



Agenda for Cabinet

Wednesday, 30th October, 2024, 6.00 pm

Members of Cabinet

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

Venue: Council Chamber, Blackdown House, Honiton

Contact: Amanda Coombes, Democratic Services Officer;
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Friday, 25 October 2024

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

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 is one confidential report at item 15 that officers agreed should be dealt with in this way.

6 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There are two items which officers recommend should be dealt with in this way.

7 Minutes of Strata Joint Scrutiny Committee held on 17 September 2024 (Pages 9 - 12)

Key Matters for Decision

8 Household Support Fund 6 (Pages 13 - 17)

Matters for Decision

- 9 **Financial Plan 2025 - 2035** (Pages 18 - 44)
- 10 **PSPO Consultation request 2026** (Pages 45 - 54)
- 11 **Clyst Honiton Neighbourhood Plan Examiner's report** (Pages 55 - 82)
- 12 **Forward Plan quarterly review** (Pages 83 - 92)
- 13 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

The Vice Chair to move the following:

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

Part B Matters for Decision

- 14 Beer Cliffs urgent work in collaboration with Clinton Devon Estates (Pages 93 - 97)
- 15 Disposal of asset in Sidmouth (Pages 98 - 102)

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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 2 October 2024****Attendance list at end of document**

The meeting started at 6.03 pm and ended at 8.20 pm

56 Minutes of the previous meeting

The minutes of the previous meeting of Cabinet held on 4 September 2024 were agreed.

57 Declarations of interest

Cllr N Hookway; Minutes 65 and 67; Affects NRI: Member of Exmouth Town Council

Cllr D Ledger; Minute 67; Affects NRI: Member of Seaton Town Council

Cllr J Loudoun; Minute 65; Affects NRI: Member of Sidmouth Town Council

Cllr I Barlow; Minute 65; Affects NRI: Member of Sidmouth Town Council

Cllr S Gazzard; Minute 67; Affects NRI: Member of Exmouth Town Council

Cllr J Brown; Minute 59; Affects NRI: Member of Honiton Town Council

58 Public speaking

Yvette Turner, spoke on behalf of the Kilmington resident dog walking group, with 156 signatures from the residents of Kilmington who had signed a petition. She outlined that the PSPO restrictions that are placed upon Kilmington Playing Fields are unjust, as could be seen from the evidence she had provided to the Cabinet. She stated that residents had not been made aware that the PSPO had been applied for, and there was no public consultation undertaken by the trustees or others to bring this to attention of local residents. Residents were only informed in April 2023 which was too late to object to the PSPO. She outlined that the playing fields were the only location for elderly or those with limited mobility to exercise their dogs off the lead in the village. The playing field had also been gifted to the village by the Arthur Hitchcock charity for recreational use to improve the conditions of the local residents. Checks had been made by local residents, which had been collated for evidence, to prove that use by dog walkers did not adversely impact on the playing field. She also had a compromise use, similar to that used for the district's beaches in winter months, that she could provide.

Christopher Millar advised that there was more chance of being injured by a cricket ball than a dog on the playing field. He also set out the terms of the gifting of the field by the Arthur Hitchcock charity, including the conditions of use. He asked that the compromise drawn up as referred to by the previous speaker, be considered to be incorporated into the PSPO instead of the current restriction.

In response, Matthew Blythe, Assistant Director Environmental Health, outlined to the Cabinet that the report before them was not to make a decision on the PSPO at this stage, but to agree to a period of consultation to deal with necessary amendments to the order.

The Chair thanked the two public speakers for their contribution.

59 **Amendments to the Public Spaces Protection Order - Dog Control 2023**

Following the implementation of the Public Spaces Protection Order - Dog Control 2023, a few amendments were required. To do this, further public consultation must be carried out before a final recommendation was made to Cabinet. It was recommended that Cabinet approve a brief period of public consultation.

RESOLVED:

That consultation regarding variation of the Public Spaces Protection Order - Dog Control 2023 (PSPO) as required by the provisions within the Anti-Social Behaviour Crime and Policing Act 2014 be agreed.

REASON:

To ensure that the PSPO was accurate and enforceable.

60 **Financial Monitoring Report 2024/25 - Month 5 August**

The report gave a summary of the Council's overall financial position for 2024/25 at the end of month five (31 August 2024).

Current monitoring indicates that:

- The General Fund Balance was currently projected to be above the adopted level, no action was recommended for members consideration at this stage. Forecasts indicated a favourable position of £499k was predicted. The council continued to see a significant favourable position in treasury management interest.
- The Revised Housing Revenue Account (HRA) budget approved by Council (July 2024) agreed the use of the HRA Balance up to £1.750m in year, with the acceptance this would take the HRA Balance below its minimum adopted level of £2.1m to £1.350m, to be replenished in future years. Expenditure was being maintained within this perimeter but further analysis on future spending projections was ongoing to gain full assurance on this position to year-end.

RESOLVED:

The variances identified as part of the Revenue and Capital Monitoring process up to Month 5 be noted.

REASON:

The report updated Members on the overall financial position of the Authority at set periods and included recommendations where corrective action was required for the remainder of the financial year.

61 **Matters of urgency**

None.

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

There was one confidential report to be considered, listed under minute 71.

63 **Minutes of Strata Joint Executive Committee held on 3 September 2024**

Members agreed to note the Minutes of Strata Joint Executive Committee held on 3 September 2024.

64 **Minutes of Placemaking in Exmouth Town and Seafront Group held on 9 September 2024**

Members agreed to note the Minutes of Placemaking in Exmouth Town and Seafront Group held on 9 September 2024.

65 **New sites to the EDDC Civil Enforcement Off Street Parking Places Order**

The Parking Services Manager updated Members to the 3 council owned sites that would benefit from being included in the EDDC Civil Enforcement Off Street Parking Order. This allowed for the introduction of new parking regulations that would help resolve identified parking management issues at each location. The sites for consideration were,

- Land at Blackmore Drive, Sidmouth
- Land at Camperdown Terrace, Exmouth
- Sheltered housing land at Albion Court, Exmouth

Land at Blackmore Drive in Sidmouth was used as “back stage” parking during Folk Week and the Jazz Festival, currently without fee. A request was made by a local Member to retain that during those festivals in order to support those artistes. He also outlined the wider benefits that those festivals brought to the town. In response, the Parking Services Manager outlined that this issue had already been raised by the Town Council, and concessions for those periods could be put in place; ultimately for the remainder of the year, the intention was for the area to be used as a shopper’s car park.

RESOLVED that Cabinet:

1. Agree the addition of 3 new parking places to the EDDC Civil Enforcement Off-Street Parking Order and provide delegated authority to the Director of Finance in consultation with the Director of Governance to determine the parking terms and conditions for the land at Camperdown Terrace an Albion Court.
2. Approve the proposed charging schedule for the Car Park at Blackmore Drive, Sidmouth, to correlate with the existing pricing structure for the town.

REASON:

Each of the three sites had its own justification and rationale for it be included in the EDDC Civil Enforcement Off-Street Parking Places Order which were contained within the report.

66 **Feniton Flood Alleviation Scheme update**

The Portfolio Holder for Coast, Country and Environment updated Members on the programme for Feniton. He voiced his thanks to the Engineering Projects Manager and the contractors Kier for their work on this to date, as well as the funders behind the extensive project.

He requested authority to potentially increase the contract with Kier from £3.5m to £3.8m, noting no further funding from EDDC was required. The total project expenditure has increased.

RESOLVED that Cabinet:

1. Agree to increase the maximum contractor contract from £3.5m to £3.8m.
2. Approves the full scheme value for approval of £6.275m (No further EDDCs funds are required at this time, with additional project budget found from external sources).

REASON:

1. Additional works had been identified which could push the value up above £3.5m, however savings and risks not being realised may reduce this cost.
2. That the overall cost of works would rise above the previous approval, to £6.275m.

67 **Engineering Projects Contracts over £100k - Exmouth and Seaton**

The Portfolio Holder for Coast, Country and Environment outlined the report, which notified Members of contracts that would exceed £100k on the following projects.

- Exmouth Beach Management Scheme
- Exmouth Emergency Seawall Repairs Phase 2
- Seaton Hole Coast Protection Scheme

Members voiced their thanks for the work undertaken on the Exmouth Seawall repairs.

