing for increases due to inflation.
- Ability to disregard any income received via government initiatives such as local welfare provision following a national crisis.

Cllr Steve Gazzard wished to thank Libby Jarrett and her team for the support and help they offered to local residents.

RECOMMENDED to Council:

That the Council Tax Reduction Scheme for working age residents for 2024/25 be agreed.

REASON:

The Council was required by law to decide whether to revise or replace its CTR scheme each year. As significant number of changes to the scheme for 2023/24 there were no changes to the scheme for 24/25. There were also emergency measures that were put in place to help householders due to the cost-of-living crisis, such as the Council Tax Support Fund and the Energy Relief scheme. This resulted in householders receiving

extra financial support to help pay their Council Tax and as such this would mask any householder who would normally still have to pay a contribution, as due to the support received directly onto Council Tax accounts the amount of remaining charge was either reduced or removed.

The maximum support was raised from 85% to 100% meaning that a significant amount of householders were taken out of paying council tax altogether. The scheme therefore continued to support those households on the lowest incomes who would otherwise likely still struggle to pay due to the current costs of living as extra government support comes to an end.

114 **Project Boards set up for Feniton (flood) and Exmouth (beach)**

Feniton Flood alleviation Scheme (FAS) offering improved flood resilience to over 60 properties was due to start on site in 2024. To aid delivery of the project, the report outlined and proposes for the setting up of a project board.

Exmouth BMP was a project to study the physical beach and provide recommendations to best manage the beach into the future, to maintain sand levels and good amenity value. To aid delivery of the project, the report outlined and proposes for the setting up of a project board.

RESOLVED:

1. That the setting up of a Feniton FAS project board as outlined in the report to be able to make swift decisions to aid project completion, be agreed.
2. That the setting up of a Exmouth BMP project board as outlined in the report to be able to make swift decisions to aid project completion, be agreed.

REASON:

Currently as per the project management policy at EDDC, unless otherwise appointed, SLT act as the project board, responsible for making quick decisions to keep the respective project. SLT meet fortnightly and are not familiar with the project's details, so a bespoke group able to meet on demand who were familiar with the project's details would be beneficial for project progress and making swift decisions.

115 **Entering Contract above £100k - Feniton Flood Alleviation Scheme**

The report purpose was to gain agreement to enter a contract with Kier Integrated services of up to a value of £3million. It outlined the procurement process, framework agreement and compliance with contract standing orders.

RESOLVED:

That an agreement to enter contract with Kier Integrated services to enter a contract of a value of up to £3m to deliver the construction of Feniton Flood Alleviation Scheme, be agreed.

REASON:

That Kier Integrated Services had been procured correctly and to aid speedy contract award to get Feniton on site in Spring 2024.

116 **South West Flood and Coastal shared service**

To propose that EDDC join a shared Flood and Coastal Erosion Risk Management (FCERM) service with BCP (Bournemouth Christchurch Poole) Council. EDDC have been using BCP Council's FCERM service on an ad-hoc basis for service provision over the last 18 months. The vision for this service, through dialogue with the Environment Agency who undertake the 'Strategic Overview' of the national FCERM programme, was to broaden across the South-West region to improve the ability of Local Authorities to deliver against national targets and make communities more resilient to climate change.

The shared service would be for the funding of the service staffing and equipment, meaning each participating authority has access to the broad skills at their net cost. EDDC would remain in full control of what is delivered as well as all other related budgets such as maintenance and capital schemes. The shared service operates so that participating authorities could decide on their proportion, depending on needs. It was proposed that EDDC initially enters into the agreement with a £35k share per annum and monitor performance/progress.

The Chair thanked the Portfolio Holder Coast, Country and Environment for his contribution to this matter.

RESOLVED:

To enter into a shared service agreement with BCP (Bournemouth Christchurch Poole) Council for the provision of FCERM services. That delegated authority be provided to the Assistant Director StreetScene to sign off appropriate agreement and financial limit not exceeding EDDC service needs and budget; which will be reviewed annually, be agreed.

REASON:

EDDC had a current backlog and likely large future programme of flood and coastal works. It currently relied on stretched internal staffing to deliver projects, or ad-hoc consultant appointments, and looking to streamline project delivery. This shared service agreement would allow for increased work to be delivered and offer better value to the taxpayer and time efficiencies to projects, as opposed to procuring consultant services. Due to the depth of experience of the team available through the shared service agreement, there was opportunity to explore external funding potentially reducing EDDC's funding commitments to deliver future flood and coastal risk projects.

117 **Public Toilets Review Project**

A report was presented to Overview Committee on 9 November 2023 providing an update on the Public Toilets Review project. The report addressed both progress with Category A sites, being those sites where the Council was retaining and investing, but also the challenges encountered with Category B and C transfers and the limited interest particularly by Parish and Town Councils, but also more widely by others.

Overview Committee put two recommendations to Cabinet:

1. To extend the closing date and any necessary revenue budgets for Category B and C sites until 31 March 2025 to allow a further 12 months to enable an urgent revisiting of negotiations with town and parish councils to look at freehold disposals and other changes to the offer according to a specified timetable and including a renewed effort through Ward Members to engage town and parish councils, with the reality of reduced or removed public toilet provision at the sites should agreement not be reached.

2. For this Council to write to the Secretary of State to push for public toilets to become a statutory service, and to invite other Councils in Devon and Cornwall to also do so.

The recommendations were supported by Cabinet at its meeting of 29 November 2023.

The report presented focused on how to now move the project forward in respect of recommendation 1 above in terms of timetable and process, but also in respect of resourcing what would be a resource intensive piece of work.

The Portfolio Holder Finance and Assets stressed the importance to all Members to get involved with this project with their Town and Parish Councils as the absolute deadline was 31 March 2025.

RESOLVED:

1. Delegate to the Assistant Director – Place, Assets & Commercialisation, in consultation with Director Finance, Director Governance & Licensing and Finance & Assets Portfolio Holder, to review and as appropriate amend heads of terms templates for both transfers to Town and Parish Councils, but also to others.
2. Resolve to adopt the rigid timetable / gateway approach set out within this report.

RECOMMENDED to Council:

3. That £71,000 be made available from the Transformation Reserve to fund an Interim Estates Surveyor post through to 31 March 2025.

REASON:

To agree a way forward for transfer or disposal of Category B and C sites ensuring sites could close, with or without ongoing public toilet provision, as of 31 March 2025.

118 **Draft Revenue and Capital Budgets 2024/25**

The report presented the draft revenue and capital budgets for 2024/25 for adoption by the Cabinet before consideration by a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board. Recommendations from these meetings would be presented back to Cabinet on 31 January 2024 when members would finalise budget proposals to recommend to Council.

The Portfolio Holder Finance and Assets thanked Simon Davey and his team for their commendable efforts in producing a balanced budget.

RESOLVED:

That the draft revenue and capital estimates are adopted before forwarding to a joint meeting of the Overview and Scrutiny Committees and Housing Review Board for consideration.

REASON:

There was a requirement to set a balanced budget and to levy a Council Tax for 2024/25.

119 **Mill Street Reserved Permits**

The report reviewed the reserved parking arrangements at Mill Street car park, Sidmouth.

RESOLVED:

1. That the redesign of Mill Street car park, including the creation of a dedicated “Reserved” Parking area, where permit holders are able to use any available bay, as opposed to having their own dedicated space, be agreed.
2. That the set a fee of £2000 for a space within the reserved section of the car park, be agreed.
3. That a concessionary discount of 25% of the permit price for main residence Council Tax paying residents, be agreed. This then broadly equates to the yearly amount achieved from a pay & display space within nearby Roxburgh Car Park.
4. That agreement to offer first refusal for a reserved space to all existing lease holders, be agreed.
5. That Cabinet commit to offering priority to main residence Council Tax paying residents for future permit sales.

REASON:

Mill Street – This car park served an important dual purpose, to help meet short-term parking need, and through the provision of reserved bays which were used by residents/holiday homeowners for a guaranteed long-term parking space. The planned separation of the two parking areas should negate the need for the installation and maintenance of costly bollards, as well as providing much more accessible short-term parking for visitors to the town.

A limited resident’s concessionary offer had the opportunity to make reserved parking more affordable for those who did not generate an income from their home, and the financial implications of such an offer were included within the report. The use of this car park had changed several times over recent years and had evolved from being a wholly reserved car park to the shared space that it was now.

Recognising and acknowledging the historical arrangements, local importance and the unique nature of the car park were important when planning how the car park was used in the future.

120 **Serious Violence Duty**

The Serious Violence Duty (the Duty) was introduced in the Police, Crime, Sentencing and Courts Act 2022. The Duty required specified authorities to work together and to prepare and implement a strategy for preventing and reducing serious violence in the area. The report detailed further background and proposes that the draft strategy was adopted by EDDC, in order to meet its legal obligations within the specified timescale.

RESOLVED:

1. To give delegated authority to the Interim Chief Executive & Director of Housing, Health and Environment to sign the final version of the Devon Safety Partnership’s Serious Violence Strategy on behalf of EDDC.
2. That this and other wider tasks and duties being given to EDDC from central government be referred to the Scrutiny Committee for further discussion and debate. As well as get the support of Team Devon on these matters.

REASON:

The draft Strategy must be approved by 30 January 2024 to meet timescales imposed by the Devon Safety Partnership/legal requirements.

121 **Gypsy and Traveller Site Provision at Cranbrook**

Members had previously resolved that they favoured securing gypsy and traveller pitches at Cranbrook through a free transfer of serviced land and a financial contribution from the

developers, to enable the Council to deliver the pitches itself and then operate them. Following further negotiations with developers' agreement cannot be reached on this approach as it failed to adequately give regard to the approach set out in the Council instructed viability appraisal that accompanied the Cranbrook Plan and therefore Members views on an alternative option were sought.

This approach would see developers undertake the on-site works to deliver pitches including day rooms etc. with the cost of this partially compensated through adjustments to financial contributions sought elsewhere in the associated Section 106 agreement. Although this funding would not affect contributions towards schools, open spaces and habitat regulations.

RESOLVED:

That the proposed approach to the delivery of gypsy and traveller pitches at Cranbrook and delegated authority be given to the Assistant Director, Planning Strategy and Development Management to agree the detailed wording of the S106 agreement in relation to this issue, in line with the heads of terms set out in this report be agreed.

REASON:

To ensure the timely delivery of gypsy and traveller pitches and the future operation of them by the Council for the benefit of the gypsy and traveller community.

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

RESOLVED:

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).

123 **Heritage Lottery Fund Species Survival Fund Bid**

The Countryside Team was submitting an application to the Heritage Lottery Fund's (HLF) Species Survival Fund. The application process started with an expression of interest outlining the project scope and funding requirements. This had met with an initial approval by the HLF and they had requested that a full application was now submitted that will be considered and determined by February 2024.

RESOLVED:

That the funding application to the Heritage Lottery Fund's Species Survival Fund, be agreed.

REASON:

This would ensure that Cabinet understood the details of the funding application being proposed, the use of secured Council capital funds to act as match funding and the risks that are identified within the report.

**Present:
Portfolio Holders**

M Rixson	Portfolio Holder Climate Action & Emergency Response
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
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)

Cabinet apologies:

S Jackson	Portfolio Holder Communications and Democracy
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Also present (for some or all the meeting)

Councillor Brian Bailey
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Colin Brown
Councillor Jenny Brown
Councillor Roy Collins
Councillor Peter Faithfull
Councillor Paula Fernley
Councillor Steve Gazzard
Councillor Mike Goodman
Councillor John Heath
Councillor Ben Ingham
Councillor Richard Jefferies
Councillor Todd Olive

Also present:

Officers:

Matthew Blythe, Assistant Director Environmental Health
Tim Child, Assistant Director Place, Assets & Commercialisation
James Chubb, Countryside Team Manager
Amanda Coombes, Democratic Services Officer
Simon Davey, Director of Finance
Richard Easthope, Parking Services Manager
Ed Freeman, Assistant Director Planning Strategy and Development Management
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
Robert Murray, Economic Development Manager
Charles Plowden, Assistant Director Countryside and Leisure
John Symes, Finance Manager
Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)
Chris Woodruff, East Devon National Landscape Manager
Tim Youngs, Blackdown Hills National Landscape Manager
Andrew Wood, Assistant Director Growth Development and Prosperity

Chair

Date:

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

Overview Committee and Scrutiny Committee joint budget meeting held on 11 January 2024

Minute 59 Draft Revenue and Capital Budgets 2024-2025

RECOMMENDATIONS TO CABINET

1. The joint Overview and Scrutiny Committees recommend the draft Revenue and Capital budgets 2024 – 25 to Cabinet for adoption, with the following amendments to be considered:
 - a) The creation of a budget for planning appeals within the Planning budget
 - b) The inclusion in 2024 – 25 of a budget for beach matting at Beer, Budleigh and Sidmouth.

2. That the Service Plans considered during the meeting of the joint committees on 11th January 2024 are recommended to Cabinet, having regard to the comments made by members as follows:
 - a) The inclusion of the Cranbrook Town Centre Masterplan in the Planning Strategy.

EAST DEVON DISTRICT COUNCIL

Minutes of the joint budget meeting of the Overview Committee and Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 11 January 2024

Attendance list at end of document

The meeting started at 9.00 am and ended at 3.19 pm

40 Minutes of the previous meeting

The minutes of the previous joint meeting held on 11 January 2023 and 12 January 2023 were agreed and signed as a correct record.

41 Declarations of interest

Minute 47. Countryside and Leisure.

Councillor Tim Dumper, Affects Non-registerable Interest, Councillor is a member of Exmouth Town Council which is mentioned in relation to the pilot scheme for a festival initiative.

Minute 47. Countryside and Leisure.

Councillor Vicky Johns, Affects Non-registerable Interest, Councillor works for an art charity and is a member of the Arts and Culture East Devon network.

Cllr Vicky Johns also wished it to be recorded for minute 50 that she is a member of Ottery Town Council.

42 Public speaking

There were no members of the public registered to speak.

43 Matters of urgency

There were no matters of urgency.

44 Confidential/exempt item(s)

There were no confidential/exempt items.

45 Draft Revenue and Capital Budgets 2024-2025 and Draft Council Plan

The Finance Director introduced this item and provided a verbal summary of the following:

- A budget overview
- An outline of key points concerning the detailed budgets as presented in the budget books
- How the budget fits in with service planning
- The emerging Council Plan and how this links to the budget.

The joint committees were informed that the budget would be revisited following discussion of individual service plans, to draw together final recommendations for Cabinet and to consider the implication of these recommendations on the budget.

The draft budget had been adopted by Cabinet and the recommendations from the Overview and Scrutiny Committees and the Housing Review Board would go back to Cabinet on 31 January 2024.

Questions, clarification and responses included the following points:

- Members expressed concern about the financial risk associated with the service payment to LED Community Leisure, and it was noted that concerns were also raised at last year's joint budget meeting.
- It is unacceptable that the LED management fee report to the LED Monitoring Forum was issued late, putting a strain on the Overview and Scrutiny Committees and Cabinet to agree a budget when agreement of the management fee is outstanding. The Chair asked that Officers take this matter up with LED.
- The LED Monitoring Forum is scrutinising closely the costs involved in LED. The Forum is looking at putting together a service level agreement to ensure that the Council is presented with financial information in a format which enables an understanding early in the budget process of what is required. This work is ongoing.
- Emergency work to repair recent storm damage to the roof and building at Ocean is covered jointly by this Council's insurance and that of LED. Any claim for loss of income will be through LED's own insurance.
- Should members feel that beach matting is a priority, there is scope for this within the revenue budget. The costs set out in the papers are for procurement of the matting only, whereas costs for storage over winter are covered within normal salary budgets.
- Following a recommendation from last year's joint budget meeting, a piece of work was carried out by Strategic Leisure which sought to identify areas of potential duplication between LED and the private sector to ensure that LED was not being paid to carry out work which is being done elsewhere. The Assistant Director – Countryside and Leisure was asked to share the report arising from this work with all members.

The Chair thanked the Finance Manager and his Officers for the report and their good work.

46 **Key Service Plan Objectives 2024-2025**

The Committees considered the service plan objectives for the following services:

- Countryside and Leisure
- Environmental Health
- Housing
- Streetscene
- HR and Payroll Service
- Finance
- Revenues & Benefits, CSC, Fraud and Compliance
- Growth, Development and Prosperity
- Planning
- Governance and Licensing
- Place, Assets and Commercialisation
- Communications, Digital Services and Engagement Team

47 **Countryside and Leisure**

The Assistant Director – Countryside and Leisure introduced this item and outlined the key service plan objectives for the Countryside and Leisure service.

The Portfolio Holder Coast, Country and Environment thanked the Assistant Director – Countryside and Leisure and his team for another successful year, and their good work on countryside biodiversity and nature recovery.

Questions, clarification and responses included the following points:

- It would be appropriate for this council to work closely with towns and parishes on environmental initiatives, to avoid duplication of effort and expenditure.
- The Forestry Commission have their own jurisdiction and are able to issue felling licences without consulting EDDC, so it is difficult for this council to influence the Forestry Commission's decisions.
- There is a need to understand the consequence on the tree safety budget of planting more trees, and it is anticipated that the emerging Tree Policy will pick up on this. The Streetscene and Countryside and Leisure services will also be looking together at future resource to deal with ash dieback.
- Responsibility for highways trees sits with Devon County Council, whereas EDDC is responsible for Tree Preservation Orders and trees in conservation areas. Tree officers within the Devon districts work collaboratively, sharing thoughts and ideas particularly when developing policy and strategy.
- A Member suggested that consideration is given to redesigning the Beer Jubilee gardens so that it has a mixture of biodiversity.
- The Area of Outstanding Natural Beauty review is a 5-year review which constitutes business as usual for the Countryside and Leisure service.
- The Ecology team includes a Trainee Ecologist post, the job description for which is currently being developed.
- Section 2.1.1 of the service plan sets out that a 10% Biodiversity Net Gain policy for East Devon will be included in the biodiversity chapter and supporting evidence of the new local plan; this percentage aligns with government guidance but an aspiration of 20% is set out in the local plan, subject to the local plan review process.

48 **Environmental Health**

The Assistant Director – Environmental Health presented the service plan objectives and key projects for 2024 – 25 for the Environmental Health service, and invited questions.

The Portfolio Holder Coast, Country and Environment thanked the Assistant Director for the good work carried out by the Environmental Health team, much of which is under the radar and addressing antisocial behaviour.

The Portfolio Holder Climate Action and Emergency Response thanked the Assistant Director and the Climate Change Officer for the work they have done regarding climate action.

Questions, clarification and responses included the following points:

- Concern was raised about sewage overflows and the illegal pumping of raw sewage into the sea. South West Water (SWW) is attending a meeting of the Scrutiny Committee on 1 February 2024 and the Environmental Health service is looking for opportunities to work with SWW and the Environment Agency (EA) in the most efficient way possible with a view to ensuring SWW meet their responsibilities. Most enforcement powers in relation to sewage overflows sit with the EA.
- The Climate Change strategy will be in a form which can be shared with towns and parishes.
- The Environmental Health service has powers to force people to bring empty private sector properties back into use. However, the service first aims to support people to address issues and understand what options are available, and a strategy will set out the service's approach.

- An Enforcement Policy covers environmental protection, including fly tipping.
- The final version of the Climate Change action plan is unlikely to be published in the current financial year [2023-24], but the work on this is ongoing.
- The service is working to fine tune the Emergency Planning and Business Continuity arrangements.
- The Environmental Health service is adequately resourced and carrying few vacancies. The focus will be on succession planning, going forward.

49 **Housing**

The Assistant Director – Housing Strategy and Operations presented the service plan objectives and projects for 2024-2025 for the Housing service. She outlined recent changes to how the Housing service is delivered, and invited questions.

The Leader highlighted the significant change of leadership within the Housing service and welcomed both the Assistant Director and the Director of Housing, Health and Environment who are both new to the organisation.

Questions, clarification and responses included the following points:

- The service will be exploring how the Home Safeguard provision is delivered following the PSTN switch off at the end of 2025.
- It is intended that a Housing Performance Officer and a Housing Performance Lead will look at complaints about repairs, ensuring a plan is in place to rectify issues and identifying where there are points of failure. An objective will be added into the service plan regarding complaints and how they are dealt with.
- It was suggested the Assistant Directors revisit the objectives set out at sections 2.1.7 to 2.1.14 of the service plan to consider how they link to the climate change agenda.
- An objective will be added into the service plan concerning the replacement of white goods and carpets at the end of a tenancy with a view to fixtures and fittings being retained, where possible.
- It would be appropriate to include an objective in the service plan concerning empty homes and how departments and services work together to rectify the issues.
- Further scrutiny of the Housing service plan will take place at the meeting of Housing Review Board on 25th January 2024, with onward recommendations to Cabinet.

50 **Streetscene**

The Assistant Director – Streetscene presented the service plan objectives and projects for 2024-2025 for the Streetscene service, and invited questions.

The Portfolio Holder Coast, Country and Environment thanked the Streetscene and Suez teams for their work and exemplary service.

Thanks were expressed to the Assistant Director, the Portfolio Holder Coast, Country and Environment and the Engineering Projects Manager for their work in securing funding for the Sidmouth Beach Management Plan.

Questions, clarification and responses included the following points:

- In-house resources are very squeezed but the team work within their means to deliver projects. Project management costs are being built into the capital programme to allow for project management, and consideration will need to be given to how project management resource is added to various projects, whether through a contractor, another council or recruiting directly into the team..

- Streetscene operate more in towns than in rural locations as EDDC has more responsibility and land ownings in town areas. Where necessary, a React team can be sent to do a clean up in villages..
- A lot of work is going into decarbonising the Suez fleet but there are limitations to what can be done at the present time, for a number of reasons. Decarbonised fleet is likely to be part of the post-2026 contract renewal and a strategy will need to be created for how this is done, which will include looking at available funding streams.
- There is a service plan objective to assess the Green Flag or Parks Award potential for Beer Jubilee, and a list will be produced of the necessary works to get this area to the required standards. In the meantime, improvements are being carried out within the means available and as set out in a management plan.
- There have been complaints about grass maintenance in children's play areas, and parks officers can discuss with towns and parishes the council's approach to managing these sites.
- The Environment Agency manages flood grant funding on behalf of Defra; the criteria for funding is complex and due to the increase in construction costs, the funding from government is often insufficient to cover costs.
- The council has a corporate virtual funding team to looking at available grant funding for projects, but there is no specific officer within the Streetscene service to carry out this work.
- 240m of the sea wall at Exmouth has been identified as likely not having a foundation, and the current repair to the sea wall will address a wider section than is currently cracked with a view to future-proofing the structure. Consideration will be given to wider implications for the whole frontage, under the Exmouth Beach Management Plan project.
- Several Members highlighted the benefits of beach matting for disabled people to be able to enjoy the beach with their families, and expressed a desire for the beach matting item to be included in the budget.

The Chair thanked the Assistant Director for the service plan and the quality of the work carried out by the Streetscene team.

Recommendation

The inclusion in 2024 – 25 of a budget for beach matting at Beer, Budleigh and Sidmouth.

51 HR and Payroll Service

The Corporate Lead HR and Payroll introduced this item and ran through the key service plan objectives for the HR and Payroll Service.

The Portfolio Holder Council and Corporate Co-ordination thanked the Corporate Lead and her officers for their successful work over the past year, and remarked on the significance of the service which underpins everything that goes on within the Council.

The Leader thanked the Portfolio Holder Council and Corporate Co-ordination for his work on the Personnel Committee, and welcomed the contribution of both the Corporate Lead, Communications, Digital Services and Engagement Team and the Corporate Lead HR and Payroll to the Executive Leadership Team.

Questions, clarification and responses included:

- It was appropriate to advertise the CEO vacancy externally, in order to test the market.
- Thanks were expressed to the Corporate Lead for her work with updating the Armed Forces Covenant.
- Green travel for councillors and officers forms part of the wider Green Travel Plan.

- The Democratic Services Manager is looking into a broad member awareness session covering the role and responsibilities of the Personnel Committee.
- It is appropriate for this Council to support the health and wellbeing of Members. The Corporate Lead has been exploring with the Democratic Services Manager whether the Employee Assistance Programme can be extended to Members, and proposals will come forward.
- The Grant Thornton report is feeding into the upcoming Peer Review, which will in turn inform the People Strategy.
- Staff were invited to complete an Investors in People survey last year and this superseded the staff survey that would otherwise have taken place during 2022.

52 **Finance**

The Finance Director outlined the key service plan objectives for the Finance service and invited questions.

Questions, clarification and responses included:

- Implementation of a new Finance system is Strata's biggest project and the system is due to go live for this Council in April 2024.
- A draft Car Parking Strategy will be brought to Overview Committee this year, and will cover arrangements for coaches, campervans and motorhomes.
- The EDDC Procurement Strategy aligns with the National Procurement Framework, in terms of best practice. To get best value out of procurement, the Council also signs up to national frameworks, supported by Devon County Council, which enables the Council to access the controls and tendering process that are in place.

53 **Revenue & Benefits, CSC, Fraud and Compliance**

The Assistant Director – Revenues and Benefits, CSC, Fraud and Compliance introduced this item and ran through the key service plan objectives for the Revenues and Benefits, CSC, Fraud and Compliance service.

Questions, clarification and responses included:

- Whilst not specifically mentioned in the service plan, the service is working with the VCSE (Devon Communities Together) to explore the specific needs of disabled people in poverty by looking at the data and case studies to identify if there is a theme, with a view to understanding how this group can be better supported.
- Write offs of Housing Benefit overpayments occur for a range of reasons. All write offs are carried out in accordance with the procedure set out in this Council's Constitution, and are included in the Council's annual audit.

54 **Growth, Development and Prosperity**

The Assistant Director – Growth, Development and Prosperity introduced this item and ran through the key service plan objectives for the Growth, Development and Prosperity service, including the key drivers of change that have impacted upon the service plan for 2024-2025, and specific priority projects.

The Portfolio Holder Culture, Leisure, Sport and Tourism thanked the Assistant Director and his officers for the delivery of the UK Shared Prosperity Fund and the Rural Engagement Prosperity Fund, and for the Tourism Strategy. He commented on the

success of the Tourism Network which has provided useful feedback on what is a critical industry for the district.

The Portfolio Holder Coast, Country and Environment also expressed thanks to the Growth, Development and Prosperity team for their assistance to his portfolio. He welcomed the delivery of measures in relation to both the habitat mitigation and green infrastructure strategies, and the work taking place to provide a source of low carbon heat for Cranbrook.

Questions, clarification and responses included:

- A formal programme will be brought to the Cranbrook Strategic Delivery Board for delivery of the masterplan for Cranbrook town centre.
- The Assistant Director – Growth, Development and Prosperity expressed confidence that the service has access to the resource and specific expertise it needs to move key projects forward, including revenue funding to draw on a wider set of external consultants.
- There is a group which draws on relevant surveying and planning expertise within the organisation to support the objective of working to increase the supply of available commercial sites and premises in the district. The expertise within the group facilitates an understanding of where progress is being made and any issues that that are causing projects to stall.

55 **Planning**

The Assistant Director Planning Strategy and Development Management presented the service objectives and key projects for 2024 – 25. The Assistant Director particularly highlighted the following:

- The Reg 19 draft of the new Local Plan.
- Recruitment of the new Planning Obligations team and development of the work programme.
- Adoption of a new Playing Pitch Strategy.
- Completion of the water cycle study.
- Work to progress development of a second new community in the district.

It was noted that the production of the Cranbrook Town Centre Masterplan had not been included in the service plan.

Questions from Members and responses included the following points:

- Regarding recovery of costs in the Building Control service, costs could only be recovered on the non-statutory elements and not on statutory elements such as enforcement. Various changes are expected to the relevant regulations, and Building Control charges and costs will be reviewed when the changes are known.
- Adverts are currently being prepared for the recruitment of the 4 posts in the Planning Obligations team. An interim S.106 Officer is in place with a further interim appointment expected shortly.
- The water cycle study would assist with understanding capacity in the South West Water infrastructure across the District and would inform the new Local Plan. If infrastructure is found to be insufficient, EDDC would engage with South West Water to understand how required infrastructure would be brought forward and new development phased to reduce impact on water courses and flooding.
- Regarding training for town and parish councils, it was anticipated that an initial programme would be in place by April with the first events being held in June.

- With regard to the previous year's budget of £100k for nutrient neutrality, this had part funded the District Ecologist post, the credit scheme for projects and in-house work on housing stock.
- It was noted that Planning Officers would have regard to the need for a new sewage treatment plant at the second new community as this had not been provided at Cranbrook.
- Work on the Playing Pitch Strategy was nearing completion.

There was discussion on whether a specific budget line for planning appeals could be included in the budget in order to support planning decisions. It was noted that a budget line had not been included as a year could pass without the need to draw on budgeted funds. The Director of Finance advised that this could be considered.

The Assistant Director Planning Strategy and Development Management was thanked for the service plan and for the work of his team.

Recommendations

1. That a budget for planning appeals within the Planning budget be created;
2. That the Cranbrook Town Centre Masterplan be included in the Planning Strategy.

56 Governance and Licensing

The Director of Governance and Licensing presented the service objectives and key projects for 2024 – 25 and highlighted the following:

- Review of the Constitution.
- Strengthening working relationships with the Police in relation to the handling of code of conduct complaints relating to Disclosable Pecuniary Interests.
- Review of Licensing fees.
- Recruitment of a new Cemeteries Registrar and upskilling of the Licensing team in this area.
- Conducting a Member satisfaction survey and Member skills audit.
- Holding of potentially 2 elections during the year.
- Set up of an Information Governance Board.

It was noted that the report from the Centre for Governance and Scrutiny was due imminently. It was also noted that additional training sessions would be provided for those Members who had not previously undertaken the mandatory training.

The Portfolio Holder for Council and Corporate Co-ordination thanked the Democratic Services team for their work and the Portfolio Holder for Coast, Country and Environment thanked Cllr Whibley for his work in chairing the Licensing Committee.

The Director of Governance and Licensing was thanked for the service plan and on-going work.

57 Place, Assets and Commercialisation

The Assistant Director, Place, Assets and Commercialisation presented the service objectives and key projects for 2024 – 25. The service objectives included both internal and external focussed projects including the following:

- Adoption of new General Fund Asset Management Plan for 2024 – 29.
- Office accommodation strategy.

- Delivery of outcomes of public toilets review.
- Review of depots.
- Swimming pools decarbonisation project.
- Exmouth placemaking and wider placemaking across the District.
- Delivery of employment sites owned by EDDC at Honiton, Seaton and Axminster.

The Portfolio Holder for Culture, Leisure, Sport and Tourism thanked the Assistant Director and his team for their work and in particular, for the work on category A public toilets review, Exmouth Placemaking plan and the decarbonisation of leisure centres.

The Leader highlighted the progress with Seaton Jurassic as a real achievement.

Discussion, questions and responses included the following points:

- A huge amount of work has been undertaken with regard to Exmouth placemaking and the plan needs to be agreed before physical progress becomes visible. Progress on the ground should be visible over the coming months.
- With regard to the Exmouth Pavilion Theatre, it was noted that the building comes under the remit of this service, whilst operational matters fall under the Countryside service.

The Assistant Director was thanked for his service plan and on-going work.

58 **Communications, Digital Services and Engagement Team**

The Corporate Lead, Communications, Digital Services and Engagement presented the service objectives and key projects for 2024 – 25 and introduced the 4 teams within the service.

The Portfolio Holder for Council and Corporate Co-ordination thanked the Management Information Officer for her work on the emerging Council Plan and the management of performance information.

The Leader welcomed the Corporate Lead to the senior leadership team which highlights that EDDC is an outward facing Council. The newly introduced Councillors' update was welcomed.

It was noted that key aspirations for the year include greater integration of Microsoft Teams and an improved system for online complaints.

The Corporate Lead was thanked for his service plan and the work of the team.

59 **Draft Revenue and Capital Budgets 2024-2025**

The Director of Finance summarised the meeting and the Overview and Scrutiny Committees voted by Committee and agreed the following recommendations to Cabinet.

RECOMMENDATIONS TO CABINET

1. The joint Overview and Scrutiny Committees recommend the draft Revenue and Capital budgets 2024 – 25 to Cabinet for adoption, with the following amendments to be considered:
 - a) The creation of a budget for planning appeals within the Planning budget

- b) The inclusion in 2024 – 25 of a budget for beach matting at Beer, Budleigh and Sidmouth.
2. That the Service Plans considered during the meeting of the joint committees on 11th January 2024 are recommended to Cabinet, having regard to the comments made by members as follows:
 - a) The inclusion of the Cranbrook Town Centre Masterplan in the Planning Strategy.

Attendance List

Councillors present:

J Brown
M Chapman
B Collins
R Collins
M Goodman (Chair)
A Hall (Co-Chair)
J Heath
V Johns
B Bailey
T Dumper
P Fernley
Y Levine
T Olive

Councillors also present (for some or all the meeting)

R Jefferies
G Jung
J Loudoun
C Brown
P Arnott
K Bloxham

Officers in attendance:

Matthew Blythe, Assistant Director Environmental Health
Simon Davey, Director of Finance
Joanna Fellows, Corporate Lead - HR and Payroll
Andrew Hancock, Assistant Director StreetScene
Andrew Hopkins, Corporate Lead - Communications, Digital Services and Engagement
Sarah James, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Charles Plowden, Assistant Director Countryside and Leisure
Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Tracy Hendren, Director of Housing, Health and Environment
Libby Jarrett, Assistant Director Revenues, Benefits, Corporate Customer Access, Fraud & Compliance
Andrew Wood, Assistant Director Growth Development and Prosperity
Tim Child, Assistant Director Place, Assets & Commercialisation
Ed Freeman, Assistant Director Planning Strategy and Development Management
Emma Congerton, Assistant Director Housing Strategy & Operations
John Symes, Finance Manager

Jo Avery, Management Information Officer

Councillor apologies:

- I Barlow
- D Mackinder
- S Smith
- A Toye
- J Whibley
- C Nicholas
- M Martin
- H Riddell

Chair

Date:

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

LED Monitoring Forum on 16 January 2024

Minute 37 LED Monitoring Forum Terms of Reference update

The following changes to the Terms of Reference for the Forum:

1. The removal of the Portfolio Holder for Coast, Country and Environment and the inclusion of the Portfolio Holder for Culture, Leisure, Sport and Tourism as one of the identified Portfolio Holders within the membership of the Forum.
2. To change the name of the Forum to the Leisure Strategy Delivery Forum.
3. To update the Terms of Reference to reflect the changes in Officers job titles.
4. To formally note within the revised Terms of Reference that the Chair will be appointed at Annual Council.
5. To formally note within the revised Terms of Reference the quorum for the Forum of 4 Members.
6. To formally note within the revised Terms of Reference that the Forum will meet on a quarterly basis, with extra meetings where reasonably required to deal with urgent matters.
7. To note within the revised Terms of Reference that the Forum will have oversight of the Council's wider leisure strategy work as well as providing guidance and scrutiny of the Council's relationship and contract with LED.

Minute 38 LED service management fee and SLA 2024

That the Council's draft budget remains unaltered at £1,463,924 until a detailed breakdown of the LED service fee payment request is received by the Forum, accompanied by officers recommendations having undertaken appropriate due diligence. This may require an additional budget being agreed at a later stage in the year.

Minute 39 BSCAP 7th Dec 2023 referrals to LED Monitoring Forum - supported in principle but referred to the LED Monitoring Forum for further consideration before recommending for inclusion in the Capital Programme

That the following bids be included in the Capital Programme:

- a. Exmouth Pavilion Flytower and Auditorium works for £335,100 in 2024/25 and £444,900 in 2025/26
- b. Exmouth Pavilion Roof works for £5,000 in 2024/25 and £504,000 in 2025/26
- c. East Devon Tennis Centre Roof works for £791,095 in 2024/25 and £21,405 in 2025/26.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of LED Monitoring Forum held at Online via the Zoom app on 16 January 2024

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.38 pm

29 Minutes of the previous meeting held on 19 September 2023

The minutes of the previous meeting held on 19 September 2023 were noted as a true and accurate record.

30 Declarations of interest

There were none.

31 Public Speaking

One member of the public had registered to speak at the meeting.

Mr Stephen Beer spoke on behalf of Exmouth Stroke Survivors Club. He highlighted that funding for the Club was limited, and spoke of a need for more equipment to support a growing membership and increasing referrals. He thanked LED for their continued support.

32 Matters of urgency

There were no matters of urgency.

33 Confidential/exempt item(s)

There were two items to be considered in private session (minutes 38 and 39 refer).

34 LED Facilities and Activities report January 2024

The LED Facilities and Activities report for January 2024 was received and noted.

35 Exmouth Pavilion report January 2024

The LED CEO introduced this report which provided an update on operational delivery and buildings maintenance at the Exmouth Pavilion.

The Forum noted the report.

36 LED KPI Dashboard Annual 2023

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

37 LED Monitoring Forum Terms of Reference update

The Assistant Director – Countryside and Leisure introduced this item which set out proposed changes to the name and terms of reference for the Forum, to reflect the wider Leisure Strategy focus whilst incorporating LED.

Discussion included the following points:

- It is appropriate to keep the same number of Cabinet members on the Forum's membership in order to maintain a sense that this is a Forum of the Council rather than of the Cabinet.
- The Forum's name needs to reflect its role in having an overarching view of the elements which sit within the Leisure Strategy and portfolio.
- There are currently no members from the Conservative group on the membership of the Forum, and the Forum's membership is agreed at Annual Council. Through the Constitutional Working Party, it would be appropriate to consider proportionality on the Forum's membership.