RESOLVED:

1. That expenditure with Aecom who were delivering the Exmouth BMP will likely exceed £100k be noted.
2. That expenditure on a contractor (not yet appointed) would be in excess of £100k for the Exmouth Emergency Seawall Repairs Phase 2 project be noted. Cabinet should also note the total project value had increased to £3.562m, with no further expenditure from EDDC.
3. That expenditure on a contractor (not yet appointed) would be in excess of £100k for the Seaton Hole Coast Protection Scheme be noted. Cabinet should also note the total project value had increased to £2m, with no further expenditure from EDDC be noted.

REASON:

It was a requirement for Cabinet to note.

- when a contract exceeds £100k.
- when a contract exceeds £100k and if the total project value increases.

68 **Procurement of CBRE to develop a masterplan for the second new community**

The report notified Members of a contract that would exceed £100k. This was the contact for consultant support to develop a masterplan for the second new community. This work included technical studies and undertaking consultation and engagement to inform the development of a masterplan.

In response to questions from outside Cabinet, the additional costs related to the development of a masterplan now that the location of the second new community had been selected.

RESOLVED:

That expenditure with CBRE to produce a masterplan for the second new community would exceed £100k be noted.

REASON:

It is a requirement for Cabinet to note when a contract exceeds £100k.

69 **Contract standing orders exemption - Production of Recycling & Waste future model business case**

RESOLVED to defer the report.

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

RESOLVED that Cabinet:

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

71 **Review of Leisure Provision - Funding and Management Agreement with LED Community Leisure**

The Council was currently in the middle of a strategic review of its approach to leisure service delivery. This was being undertaken with the benefit of consultancy support from Strategic Leisure and had included undertaking a series of workshops to help understanding of current arrangements across leisure and to review potential options. A significant part of the work had focussed on contractual arrangements with the existing leisure operator (LED Community Leisure) which traced back to 2005/6.

A series of recommendations were agreed to help to complete the strategic review including recommending an additional budget to Council.

Attendance List

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
S Jackson	Portfolio Holder Communications and Democracy
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
N Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
P Arnott	Leader of the Council
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
S Hawkins	Portfolio Holder Finance
T Olive	Portfolio Holder Strategic Planning

Also present (for some or all the meeting)

Councillor Aurora Bailey
Councillor Brian Bailey
Councillor Ian Barlow
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Colin Brown
Councillor Jenny Brown
Councillor Roy Collins
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Mike Goodman
Councillor Marcus Hartnell
Councillor Richard Jefferies

Also present:

Officers:

Richard Easthope, Parking Services Manager
Matthew Blythe, Assistant Director Environmental Health
Tim Child, Assistant Director Place, Assets & Commercialisation
Simon Davey, Director of Finance
Naomi Harnett, Corporate Lead (Interim) – Major Projects & Programmes
Tracy Hendren, Chief Executive
Debbie Meakin, Democratic Services Officer
Andrew Melhuish, Democratic Services Manager
John Symes, Finance Manager
Melanie Wellman, Director of Governance (Monitoring Officer)
Andrew Wood, Director of Place (interim)
Catrin Stark, Director of Housing and Health (interim)

Chair

Date:

STRATA - JOINT SCRUTINY COMMITTEE

TUESDAY, 17 SEPTEMBER 2024

Present:

Councillors Olive, Levine, Westerman, Knott, Mitchell, Radford, Smith and Sanders (Substitute)

Members Attendance:

Councillor Peter Faithful (East Devon)

Apologies:

Councillors Patrick and Swain

Officers in Attendance:

David Sercombe, Head of Business Systems & Business Intelligence

Suzanne Edwards, Strata Finance Director

Steve Mawn, Director of IT and Digital Transformation

Andrew Hopkins, Corporate Lead – Communications, Digital Services & Engagement, EDDC

Sarah Jenkins, Democratic Services EDDC

These decisions will take effect from 10.00 a.m. on Tuesday 24 September unless called-in or identified as urgent in the minute

27. ELECTION OF CHAIR 2024/25

Councillor Sanders proposed that Councillor Radford be elected Chair for 2024/25. This was seconded by Councillor Smith and was resolved.

RESOLVED

That Councillor John Radford be elected Chair for the civic year 2024/25.

28. MINUTES

Councillor Knott proposed that the minutes of the meeting held on 13 February 2024 be approved as a correct record. This was seconded by Councillor Westerman and was resolved.

RESOLVED

That the minutes of the last meeting held on 13 February 2024 be agreed as a correct record and signed by the Chair.

29. DECLARATIONS OF INTEREST

There were no declarations of interest.

30. QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES

There were no questions from the public.

31. QUESTION FROM MEMBERS OF THE COUNCILS UNDER PROCEDURE RULES

There were no questions from Members of the Councils.

32. FINANCIAL - OUTTURN

The Director of IT and Digital Transformation [Strata IT Director] presented the report which advised on the financial position of Strata at the end of 2023-24. The company had been given a total of £7.38 million to run the IT services in 2023-24 along with funding for various capital projects. The company maintains an account for additional purchases throughout the year, which is invoiced to each Council based on actual purchases made.

The Committee was pleased to have a permanent Director in place and thanked Mr Mawn and his team for their work.

In response to questions from Councillors, the following points were noted:

- An amount of £200,017 had been contracted for, but not provided in the financial statements. This was the outstanding amount for a project to which Strata was committed, but the work had not yet been done.
- Strata had achieved the projected savings over the ten year period since its inception.
- It was noted that staff costs had increased as the recent pay award had been higher than expected. The re-engineering of processes had resulted in a reduction in consultancy fees.
- Pension provision operates in the same way as the member Councils and is underwritten by the Councils.

The Committee noted the contents of the report.

The report was accepted and noted.

33. FINANCIAL - BUDGET MONITORING

The Finance Director presented the report which advised on the financial position of Strata at the end of June 2024.

The company had been given £8.299 million to run the IT services in 2024-25. The original ten year Business Case had met its objectives and savings profile. Therefore, the 2024-25 Business Plan had moved away from delivering a savings profile and had shifted to a transformational focus.

There were no questions from Councillors.

The report was accepted and noted.

34. STRATA AUDIT REPORT

The Internal Audit 2023-24 Annual Report set out the work completed during 2023-24 and provided the Head of Internal Audit Opinion for 2023-24.

The draft internal audit activity provided independent assurance to the Strata senior leaders, Board members and shareholders that governance, risk management and controls were sufficient to ensure delivery of the service's objectives.

The Strata Board had not yet reviewed the draft audit report due to its scheduling alongside elections and report release date.

The Strata IT Director advised that the Board was aware of the future impact caused by plans for Exeter City Council to re-locate from its current premises, as the data centre is located there. Strata had engaged Microsoft to run the data centre in the Cloud and migration would occur during 2025-26. The move from Exeter City Council would not require any further Strata staff restructuring.

Work had been done to produce a reasonably accurate asset register, and the individual councils need to inform Strata of staff changes, as well as having a robust system in place for managing IT equipment.

In response to questions regarding business continuity, the IT Director advised that partnering with Microsoft would provide the ability to switch data centres which would be highly beneficial if the need to fix issues arises. Microsoft systems have resilience built in which would reduce the impact of Strata being wholly reliant on Microsoft, in the same way as other large national bodies are also affected. There was always a balance to be struck between resilience and cost.

There was discussion regarding the re-use of old IT equipment. It was noted that the cost of making old equipment suitable for re-use usually outweighs any benefit.

The Audit Report was noted for information.

The Strata IT Director provided background information to the very recent outage on the Mod.Gov pages on the Councils' websites. Security procedures had been invoked and investigations undertaken with the system remaining down while the

Strata - Joint Scrutiny Committee (17.9.2024)

suspicious file was identified. Strata had worked with the Mod.Gov provider, Civica, and put a temporary solution in place for Democratic Services. The incident had demonstrated that a good level of security was in place.

The Chair thanked everyone present for attending the meeting.

The meeting started at 3.00 pm and finished at 4.01 pm.

Chair
Cllr John Radford



Report to: Cabinet

Date of Meeting 30 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Household Support Fund 6 (HSF6)

Report summary:

This report provides details on the proposed policy of the Household Support Fund 6 and funding available to support low-income households for the period 01 October 2024 to 31 March 2025.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That Cabinet agree to the proposed policy for the Household Support Fund for the period 01 October 2024 to 31 March 2025.
2. That Cabinet agree for delegated authority to be given to the Assistant Director for Revenues, Benefits, Customer Services in consultation with the Portfolio Holder for Finance and the Portfolio Holder for Sustainable Homes and Communities when deciding the cohort and amount of funding to be allocated through targeted support, together with an equalities impact assessment.
3. That Cabinet agree for delegated authority to be given to the Assistant Director for Revenues, Benefits, Customer Services and Fraud and Compliance in consultation with the Portfolio Holder for Finance and the Portfolio Holder for Sustainable Homes and Communities, in the event subsequent changes need to be made to the policy including providing additional groups and/or funding amount to receive a targeted payment. Any required changes will be based on funding available and will consider available data from our social resilience dashboard, and any other relevant factors at the time a decision needs to be made. Any changes will include a new Equalities Impact Assessment being carried out.

Reason for recommendation:

The recommendations allow for the Council to progress at pace in order to put in place a policy in order to ensure we can start providing support to our residents under the open application scheme whilst we await funding levels and model our data to best understand the cohorts and levels of funding for targeted support.

Officer: Libby Jarrett, Assistant Director for Revenues, Benefits, Customer Access and Fraud and Compliance.

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 High Impact

An initial [equalities impact assessment](#) has been carried to support this policy. A further impact assessment will be undertaken as part of determining the targeted groups which will be included in the report to the Portfolio Holders as part of recommendation 2 and 3.

Climate change Low Impact

Risk: Low Risk; The Financial Resilience Team continue to work with partners including Private Sector Housing and Exeter community Energy to ensure that residents receiving awards from the Household Support Fund have a referral for energy advice and energy efficiency measures. This includes accessing other funds that can help the resident with energy saving measures.

Links to background information [1 October 2024 to 31 March 2025: Household Support Fund guidance for county councils and unitary authorities in England - GOV.UK \(www.gov.uk\)](#)

[The draft policy for HSF6](#)

Link to [Council Plan](#)

Priorities (check which apply)

- A supported and engaged community
- Carbon neutrality and ecological recovery
- Resilient economy that supports local business
- Financially secure and improving quality of services

1. Background

- 1.1 On 2 September 2024 the government announced a further round of funding for the Household Support Fund, to cover the period 1 October 2024 to 31 March 2025.
- 1.2 £421million has been made available to County Councils and Unitary Authorities in England to support those most in need with the cost of essentials.
- 1.3 This will be the sixth round of funding made available to help low-income families since 1 October 2021, and as with previous schemes the funding must be used in line with the Department for Works and Pensions (DWP) guidance.
- 1.4 All prior Household Support Funds have been delivered under a Devon Wide Framework agreed by Devon County Council (DCC) and the other Devon district and city councils. The framework will continue for this sixth round of funding to ensure all councils are delivering the funding in the same way. The framework continues to allow slight variances in delivery of the scheme ensuring that local needs can continue to be met.
- 1.5 The previous schemes have all had slightly different approaches including direct applications and targeted schemes. For targeted schemes different cohorts and awards have been made based on the local need of residents.

1.6 DWP guidance encourages Authorities to adopt the following principles.

- Meeting the immediate needs and helping those who are struggling to afford households essentials, including energy and water bills, food, and wider essentials.
- Use discretion on how to identify and support those most in need, taking into account a wide range of information.
- Working together with third parties including, where necessary and appropriate other local services. This may include local charities and community groups.

1.7 The DWP also encourage that support is not focussed on one specific vulnerable group if targeted support is to be made and stress that the fund is intended to cover a wide range of low income households in need, including families with children of all ages, pensioners, unpaid carers, care leavers and disabled people, larger families, single-person households and those struggling with one off financial shocks or unforeseen events.

1.8 The guidance does however highlight that those households with disabled residents present may be facing extra challenges to meet their additional needs, due to having higher energy costs from running equipment, aids or adaptations or higher heating, water or transport costs, and authorities are strongly considered to explore ways to support this cohort.

1.9 The guidance also suggests authorities should consider care leavers and those with caring responsibilities.

1.10 As with previous funds help with Housing costs may be considered after all other avenues of funding have been explored such as the Homeless Prevention Fund and Discretionary Housing Payments. However, the fund can not be used to provide housing support on an ongoing basis or to support unsustainable tenancies.

2. Devon County Council's approach on allocation for HSF6

2.1 DCC has been awarded funding of £5,064,876 for the funding period 1 October 2024 to 31 March 2025. This is the same amount as per 1 April to 30 September 2024.

2.2 Funding must be spent or committed by the 31 March 2025 and cannot be carried over for future use. Funds should also be made available for the whole of the period.

2.3 As the fund is finite it will close once also funding has been used. This may mean the fund will close earlier than 31 March 2025.

2.4 DCC are proposing to utilise these funds in the following way;

- Free School Meal funding as in previous schemes
- District and city councils funding
- Energy Relief scheme administered by Citizens Advice Devon
- DCC Early Help funding
- Devon Community Foundation

3. East Devon's funding allocation

3.1 East Devon has been allocated £396,753 to cover the period 1 October 2024 to 31 March 2025. This is higher than the amount we were allocated for the period 01 April to 30 September 2024 which was £284,944.

3.2 There will continue to be a 15% of the amount provided for administration costs. This will be £59,513.

4. Considerations/priorities

- 4.1 Members will be aware that the Winter Fuel Allowance for any one of pensionable age have been removed unless there is an entitlement to Pension Credit. We are aware that we have a number of residents who are entitled to Housing Benefit and/or council Tax Reduction who are not eligible for Pension Credit but nevertheless are still on a low income. Some of these residents are only marginally over the eligibility thresholds for receiving Pension Credit. Energy prices are also set to rise by 10% this winter and as a result there are likely to be a number of our residents falling into this cohort who will need some financial support. We will be carrying out detailed work on our Housing Benefit and Council Tax Reduction caseload to identify the households affected and exploring the possibility of a targeted award for this cohort.
- 4.2 The Benefit and Financial Resilience teams are already working on a take-up campaign to help ensure that all those who are entitled to Pension Credit but are not currently receiving it are aware of how and when they need to make an application to receive the Winter Fuel Allowance. This is being carried out in partnership with Citizens Advice East Devon and will involve community events, surgeries and communications. We are also encouraging these households to apply for Housing Benefit and/or Council Tax Reduction.
- 4.3 As with previous schemes we know that there are still residents who we are not already aware of, therefore it is important for us to retain an open application process alongside any targeted support we provide. Open applications will be considered by the Financial Resilience team and follow the processes already in place, ensuring we continue working with partners and considering the wider needs and future financial resilience of the resident and their household.

5 Proposed approach/policy

- 5.1 The Devon wide framework agreed upon from previous HSF schemes will continue, with some minor amendments. These amendments take into account the updated DWP guidance. This approach has been agreed to continue because it not only allows a consistent approach to how funding is administered but also allows individual authorities to consider the needs of their districts, while continuing to ensure common ground amongst the neighbouring authorities.
- 5.2 As in previous schemes we intend to continue a two-part policy that allows for both an open application approach whilst also targeted the majority of the funding at those we know need support the most. An open application process continues to be a requirement of the DWP guidance and also ensures that we can provide support for those residents not already on our caseload.
- 5.3 For targeted support we will be providing a one-off payment. The amount to be determined will be agreed at a later stage once allocations have been granted, and data from our Housing Benefit and Council Tax Reduction caseload has been analysed.
- 5.4 As in previous schemes we will continue to assess the need of households where there is a carer or disabled resident present. We will also look to provide support to care leavers as this is an approach agreed upon by the other Devon authorities.
- 5.5 Residents who are targeted for a payment from the HSF6 will be issued with a letter confirming an access code to enable them to apply for their award. This process is already in place and allows us to provide the funds either by BACS or by Post Office voucher. BACS payments are dealt with by an automated process that works well for residents and reduces administration time for officers. Direct applications will continue to be paid via vouchers and payments direct to suppliers.

6 Resources

- 6.1 The Financial Resilience team supported by Benefits and Customer Services now have well established procedures and processes in place to administer this latest round of funding and allows us to provide the wider support that residents are offered.

- 6.2 Continuing to administer the funding in this way will also allow us to continue to use the processes already in place, saving time and resources in administration. This will enable us to continue to support those with the more in-depth support work required to address the underlying cause of financial hardship or poverty that some residents are experiencing.
- 6.3 The Financial Resilience team will continue to work with and identify further partners in the community to help provide residents with the wrap around support they require.