RECOMMENDED to Cabinet:

The following changes to the Terms of Reference for the Forum:

1. The removal of the Portfolio Holder for Coast, Country and Environment and the inclusion of the Portfolio Holder for Culture, Leisure, Sport and Tourism as one of the identified Portfolio Holders within the membership of the Forum.
2. To change the name of the Forum to the Leisure Strategy Delivery Forum.
3. To update the Terms of Reference to reflect the changes in Officers job titles.
4. To formally note within the revised Terms of Reference that the Chair will be appointed at Annual Council.
5. To formally note within the revised Terms of Reference the quorum for the Forum of 4 Members.
6. To formally note within the revised Terms of Reference that the Forum will meet on a quarterly basis, with extra meetings where reasonably required to deal with urgent matters.
7. To note within the revised Terms of Reference that the Forum will have oversight of the Council's wider leisure strategy work as well as providing guidance and scrutiny of the Council's relationship and contract with LED.

The meeting then went into private session.

38 LED service management fee and SLA 2024

The Assistant Director – Countryside and Leisure introduced this report which included the latest draft for a rolling two-year Service Level Agreement (SLA) with LED, and also a request being made by LED for its management service fee settlement for 2024/25.

Following discussion at length, the Forum:

1. Noted the request from LED to provide a budget allocation of £1,819,554 for its 2024/25 Service fee acknowledging that £1,463,924 is currently included in the Draft Revenue and Capital Budget 2024/25.
2. Considered the draft SLA framework document and management service fee settlement request as presented, with final versions to be brought to an extraordinary Forum meeting at the next opportunity for recommendation to Cabinet.

This ensured that the Forum was able to consider in detail the management fee proposal by LED for the 2024/25 financial year with a view to ensuring that LED can remain a viable leisure provider for this council.

RECOMMENDED to Cabinet:

1. That the Council's draft budget remains unaltered at £1,463,924 until a detailed breakdown of the LED service fee payment request is received by the Forum, accompanied by officers recommendations having undertaken appropriate due diligence. This may require an additional budget being agreed at a later stage in the year.

39 **BSCAP 7th Dec 2023 referrals to LED Monitoring Forum - supported in principle but referred to the LED Monitoring Forum for further consideration before recommending for inclusion in the Capital Programme:**

The Assistant Director – Place, Assets and Commercialisation introduced this item, inviting Members to consider referrals from the Budget Setting and Capital Allocations Panel (BSCAP), before recommendation or not for inclusion in the Capital Programme.

BSCAP had referred these proposals to the Forum so that they could be considered in relation to the Leisure Strategy and the wider position with LED.

Members had received the Initial Project Proposal Documents as presented to BSCAP for the following proposals:

1. Exmouth Pavilion Flytower and Auditorium works for £335,100 in 2024/25 and £444,900 in 2025/26
2. Exmouth Pavilion Roof works for £5,000 in 2024/25 and £504,000 in 2025/26
3. East Devon Tennis Centre Roof works for £791,095 in 2024/25 and £21,405 in 2025/26.

The Assistant Director and the Principal Building Surveyor presented the business cases, outlining why the works were necessary and the implications for the sites in the eventuality that the works are not progressed.

Questions, clarification and discussion included the following points:

- The works to the Exmouth Pavilion Flytower and Auditorium are mainly related to health and safety.
- The Exmouth Pavilion Roof works are to reroof the whole of the Pavilion building.
- The Tennis Centre roof is 25 years old and in need of replacement.
- These are community facilities that are very well used with a large catchment area, and the Leisure Strategy identifies the Tennis Centre as the only indoor tennis facility in East Devon.
- The facilities are part of the Leisure Strategy and the Exmouth Pavilion is part of the Cultural Strategy. Both facilities tie into the Tourism Strategy and bring people into the town, supporting the local economy.
- Whilst the facilities are popular, more needs to be done by LED to maximise patronage in order to get best value from the assets and ensure they are used at all times, and this was identified during the Cultural Strategy consultation work.
- The focus is on the capital cost for material significant works, to keep the facilities going and protect the longevity of the sites.
- There will be a revenue implication for the council due to the cost of borrowing from the Public Works Loans Board, and this cost has been allowed for.
- Whilst the sites are in exposed locations, flat roofs and metal roofs should last for 25 years, with pitch and slate roofs expected to last considerably longer. Loans for the repairs will be repaid over a 40 year term. The Finance Director indicated that total borrowings across the authority are worked out as an average.
- Whilst these assets are on the council's portfolio and until a decision is taken to dispose any of them, the council needs to ensure that they are well maintained and fit for purpose. Maintaining them in good condition in some instances will also mean that they will fetch a better price should the council ever need to dispose of them.

- An Asset Management Plan will enable the council to forward plan, with assets scored according to financial and non-financial performance. This will help to inform decisions regarding the assets, going forward.
- Funding is constrained and the council must research every grant that is available.

RECOMMENDED to Cabinet:

1. That the following bids be included in the Capital Programme:
 - a. Exmouth Pavilion Flytower and Auditorium works for £335,100 in 2024/25 and £444,900 in 2025/26
 - b. Exmouth Pavilion Roof works for £5,000 in 2024/25 and £504,000 in 2025/26
 - c. East Devon Tennis Centre Roof works for £791,095 in 2024/25 and £21,405 in 2025/26.

Attendance List

Councillors present:

P Arnott
S Hawkins (Chair)
P Hayward
N Hookway (Vice-Chair)
J Loudoun
S Smith
A Toye
J Whibley

Councillors also present (for some or all the meeting)

C Brown
P Faithfull
M Rixson

Representatives of LED Community Leisure in attendance:

Karen Best, LED Finance Director
Andrew Dare, LED Fitness and Wellbeing Manager
Lottie Edwards, LED Community Engagement Manager
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
Jorge Pineda-Langford, Principal Building Surveyor, Property & FM
Charles Plowden, Assistant Director Countryside and Leisure
Tracy Hendren, Director of Housing, Health and Environment

Councillor apologies:

M Hall
G Jung

Chair

Date:

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

Housing Review Board on 25 January 2024

Minute 43 Gas and fire safety policies

RECOMMENDED by the Housing Review Board:

that Cabinet recommend to Council the approval of the amendments to the gas safety policy and the fire safety policy for housing service properties.

Minute 44 Resident involvement strategy

RECOMMENDED by the Housing Review Board:

1. that Cabinet note the report and agree that the Resident Involvement Strategy can now go to open public consultation.
2. that Cabinet approve the Resident Involvement Strategy for the next three years in the event that no significant changes are made as a result of the public consultation. (Housing commit to bring the strategy back to the Housing Review Board should significant changes be made as a result of said consultation).

Minute 45 Housing Review Board annual budget report

RECOMMENDED by the Housing Review Board:

that Cabinet approve and recommend to Council the draft Housing Revenue Account revenue and capital estimates, including the proposed rent increases for 2024/25.

Minute 47 Asset management strategy

RECOMMENDED by the Housing Review Board:

1. that Cabinet approve the appointment of a consultant, if required, to develop the Asset Management Strategy.
2. that Cabinet recommends to Council the approval of an additional budget in the sum of £50,000 to fund this appointment.
3. that delegated authority be given to the Assistant Director of Housing (Housing Tenancy Services) to agree a fee with this consultant, not exceeding £50,000.

Minute 48 Housing Service Plan

RECOMMENDED by the Housing Review Board:

that Cabinet approve the Housing Service Plan.

Minute 50 Housing Task Force update

RECOMMENDED by the Housing Review Board:

- 1) that Cabinet note the revised Housing Strategy, Enabling and Projects team structure.
- 2) that Cabinet note the progress to date and future direction of the new Housing Strategy, Enabling and Projects team.
- 3) that Cabinet note the development of a new Housing Strategy and Housing Investment and Delivery Plan.
- 4) that Cabinet approve the creation of the Senior Surveyor post within the Housing Task Force on a permanent basis as set out in the report.
- 5) that Cabinet recommends to Council, the approval of additional budget in the sum of £74,000 to fund the Senior Surveyor post within the Housing Task Force.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Housing Review Board held at Council Chamber, Blackdown House, Honiton on 25 January 2024

Attendance list at end of document

The meeting started at 10.00 am and ended at 12.30 pm

37 Minutes of the previous meeting

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

In response to a query relating to minute 29, review of housing compliance policies, the Assistant Director – Housing (Tenancy Services) confirmed that she would find out whether tenants had been contacted regarding on-going asbestos care and report back to the Housing Review Board.

38 Declarations of interest

There were no declarations of interest under the Code of Conduct. Councillor Sarah Chamberlain declared that she was employed by Exeter City Council in the housing department. Sue Dawson declared that she was a council housing tenant. In relation to agenda item 8 Councillor Chris Burhop declared that he was a director and co-owner of Alarmtec Ltd, and a shareholder in Firemark Ltd and Extinguish Ltd but none of these companies were tendering for works under the fire safety policy. Non committee member Councillor Steve Gazzard declared that he was a council housing tenant.

39 Public speaking

There were no members of the public registered to speak.

40 Matters of urgency

There were none.

41 Confidential/exempt item(s)

There was one confidential/exempt item.

42 Housing Review Board forward plan

The Assistant Director of Housing (Tenancy Services) presented the forward plan and explained the revised format of the plan and the reasoning behind these changes in that it aligned with the Scrutiny Committee's forward plan format. Members were advised that the forward plan acted as a reminder of agenda items to come forward to future meetings. Dates for the future items would be populated once dates for 2024/25 Housing Review Board meetings had been agreed. Members were reminded that they could add further reports and topics for discussion to the next forward plan by either informing herself or the Democratic Services Officer.

43 Gas and fire safety policies

The Housing Review Board were asked to consider and agree the amended reviews of the gas safety policy and the fire safety policy for housing, to ensure compliance with current legislation and regulations relating to those statutory areas of compliance.

The gas safety policy set out East Devon District Council's approach to managing gas safety within properties owned and/or managed by East Devon District Council, including community centres, communal areas and district offices. The policy detailed how East Devon District Council met the requirements for gas safety under the Gas Safety (Installation and Use) Regulations 1998, including all amendments. In addition to this, the policy provided assurance that measures were in place to ensure compliance with these regulations and to identify, manage and/or mitigate risks associated with gas installations and gas appliances owned by the Council.

The fire safety policy set out East Devon District Council's approach to managing fire safety within properties owned and/or managed by East Devon District Council, including community centres, communal areas, district offices and houses of multiple occupation (HMOs). The fire safety policy detailed how East Devon District Council met the responsibilities under the Housing Act 2004, The Regulatory Reform (Fire Safety) Order 2005, the Fire Safety Act 2021 and the Fire Safety (England) Regulations 2022. The overall aim of the policy was to manage and reduce, as far as reasonably practicable, the risk of fire to occupiers of Council properties, visitors, staff, contractors and the general public.

It was noted that the policy and procedures for accessing properties were in line with best practice and should be followed. With regards to gas inspections every attempt was made before certification expired, with the process commencing in month ten, before the twelve months was up. It was important to ensure the procedures under the policies worked for the Council and allowed it to raise awareness at every opportunity for tenants.

Both the gas policy and the fire policy, along with the procedures, would be consulted with through the Resident Involvement Monitoring Group.

RECOMMENDED: that Cabinet recommend to Council approval of the amendments to the gas safety policy and the fire safety policy for housing service properties.

44 **Resident Involvement Strategy**

The Tenancy Services Manager's introduced himself to the Housing Review Board and gave a brief description of his background. His report outlined EDDC's consultation and redesign of its Resident Involvement Strategy 2024-2027, which replaced the previous 2019 strategy. The report detailed the background of the Resident Involvement Strategy, the consultation undertaken over the past year and a summary of the key points of the new strategy and the legislation governing it.

A tenant focussed approach was needed to all aspects of work within the housing service. It was vital that tenants were included from the start of policy formation, that tenants were given the training they needed to be fully involved and that tenants were kept up to date with clear, concise and relevant information about service performance.

An in depth, and detailed approach to reviewing and updating the Residents Involvement Strategy (RIS) was adopted. Extensive consultation was undertaken and adherence to best practice and legislative requirements was ensured. Self-assessments of current performance against the Consumer Regulatory Standards, and the current RIS were

completed, and measured performance against the strategies of other social housing providers.

The five main objectives of the new Resident Involvement Strategy were:

- To understand more about the people who live in council homes.
- To improve the value of tenant engagement.
- To increase diversity within involved tenants.
- To improve communication and consultation with tenants.
- To value the involved tenants, volunteers and communities.

The Resident Involvement Strategy would be taken to full public consultation.

RECOMMENDED:

1. that Cabinet note the report and agree that the Resident Involvement Strategy can now go to open public consultation.
2. that Cabinet approve the Resident Involvement Strategy for the next three years in the event that no significant changes are made as a result of the public consultation. (Housing commit to bring the strategy back to the Housing Review Board should significant changes be made as a result of said consultation).

45 **Housing Review Board annual budget report**

The Director - Finance presented the draft revenue and capital budgets for 2024/25 for consideration by the Board.

At the same time as preparing the draft budget, draft service plans had been prepared for members consideration. Service plans and budgets were aligned and linked back to the Council Plan.

The Housing Revenue Account (HRA) was underpinned and influenced by a business plan. This plan needed to be updated with revised financial modelling once the housing condition survey work was complete.

The draft 2024/25 budget approach had been similar to the current year with variations as noted in the report. The budget was balanced in that income raised by rents covered current expenditure. The budget was seen as an interim solution whilst restructured teams bedded in, which could also result in the re-organisation of budgets but within the same financial envelope. All planned expenditure was met from available income.

The Director – Finance highlighted to the Board that the budget did not reflect the stock condition survey results. It could be necessary to undertake a reallocation of budgets or the use of additional reserves to meet priorities in the financial year to reflect the findings of the housing stock condition survey but at this stage it was considered there were sufficient resources available. The Housing Review Board would be updated on any reallocations. Other pressures on the HRA budget were decarbonisation of the housing stock as well as expanding the housing stock.

The increase in any individual tenants rent was normally limited to inflation + 1% for the forthcoming financial year. Inflation was taken as the Consumer Price Index (CPI) rate at the prevailing rate for September 2023, which was officially registered at 6.7%. The draft budget assumed an increase in Council house rents to this level with a factor included for a reduction in stock numbers and voids giving £21.48m, an increase of £1.47m. An

increase of 3.5% had been assumed on garage rents giving an additional £8k in income, but members might consider this not to be appropriate.

The proposed Housing Revenue Account draft budget presented was a balanced budget, with any surplus to be included within an increased contribution to capital of £1.2m to invest in stock and fund capital projects. The HRA Balance was currently predicted to meet the £3.1m level at the end of 2023/24 once contributions to and from reserves were taken into account. There was an additional £1.6m being held in the HRA debt Volatility Fund, which remained unchanged.

A summary of the capital funding position was also provided for the Board. The HRA proposed expenditure in 2024/25 was £4.906m, funded from the HRA. This represented the same level of investment as currently provided and seen by the service as suitable to meet the requirements at present, until a full stock condition survey was completed and maintenance and improvement plans were fully developed. It was likely that further funding would be needed and a report would be brought back to the Board detailing any significant capital investments required.

Explanations were provided for the staffing and contractor spends and pay awards in the budget and a request was made for an update on the cyclo boiler project.

RECOMMENDED: that Cabinet approve and recommend to Council the draft Housing Revenue Account revenue and capital estimates, including the proposed rent increases for 2024/25.

46 **Repairs and voids performance**

The Responsive Repairs and Voids Service Manager introduced herself and gave a brief description of her background. She went on to give the Housing Review Board a presentation which outlined the Council's approach to improving performance across its housing repairs contracts and in the management of empty Council homes. The report outlined the progress made to date and the actions being taken to further improve performance in these areas.

Since the last HRB meeting, the number of empty homes continued to reduce month on month and void turnaround times were also decreasing. In December 2023 127 empty homes were recorded, which was down from 168 in July 2023. A number of steps were being taken to ensure void performance and these were noted in the report and explained during the presentation.

The target for routine repairs to be completed within target by the two main contractors, Ian Williams and Liberty Gas, was 90% (100% for emergency repairs). Officers acknowledged there was further work to be done, but progress was now being made with 83% of repairs being completed within time in December 2023, against 75% of repairs in July 2023. A number of steps were being taken to improve performance across the repairs contracts and these were noted in the report and explained during the presentation.

To ensure the service was in a position to meet upcoming challenges and invest wisely in the housing stock portfolio some additional measures were being taken to future proof the service. A review of the service had been undertaken to ensure the right people were in the right places. Resources would continue to be reviewed in line with the demands on the service and the contractors would be supported to do the same. There was an upcoming skills review to inform a training plan for the teams for all staff to

develop and be further equipped to deal with the challenges of the large contracts. Data from the stock condition survey would inform the Asset Management Strategy and the Investment Plan for the next five years, which would improve the overall decency of the Council's homes and therefore impact the Council's position on responsive repairs.

The Responsive Repairs and Voids Service Manager was thanked for her presentation and a number of issues were raised and discussed, including:

- The efficiency and effectiveness of contractors' staffing.
- Challenging resource issues.
- Improvements and commitments made by Ian Williams
- Voids broken down into areas to identify trends and inform ward members.
- Importance of paper customer feedback forms.
- Carpets in good condition would be cleaned and left for incoming tenants.
- Use of tenant inspectors and the desire to introduce this in the future.
- Tenant involvement and the resident repairs forum.
- Breakdown of void costs.
- Reasons why properties were becoming void.

RESOLVED: that the Housing Review Board notes the report and the actions taken.

47 **Asset Management Strategy**

The Housing Review Board considered the report of the Interim Compliance and Planned Works Manager which recommended the development of an asset management strategy (AMS) for EDDC's housing stock. The report covered how the AMS would ensure the service met legislation, regulation and be able to forecast budgetary requirements in maintaining Council homes. The AMS would assist in guiding future strategic property decisions to ensure EDDC managed the housing portfolio efficiently. The AMS would include fully costed five, ten, fifteen and thirty year plan of works based on the outcome of the stock condition survey programme. The report also recommended that a project board be formed to deliver the AMS.

At present EDDC did not have sufficient detailed information to enable it to accurately forecast and budget for the financial implications of managing its repair and maintenance obligations. It was important to take a knowledge-based approach. The outcome from the AMS would include detailed information on each property in the housing portfolio, including components, age, condition, life expectancy, energy efficiency, together with fully costed plans of works.

The purpose of an AMS was to set out and demonstrate:

- An understanding of the property assets owned and managed by EDDC, including their attributes and characteristics.
- An understanding of EDDC's liabilities, in particular the investment needs of the stock in the short- medium and longer term as identified through stock condition surveys and EDDC's database.
- Adopt an approach to the strategic management and maintenance of the assets to maintain them in good and tenable repair.
- An understanding of when disposal, purchase, and development would be recommended.

The Housing Review Board noted the profile of its housing portfolio. It was a mixed portfolio spanning several different property types. They were held on a mixture of tenures; general needs tenancy, freehold, licence and leasehold. The portfolio also included 15 community centres, which were part of the AMS.

It was noted that as part of the stock condition programme there were still about 100 properties remaining to be surveyed. About 80% of the portfolio had been inspected, with this reaching 90% by the end of January when the project would be completed. The surveyors, Currie and Brown, would provide a detailed report once the programme was completed. The report would set out the key findings of the programme and include comprehensive five, ten, fifteen and thirty year works programmes, which would form an element of any future AMS.

The Interim Compliance and Planned Works Manager described:

- the development of the specification/scope and approach to the AMS,
- how it linked to other EDDC strategies and plans,
- climate change and EDDC's commitment to be a Carbon Neutral Council by 2030,
- consultation/resident engagement, and
- mobilisation/timescales.

Those present agreed the need for the housing service to be ambitious and well informed by data and policy.

RECOMMENDED:

1. that Cabinet approve the appointment of a consultant, if required, to develop the Asset Management Strategy.
2. that Cabinet recommends to Council the approval of an additional budget in the sum of £50,000 to fund this appointment.
3. that delegated authority be given to the Assistant Director of Housing (Housing Tenancy Services) to agree a fee with this consultant, not exceeding £50,000.

48 **Housing Service Plan**

The Assistant Housing Directors' report presented the draft service plan for the Housing Service covering the period 2024/25. Each service area across EDDC produced a service plan that outlined key projects for the year ahead with information that related to the detail and timescales of how they would be achieved. The plans gave a summary and overview of the service delivered and the service plan also summarised key performance indicators that would be monitored.

The housing service plan presented to the Board captured a plan for the whole housing service, including the strategic homelessness function and other roles that would not be monitored by the HRB. The housing service plan had also been reviewed by the Council's joint Overview and Scrutiny Committee on 11 January 2024 and comments from this meeting and the HRB would be incorporated into the final service plan.

Section one of the service plan gave a brief description of the day-to-day services and provided a staffing structure. A request was made for this useful staffing structure to be published in the Housing Matters magazine. Section two covered project management and additional workstreams for 2024-25. Section three of the service plan related to performance targets.

The Assistant Director of Housing (Tenancy Services) explained that the service plan linked closely with the housing strategy and was designed to complement a number of other housing plans and policies as part of how the Council managed its own housing stock the services it delivered. The service plan was intended as a working document and service managers would cascade the contents at their team meetings and reflect priorities in officer objectives. The plan would also be presented to the appropriate

resident involvement panel in order to ensure awareness and understanding of the content of the plan.

RECOMMENDED: that Cabinet approve the Housing Service Plan 2024/25.

49 **Exclusion of the press and public**

RESOLVED: 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 in the agenda is likely to be disclosed and on balance the public interest is in discussing these items in private session (Part B).

50 **Housing Task Force update**

The Interim Housing Strategy, Enabling and Project Manager introduced himself and gave a brief explanation of his background. His report updated members on the progress of the Housing Task Force. It outlined the new team structure and provided an overview of the objectives and direction of the new team, included an update on current sites, delivery options and the proposed development of a five-year investment and delivery plan.

RECOMMENDED:

1. that Cabinet note the revised Housing Strategy, Enabling and Projects team structure.
2. that Cabinet note the progress to date and future direction of the new Housing Strategy, Enabling and Projects team.
3. that Cabinet note the development of a new Housing Strategy and Housing Investment and Delivery Plan.
4. that Cabinet approve the creation of the Senior Surveyor post within the Housing Task Force on a permanent basis as set out in the report.
5. that Cabinet recommends to Council, the approval of additional budget in the sum of £74,000 to fund the Senior Surveyor post within the Housing Task Force.

Attendance List

Board members present:

Sue Dawson, Tenants
Sara Clarke, Independent Community Representative
Rob Robinson, Independent Community Representative
Councillor Sarah Chamberlain (Chair)
Councillor Peter Faithfull
Councillor Tony McCollum
Councillor Helen Parr (Vice-Chair)
Councillor Christopher Burhop

Councillors also present (for some or all the meeting)

B Bailey
S Gazzard
R Jefferies
D Ledger
J Loudoun
S Smith

Officers in attendance:

- Simon Davey, Director of Finance
- Amy Gilbert-Jeans, Assistant Director Housing (Tenancy Services)
- Rebecca Heal, Solicitor
- Tracy Hendren, Director of Housing, Health and Environment
- Andrew King, Interim Tenancy Services Manager
- Yusef Masih, Interim Housing Services Manager
- Andrew Mitchell, Housing Solutions Manager
- Liam Reading, Housing Strategy Enabling and Project Manager
- Alethea Thompson, Democratic Services Officer
- Susie Williams, Interim Responsive Repairs and Voids Manager

Councillor apologies:

Chair

Date:

Report to: Cabinet



Date of Meeting 31 January 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Council Tax Charges for Second homes and Empty properties

Report summary:

This report is in two parts:

Part 1 – Sections 1-8

- Sets out changes in the premiums for Empty and Second Homes following the implementation of the new Levelling Up and Regeneration Act 2023 and what this means for East Devon District Council.
- Council have previously considered this matter (Cabinet meeting 4 January 2023 and Council meeting 22 February 2023) and did agree to implement changes on the basis that the Levelling Up and Regeneration Act would have become law prior to 31 March 2023 therefore allowing for changes in the premiums to be implemented from April 2023 for empty homes and April 2024 for second homes. As the bill did not receive Royal Assent until 26 October 2023 we are having to bring this matter back to Members for consideration and approval which will take effect a year later than previously reported – Empty Homes from April 2024 Second Homes from April 2025.

Part 2 – Section 9

- To ring fence the additional funding to support the challenges over Housing in the District.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet recommend to Council to approve a resolution to implement the following:

1. The application of the current premium of 100% for all dwellings which are unoccupied and substantially unfurnished (empty dwellings) from a period of one year with effect from 1 April 2024 unless subject to an exception introduced by government;
2. The application of a premium of 100% for all dwellings which are unoccupied but substantially furnished (second homes) from 1 April 2025 unless subject to an exception introduced by government; and
3. The Assistant Director responsible for Council Tax is given delegated powers to implement the changes in line with the Council's requirements and any guidance given by the Secretary of State or by regulation.
4. To agree to the principle that the additional funds generated by the changes to second homes Council Tax premiums is ring fenced across the Devon wide system of preceptors to address the housing challenges.
5. Subject to recommendation 4 the Council agrees to ringfence the additional income attributable to East Devon District Council's proportion of the Council Tax charge (as referenced in section 9) to address the housing challenges.
6. Subject to recommendation 5 being approved the Council will review the decision to ringfence the funding in 2029 (4 years from when the premium starts).

Reason for recommendation:

The change in policy is primarily designed to encourage taxpayers to use premises as their main residence or allow others to use it as a main residence. It is hoped that this change will allow more empty dwellings and unoccupied dwellings to be brought back into use for the local community.

Should the primary purpose not achieve these aims then the additional premiums being levied will result in additional funding to the collection fund which is collected on behalf of preceptors. The recommendation is for Members to agree to the principle that this additional funding should be ringfenced across the Devon wide system of preceptors to addressing housing challenges as set out in part 2 of this report.

Officer: **Libby Jarrett, Assistant Director - Revenues, Benefits, Customer Services, Fraud & Compliance** LJarrett@eastdevon.gov.uk 01395 517450

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- 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; The report highlights risks to fraud and error under section 8 of the report. In terms of the additional income the premiums could generate are at this stage for illustrative purposes as there is no recommendation for ringfencing a specific amount only to agree to the principle. Once we know what the exceptions are and who will be eligible along with other changes we will then be able to better assess what additional income the second homes premium is likely to generate.

Links to background information

<https://www.legislation.gov.uk/ukpga/2023/55/enacted> (sections 79 and 80),
<https://www.gov.uk/government/consultations/proposals-to-exempt-categories-of-dwellings-from-the-council-tax-premiums/consultation-on-proposals-to-exempt-categories-of-dwellings-from-the-council-tax-premiums-in-england> (expected exceptions)

Link to [Council Plan](#)

Priorities (check which apply)

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

Part 1

1.0 Background

- 1.1 A large part of Council Tax legislation is mandatory on all billing authorities within England. Discounts such as single person discounts, disregards and exemptions are set by statute with no discretion allowed.
- 1.2 There are now an increasing number of areas where each Council may determine the type and level of charge to be made (within prescribed parameters). The Council has previously adopted the maximum level of premiums on empty properties and also on second homes.
- 1.3 The main discretionary areas are as follows:
- Second homes (premises which are no-one's sole or main residence but are furnished);
 - Unoccupied and substantially unfurnished premises;
 - Unoccupied and substantially unfurnished premises which require or are undergoing structural repairs; and
 - Premiums where premises have been unoccupied and substantially unfurnished for a period of 2 years or more.
- 1.4 This report seeks approval from Members to agree to the proposals in relation to changes to second homes and empty properties set out within the Levelling Up and Regeneration Act 2023.
- 1.5 The Levelling Up and Regeneration Act 2023 allows for changes to the level of charge paid in two situations:
- (a) To bring forward the period from two years to one year when an unoccupied and substantially unfurnished dwelling (empty dwelling) can be charged a premium of 100% (Section 79).
 - (b) To enable the charging of a 100% premium (Section 80) for any dwellings which are:
 - No one's sole or main residence; and
 - Substantially furnished.
- 1.7 Government have introduced this legislation in order to help local authorities tackle the housing shortages by encouraging them to be brought back into use and to also address inconsistencies with the current legislation.
- 1.8 The current premiums for leaving a property empty can be avoided by furnishing the property. These changes would address the inconsistencies in the current legislation where an empty homes premium can be avoided by the taxpayer furnishing the property which means it becomes a second home which currently has a maximum charge of 100%.
- 1.9 Members have previously supported the decision to implement changes to the Empty and Second Homes charges (Full Council meeting February 2023) but because of the delay in the Levelling Up and Regeneration Act becoming law the matter is having to come back before Members to approve. Members have previously raised concerns over the number of second homes in the District and the negative impact this has on the supply of homes available to meet local housing needs and the potential harm these can cause to local communities. Addressing the shortage of homes within our communities is a key priority within the Council plan and this is likely to remain even when the new plan is adopted.

2.0 Changes to empty dwelling premiums

- 2.1 The Act permits billing authorities in England to impose an empty dwellings premium after one year instead of two.
- 2.2 The Act provides that billing authorities must have regard to any guidance issued by the Secretary of State when deciding whether to implement an empty dwellings premium. The government have consulted on some possible new exceptions that maybe introduced such as

properties being actively marketed for sale or let, properties undergoing probate, empty properties undergoing major repairs, etc. The Council is requested to approve delegated powers to the Assistant Director responsible for Council Tax to implement the changes having regard to the exceptions when published.

3.0 Introduction of premiums for second homes (“dwellings occupied periodically”)

- 3.1 Currently the law only permits for Billing Authorities to impose a premium on empty properties (unoccupied and substantially unfurnished) and does not cover properties that are no one’s sole or main residence but are furnished, commonly referred to as second homes.
- 3.2 The Act permits billing authorities to apply a premium of 100% to properties that have no resident and are substantially furnished. This means that the Council tax charge would be the standard 100% charge plus a premium of 100% making a total charge of 200%.
- 3.3 There is no requirement for a property to have been used as a second home for a fixed period of time before the premium can apply.
- 3.4 The Act specifies that the first decision to impose this class of premium must be taken at least 12 months before the financial year to which it would apply. In effect this means that the earliest the premium can apply is from 2025/26 assuming the decision is approved by Full Council before 31 March 2024.
- 3.5 The Secretary of State has the power to prescribe certain classes of property that will not be subject to an empty dwelling premium. Although the government have consulted on some proposed exceptions no follow up guidance has been issued so it is unclear whether these will be excluded. Recommendation four provides for delegated authority to be given to the Assistant Director to implement the changes having regard to the exceptions when published.

4.0 Premiums – generally

- 4.1 The Council, is required to determine the level of any discounts or premiums which will apply in its area and a decision is required to be made by full Council under Section 11A to 11C of the Local Government Finance Act 1992.
- 4.2 Once determined, the resolution of the Council will need to be published in at least one local newspaper(s) within 21 days of the decision.
- 4.3 Should the Council at any time wish to vary or revoke a decision to impose any type of premium this can be done at any time before the beginning of the financial year to which it would apply.

5.0 Caseload (data as at 2 October 2023)

- 5.1 Premiums currently charged on empty properties (residents already paying this would not see a change):

Premium	Total
100% More than 2 years but less than 5 years	42
200% More than 5 years but less than 10 years	12
300% More than 10 years	3
Total	57

- 5.2 Properties that would be classed as empty more than 1 year but less than 2 years would now pay the 100% premium charge on top (unless subject to an exception):

Number of empty properties more than one year but less than 2 years	221
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- 5.3 Second homes (no one's sole or main residence and furnished) currently paying a full charge and would be subject to the 100% premium charge on top:

Number of second homes	2760
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6.0 Potential additional Council Tax Income

- 6.1 If agreed, a 100% premium could apply to circa 2,760 second homes, however it is likely that a proportion will be excluded once the government publishes guidance on exceptions to the premium or where a property subsequently becomes occupied. We are aware that a number of Council's are assuming a 30% reduction in this figure to take account of these factors. The following table shows the additional income that this premium may generate based on the current numbers and also allowing for a 30% reduction. As Council Tax is collected on behalf of preceptors I have shown the proportion that is retained by Devon County Council (being the largest preceptor) and East Devon District Council:

Second Homes	Total Income 2023/24 Band D charge £2,236	East Devon District Council 7%	Devon County Council 73%
2760	£6.171m	£432K	£4.505m
1932 (@70%)	£4.319m	£302K	£3.154m

Note: Figures are based using the average Band D charge for 23/24 .

- 6.2 Changing when the empty homes premium applies from two years to one year would impact those empty properties shown in paragraph 5.2. If these numbers remain similar and based on this year's average Council Tax charge this has the potential to generate approximately £248K additional Council Tax. East Devon retains circa £17K. However, if we assumed a 30% reduction (like second homes) then the additional income would be circa £174K with East Devon's element being £12K.

7.0 Requirements

- 7.1 The following are conditions that need to be met in order to apply these recommendations from 1 April 2024:
- A resolution is to be made by full Council by 31 March 2024.
 - One year's notice will need to be given to increase the charge for second homes ("dwellings occupied periodically") meaning that the changes to this charge would start from 01.04.2025.
 - A notice of the decision will need to be published within 21 days of it being taken in at least one local paper.
 - Should the council wish to vary or revoke a decision for any type of premium this would need to be done in the year prior to the change and cannot be revised in year.
 - We would need to comply with any exceptions that the Secretary of State prescribes.

8.0 Other considerations – Fraud and Error

- 8.1 It is recognised that there may be a risk that some owners may try to avoid the additional premium by registering a person as living in the property even though their residence remains elsewhere.
- 8.2 We will be reviewing our procedures, controls, documents, etc ahead of these changes being implemented to minimise the risk of fraud and error occurring, but also that we will take action should fraud be identified in line with our Anti-Fraud Theft and Corruption Policy. This is important as we know public sector fraud and error nationally is on the increase.
- 8.3 This issue has been raised with our Devon partners and there is a commitment to do some cross joint working to share best practice in this area.

Part 2 Ringfence the additional funding from the Second Homes premium

- 9.0 The key impact of second homes is to remove a significant number of homes from the local housing market, with properties that would otherwise be available to provide permanent homes for local people being used as holiday homes by people whose primary residency is outside the district/borough. For this reason, the Council believes that the additional money raised by the second homes premium should be invested back into housing. We are working with other councils across Devon to make the case that all the additional tax raised should be ringfenced to address housing challenges, including to acquire existing properties to provide temporary accommodation, to support people with complex needs and the provision of specialist accommodation with supported facilities for care leavers.
- 9.1 Recommendation 5 is for East Devon District Council's proportion of the additional Council Tax funding generated from the Second Home premium (as set out in para 6.1) to be ringfenced to address the housing challenges. East Devon's element based on current figures would be circa £420K. The additional income from this new premium would not be effective until 2025/26 onwards.
- 9.2 Recommendation 6 allows for a review of the decision on whether to continue to ringfence the funding after 4 years from when the Second Homes premium applies.

10.0 Summary

- 10.1 These recommendations support the Council's priority in helping to address the housing issues in East Devon as the additional council tax premiums will either help to encourage more homes to become available for people to live in as their main residence or provide additional funding that will be ringfenced to support housing challenges.

Financial implications:

The financial details are contained within the report. Members will be aware through the adopted Financial Plan that this additional income from the second homes premium was identified to help support the Council's overall funding gap in the Medium-Term Financial Plan in 2025/26 onwards. In agreeing to the principle of the additional monies being ring fenced to meet housing challenges it is expected that this will in turn reduce costs to the Council and should be directed to current budget pressures and spend to save initiatives.

Legal implications:

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

Report to: Cabinet

Date of Meeting 31 January 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Revenue and Capital Budgets 2024/25

Report summary:

Cabinet adopted draft Revenue and Capital Budgets for 2024/25 at its meeting on 3rd January 2024. A joint meeting of the Overview and Scrutiny Committees reviewed those budgets on 11th January and the Housing Review Board considered the Housing Revenue Account budget on 25th January.

Recommendations from the Overview and Scrutiny meetings are detailed in this report and the minutes are contained on the agenda. The Housing Review Board proposed no amendments to the draft Housing Revenue Account budget and minutes of the meeting are also included on the agenda.

Following the draft budget report being considered by these meetings the Department for Levelling Up, Housing and Communities announced additional funding could be expected by Councils in the final settlement compared with the earlier provisional settlement.

Individual authority numbers will be in the final settlement expected in the next few weeks, we have estimated this will increase our income by £164k, although we will need the final announcement to know exactly.

It is too late in our budget process to consider any detailed budget amendment proposals; it is suggested once the final sum is determined that this is held in an unallocated budget to be allocated in year by Council based on priorities and pressures.

It is now for Cabinet to consider comments and recommendations and to make their recommendations to Council.

As part of the Prudential Code for Capital Finance in Local Authorities the Council is required to set prudential indicators as part of its budget setting process, these indicators are detailed in the Treasury Management Strategy 2024/25 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy and are included on the Cabinet agenda. They reflect the proposals and details in this report.

Alongside the Treasury Management Strategy sits the Capital Strategy which is also contained on this agenda for adoption.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

It is recommended to Council

1. To propose the Net Expenditure Revenue General Fund Budget for 2024/25 of £23.582m (as detailed in the report) and to transfer £0.5m into the General Fund Balance for the specific risks identified in the budget report to Cabinet on 3rd January (LED service payment and Recycling and Waste Contract).
2. A Council Tax increase is approved of £5 a year giving a Band D council tax of £166.78 a year for 2024/25.
3. That the Housing Revenue Account Estimates with a net budget of nil (total expenditure met by income) is approved with a 7.7% increase on Council dwellings rents.
4. That the Net Capital Budget totalling £15.556m for 2024/25 is approved

Reason for recommendation:

There is a requirement for the Council to set a balanced budget for both the General Fund and Housing Revenue Account and to levy a Council Tax for 2024/25.