7 Summary

- 7.1 We hope to be able to provide an update at this meeting on the targeted groups to receive an award and we want to reassure Members that the funding will be administered to take account of the anti-poverty work EDDC carries out.
- 7.2 Once cohorts and amounts have been identified these will be provided to the Portfolio Holder for Finance and the Portfolio Holder for Sustainable Homes and Communities by the Assistant Director for Revenues, Benefits, Customer Services and Fraud and Compliance for agreement. An updated equalities impact assessment will be undertaken as part of determining the targeted support payments and will be included as part of the consultation to the Portfolio Holders.
- 7.3 In the event that changes need to be made to the policy we are recommending that delegated authority is given to the Assistant Director for Revenues, Benefits, Customer Services and Fraud and Compliance in consultation with the Portfolio Holder for Finance and the Portfolio Holder for Sustainable Homes and Communities. This will ensure that we can continue to administer the fund and have all funding spent before the scheme is closed on 31 March 2025.
- 7.4 [The draft policy for HSF6.](#)
- 7.5 As per previous funding a report will be provided to a future Poverty Panel meeting where we will provide details of the support provided through HSF5 which covered the period 01 April to 30 September 2024. We will also be able to update Members of the cohorts and amounts of targeted awards for HSF6.
- 7.6 Going forward the Secretary of State for Works and Pensions has announced that a Child Poverty Taskforce has been set up to drive action across central government and work local councils, Mayors and Combined Authorities to deliver a 'Bold and ambitious strategy to tackle child poverty'. The link to the full letter can be found at <https://www.gov.uk/government/news/government-support-extended-to-help-struggling-households-with-bills-and-essential-costs-over-winter>. We will continue to update Members of the Poverty Panel on developments as they become relevant.

Financial implications:

The financial details that are known are set out in the report. The cost of the scheme is met from Government funding.

Legal implications:

The Secretary of State for Work and Pensions has introduced the Housing Support Fund under powers set out in S31 of the Local Government Act 2003.

Report to: Cabinet



Date of Meeting 30 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Financial Plan 2025 - 2035

Report summary:

The annual formulation of the Financial Plan and approval process helps the Council plan to maintain balance budgets.

Attached is the draft Financial Plan 2025 – 2035 for recommendation to Council.

The Financial Plan comprises of two parts.

Part A - The Medium Term Financial Plan Model (MTFP) - (page 3 of the Plan)

This is an essential part of the budget setting process. The MTFP provides a financial model and forecast of the cost of providing services over a rolling ten year-period, together with an estimate of the financial resources that are likely to be available to the Council. The process is designed to provide an early warning of any potential deficit in the required level of resources.

As well as considering the General Fund, the MTFP also reviews the affordability of the Council’s capital investment programme, matching forecast funding against planned capital spending over a five-year horizon. The capital programme is easier to control as individual schemes can be approved or not by Council to match resources available. Clearly this has its own implications in meeting the Council Plan objectives but does not have the same degree of organisation complexity as the General Fund involving significant staff numbers, team interaction and service delivery.

The focus of analysis and emphasis is therefore placed on the General Fund, a summary position if given below.

Summary of the MTFP Model – Annual budget shortfall assuming previous year’s shortfall was found - (page 12 of the Plan)

General Fund	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Budget Shortfall/(Surplus)	225	3,970	1,249	563	487	485	484	482	370	587



The reason for significant changes between years is that 2026/27 as explained is when rebasing of business rates is expected, creating a significant funding shortfall.

Part B – Financial Sustainability Model (FSM) - (page 14 of the Plan)

Addressing the funding gap comes in two parts linked to the uncertainty of Government funding for local authorities.

- The funding gap for 2025/26 is considered manageable exploring what savings/increased income can be achieved working with services and with member support.
- The budget gap currently identified for 2026/27 can in part be addressed through a revised and refreshed FSM but it is likely to require service reduction based on member priorities. The scale of this task and timing is still unclear until certainty is given by the new Government.

➤ **2025/26 budget gap**

Broadly of the £225k shortfall in 2025/26 it is considered this can be bridged subject to member approval and further work that will be presented in the detail budget.

Savings and income generation will be worked through with the Senior Leadership Team, including how to mitigate service pressure costs not currently allowed for in the MTFP. Material areas being targeted for savings/increased income through this Plan are:

- Asset management it is believed could release savings in the order of £65k. Further details will be presented to members for consideration.
- Further work with LED is ongoing on next year's subsidy level, a £200k reduction has been agreed at this stage over the current year and built into the MTFP.
- Executive Leadership Team consideration of non-replacement of vacant posts in a managed way based on organisational need and priority, new posts maybe considered but to be kept within the necessary budget level - the current budget has 464 FTE budgeted, a reduction of 4 vacant posts could generate in the order of £170k saving.
- If necessary to bring forward some service reductions for members to consider.

The refreshed FSM process is described in the Plan, reviews are required to ensure we are delivering VFM, drive efficiencies to see what savings can be achieved and to form an evidence base that we have done what we can.

- **2026/27 budget gap** - If the funding gap estimated in 2026/27 of £4m materialises, which is dependent on Government direction, then efficiencies and income generation are unlikely to drive the level of savings required and we will need to propose service reductions. Importantly this action comes at a point when we are clearer on how much we need to find and by when before radical service decisions are made. As stated in the Plan, we have a MTFP Risk Reserve in place to protect us against any immediate changes should Government carry out reforms without good notice.

This gap cannot be ignored, and actions and scenarios need to be formulated to allow members to consider options, to be ready to implement when required, to the scale required. This modelling and member discussions can happen over the next 12 months.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

To consider the draft Financial Plan 2025 – 2035 and to recommend to Council its adoption and direction outlined in balancing future budgets.

Reason for recommendation:

It is essential the Council considers its financial resources in advance to allow time to make necessary amendments in its service provision to ensure balance budgets are maintained.

Officer: Simon Davey – Director Finance (CFO/S151) sdavey@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

No decisions on service delivery are being made at this stage.

Climate change Low Impact

Risk: Medium Risk; These are identified within the Plan.

Links to background information

Link to [Council Plan](#)

Priorities (check which apply)

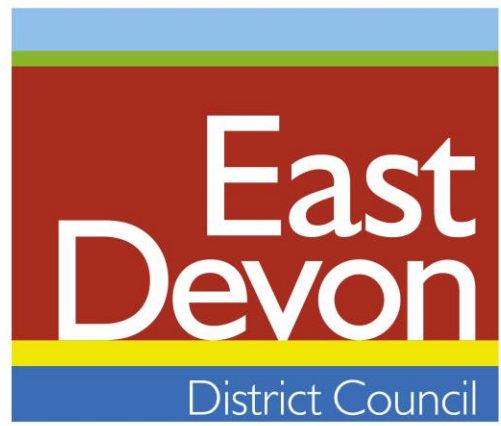
- A supported and engaged community
 - Carbon neutrality and ecological recovery
 - Resilient economy that supports local business
 - Financially secure and improving quality of services
-

Financial implications:

The financial details are covered in the report

Legal implications:

The Local Government Finance Act 1992 and Local Government Act 2003 set out the legal requirements in relation to Council budgets. Approval of the MTFP is a decision for Full Council.



Financial Plan (2025 -2035)

1. About this Plan

Our Financial Plan considers the General Fund ¹ position and the Capital Programme ², the third area of the Council's finances the Housing Revenue Account ³ is reviewed and monitored separately within its own business plan which is currently under review.

The purpose of this Plan is to define how the Council will structure and manage its finances over the next ten years to deliver services to residents and support the objectives detailed within the Council Plan. The future projections are based on the current recently adopted Council Plan.

The Financial Plan also links with other key plans and documents of the Council including Service Plans, Digital Strategy, Procurement Strategy, and the Treasury Management Strategy.

The Financial Plan comprises of two parts.

➤ **Part A - The Medium Term Financial Plan Model (MTFP)** (page 3)

This is an essential part of the budget setting process. The MTFP provides a financial model and forecast of the cost of providing services over a rolling ten year period, together with an estimate of the financial resources that are likely to be available to the Council. The process is designed to provide an early warning of any potential deficit in the required level of resources.

As well as considering the General Fund, the MTFP also reviews the affordability of the Council's capital investment programme, matching forecast funding against planned capital spending over a five-year horizon. The capital programme is easier to control as individual schemes can be approved or not by Council to match resources available. Clearly this has its own implications in meeting the Council Plan objectives but does not have the same degree of organisation complexity as the General Fund involving significant staff numbers, team interaction and service delivery.

➤ **Part B – Financial Sustainability Model (FSM)** (page 14)

This part of the Financial Plan considers how the Council will balance its finances over the coming years to continue to provide service for its residents and customers. It ensures we are achieving Value for Money throughout the Council within each service; it evidences this and seeks improvement and savings where possible. Key enablers are identified to aid us in this process.

Depending on the outcome of this work and savings achieved, consideration will then need to be given to service reductions to balance the books to achieve financial sustainability.

Definition Note:

1. The General Fund records day to day spending and income on the delivery of Council services.
2. Capital programme spending relates to purchases or enhancements of assets, expenditure that has benefit greater than a year and is over £20k.
3. Housing Revenue Account records day to day spending and income on Council owned housing and its landlord function.

➤ **Part A - The Medium Term Financial Plan Model (MTFP)**

2. Introduction

The development of a ten-year financial model is based upon a number of assumptions and perceived risks which clearly become more difficult to predict as the period covered lengthens. In recent years we have been subject to one year only financial settlements from Government, there have been fundamental funding reviews proposed, delayed, and then cancelled on a number of occasions making even short-term planning difficult.

We are expecting under the new Government a one year settlement for 2025/26, this is expected to be a rollover of the current year settlement with little changes in the principles of allocation. Government Department spending targets which will allocate funding to Local Authorities as a total sum will be announced in the 30th October budget. This will not give our individual authority numbers this will come in the Finance Settlement probably the beginning of December. Then in Spring 2025 a multi-year spending review is to take place effecting 2026/27 onwards.

As a broad principle the model has been developed on the basis of 'reasonable and prudent' forecasts and assumptions in accordance with sound accounting practice. The Council subscribes to LGFutures who provide their assessments of future local government funding to ensure we capture the full picture in our own modelling.

3. Fundamental principles

Underpinning this plan, the following fundamental principles have been adopted:

- To secure the financial stability of the Council.
- Annually, a balanced revenue budget will be set with expenditure to be limited by the amount of available resources.
- The General Fund balance will be maintained at the agreed adopted level.
- If required to balance the budget resources will be redirected from low to high priority services to meet objectives set out in the Council Plan and maintain statutory functions.
- Council Tax increases will be kept within annually announced government guidelines to ensure a local referendum is not triggered.

In considering the capital budget, the Council will continue to follow the methodology of scheme scoring and prioritisation. The Council will also seek to maximise the use of its assets.

4. Financial background

Since 2010 this Council along with other authorities have seen significant cuts in general Government funding to support core service delivery, a reduction in funding of 50p in the pound since that point.

Funding for local authorities is historically low with an increasing number of Councils issuing or threatening to issue s114 notices – emergency measures where they are close to bankrupt and prevents all but essential spending to protect core services.

There are significant financial pressures to consider with recent high inflation, driven by high energy and food costs, fears of a possible recession or at best extremely low growth predicted. Consequently, recent high national pay awards and other direct cost implications mainly associated with contractor and partner costs, although we are seeing a return to the Treasury's target 2% inflation rate. There has been an upturn in investment income through interest rate rises used to curb inflation with these expected to lower in the coming year and there is an ever increasing call on our services with the associated costs.

Understandably members' have ambitions to enhance and improve services through investment and the Council is committed to a carbon reduction programme. This all brings significant financial challenges.

These factors have shaped the finances of the Council over recent years and placed it in a continuous difficult position of setting balanced budgets.

The Council has an excellent track record of delivering balanced budgets, meeting its spending plans and Council Plan outcomes through careful financial management and planning, the Council set a balanced budget for 2024/25 and current monitoring shows we are on track to deliver this.

The Council has facilitated and encouraged business and housing growth in the district to deliver its ambitions and benefited significantly in additional government funding through New Homes Bonus, although decreasing as the scheme ends, and significantly from extra Business Rate income which to date has put the Council in a stronger financial position when compared with other councils. This has enabled continued significant investment in non-statutory services to benefit the district.

5. Medium Term Financial Plan

The base for the MTFP is the 2024/25 approved budget and the current cost of ongoing services, adjusted to take account of a range of unavoidable costs such as pay increases, inflationary pressures, the implementation of any approved changes to the budget and any costs arising from new legislation and associated regulations or changes in resident demand. The MTFP takes account of any forecast variations in the level of both investment and fee income.

The Plan also considers and makes reasonable assumptions about the likely incomes from council tax and central government funding.

The MTFP is designed to model scenarios and to aggregate the sum of all potential financial inputs, to determine whether the Council will have sufficient resources to achieve its objectives, or indeed whether action is required to bridge a funding gap.

In formulating these calculations, a number of assumptions have been made and a range of external influences considered. The various risks and pressures are detailed at the end of the Plan with commentary on their potential impact.

Appendix A to the Financial Plan contains the summary page of the MTFP including an analysis of costs and inflation rates applied.

A similar exercise has been undertaken in respect of future capital expenditure, detailing the anticipated level of resources required, together with potential funding sources available to the Council to support its planned programme of works and where there are revenue implications these have been acknowledged within the Plan.

6. MTFP – Revenue Position

The position on General Fund services is extracted in the table below and shows the current year 2024/25 for comparison and forms the basis from which future assessments have been made. The 2024/25 position is the set budget, the implications effecting this budget are considered going forward.

Some key areas to note in this calculation:

Service Budgets - This position is calculated based on current service provision adjusted where there are known resident demand changes, contract agreements or legislative requirements. This position does not include any growth in service or staffing to the Council's current service level, with the exception of items below, and other areas to highlight:

- **Possible New Town** - The current budget includes £250k as part of a total £1m to be phased over 4 years for resource implications on delivering a possible new town in the district. The cost then comes out of the Plan after 4 years. Expenditure has been reprofiled in this current Plan to reflect the likely spend pattern. We will seek external funding where possible but at this stage this has not been assumed. The phasing of the spend is now; £250k in 2024/25, £400k in 2025/26 and £250k in 2026/27.
- **Recycling and Waste Contract** – The contract was extended in 2024/25 with a change in the risk balance on the contract with a switch to a cost plus 5% basis payment to the contractor. The sums assumed in the base budget are currently being monitored and inflation has been assumed.

The implications of the Extended Producer Responsibility (EPR) and other Government proposals have been delayed and until full details are known the implications have not been assessed in this Plan.

- **Extra staffing capacity agreed in year** - Additional staffing capacity has been agreed by Council within the current financial year; a new post for Leisure and Playing pitches enabler role and an HR Operations Manager. The net cost associated with these posts are £134k and have been reflected in the MTFP. In addition new Ecologist posts were approved which it assumed are met from burden funding.
- **Carbon reduction actions** - Work is still ongoing on determining the implications of the Council's commitment to a carbon neutrality by 2040 and the programme of actions required. The MTFP assumes a commitment ongoing of £323k per annum which although significant and beyond most Councils financial commitment it is still far short of the full requirement. Without government or other external support, the Council does not have the financial ability to meet the full programme, but we will work to consider how the full agenda can be actioned.
- **Pay and general inflation** - The 2024/25 budget for staff salaries was based on an assumed 4% increase. At the time of developing the MTFP the stated final employer offer is £1,290 for pay points 2 to 43 inclusive (giving 5.77% increase for the lowest grade up to 2.5% for the highest) and 2.5% on all pay above. At this level this can be met within the current budget levels, but this position has not been accepted by the Unions. 3% increase has been assumed in 2025/26 which is above the targeted inflation rate of 2% assumed on most other areas in the MTFP except for energy and fuel costs where higher sums have been allowed.

There has been recent discussion in leading up to the October budget of a possible increase in employers national insurance contribution and possibly additional tax on pensions. No details have been confirmed, differing assumption and effects of increases are shown in the Appendix to this Plan.

- **LED** - Additional funding has been agreed for the last few years to support our leisure facilities through additional sums paid to LED to deal with the result of the pandemic and high energy costs. The level of the Service Level Agreement has been included in the MTFP at £1.4m, a reduction of £200k based on the current year figure, further work with LED is required to substantiate that sum.