Officer: Simon Davey – Director of Finance S151 & Interim Chief Executive (shared role)
sdavey@eastdevon.gov.uk John Symes – Finance Manager & Deputy 151
jsymes@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

An analysis of budget changes has not highlighted areas that give rise to any equality issues that need highlighting. There are no changes proposed from the current service provisions as a result of the draft budget that will affect individuals.

Climate change High Impact

The budget approval gives the Council the resources necessary to undertake its business which will significantly contribute to the carbon footprint of the Council. The Council is committed to

reducing its carbon net emissions to zero by 2040 and resources have been factored into the budget to meet this priority

Risk: Medium Risk; Risks have been considered in preparing the budgets and the financial implications have been assessed at the point of preparation. Various budget assumptions have been made including the treatment of inflation and interest rates; estimates on the level and timing of capital receipts; the treatment of demand led pressures; the treatment of planned efficiency savings/productivity gains; levels of income; financial risks inherent in any new arrangements; capital developments; the availability of funds to deal with major contingencies and the need for any provisions. In each of these areas the Council's financial standing, management and track record have been considered in order to prepare robust budget proposals. Other specific areas of risk were highlighted within 2024/25 budget report to Cabinet on 3rd January 2024

Links to background information [Note on mobility beach mat tracking](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

1. Introduction.

1.1 The Cabinet adopted draft revenue and capital budgets on the 3rd January 2024.

1.2 The budgets, associated service implications and Service Plans were then considered by:

- A joint meeting of the Overview and Scrutiny Committees on 11th January.
- The Housing Review Board considered the Housing Revenue Account (HRA) budgets on 25th January.
- Comment was also invited from the business community to the Council's draft budget proposals. No specific feedback was received in relation to the budget for members to consider at time of report writing.

1.3 This report follows on from the draft Revenue and Capital Budgets 2024/25 report presented to Cabinet on the 3rd January; this gave significant narrative on the budget proposals including the details presented in the budget book. For reference:

- The budget report can be found here, [Revenue and Capital Budget report 2024/25](#)
- the draft budget book here, [2024/25 Budget Book](#) , and
- the Service Plans here in the Scrutiny and Overview Agenda for 11th January 2024, [Service Plans 2024/25](#)

2. Update and Summary of recommendations to Cabinet.

- 2.1 The minutes of the joint meeting of the Overview and Scrutiny Committees on 11th January and the Housing Review Board meeting of 25th January are contained on this agenda.
- 2.2 The draft budget for the General Fund, Housing Revenue Account and Capital Programme were recommended by these Committees as those adopted by Cabinet on 3rd January with two proposed amendments:
- Both Overview and Scrutiny Committees requested that Cabinet considered including in the 2024/25 General Fund budget a sum to provide mobility beach track matting to additional beaches in the district and for details of costing and implications to be provided. A note has been provided linked to this paper, the amount required is £5k after relevant town councils' contributions, a lower sum than first considered. This is minor sum, and it is assumed Cabinet will support this request and can be matched by additional income from Business Rates which was reduced to balance off the provisional local finance settlement as reference in the budget report to Overview and Scrutiny.
 - Both Committees also asked Cabinet to consider a General Fund budget for Planning Appeals to allow the Council to be less risk adverse when wanting to defend appropriate planning decisions. Discussions with the Assistant Director Planning Strategy and Development Management and from analysis of the draft budget it is considered that initially £30k would be a sensible sum based on likely costs of defending an appeal and this can be created from existing proposed budgets in the service (legal and consultancy budgets). This will therefore have no overall impact on the overall draft budget and can be further refined for the following year.
- 2.3 The General Fund Net Expenditure in the proposed draft 2024/25 Budget was £23.413m, taking the above adjustments in 2.2 this increases the figure to £23.418m. This increase will be met by an increase in the Business Rates Uplift budget line resulting no overall effect to the draft budget position; giving a balanced budget with £500k being transferred to the General Fund Balance to mitigate the additional risks identified in the budget report to Cabinet on 3rd January (LED service payment and Recycling and Waste Contract).
- 2.4 The Housing Review Board proposed no amendments to the draft budget.
- 2.5 Following the draft budget report being considered by these meetings the Department for Levelling Up, Housing and Communities announced additional funding could be expected by Councils in the final settlement compared with the earlier provisional settlement. This is unusual to include additional funding in the final settlement, it normally remains within the same funding envelope. There has been significant lobbying, press reports and concerns raised on several fronts regarding the need for extra funding for local councils, this has been responded to in part.
- 2.6 We await the actual individual authority numbers which will be in the final settlement expected in the next few weeks, but we know the areas that are to be increased that affect us; an extra 1% uplift in the minimum funding grant and an increase of £15m to the Rural Services Delivery Grant. It is estimated this will increase our income by £164k, although we will need the final announcement to know exactly, the estimate is based on national figures proportioned down to us and its never that simple.

- 2.7 It is too late in our budget process to consider any detailed amended budget proposals; it is suggested once the final sum is determined that this is held in an unallocated budget to be allocated in year by Council based on priorities and pressures. This will increase The General Fund Net Expenditure for 2024/25 Budget by a further £164k to £23.582m to be balanced by additional government funding.

3. Council's Balances and Reserves

- 3.1 Details are contained in the draft Revenue and Capital Budgets 2024/25 report presented to Cabinet on the 3rd January.

4. The Prudential Code for Capital Finance in Local Authorities

- 4.1 The Prudential Code for Capital Finance in Local Authorities gives the requirement to report on a series of prudential indicators, which are designed to support and record local decision making. These indicators are required to be part of the Council's budget setting process and show the overall effect on various financing and borrowing strategies that the Council plans to adopt over the next three financial years. These indicators will be monitored and reported and when necessary updated to reflect any changes in policy.
- 4.2 This Council's prudential indicators are contained in the Treasury Management Strategy 2024/25 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy included on the agenda and reflect the proposals and details in this report.
- 4.3 Alongside the Treasury Management Strategy sits a requirement under the Prudential Code for the Council to adopt a Capital Strategy, this is also contained on this agenda for Members consideration.

Financial implications:

Details are contained in the report and in the Budget report presented to cabinet on 3rd January 2024.

Legal implications:

The requirements for budget setting and council tax are set out in statute and regulations which the finance team take account of in the preparation of the report. The duties of the Council's Section 151 Officer include the requirement to make recommendations to ensure that the Council maintains an adequate level of reserves, when considered alongside the risks the Council faces and the general economic outlook

Report to: Cabinet



Date of Meeting 31 January 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Capital Strategy 2024/25 – 2027/28

Report summary:

Appended is a draft Capital Strategy for Cabinet to consider and recommend to Council for adoption, this forms part of the annual budget setting approval process.

The document draws together various adopted strategies and agreed process of the Council that govern how the Council manages capital expenditure and investment decisions. The Capital Strategy brings these areas together in one overarching document.

The Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code requires local authorities to produce a capital strategy to demonstrate that capital expenditure and investment decisions are taken in line with desired outcomes and take account of stewardship, value for money, prudence, sustainability and affordability. This Council's practices meet these outcomes and it's useful to set these out in one place to demonstrate this.

Decisions made this year on capital and treasury management will have financial consequences for the Council for many years to come. They are therefore subject to both a national regulatory framework and a local policy framework, summarised in this strategy with further details available in the relevant supporting documents.

The Capital Strategy is a key document, it provides a high level overview of how capital expenditure, capital financing and treasury management activity contribute to the delivery of desired outcomes. It also provides an overview of how associated risk is managed and the implications for future financial sustainability. It includes an overview of the governance processes for approval and monitoring of capital expenditure.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet recommend to Council the adoption of the Capital Strategy 2024/25 – 2027/28

Reason for recommendation:

In order to comply with good practice there is a requirement for the Council to have in place an adopted Capital Strategy.

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 [Capital Strategy 2024/25 – 2027/28](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

Financial implications:

Contained within the report.

Legal implications:

Other than to note that it is a requirement for the Council to adopt a Capital Strategy there are no specific legal implications arising.

Report to: Cabinet



Date of Meeting: 31 January 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release: N/A

Treasury Management Strategy 2024/25 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy

Report summary:

The Chartered Institute of Public Finance and Accountancy (CIPFA) produces a Code of Practice for treasury management for Public Services. One of the main recommendations of this code is the requirement for an annual Treasury Management Strategy to be adopted formally by the Council. There is also a requirement to set prudential indicators relating to all treasury activities that the authority will undertake in the forthcoming financial year.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

The Cabinet is requested to recommend the following to the full Council:

- a. Council adopts this Treasury Management Strategy including the Prudential Indicators for 2024/25;
- b. Council approves the Minimum Revenue Provision Policy Statement;
- c. Council approves the Annual Investment Strategy, creditworthiness criteria and updated list of counterparties.

Reason for recommendation:

The Council is required to adopt formally a Treasury Management Strategy and set prudential indicators before the beginning of the new financial year.

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; Low Risk; The Council would fail to comply with CIPFA recommended “best practice” for treasury management.

Links to background information [Treasury Management Strategy 2024/25 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy](#)

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](#)

Financial implications:

Contained within the report.

Legal implications:

As indicated in the accompanying report, the Treasury Management Strategy must be prepared in line with the statutory framework and related guidance and the finance team has confirmed that this has been done. Otherwise, there are no legal implications requiring comment.

Report to: Cabinet

Date of Meeting 31 January 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Gypsy and Traveller Site Provision at Cranbrook

Report summary:

At the start of the month and in response to the Cabinet Paper that was considered as an urgent item on 3rd January, Members resolved to endorse the proposed approach whereby the Council would take the transfer of the 10 Gypsy and Traveller pitches at Cobdens (which forms one of the expansion areas within Cranbrook) as fully laid out and serviced pitches but with a delayed trigger for offsite financial contributions from excess housing (that is housing over the number allocated).

The endorsed approach will see developers undertake the on-site works to deliver pitches including day rooms etc with the cost of this partially compensated through adjustments to financial contributions sought elsewhere in the associated Section 106 agreement. The funding mechanism does not affect contributions towards schools, open spaces and habitat regulations. In addition it is based on funding that would be generated by housing over and above the respective allocations and therefore the funding receipt is not currently allocated with the Cranbrook Infrastructure Delivery Plan – importantly it does not make any already identified shortfalls worse.

The remaining 5 pitches within the total Cranbrook allocation of 15, and which were not addressed in the earlier paper fall within the Treasbeare expansion area. The applicants for this site have now indicated their agreement to the same principles being applied and therefore Members endorsement for the approach to be taken across these remaining 5 pitches is now sought. This approach would give consistency to all 15 pitches within the Cranbrook Allocations and in the same way as at Cobdens, fairly share cost, risk and value. It is considered that the approach represents good value for money and would secure the delivery of affordable gypsy and traveller pitches in a timely and appropriate way.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Members endorse the proposed approach to the delivery of the remaining 5 gypsy and traveller pitches at Cranbrook and give delegated authority to the Assistant Director – Planning Strategy and Development Management to agree the detailed wording of the S106 agreement in relation to this issue in line with the heads of terms set out in this report.

Reason for recommendation:

To ensure the timely delivery of gypsy and traveller pitches and the future operation of them by the Council for the benefit of the gypsy and traveller community.

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

The delivery of gypsy and traveller pitches within Cranbrook will help to meet the unmet housing needs of the community in the area and ensure a diverse and mixed community.

Climate change Low Impact

Risk: Low Risk;

Links to background information Strategic Planning Committee Report to 5th September Meeting: <https://democracy.eastdevon.gov.uk/documents/s21217/4.%20Gypsy%20and%20Traveller%20Report%20SPC%20Sept%202023.pdf> ; Minutes of Cabinet 10th October: [Agenda for Cabinet on Tuesday, 10th October, 2023, 6.00 pm - East Devon](#); Agenda of Cabinet 3rd January 2024: [Gypsy and Traveller Site Provision at Cranbrook.pdf \(eastdevon.gov.uk\)](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

An application for 1035 homes, under planning application reference 22/1532/MOUT and which forms the entirety of the Treasbeare expansion area at Cranbrook, was considered and received a resolution to grant permission by the Planning Committee on the 28th February 2023. Since that time, Officers have been in negotiation with the applicants (Carden Group), to secure the range of infrastructure and facilities that were required by policy and the associated resolution.

One component of this is the gypsy and traveller pitches of which the site includes 5 of the 15 pitches that were allocated in the expansion areas (the remaining 10 being at Cobdens). As part of those negotiations, Members views were previously sought on options for the delivery of gypsy and traveller pitches as part of a report to Strategic Planning Committee on the 5th September 2023 with a recommendation from the committee then considered by Cabinet at its meeting on the 10th October. Members resolution was that their preferred approach was that described as option 3 which proposed the:

“...free transfer of all of the pitches (as serviced land) and a financial contribution from the developers to enable their delivery. The council then makes the plots available either directly or through a registered provider.”

On the 3rd January 2024, Members were provided with an update in respect of negotiations to deliver 10 gypsy and traveller pitches at Cobdens (application 22/0406/MOUT) and which form part of the 15 pitches allocated across Cranbrook. At that meeting Members endorsed an alternative model for delivery whereby the developers service, layout and deliver the pitches in accordance with an agreed specification and then transfer the pitches to the Council with a delayed trigger for off site contributions.

By way of background, the evidence base for the Cranbrook Plan, recognises that the headline cost for pitch delivery was £1.47m (this equates to ca £0.98m for the 10 pitches at Cobdens and ca £0.49m for the 5 pitches at Treasbeare). The evidence also recognised an open market sales value of £55k per plot (or £275k for the 5 pitches at Treasbeare). This means that if option 3 was pursued, whereby the developers provided a full financial contribution but with no value being returned, the developers would be substantially worse off than allowed for in the Cranbrook Plan and its supporting evidence base.

The funding gap can however be narrowed so that it more closely aligns with the principles set out in the Cranbrook Plan and its evidence base by requiring the developers to lay out and deliver the pitches themselves, transfer the delivered pitches to the Council at a peppercorn rate, and as a result of reduced risk and cost, take a lower value for the delivered pitches in the form of a delayed payment of off site contributions.

In the same way as was applied at Cobdens, the delayed payment can be brought into effect, by using the additional homes that the application proposes over the numbers that were allocated. Under the Cranbrook Plan, these additional homes would be required to pay a contribution of £8,003 (index linked) per dwelling towards infrastructure. Importantly this contribution relates to infrastructure other than education, habitat regulations, open space, play areas etc all of which are ring fenced and would still be secured in full.

The applicants at Treasbeare are now willing to follow these principles and Members are being asked to endorse this delivery model for the remaining pitches. The approach would ensure consistency across all 15 pitches at Cranbrook, allow for earlier delivery than might otherwise have been the case, provide certainty to the developers and reduce the financial risk around the costs of delivery for the Council.

As such the draft Heads of Terms which are being proposed for Treasbeare (and which reflect the principles previously set out for Cobdens) comprise:

- Prior to the commencement of 100th dwelling to have agreed a specification for 5 gypsy and traveller pitches having regard to the adopted East Devon Gypsy and Traveller Site Design and Layout SPD
- Prior to the commencement of the 300th dwelling, for the applicants to have laid out the 5 pitches in accordance with the agreed specification
- Prior to the commencement of the 400th dwelling to have transferred the pitches to the District Council for £1

- To push back the trigger for the payment of the Excess Housing contribution from 956 to 968 dwellings (proportionately this is the same value generation as for the Cobdens proposal).

Based on the above draft Heads of Terms a delay of 12 dwellings would amount to around £96,036 of monies that would otherwise have come to the Council for other infrastructure at Cranbrook but would instead be in effect funding the delivery of the gypsy and traveller pitches.

While this reduces the future S106 receipts for infrastructure in the town, it only affects receipts from the additional housing and would in any event not have materialised until developers reached 956 homes (a milestone that is many years away). Shortfalls in the funding of some infrastructure are already identified and therefore, external funding bids are likely to be needed in any event.

The alternative to this solution from Cardens's perspective is that they retain the gypsy and traveller pitches and market them in the hope of maximising the value from them. This would significantly delay their delivery and would mean that the council would not have control over their delivery and operation which it was hoped to achieve through Members' previous resolution.

Financial implications:

The financial implications are laid out within the report.

Legal implications:

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

Report to: Cabinet



Date of Meeting 31 January 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Safeguarding Policy Review

Report summary:

As part of East Devon District Council's commitment to raising safeguarding standards, it has reviewed its Safeguarding Policy. It has taken the Devon Districts' Safeguarding Policy pro-forma as an overarching framework and includes some additional requirements to the original policy specific to East Devon District Council. The wider policy covers children and vulnerable adults in one high level statement, and also incorporates modern slavery and counter terrorism. The East Devon District Safeguarding policy now covers all staff, councillors, other workers and volunteers of East Devon District Council.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. To adopt and implement the updated East Devon District Council Safeguarding Policy.
2. To refer to full Council for approval of additional funding of £3,000 for requesting Disclosure Barring Service checks for Councillors.

Reason for recommendation:

To ensure that we have a 'fit for purpose' safeguarding policy in place for the organisation.

Officer: Matt Blythe, 01395 519977, 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 Medium Impact

The equalities considerations are as set out in the report and the policy. The policy itself and processes that underpin the policy are an important way of reducing inequality and ensuring that vulnerable people are protected. An [Equalities Impact Assessment](#) has been conducted.

Climate change Low Impact

Risk: Medium Risk; failure to take action around Safeguarding is a Medium risk as we have an existing Policy and reviewing this policy keeps it current with learning and legislation and therefore a continued mitigation against those risks occurring.

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. Background

- 1.1 The Council has adopted policies for staff and members to follow, that set out our roles and responsibilities for safeguarding children and vulnerable adults, drawing on good practice found in existing safeguarding policies to ensure that we all have access to a policy that is relevant and appropriate to reflect East Devon District Council's (EDDC) specific way of working. The East Devon District Council safeguarding policy was last reviewed and presented to Cabinet in July 2021. The East Devon District Council Safeguarding policy has been developed to include the recommendations from the Verita report, our response to the 2022 Self-assessment audit commissioned by The Devon Children's Safeguarding Partnership (specifically 'listening to the voice of the child or adult at risk' and 'corporate parenting') and feedback from local training delivery. The proposed policy is shown at annex 1.
- 1.2 The policy sets out a series of high level aims and goes into detail on the responsibilities to provide clarity on who should be doing what.
- 1.3 The Council has a duty to work with other agencies and the policy specifies its responsibility under the Children's Act 2004, the Care Act 2014 and related legislation, to ensure that functions are discharged with regard to the need to safeguard and promote the welfare of children and other vulnerable groups.
- 1.4 There is a shared responsibility with a variety of statutory agencies to protect children and vulnerable adults from harm, ensure their safety, and prevent impairment of their health or development. As a partner agency we appreciate that safeguarding is not just the duty of Social Services and child protection specialists.
- 1.5 Typically, in a district council staff and councillors dealing with housing, environmental health, countryside, benefits and leisure have the most contact with children and families, and vulnerable adults. Other services and councillors will also get involved in service delivery where they come into contact with families and children. As an example, housing officers are involved in homeless situations; anti-social behaviour; community development; children's case conferences; investigating housing conditions etc. that requires close working with Social Workers, and there will be examples in other services where operationally we come in to contact with children and their support workers.
- 1.6 As a minimum all staff, elected councillors and partners/contractors should become familiar with the Council's safeguarding policy and procedures on how to report and handle incidents where we suspect abuse or neglect.

2 The Council's Commitments

- 2.1 We have set out a series of commitments in the Policy which says that we will seek to tackle and manage safeguarding concerns.
- 2.2 We have designated Safeguarding Leads and Champions for both staff and councillors, to give greater support and oversight.
- 2.3 We have raised awareness of our duties through the staff welcome process, making safeguarding training mandatory for staff and councillors, managers meetings, development of an Internal Safeguarding Forum and reports to the Senior Leadership Team.
- 2.4 There is now mandatory training on induction which is renewable every three years for staff and councillors. Also available through our learning provider is a Level 2 course for frontline staff that come into regular face to face contact with customers and require more than just an awareness of the issues. We have also provided an ongoing package of safeguarding training for councillors, Senior Leadership Team, and bespoke enhanced safeguarding/mental capacity act training for staff.
- 2.5 The EDDC Safeguarding Forum has been in place since November 2022 it is made up of representatives from key services, including the safeguarding lead, safeguarding champions, Housing and Benefit managers and safeguarding support officers. The forum meets every two months to discuss the direction of safeguarding delivery internally, monitoring how we are currently working and drawing on National/County and local learning to inform staff and keep their knowledge current around emerging trends.
- 2.6 We have encouraged managers to reinforce awareness of safeguarding issues with their teams at team meetings to help keep this important duty in our corporate consciousness.
- 2.7 In adopting a standalone policy that dovetails with the wider Devon Districts initial policy it will be necessary to underpin this policy with procedures that set out how staff and councillors should deal with particular situations. We draw on good practice and advice from our Safeguarding Boards to ensure that we have a policy and procedure that is clear and easy to follow.
- 2.8 Our attendance as a member of the Devon Districts Safeguarding Officers Network, which has representatives from both safeguarding boards and the other Devon Districts, ensures that we are aware of all relevant local updates, changes and emerging threats. We share these updates with our Safeguarding Champions and through our forum for cascading to our frontline staff.

3 Enhancements

- 3.1 Key changes to the existing East Devon District Council policy are as follows:
 - 3.1 Aims of Policy, to include voice of the vulnerable & Corporate Parenting
 - 4.5 Volunteer policy & Councillor Code of Conduct included.
 - 5.3.1 Councillor Safeguarding Lead
 - 5.3.2 Councillor Safeguarding Champion.
 - 5.3.3 Councillor responsibilities including mandatory training attendance.
 - 5.3.3 Councillors to ensure they have an up-to-date DBS disclosure.
 - 5.3.4 Councillor Safeguarding Champion or Lead support in a safeguarding concern.
 - 5.4.1 Accompanied LADO meeting attendance consultation with safeguarding lead and reference to EDDC Safeguarding Forum.
 - 5.4.2 Designation of Assistant Director/Director as Champions.
 - 5.4.2 Line manager responsibility.
 - 5.4.3 Contractor safeguarding delivery.
 - 5.4.4 Officer Safeguarding Champion responsibility and Director Lead responsibility.

5.4.6 LADO liaison role.

5.4.7 Monitoring Officer responsibility for councillor DBS disclosure

5.4.8 Officer mandatory training requirement.

Appendix 1 - inclusion of process flowchart

4 Financial

4.1 Most of the amendments will be delivered within existing budgets.

4.2 The requirement for Councillors to have a Disclosure Barring Service check will have a budgetary impact. This will depend on the level of disclosure required:

- Basic - £1,920
- Enhanced - £2,940

5 Conclusion

5.1 The proposed amendments build on the Devon Districts' initial Safeguarding Policy and take into account changes since it was adopted by East Devon.

5.2 The amended policy is now tailored to East Devon procedures and practices.

Financial implications:

There is a request for a supplementary budget of up to £3k as identified in the report.

Legal implications:

This is an important policy and it is important that it is regularly reviewed and updated, to ensure it is robust and in accordance with best practice. As it is not part of the policy framework, it can be adopted by the Cabinet. The proposals for DBS checks for members will be subject to a further report from the Monitoring Officer setting out the proposed arrangements for member approval.

East Devon District Council

SAFEGUARDING POLICY

This policy should be read with the individual district council guides for managers and employees.

This policy can be made available in large print and other formats such as printed on yellow paper, taped, Braille etc. as requested.

Policy development and Version details

V1.2 January 2024

Title	East Devon District Council Policy
Author	East Devon District Council Safeguarding Lead
Owner	Dave Whelan
Review dates	January 2026
Status for FOI	Open
Protected marking status	Unclassified
EqIA conducted	January 2024

Version	Date	Description
V1.1	Oct 2023	Individual East Devon District Council Safeguarding Policy created from Devon District Councils Joint Safeguarding Policy
V1.2	Jan 2024	Updated draft post December 2023 Cabinet

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1. Introduction

1.1. This policy is based on the district council responsibilities under:

- The Care Act 2014 in particular Sections 42 to 46 related to safeguarding, further information can be found at: <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>
- The Children's Act 2004, specifically Section 11 which places a duty on key people and public bodies, including district councils, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2004/31/contents>
- Working Together to Safeguard Children, a guide to multi-agency working to help, protect and promote the welfare of Children, December 2023 [Working together to safeguard children 2023: statutory guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/115443/working-together-to-safeguard-children-2023-statutory-guidance.pdf)
- The Mental Capacity Act 2005 provides a statutory framework for people who lack capacity to make decisions for themselves.
- The Human Rights Act 1998 applies to all public authorities. Organisations must comply with the Act and the individual's rights when providing a service or making decisions that impact on the individual's rights.
- The Counter Terrorism Act 2015 section 26 which places a duty on certain bodies, in the exercise of their functions, to have due regard to the need to prevent people from becoming terrorists or supporting terrorism. The Prevent Agenda is one of four strands which makes up the Governments counter-terrorism strategy. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/6/contents>
- The Modern Slavery Act 2015. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>
- The Anti-Social Behaviour, Crime and Policing Act 2014 in particular Part 10 relating to forced marriage. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>
- The Serious Crime Act 2015 particularly Part 5 relating to female genital mutilation, child cruelty and domestic abuse. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/9/contents/enacted>
- The policy is written with reference to the principle of Think Child, Think Parent, Think Family. Further information can be found at: <http://www.publichealth.hscni.net/publications/think-childhttp://www.publichealth.hscni.net/publications/think-child-think-parent-think-family-0think-parent-think-family-0>

2. Policy commitment

2.1. East Devon District Council believe that all children, young people and adults have the right to be safe, happy and healthy and deserve protection from abuse. The council is committed to safeguarding from harm all children, young people and adults with care and support needs (see definition in paragraph 4 relating to the Care Act 2014) using any council services and involved in any of their activities, and to treat them with respect during their dealings with the council, our partners, and contractors.

3. Aims of the Policy

3.1 The aims of the policy are to:

- Clarify the roles and responsibilities of all parties within scope of the policy.
- Support the promotion of a safe working environment and a culture of care in which the rights of all children, young people and adults with care and support needs are protected and respected and have the right to be safe.

- Ensure the importance of listening to children and adults at risk and responding appropriately “listening to the voice of the child or adult at risk”.
- Promote best practice in how employees, councillors and associated workers interact with children and young people (taking on that corporate parenting role) and ensuring a shared responsibility where needed and supporting adults at risk while providing Council services.
- Develop clear guidance and procedures for those employees and councillors working with children, young people and adults with care and support needs and ensure through training and support that they are aware of these and able to implement them.
- Support a framework for developing partnerships with appropriate external bodies e.g. Torbay and Devon Safeguarding Adult Board and Devon Safeguarding Children Partnership, to ensure that the policy continues to reflect legal and best practice requirements in respect of a shared responsibility of care of children, young people and adults with care and support needs.
- Provide a framework for local Practical Guidance to exist for the consideration and management of safeguarding via the EDDC Safeguarding Intranet Page.

4. Scope of the Policy

4.1 The policy is in respect of the district council’s responsibility towards:

- Children and young people, legally defined as any person under the age of 18. From this point the terms child or children will be used to refer to this group.
- Adults with care and support needs are defined under the Care Act 2014 and for the purposes of this policy, as anyone over the age of 18 who:
 - has needs for care and support (whether or not the local authority is meeting any of those needs) **and**;
 - is experiencing, or at risk of, abuse or neglect; **and**
 - as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- The employees and councillors of the council who have dealings with children, young people and adults with care and support needs and who are required to act in a position of trust and to act responsibly and within the law.
- The employees and councillors of the council who, while not required to act in a position of trust, will come into contact with members of these groups on a regular basis during the course of their work.
- Volunteers and other workers involved in the provision of council services but not employed by the council, including workers in organisations with whom the council has contracts for the delivery of services.

4.2 It covers all the functions and services of the council, its elected Councillors, staff, partners and contractors.

4.3 This document is primarily concerned with protecting children, young people and adults with care and support needs from harm and providing guidance on how to deal with issues. However, it is important to remember that safeguarding has a wider meaning which includes the promotion of welfare and taking action to enable all children, young people and adults with care and support needs to have the best life outcomes.

4.4 The policy does not cover health and safety issues related to safeguarding children such as use of play equipment or provision of food at events. Separate guidance on this and appropriate behaviours when dealing with children and adults with care and support needs, should be read in conjunction with this policy.

4.5 Where available this policy should also be used in conjunction with the following documents:

- Disciplinary Procedure
- Grievance Procedure

- Whistle Blowing Policy
- Access to Information Policy
- Acceptable Use Policy
- Equality Policy
- Complaints & Feedback Procedure
- Harassment and Hate Crime Policy
- Health & Safety at Work guidance
- Volunteer Policy
- Employees Code of Conduct
- Councillors' Code of Conduct

5. Responsibility

5.1. The Chief Executive has overall responsibility for delivery of the organisation's safeguarding arrangements.

5.2. The Council is responsible for ensuring that the Local Authority has a safeguarding policy which adequately provides protection for children and adults with care and support needs in receipt of its services. It is also responsible for the regular review of this policy in the light of changes to legislation. Responsibility for the implementation of this policy lies at all levels of the council.

5.3. Councillors

5.3.1. Safeguarding sits within the Council and Corporate Coordination Portfolio and the portfolio holder will be the designated Councillor Safeguarding Lead. The Councillor Safeguarding Lead will:

- Work with the Director of Housing, Health & Environment who is the Corporate Safeguarding Lead to ensure that the policy is fit for purpose and fully implemented.

5.3.2. The Council will appoint a Councillor Safeguarding Champion. The Councillor Safeguarding Champion will:

- Assist the Councillor Safeguarding Lead in implementing the policy.
- Provide advice and support where required to other Councillors.
- Liaise with Officer Safeguarding Champions to ensure that safeguarding issues are addressed appropriately, and that learning is shared across the Council.
- Promote good practice and understanding of the policy amongst Councillors.

5.3.3. All elected Councillors are responsible for:

- Ensuring that they are familiar with and understand the policies and procedures relating to their Council casework with or in the vicinity of children and adults with care and support needs.
- Ensuring that they feel confident in working within this environment to ensure that they have the knowledge and skills to carry out their tasks in this context.
- Treating all those children and adults with whom they come into contact while carrying out their work equally and with respect.
- Reporting any concerns, they may have about abuse or a lack of care of children and adults with care and support of the group to the relevant Devon County Council (DCC) service.
- Ensuring that they have an up-to-date certificate from the Disclosure Barring Service (DBS).
- Undertaking Mandatory Safeguarding Training upon induction and each new term of office so they can recognise and respond to the signs and symptoms of child and adult abuse.

5.3.4. Elected Councillors who have a safeguarding concern may discuss the matter with the Councillor Lead or Champion, seeking advice if required on whether to refer the matter to the appropriate external organisation. However, the final decision lies with the individual Councillor.

5.4. Officers

- 5.4.1. East Devon District Council has appointed The Director of Housing, Health and Environment as the Corporate Safeguarding Lead responsible for:
- The implementation of the policy and providing a single point of contact for the safeguarding boards.
 - Ensuring there is a secure central record relating to allegations and investigations.
 - Acting as multi agency partner on the Local Safeguarding Children Board and Local Adult Safeguarding Board.
 - Advocating the importance of safeguarding to partners, contractors, and customers.
 - Ensuring all safeguarding policies, procedures and guidelines are implemented and promoted.
 - Ensuring anyone from EDDC invited to a Local Authority Designated Officer (LADO) meeting called by DCC should not go unaccompanied and should consult the Safeguarding Lead.
 - Delivery of the EDDC Safeguarding Forum.
 - Delivery of a bi-annual Safeguarding Champions meeting.
- 5.4.2. Assistant Directors & Directors will act as Officer Safeguarding Champions and have responsibility for:
- Receiving concerns, discussing them with whoever has raised the concern and taking advice from the relevant partner agency/County Council service: this could include complex matters such as consent and whether parents/carers should be notified.
 - Ensuring the procedure is followed on such matters as making a referral, confidentiality, and recording.
 - Assist the Corporate Safeguarding Lead in implementing the policy.
 - Provide advice and support to colleagues and promote good practice across the organisation.
 - Attending appropriate courses and updating of safeguarding legislation.
 - Liaise with the Councillor Safeguarding Champion to ensure that safeguarding issues are addressed appropriately, and that learning is shared across the Council.
- 5.4.3. Members of the Senior Leadership Team are responsible for:
- Identifying those services and posts that are likely to have an involvement with children and adults with care and support needs and undertaking an appropriate risk assessment of posts in respect of DBS disclosure requirements.
 - Ensuring that those people appointed by them to the district council, whose normal duties fall into the definition of Regulated Activity as defined in the Safeguarding Vulnerable Groups Act 2006 and amended by the Protection of Freedoms Act 2012, are subject to the appropriate level of DBS disclosure and are appropriately qualified and/or trained in working with these groups.
 - Ensuring that all necessary procedures and practices are in place to provide adequate protection both for the individuals in these groups but also protection for the employees involved with them.
 - Ensuring that proper records are kept of any incidents occurring within their service and that these are held securely and/or passed on to the council's Human Resources/Personnel team if the incident involves a member of staff.
 - Ensuring that the procurement framework for the authority includes expectations upon contractors to demonstrate effective safeguarding practices for all their staff.

5.4.4. Line Managers are responsible for:

- Ensuring that employees, volunteers, and other workers dealing with these groups are adequately trained and aware of their responsibilities in this area including who they need to speak to when they have concerns.
- Ensuring that external contractors delivering council services are aware of the council's expectation that workers are aware of and abide by the standards of behaviour expected of council employees.
- Ensuring that carers and/or parents of the children and adults with care and support needs are aware that, in providing services, council employees are not normally acting in place of a parent, except in relation to events for unaccompanied children who have been formally registered.
- Ensuring the carers and/or parents of the children and adults with care and support needs who are in direct receipt of council services are made aware that services will be delivered in line with this policy.
- Ensuring that any evidence or complaint of abuse or lack of care is reported to the appropriate body e.g. Devon County Council, Safeguarding Board or the Police, and to the council's Human Resources or Personnel team where members of staff are involved.
- Ensuring that employees and others do not work with children or adults with care and support needs on regulated activities without an appropriate Disclosure & Barring Service (DBS) disclosure.
- Working with other associated agencies to ensure the proper transfer of information relating to dealings with children and adults with care and support needs, where necessary.
- Ensuring that adequate supervision and support is available to those who have been directly involved in dealing with safeguarding cases, including a debrief of the case and any relevant outcomes.

5.4.5. Human Resources are responsible for:

- Working with senior managers in maintaining a record of those posts, requiring a DBS disclosure together with the level of disclosure required.
- Ensuring that recruitment procedures are robust and that information pertinent to working with these groups is obtained during the recruitment procedure.
- Ensuring that DBS disclosures are carried out in compliance with legislation and DBS guidance.
- Supporting senior managers in dealing with allegations of abuse or lack of care by staff.
- Referring information to the DBS and Local Authority Designated Officer (LADO) about employees who have been dismissed or removed from working with vulnerable groups (or would have been had they not left/resigned) as a result of a relevant caution/conviction, conduct that has harmed or put a child/vulnerable adult at risk of harm, or satisfied the 'Harm Test' in relation to vulnerable groups.

5.4.6. Local Authority Designated Officer (LADO) Liaison (Corporate HR Manager) is responsible for:

- In the case of suspected abuse or working outside of good practice involving a member of staff, volunteer or Councillor, the reporting member of staff would raise the issue through a Safeguarding Lead, and a reporting councillor would raise it through the Councillor Safeguarding Lead for consideration of submission to the Local Authority Designated Officer via our Liaison Officer as detailed below.
- Reviewing situations with the Corporate Safeguarding Lead where a member of staff or volunteer may have behaved in a way that has:
 - Harmed or may have harmed a child or adult with care and support needs
 - Possibly committed a criminal offence against children or adults with care and support needs.

- Behaved towards a child/children or adult/adults with care and support needs in a way that indicates they may pose a risk of harm to children/adults with care and support needs.
- Reviewing with the Monitoring Officer, the Corporate Safeguarding Lead and the Councillor Safeguarding Lead, concerns with regards to a Councillor who may have behaved in a way that has:
 - Harmed or may have harmed a child or adult with care and support needs.
 - Possibly committed a criminal offence against children or adults with care and support needs.
 - Behaved towards a child/children or adult/adults with care and support needs in a way that indicates they may pose a risk of harm to children/adults with care and support needs.

5.4.7. The Monitoring Officer is responsible for:

- Ensuring DBS checks are undertaken for all District Councillors as part of the Safeguarding Policy and reviewing them to ensure there are no matters of concern.
- In the event that the disclosure information received raises issues of concern, to advise the Chief Executive who in consultation with the relevant Group Leader, will discuss with the individual Councillor the restrictions considered necessary, to safeguard children, young people and adults, on the positions held by that Councillor. The existence of a criminal record or other information revealed as a result of an enhanced DBS check will not automatically debar a Councillor from holding office.

5.4.8. All employees and particularly those working with children and adults with care and support needs are responsible for:

- Reporting to the relevant Devon County Council (DCC) Service as per Appendix 1., any concerns they may have about abuse or a lack of care of children and adults with care and support needs either from Councillors, other staff, from carers, parents or those in place of a parent or between members of the group.
- Ensuring that they are familiar with and understand the policies and procedures relating to their work with or in the vicinity of children and adults with care and support needs.
- Ensuring that they feel confident in working within this environment and working with their managers to ensure that they have the knowledge and skills to carry out their tasks in this context.
- Treating all those children and adults with whom they come into contact while carrying out their work equally and with respect.
- Undertaking Mandatory Safeguarding Training upon induction and every three years.