- **Strata** - Each of the 3 owners of Strata are requiring additional support to meet the various work demands and transformation objectives requiring IT support and development. This led to an increase in cost in last year's budget. A business plan is being drafted for presentation to the Joint Executive Committee of Strata, at this stage the base budget has not been amended other than for pay and software contract inflation and we are expecting a similar level of payment in 2025/26. There is also likely to be implications within the Council's capital programme.
- **Planning Fees/Income** - We have seen a reduction in planning income in the current year as result of reduction in applications which is in line with the national picture. For prudence the MTFP has reflected a reduction in income of £470k going forward. Inflation rise has been assumed in fee charged based legislation in place, although recent government consultation includes details of further increases to recover local authority costs the position will be monitored but at this stage this has not been reflected in the MTFP.
- **Council Tax 2nd home additional charges** –The ability to allow Councils to charge double council tax for 2nd homes is to be introduced 2025/26. This Council has approved the policy for the additional charge equating to additional income to the Council currently estimated at £331k.

The Council agreed to the principle that the additional funds should be ring fenced across Devon to address housing challenges, but this ring fence was subject to all preceptors agreeing. This did not proceed as the main preceptor Devon County Council did not agree to this proposal and is using the funds to meet budget challenges and other priorities in its own budget. The net cost of homelessness alone for EDDC in the current year is estimated at £1.019m, this additional income will assist the Council to meet these housing challenges within its budget.

- **Review of the Housing Revenue Account (HRA)**– Currently a review is underway with the HRA to make it financial sustainable going forward. This is likely to have an impact on the General Fund if less services are required which are currently provided by staff within the General Fund, or review of recharges requires adjustments to be made. This is unknown at this stage and cannot be quantified but it is a risk that needs acknowledging.

- **Staff resources; Service Area pressures and capacity and skill gaps**– The StreetScene area have highlighted particular service pressures initially for next years budget with additional resources required in the Engineers area at an estimated additional cost of £92k and operations at £143k. Other service areas are under pressure with the implications of a growing district and the Executive Leadership Team have identified organisational capacity and skill gaps such as project management, transformation capacity, and other corporate functions. This has not been included as an additional cost as the MTFP is already showing a significant deficit without additional new posts being added to the equation. These areas will have to be worked through in the detail budget preparation within the existing resource envelope.
- At the time of the last car park fee increase it was agreed charges should be increased in line with inflation going forward, however hourly rates work best in 10p increases. The last increase was April 2022, cumulative inflation has been 11.5% thereby giving us a 10p rise. This gives a revised hourly charge of £2.10 from April 2025, with the same percentage being applied to permits raising a single town from £120 a year to £132 a year. This income has been included in the MTFP at £350k. Further consideration will also be given to the winter charges in 2025/26 but no financial assumptions have made in the MTFP for this.
- There are areas that the MTFP process has highlighted as future costs (beyond 2025/26) which at this stage have not been factored into the Plan as details are still under consideration. It is however sensible to list these for awareness:
 - Future investment depot facilities for the recycling and waste service and other services of the Council.
 - Recycling and Waste fleet renewal.
 - General demand pressures with a growing district and possible second new town.
 - Implications of the culture strategy and investment around Exmouth Pavilion.

The Council's [2024/25 Budget Book](#) is a useful reference as it details significant information about the service provision currently provided; costs and income received, staffing resources involved in each area, the assets utilised and number of service users.

Government Funding General - The 2024/25 Local Government Finance Settlement was the final year of a two-year spending round. This put-on hold, again, planned reforms; changes to both the local government funding formula and the re-basing and implementation of a new business rate retention scheme.

We now have a new Government who have indicated no major changes are proposed for 2025/26 because of practical timing implications and it is being headlined as a roll over year with a spending review to take place in Spring 2025, this will then set the direction for 2026/27 onwards.

Understanding this funding position and the implication on other core funding mechanisms (Business Rate Growth and New Homes Bonus) is critical to determining the MTFP position but there is uncertainty.

The MTFP now assumes the significant fall in funding through local government funding reforms will be from 2026/27; taking away growth in business rates by 50% which now seems to be a prudent assumption being made by other councils as the cliff edge reduction of 100% would be an impossible situation for many councils – scenario modelling at the end of this document does consider a position of 100% loss for awareness. As a reminder in 2024/25 the budget for business rate growth above baseline is £5m, with a similar level assumed in 2025/26. Also, it is assumed a fall in New Homes Bonus to £56k per annum (budgeted currently at £1.148m and £1.087m in 2025/26). In terms of the possible reductions as stated the timing is unclear.

The basis of the devolution deal in Devon as known at this stage has no implications identified in the Plan.

5. Business Rate income

This has been assumed under the existing arrangements; the 50% rate retention scheme. With a significant rebasing of growth income being applied in 2026/27.

The MTFP assumes in 2025/26 the Council will be £5m above the baseline funding level (retained growth). This is considered reasonable based on current levels of income and projected growth and is in accordance with LGFutures modelling. The Council does maintain a bad debt provision and a business rate reserve to mitigate annual fluctuations in rating assessments.

The greater, more fundamental risk is Government changing the regime and us losing the business rate growth. Because the timing and degree of risk is unknown the Council currently holds a MTFP Risk Reserve of £3m, this will be used to continue to meet key service costs in the budget in the short term if the worst case scenario happened. This being the Government announce in the December Settlement that all growth income from business rates will be lost in the following year – highly unlikely as the indication is a rollover budget and no consultation has taken place but this reserve is available to

give time to cut costs in an orderly manner to best protect the residents of East Devon should the worst happen.

6. Council Tax

The Government has for a number of years determined rural district councils can increase their council tax by £5 a year or up to recently 3% whichever is the greatest before triggering a local referendum. This is the level of income the Government assess is available to the Council and the MTFP applies this increase annually. There is no indication at the current time that the new Government is likely to radically change this position in the short term but this will be kept under review.

7. New Homes Bonus (NHB)

The scheme is ending in its current form with the annual amount reducing; this gives £1.087m estimated to be available in 2025/26 which is then assumed to fall to virtually zero when reforms take place. The sum remaining in the Model at £56k from 2026/27 represents this stream of local government funding filtering back to general funding allocations. Under this scenario we do see an increase in our Minimum Funding Guarantee Grant in the order of £1m, assuming this still exists in its current form.

A replacement for NHB was consulted on over four years ago with the Government wishing to sharpen the incentivising of housing growth in the most effective way, no announcement of a replacement scheme has been made so it is assumed the scheme will continue in its reduced form with just an annual sum paid based on one year's growth. At the height of the scheme the Council was paid the annual growth sum for 5 years, with the next year added on and paid similarly for 5 years – in 2017/18 the Council received £4.584m (the most received in one year).

8. MTFP numbers

An extract from the MTFP is given below, to be able include in the main body of the report only the next 3 years are shown, the full 10 year position is contained in the appendices:

This column gives the current year budget (2024/25) which is balanced, this is the base year to which adjusts are then made going forward.