5.5. Volunteers, partners, contractors and other workers are expected to:

- Work with employees of the council, to the same standard, in ensuring the safety and wellbeing of children and adults with care and support needs within their scope.
- Participate in any training or development opportunities offered to them to improve their knowledge of skills in this area.

6. Review

6.1 This policy and the guidance will be reviewed bi-annually or whenever there is a significant change in the related legislation, or an emerging risk is identified. This will help us ensure that these documents are up to date and fit for purpose.

6.2 A review of safeguarding activity will be presented to Cabinet annually.

Appendix 1 EDDC Safeguarding Process

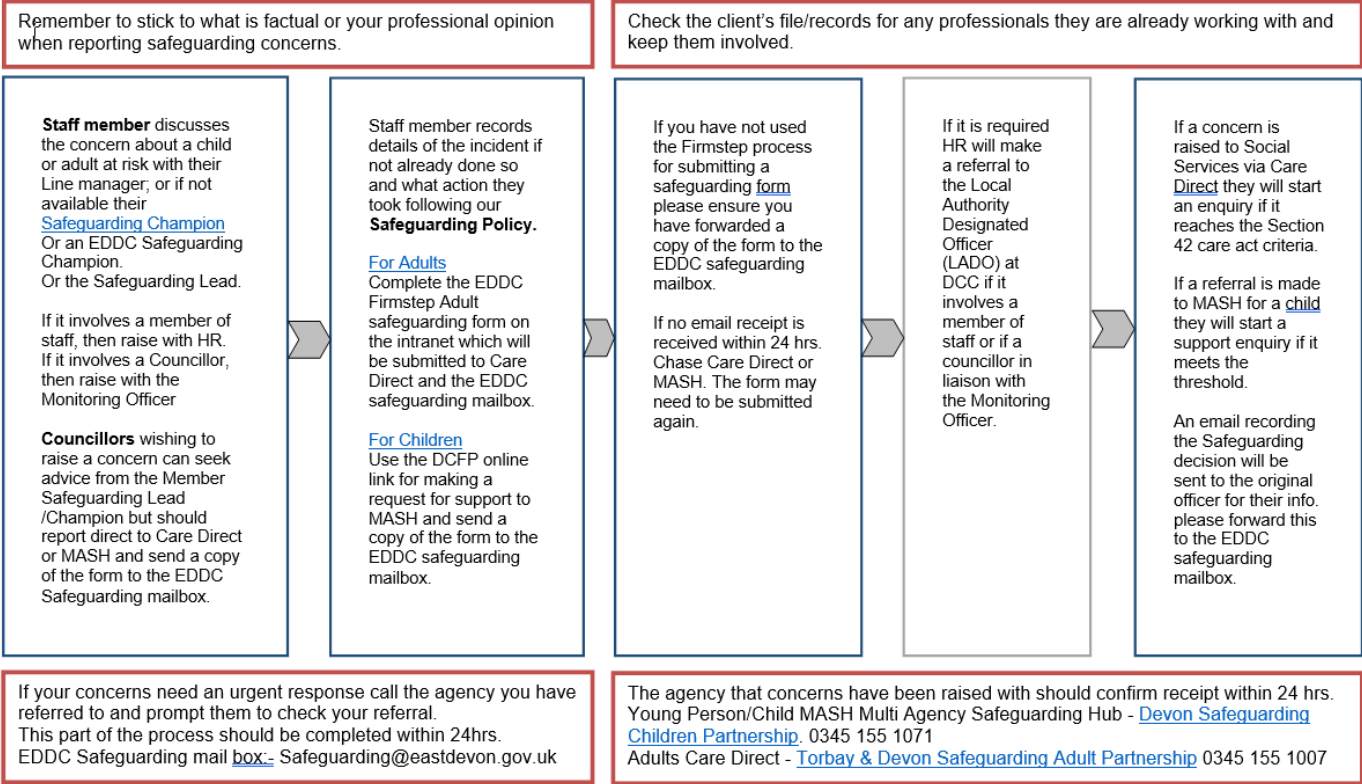
Safeguarding Guidance for staff and members.

EVERY Staff & Member has a DUTY to report Safeguarding Concerns and share information.

If you think a child or adult is in immediate danger or a crime has been committed, then always contact the police on 999.



Summary process chart –



Report to: **Cabinet**



Date of Meeting Wednesday 31 January 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Exmouth Motorhome Parking & Extension of Estuary Long Stay Car Parking area

Report summary:

A summary of the considerations of the Exmouth Motorhome Task and Finish Forum containing a recommended phased approach to improving the overnight stopover offer in this area.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- (1) That Cabinet approve the phase one recommendations of the Exmouth Motorhome Task & Finish group using the capital funds initially allocated to create a dedicated motorhome facility on the site of Estuary Coach & Lorry Park as below;
- Install a drive-over grey wastewater (shower & dishwater) disposal point in Maer Road Car Park
 - Install a chemical toilet waste disposal point in Maer Road car park – connected directly to the sewerage network
 - Install a fresh water tap in Maer Road car park.
 - Reduce the maximum permitted number of consecutive overnight stays to 3 nights – this is in line with other authorities and prevents the risk of paid habitation within the car parks.
 - Improve the signage stating the rules and restrictions for overnight stays within both car parks – including ground markings along Queen’s Drive Echelon to designate bays suitable for overnight stays, leaving a safe distance between vehicles.
 - Convert the coach parking area within Estuary Long Stay Car Park to parking for cars, creating 86 additional spaces to help meet the increased demand for long stay parking in this part of town.

Reason for recommendation:

Since the dedicated motorhome parking area on the site of Estuary Coach and Lorry park was envisaged in 2019, demand for car parking in Exmouth has increased significantly and the two car parks along the south-eastern coastline which currently allow overnight stopovers for motorhomes have become popular and well established. The dedicated Task & Finish group considered the potential for creating a new overnight parking area within Foxholes car park but concluded that enhancing the current overnight offer in the existing car parks and freeing up Estuary Coach Park for alternative parking was the preferred way forward. The proposed recommendations have been split into two phases, separating those that are achievable within the short term, and those that will require further consideration, including planning advice and wider public consultation.

Officer: Richard Easthope – Parking Services Manager: reasthope@eastdevon.gov.uk

Portfolio(s) (check which apply):

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

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

1. Background

- 1.1 Following an extended trial period, overnight motorhome parking is permitted in two Exmouth car parks along the south-eastern section of coastline. Queen's Drive Echelon (79 spaces) offers direct sea views and convenient beach access for vehicles up to 5.3m in length, and Maer Road (217 spaces) which is slightly set back from the seafront but benefits from a greater capacity and dedicated bays for larger vehicles.
- 1.2 Foxholes is the other EDDC owned car park located in this vicinity but does not currently permit overnight motorhome parking. (See appendix A). This car park is due to be resurfaced in early 2024, and the adjoining toilet block is also being refurbished within the same time period.
- 1.3 Between the 1st September 2021 and the 31st August 2023 (2 years), there have been 7,097 paid overnight stopovers in Maer Road and Queen's Drive Echelon Car Parks. These stays have generated income of £78,078 at the current £11.00 per night fee, which also includes 24 hours parking at that location.
- 1.4 As far as overnight sleeping is concerned, there is a safety requirement for vehicles to leave a space of at least 3m (about the size of one bay) between vehicles, which reduces the overnight stopover potential of each location to approximately half of its total parking capacity. Due to the 24/7 nature of overnight stays, is not currently possible for EDDC to manage this stipulation, although Motorhome owners tend not to want to park in adjoining bays for privacy reasons, especially where they have side opening doors.
- 1.5 There are almost 400,000 Motorcaravans registered with the DVLA in the UK and Motorhome tourism is valued at over £1billion. There is also an unknown quantity of conventional vans which have been converted for sleeping, and as far as overnight

stopovers are concerned, East Devon do not currently distinguish between the two types of vehicle.

- 1.6 There is currently no limit to the number of consecutive overnight stopovers that can take place in EDDC car parks, essentially permitting a vehicle/occupants to stay indefinitely upon payment of the nightly fee
- 1.7 The current site of Estuary Coach and Lorry Park has been identified as a possible location for dedicated motorhome parking, with capital funding of £148,966 currently allocated to provide dedicated motorhome parking with facilities at this location. Up until the 1st July 2023, this site was unlawfully occupied by a group of “vanlifers”, who remained at the site following the completion of coastal defence works in 2020, it has now returned to its original use as a coach & lorry park
- 1.8 The Environment Agency have raised concern over high bacteria levels in the Maer stream which flows behind Maer Road car park, the bacteria levels were reported as being 18 times what would ordinarily be expected. This section of stream has the ability to directly impact bathing water quality at Exmouth beach. The bacteria present in the stream is likely to have been contributed to by Motorhome toilet waste being deposited into the watercourse or nearby drains.
- 1.9 The expansion of the Exmouth Controlled Parking Zone by Devon County Council in the Colonies area of Exmouth (restricted streets marked on Appendix B) has led to a significant increase in demand for EDDC annual parking permits in the town and specifically demand for Estuary long-stay car park.

2. Motorhome Task & Finish Forum

- 2.1 The Exmouth Motorhome Task & Finish forum comprising of EDDC officers, Exmouth Town, EDDC District and Devon County Councillors that reviewed the initial overnight motorhome parking trial, reconvened this summer to review the current arrangements and consider options for improving the overnight parking offer.
- 2.2 Following the initial T&F forum meeting, and the meeting of Exmouth Town Council on the 21st August 2023, a proposal was made to EDDC to “request that a comprehensive scoping exercise for fully serviced motorhome parking at Foxholes carpark and/or alternative site(s) was undertaken as soon as possible”
- 2.3 The requested assessment document was produced and considered by the T&F forum at a meeting in November, before a final recommendation was formed.
- 2.4 The main considerations made by the Task & Finish forum were as follows.
 - Whether the resurfacing of Foxholes car park and the refurbishment of the adjoining toilet block was an opportunity to offer Motorhome parking with dedicated facilities in this car park.
 - If the area that was proposed for dedicated Motorhome parking in 2019, for which the Capital funding has been allocated, is still the most appropriate location.
 - Is there a sustainable demand for Motorhome tourism.
 - Should EDDC provide facilities for Motorhome users, including options such as waste disposal, fresh water, electric hook-ups, and public conveniences.
 - How can the additional stipulations regarding overnight-stopovers be communicated and managed, such as the requirement to not place items outside, park at a minimum distance of 3m from other vehicles whilst sleeping, and ensuring the lawful disposal of toilet and “grey” waste (shower and dish water)
 - How can any improvements be funded.
 - How does the approach to overnight motorhome parking correlate with the wider tourism vision for Exmouth
 - Can concerns raised in relation to the current motorhome offer be alleviated in time for the 2024 tourism season.
- 2.5 Parking management information, as well as consultation with CAMpRA (Campaigners for Real Aires in the UK) was used to inform the final recommendation.

3. Recommendations/Proposal

- 3.1 The recommendations/proposal for improving the motorhome offer in Exmouth are split into two phases, firstly phase one for deliverables that are achievable in the short term, and a second phase for proposals that will require wider consultation and consideration, including additional budgetary and planning considerations.
- 3.2 Phase one recommendations – to commence immediately.
- Install a drive-over grey wastewater (shower & dishwasher) disposal point in Maer Road Car Park (see appendix C for an example image)
 - Install a chemical toilet waste disposal point in Maer Road car park – connected directly to the sewerage network (see appendix D for an example image)
 - Install a fresh water tap in Maer Road car park.
 - Reduce the maximum permitted number of consecutive overnight stays to 3 nights – this is in line with other authorities and prevents the risk of paid habitation within the car parks.
 - Improve the signage stating the rules and restrictions for overnight stays within both car parks – including ground markings along Queen’s Drive Echelon to designate bays suitable for overnight stays, leaving a safe distance between vehicles.
 - Convert the coach parking area within Estuary Long Stay Car Park to parking for cars – creating 86 additional spaces to help meet the increased demand for long stay parking in this part of town (appendix E). This would be as an alternative to providing dedicated motorhome parking in this area, which was initially envisaged pre-pandemic. (See appendix F)
- 3.3 Phase two recommendations – for further consideration
- Explore the possibility of providing motorhome only bays within Maer Road Car Park, inclusive of electrical hook-up points – similar to what may be provided at a privately owned campsite.
 - Look to provide additional facilities for motorhome users within Maer Road car park, such as public conveniences and showers.
 - Increase the cost of overnight stopovers to fund the provision of new facilities and the cost of cleansing and maintenance.
 - Provide better physical management of the restrictions placed on overnight stopovers outside of normal working hours, such as the requirement to park at a safe distance from neighbouring vehicles, and the rules relating to BBQ’s and other items stored outside of vehicles. This will help alleviate some of the ASB and other safety issues associated with overnight stays within our car parks.

4. Costs & Funding

- 4.1 If agreed the existing Capital funding of £148,966 allocated for the dedicated Motorhome facilities at Estuary Long Stay would be used to fund the first phase of recommendations, with any surplus carried over to fund phase two.
- 4.2 The works to create the additional parking spaces in Estuary Long stay are estimated to cost between £55,000-£65,000
- 4.3 The 86 additional spaces at Estuary Long Stay will bring in additional parking income and the new facilities in Maer Road will make the overnight stopover offer more attractive to travelling visitors.
- 4.4 The works to install the water supply and waste disposal facilities in Maer Road are estimated to cost up to £37,500 (depending upon the final specification)
- 4.5 There will be a cost associated with the supply of fresh water at Maer Road, this will be unlikely to exceed £1,500 per annum.

5. Rationale

- 5.1 The recommendations for improving the overnight stopover offer in Exmouth were split into two phases to ensure that the elements that are urgently required to improve the overnight offer and protect the environment in the short term were not unnecessarily delayed by the second phase.
- 5.2 There was unanimous agreement within the Task & Finish group that the phase one proposals would represent a positive improvement and help encourage responsible overnight stays within our car parks.
- 5.3 If phase one is agreed by members, then the works to deliver these can commence immediately and the benefits of the improvements will be seen this summer.
- 5.4 By committing to focusing the improvements in Maer Road and Queens Drive Echelon Car Parks as oppose to pursuing a dedicated motorhome facility on the current site of Estuary Lorry Park, then this site can be instead be used to extend the long stay car park and create an additional 86 parking spaces for cars which can be used by Exmouth town modular permit holders, and other long stay visitors.
- 5.5 12 coach and lorry parking spaces would be retained from the 16 which are currently available. This should prove to represent sufficient based on current and anticipated demand. (See appendix E)

6. Case for extending Estuary Long Stay Car Park

- 6.1 Devon County Council extended the Exmouth Controlled Parking Zone into the “Colonies” area of Exmouth in August 2023 – see appendix B
- 6.2 Since this change, demand for Annual and Monthly Town modular permits has increased significantly, see below

	Exmouth Town Modular Permits - August to December			
	Annual	Monthly	Annual Equivalent	Income
2021	614	N/A	614	£ 123,412.00
2022	515	817	678	£ 169,478.00
2023	607	2004	1007.8	£ 216,155.00

	Exmouth Town Modular Permits - April to July			
	Annual	Monthly	Annual Equivalent	Income
2021	541	N/A	541	£ 57,897.00
2022	632	401	732	£ 87,896.00
2023	707	1106	983.5	£ 109,910.00

- 6.3 There are 1,126 long stay car parking spaces in Exmouth, and 1,805 active permits as of the 4th January.
- 6.4 The Parking Services Team have received over 20 written complaints relating to the shortage of parking in Exmouth this winter, there weren't any from the town last year.
- 6.5 The increased demand, combined with the introduction of the £2 all day winter parking offer has caused a shortage of parking at key times, with some visitors reporting that they will be reluctant to return.
- 6.6 The Exmouth Placemaking Plan will include recommendations relating to parking in the town, however the outcomes from this are likely several years from being realised.
- 6.7 Expanding the size of the car park by 86 spaces will increase the long-stay parking capacity of the town by 7.5%.
- 6.8 As well as providing more parking for residents and visitors, easing the parking pressure will enhance the visitor experience and encourage more return visits.
- 6.9 Between April and December 2023 there were 523 paid sessions at Estuary Coach and Lorry Park, generating income of £1,981. This amounts to less than 2 paid parking sessions per day on average.

6.10 The recommendations of the Task & Finish forum correlate with the draft principles and objectives of the East Devon Parking Strategy

Financial implications:

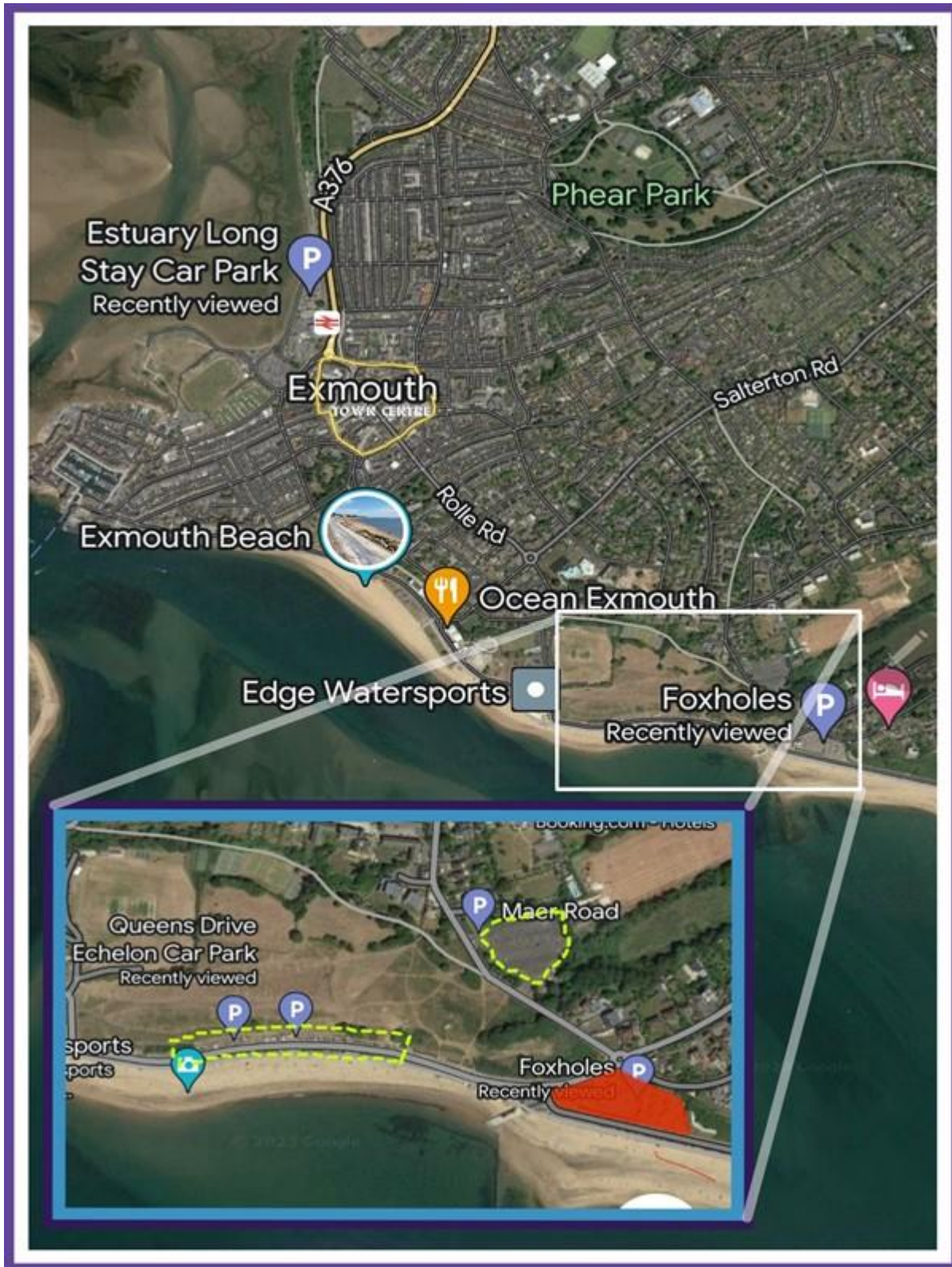
Financial implications are as set out within the report including the request to re-allocate the Exmouth campervan capital budget, that has previously been approved, to complete these works.