EAST DEVON DISTRICT COUNCIL - MTFP summary Page										
GENERAL FUND REVENUE BUDGET FORECAST										
Note	BASE									
	2024/25	2025/26			2026/27			2027/28		
	Total	Addition	Reduction	Total	Addition	Reduction	Total	Addition	Reduction	Total
BUDGET SET	24,652,240			24,652,240			25,238,637			25,867,854
AMENDMENTS TO BUDGET INCLUDING BUDGET VARIATIONS										
1	One off Items of expenditure from Earmarked Reserves		865,410	(865,410)						
2	EDDC Elections (budget 2023 + inflation)							182,800		
3	Staffing & Resourcing of possible new town, £250k in base.	150,000		150,000		150,000	(150,000)		250,000	(250,000)
4	LED contract above budget sum agreed 2024/25 less £200k reduction agreed 25/26	217,588	200,000	17,588						
5	Post agreed after budget set:			0						
6	Ecologist 12 Jul23 (burden funding)	73,000	73,000	0						
7	Leisure & Playing pitches enabler role	58,000		58,000						
8	HR Operations Manager	76,000		76,000						
9	Risk on Planning Income projected £470k down in 24/25	470,000		470,000						
10	Risk with Immediate request for StreetScene resources - future years to be modelled with efficiencies			0			0			
11	Risk on HRA recharge review	0		0						
12	Carpark Inflation increase from 1/4/25		350,000	(350,000)						
		0	1,044,588	1,488,410	(443,822)	0	150,000	(150,000)	182,800	250,000
										(250,000)
INFLATION										
12 a	Employee Pay Award		512,367	512,367	351,825		351,825	358,862		358,862
b	Employees Other Costs		11,692	11,692	11,926		11,926	12,165		12,165
c	Superannuation		107,497	107,497	73,815		73,815	75,291		75,291
d	National Insurance		50,786	50,786	34,873		34,873	35,570		35,570
13	Inflation Summary - expenditure		671,738	671,738	630,406		630,406	647,211		647,211
14	Inflation Summary - fees, charges & contributions		(323,862)	(323,862)	(323,628)		(323,628)	(329,786)		(329,786)
	TOTAL INESCAPABLE BUDGET CHANGES	0	1,030,219	0	1,030,219	779,217	0	779,217	799,313	0
										799,313
SERVICE PLAN COMMITMENTS NOT INCLUDED IN BASE BUDGET										
15	None identified			0		0	0	0		0
	TOTAL "UNAVOIDABLE" CHANGES TO BUDGET	0	2,074,807	1,488,410	586,397	779,217	150,000	629,217	982,113	250,000
										549,313
	PREDICTED BUDGET REQUIREMENT	24,652,240			25,238,637			25,867,854		26,417,166
FINANCED BY:										
	Government Grant - Business Rates Gov't baseline	3,733,000		3,807,660			3,883,813			3,961,489
	Revenue Support Grant	278,000		278,000			278,000			278,000
	Rural Services Delivery Grant	265,000		265,000			265,000			265,000
	Minimum Funding Guarantee Grant	1,714,000		1,714,000			2,714,000			2,714,000
	Service Grant	58,000		58,000			58,000			58,000
	Business Rates Uplift - Amount above Baseline (LGFutures to be received) - Rebase assume protection 50% on resources Yr1, 25% yr 2	5,077,240		4,829,000			2,414,500			1,407,250
	Business Rates Pooling Gain	428,000		453,000						
	Council Tax 2024/25 = £171.78 - Growth in base 500 each year, Assume + £5 per annum increase or 2.99% which is ever greater	10,414,910		10,813,036			11,224,804			11,651,528
	Council Tax 2nd Home Premium 2,747 properties assume 70% income	0		330,797			340,688			350,874
	Interest Income (currently £1m over budget through base rate change) assume similar interest rates in 24/25 but a reduction in cash balances. Then marginal base rate fall 25/26	1,581,690		2,200,000			1,650,000			1,650,000
	Interest & Loan Repayment - assume Loan Debt increase of £6m allowance (MRP + 4% interest)	(506,710)		(896,710)			(1,286,710)			(1,676,710)
	Council Tax Collection Fund Surplus	96,000		75,000			75,000			75,000
	Earmarked Reserve - one off items of expenditure (including Transformation Fund)	865,410		0			0			0
	New Homes Bonus to revenue (Gov't ended current scheme)	1,147,700		1,087,000			56,000			56,000
	General Fund Balance - District Elections			0			0			182,800
	GENERAL FUND BALANCE	(500,000)		0			0			0
	TOTAL	24,652,240		25,013,782			21,673,094			20,973,232
<i>(Abbreviations used - NHB = New Homes Bonus, N.I = National Insurance, NNDR = National Non Domestic Rates)</i>										
	ANNUAL (SURPLUS)/DEFICIT	0		224,854			4,194,759			5,443,935
	IN YEAR ADDITION TO ANNUAL (SURPLUS)/DEFICIT			224,854			3,969,905			1,249,175

This line shows the annual projected deficit in our budget if no action is taken then the annual deficit grows. Annual Deficit in 2025/26 £425 Annual Deficit in 2026/27 grows to £4.195m when the assumed finance reforms hit.

This line shows the annual projected deficit in our budget on the bases that we cannot set an unbalanced budget, so assumes the annual deficit is found each year in our budget preparation. Thereby showing us how much we need to save in setting that annual budget. Those savings need to be an increase in income and/or reduction in expenditure that continues to be achieved in our base budget annually. In 2025/26 this is £225k, then assuming we met the deficit the previous year with the Annual Deficit in 2026/27 alone of £3.970m.

The table below shows annual budget position over the 10 year period.

Table: MTFP Model – Annual budget shortfall assuming previous year’s shortfall was found.

General Fund	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	2029/30 £000	2030/31 £000	2031/32 £000	2032/33 £000	2033/34 £000	2034/35 £000
Budget Shortfall/(Surplus)	225	3,970	1,249	563	487	485	484	482	370	587



The reason for significant changes between years is that 2026/27 as explained is when rebasing of business rates is expected creating a significant funding shortfall.

The Model identifies the pressures and influences on the Council's revenue budgets and highlights a shortfall between the Council's spending requirements and the amount of finance available. Actions will need to be taken to meet these shortfalls and the need to keep finding savings year on year is not to be underestimated.

9. MTFP Revenue - The Way Forward

The Financial Sustainability Model (FSM) has been in place for a few years with the principles followed to help balance the budget. There is a need to update the model reflecting a new Executive Leadership Team in place with new ideas, but the main principles are unlikely to change. Notable progress has been made in some key areas of review; leisure services, particular around the high costs the Council incurs compared with other authorities, the future shape of recycling and waste service, asset costs and the continuation of the public convenience programme of the right toilet in the right place. Investment has been made in the Home Safeguard IT system which should generate additional income, a new phone system is starting to be a catalyst into dealing with customer demand more efficiently and working with Strata our IT partners a number of action are in train.

Addressing the funding gap comes in two parts linked to the uncertainty of Government funding for local authorities.

- The funding gap for 2025/26 is considered manageable exploring what savings/increased income can be achieved working with services and with member support.
- The budget gap currently identified for 2026/27 can in part be addressed through a revised and refreshed FSM but it is likely to require service reduction based on member priorities. The scale of this task and timing is still unclear until certainty is given by the new Government.

➤ **2025/26 budget gap**

Broadly of the £225k shortfall in 2025/26 it is considered this can be bridged subject to member approval and further work that will be presented in the detail budget.

Savings and income generation will be worked through with the Senior Leadership Team, including how to mitigate service pressure costs not currently allowed for in the MTFP. Material areas being targeted for savings/increased income through this Plan are:

- Asset management it is believed can release savings in the order of £65k. Further details will be presented to members for consideration.
- Further work with LED is ongoing on next year's subsidy level, a £200k reduction has been agreed at this stage over the current year and built into the MTFP.
- Executive Leadership Team consideration of non-replacement of vacant posts in a managed way based on organisational need and priority, new posts maybe considered but to be kept within the necessary budget level - the current budget has 464 FTE budgeted, a reduction of 4 vacant posts could generate in the order of £170k saving.
- If necessary to bring forward some service reductions for members to consider.

The FSM process is described below, reviews are required to ensure we are delivering VFM, drive efficiencies to see what savings can be achieved and to form an evidence base that we have done what we can.

- **2026/27 budget gap** - If the funding gap estimated in 2026/27 of £4m materialises, which is dependent on Government direction, then efficiencies and income generation are unlikely to drive the level of savings required and we will need to propose significant service reductions. Importantly this action comes at a point when we are clearer on how much we need to find and by when before radical service decisions are made. As stated, we have a MTFP Risk Reserve in place to protect us against any immediate changes should Government carry out reforms without good notice.

This gap cannot be ignored, and actions and scenarios need to be formulated to allow members to consider options, to be ready to implement when required, to the scale required. This modelling and member discussions can happen over the next 12 months.

10. Capital

The Council maintains a programme of capital expenditure designed to improve a wide range of community facilities and local infrastructure. The forward funding projections below only include rolling items and projects identified early by managers; **there will be proposals missing from this list** that will need to be considered for funding. There will be slippage in the programme that is not reflected below which shows the approved programme, actual spend history against programme has been considered and factored into the funding implications to give a more accurate picture on General Fund Revenue implications.

There will be a disparity between the Council's capital spending aspirations being greater than the amount of finance available. In producing these figures agreed principles have/will be applied:

- Capital works associated with the Housing Revenue Account are self-funded; these costs have been factored into in the HRA budgets. Any capital receipts generated from the HRA are used to finance HRA expenditure.
- A capital bid process is in place whereby appraisal forms are completed for each scheme and a scoring methodology applied to prioritise expenditure within resources available. This prioritisation is overseen by the Member Budget Setting & Capital Allocation Panel (BSCAP).