Legal implications:

There is no direct comment to be made in relation to this report, any individual issues which may arise will need to be considered subsequently

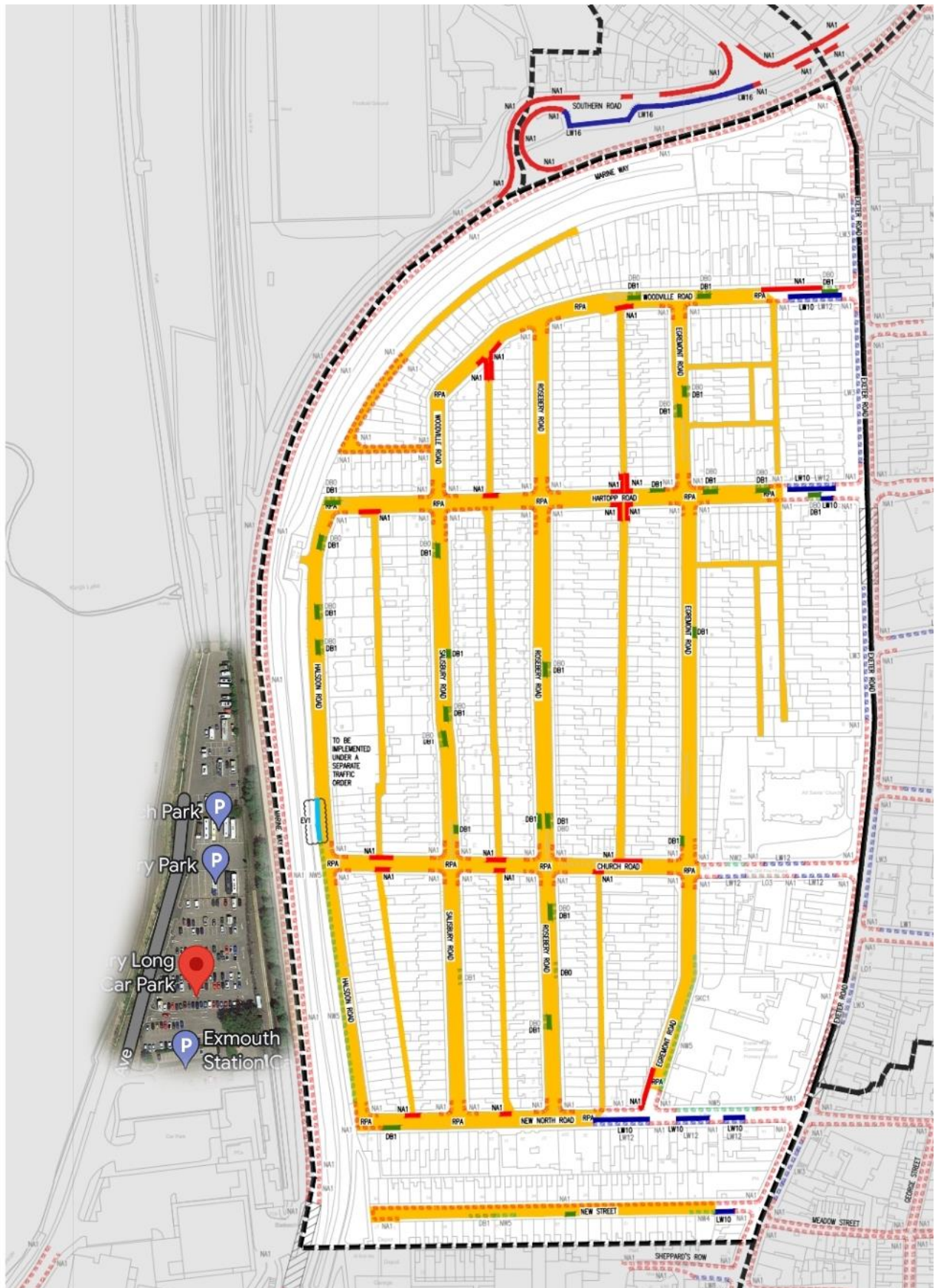
Appendices below:

Appendix A – Map showing the car parks that currently permit overnight stopovers in relation to Exmouth Town – as well as the location of Foxholes Car Park marked in red



Appendix B

Map of the extend Devon County controlled parking zone – effective from 15th August 2023 – shown in relation to current car park

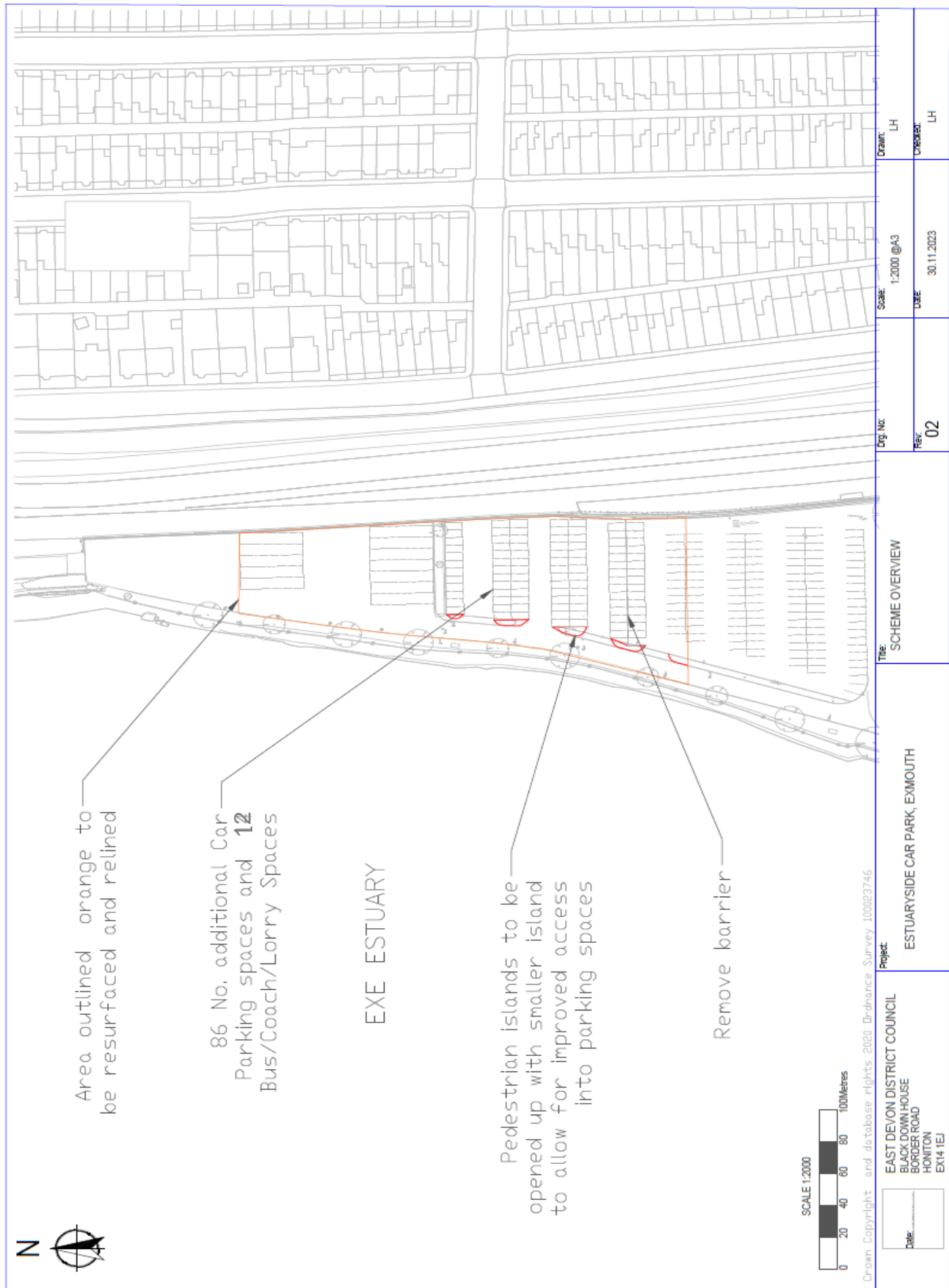


Appendix D – Example of a chemical/black waste (toilet) disposal service point

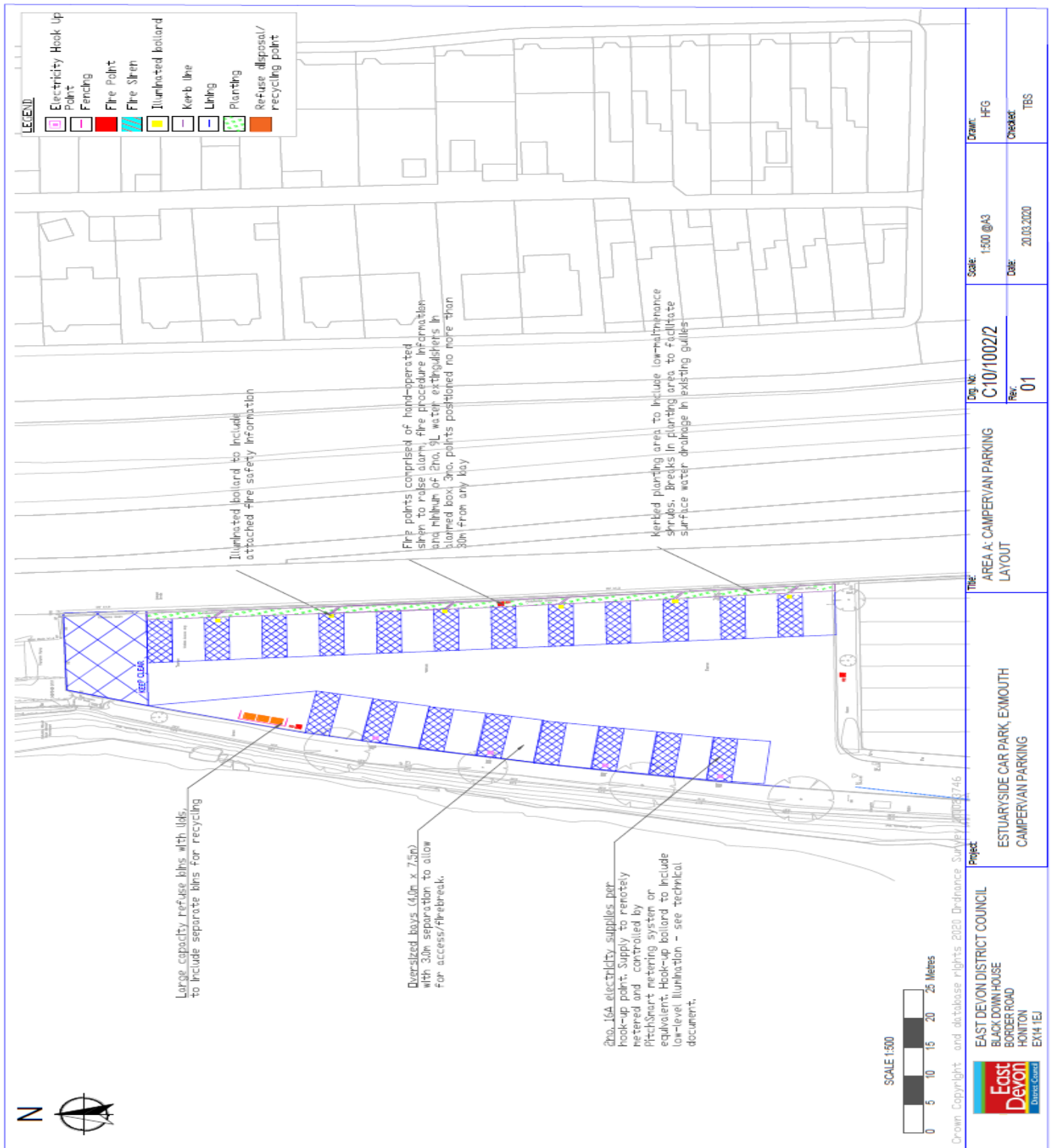


Appendix E

Proposed layout change for Estuary Long Stay Car Park – Creating 86 additional car spaces and reducing the number of lorry parking spaces to 12



Appendix F – Proposed layout for the dedicated motorhome parking area on the site of Estuary Lorry Park





Report to: Cabinet

Date of Meeting 31 January 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Appointment of Elections Support

Report summary:

To invite Cabinet to agree a supplementary budget of up to £15K to be met from the Transformation Reserve to be utilised to procure some additional Elections support if and when required for the Police and Crime Commissioner election and General Election.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet

- (1) delegate authority to the Returning Officer to procure some additional support to assist the Elections team (as required) in the run up to the Police and Crime Commissioner Elections and the General Election
- (2) recommend to Council that a supplementary budget is agreed of up to £15K to meet from the Transformation reserve to cover the cost of such support.

Reason for recommendation:

To provide additional support to the Elections team for the 2024/25 election(s)

Officer: Melanie Wellman Director of Governance and Licensing and Returning Officer
melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

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

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; It is essential that the Elections Team has sufficient resources in place. The procuring of some additional support will ensure that additional resource is available if needed.

Links to background information N/A

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

The Returning Officer and Electoral Services Manager are seeking to procure some additional resource to assist the Elections Team with the Police and Crime Commissioner and General Election. The proposal is to procure some resource that can be called upon as and when required. The reason for the request is to ensure that the team have the right level of support in place due to there having been a significant period of change within the service area, with the retirement of the long-standing Returning Officer and two out of three members of the team being new to the service in 2023.

The Interim Returning Officer is in the process of setting up a Project team for the 2024 election(s) and wishes to ensure that there is access to external support should this be needed. Members are invited to earmark a sum of up to £15K, to be funded from the Transformation reserve. The support will be procured in accordance with Contract Procedure rules.

Financial implications:

The financial details are contained within the report with a supplementary budget request of £15k.

Legal implications: The support will be procured in accordance with Contract Procedure Rules.

Report to: Cabinet



Date of Meeting 31 January 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Calendar of Meetings 2024/2025

Report summary:

To consider the calendar of meetings for the Council's 2024/2025 municipal year.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

To recommend Annual Council on 8 May 2024 to approve the calendar of meetings for 2024/2025 municipal year (Appendix 1).

Reason for recommendation:

Adopting an annual calendar of meetings is to meet the legal requirement to hold an Annual Meeting and also such other meetings as are necessary for the conduct of the Council's business in accordance with its Constitution.

Officer: Andrew Melhuish, Democratic Services Manager andrew.melhuish@eastdevon.gov.uk

Portfolio(s) (check which apply):

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

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; By approving the Calendar of Meetings each year, the Council will avoid potential Member meeting clashes and ensure that its Constitutional requirements are provided for with the wishes of Members, wherever possible, being taken into account.

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

A draft calendar of meetings for 2024/2025 has been prepared to enable the effective consideration of Council business during the period from May 2024 to May 2025. A copy of the draft calendar of meetings is attached at appendix 1.

The Council Procedure Rules sets out the frequency of meetings and requires agreement on an annual schedule of meetings for the conduct of formal decision making within relevant statutory and procedural requirements. In setting the calendar of meetings each year the Council can ensure that these requirements are met. Adoption of a twelve-month calendar also enables for forward planning and where practicable avoids potential meeting clashes.

Financial implications:

This report is setting the calendar of meetings for the 2024/2025 municipal year and the budget for the administration of meetings is included in base budgets.

Legal implications:

The functions which are the subject of this report are matters for Council to determine.

List of meetings 2024-2025

Unless otherwise indicated meetings will normally be held online via the Zoom App. Meetings in orange are not open to the public and the public can be asked to leave other meetings on specified grounds.

Meeting	Day	Time	2024				2025								
			May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Annual Council	Wed	6.00pm	8												14
Council	Wed	6.00pm			17			16		4		19		16	
Cabinet	Wed	6.00pm		5	10		4	2 30	27		8	5	5	2 30	
Scrutiny Committee	Thu	6.00pm		6	4		5	3	7	5	30		6	3	
Overview & Scrutiny Committees joint budget meeting	Wed	9.00am									8				
Overview Committee	Thu	6.00pm	30		18		12		21		16		20		
Strategic Planning Committee	Tue	10.00am		4	9	6	3	1	5	3	7	4	4	1	6
Planning Committee	Tue	10.00am		11	16	20	24	22	19	17	28	25	25	22	
Audit & Governance Committee	Thu	2.30pm			25		19		21		16		20		
Housing Review Board	Thu	10.00am			18				7		30			17	
Licensing & Enforcement Committee	Wed	10.00am			17				13			5		2	
Standards Committee	Thu	10.00am		20				10			16			10	
Personnel Committee	Tue	10.00am			2			8			14			15	
Asset Management Forum	Mon	9.30am		17			2			2			2		
Budget Setting and Capital Allocations Panel	Thurs	9.30am		6			5			5			6		
Placemaking in Exmouth Town and Seafront Group	Tues	10.00am	28		23		10		5	10	21		18		
Poverty Working Panel	Mon	10.00am		24			16			9			17		
LED Monitoring Forum	Tue	various		25 6pm			17 10am				14 6pm			8 10am	
Recycling & Waste Partnership Board	Wed	various			24 2pm			23 10am			29 10am			23 10am	

Arts & Culture Forum	Wed	various		12 2pm					6 10a m				16 10am	
STRATA Joint Executive Committee		4.00pm			16						28			
STRATA Joint Scrutiny Committee		4.00pm		18							14			

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