MTFP Model – Capital Expenditure and Funding Position

	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000
GF - Net Capital Expenditure	11,224	7,769	4,806	6,305	239
GF - General Capital Receipts	(200)	(200)	(200)	(200)	(200)
New Homes Bonus	-	-	-	-	-
Enterprise Zone & other self-funded schemes	(3,744)	(25)	(18)	-	-
Capital Reserve	-	-	-	-	-
Net Internal/ External Borrowing	(7,280)	(7,544)	(4,588)	(6,105)	(39)

The Programme expenditure includes only those schemes already approved by Council and rolling items such as the provision of statutory disabled facility grants, the public toilet renovation programme, equipment replacement for street scene services etc. **Bids will come through the annual budget process giving a different picture to that given above and there will be choices to make to keep expenditure within resources available.**

The above has been produced using the latest budget monitoring position.

The position on internal/external borrowing over the period requires net funding of £25.556m. This position has been factored into the revenue model in terms of costs of borrowing/lost external interest with additional borrowing of £6m a year for new scheme

approval. A modest sum has been included for the capital receipts line, active asset management should be able to generate greater sums than has been assumed.

Key issues to consider for this Plan in terms of capital are:

- Only rolling items, or early request for items, have been included in the MTFP. No amount is included for future coast protection or flood prevention schemes. If any schemes do come forward, it is assumed they will attract Government funding if of high enough priority.
- Any scheme inclusion in the Programme over and above this core annual expenditure needs to be considered carefully for inclusion in future programmes on a case by case basis to determine if they meet corporate objectives and, if they can be self funded, evidenced in a business case or delivered in conjunction with other agencies/partners. Some schemes will come with no funding but may still be required to be funded due to their nature.

The Way Forward – Capital programme

- There is a clear necessity for the continuation of the member Panel to consider the allocating of capital resources against competing capital scheme bids.
- The programme needs to be populated with realistic expenditure estimates into the future; further work has been undertaken on Council assets costs and the Asset Management Plan.
- The Project Management Guidelines will continue to be used to inform the capital bid process through detailed capital appraisal forms and Initial Project Proposal Document (IPPD). With the continued monitoring of progress on key projects through the Council's Strategic Leadership Team and member Panel.

➤ Part B – Financial Sustainability Model (FSM)

11. Aim of the FSM

This part of the Finance Plan considers how the Council will balance its finances over the coming years to continue to provide service for its residents and customers. We will ensure we are achieving Value for Money throughout the Council within each service; we will evidence this and seek improvements and savings where possible. We have key enablers to aid us in this process and available reserves (Transformation Fund) at the discretion of Council to make investments to achieve savings or increased income.

12. Service Reviews/Support

Service reviews are required utilising the enablers as shown in the diagram and described more fully below. These enablers are linked and cross over each other. We are likely to still require service reduction to achieve financial sustainability but from a position of ensuring efficiency should be explored first.



1. Service Reviews Principles.

To undertake service reviews using a standard approach across the Council challenging ourselves as to how can we do things better, reduce costs and or increase income. Can our services “wash their own face” or better.

Details need to be worked up but to take a step back and looking at how we work to meet customer demand, being sure of our purpose and checking we are meeting that purpose in the simplest way, and most cost-effective way. It’s ensuring effort and resource is focussed on value demand – what we are here to do for the customer, and

not spent on failure demand – dealing with lots of queries, adding rework into our system and being focused on the wrong performance measurers.

These reviews will consider how best we can utilise the other enablers below to help us deliver savings and/or increase income.

Consideration is currently being given to the resources required to drive these reviews, a number of Council's including our partner authorities in Strata have an officer responsible for Transformation, which this work could be described as, along with a team to support the necessary changes. Strata are delivering in part, and we have some elements of the required resources in place but the Council needs to resource its side of the equation fully.

2. Digital Transformation

We have a Digital Strategy and we are now working with Strata and our other partner authorities to ensure the outcomes can defined and delivered. The Strategy is built around six themes:

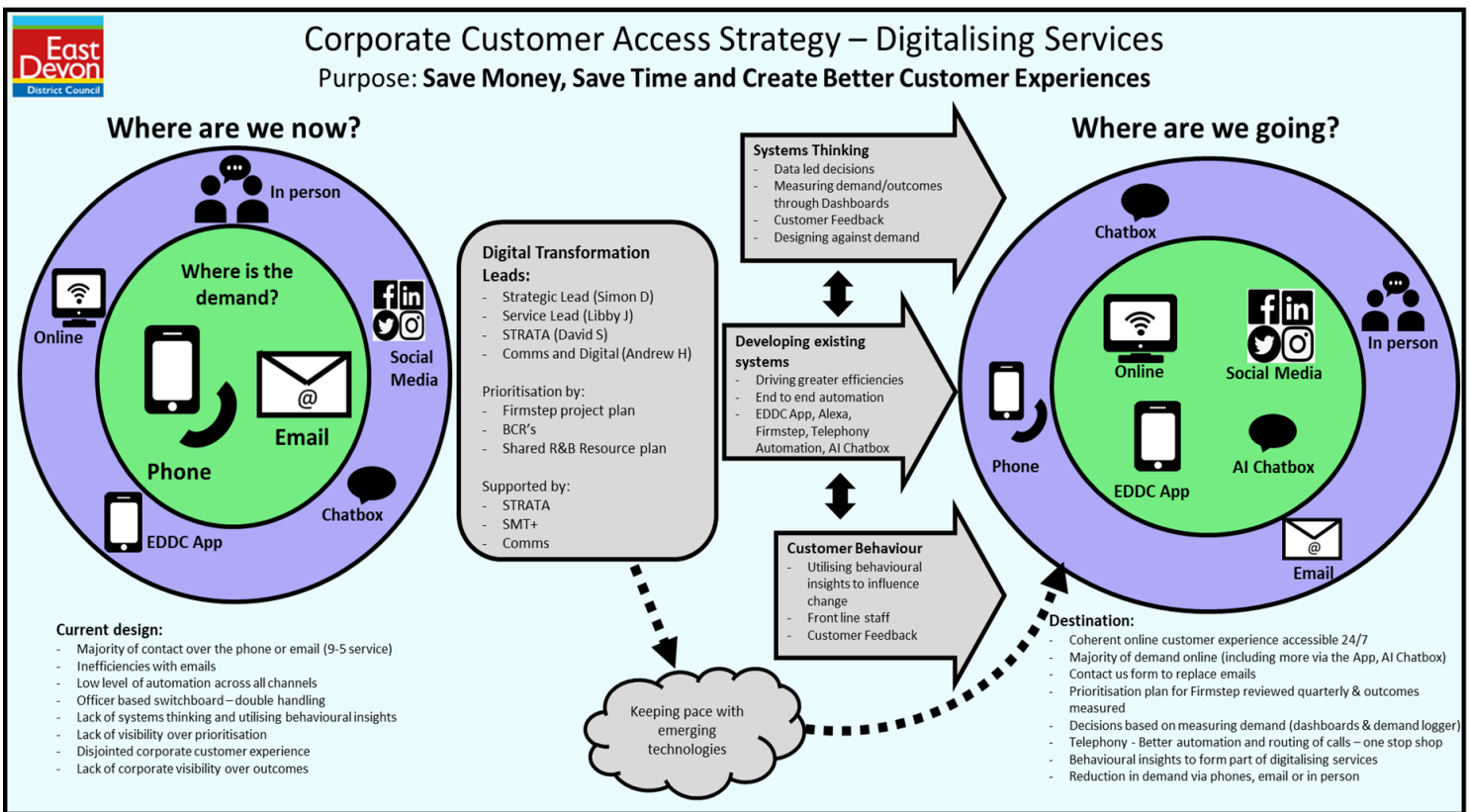
1. Customer access and service
2. Digital and mobile work force
3. Digital democracy
4. High-quality, accessible data
5. Digital and Net Zero
6. Responsive, resilient and secure infrastructure and systems

Most of these themes support the key enablers of our Financial Sustainability Model. Through our reviews we should only be doing value work, at that stage we determine can digital processes make it more efficient for us. There is no point using limited IT resources to digitalise a process that is moving unnecessary work from a manual process to a digital process.

Moving value work into a digital process, or a more effective digital process, will deliver financial savings.

3. Customer Access

As part of approving the Digital Strategy the aim of the 'customer access and service theme' within that Strategy was described in an info diagram to explain where we consider we are now with customer access and through various initiatives where we are aiming to move to - giving customers better access and for us save costs. This is replicated below.



4. Measuring ourselves - Performance/Cost Data comparisons and timely management information driving our business decisions.

To understand cost, performance and activities of services and undertake appropriate comparisons to be clear where we are providing Value for Money and where we are not. Help identify where improvements are needed or to determine we are comfortable and understand the variances.

It is crucial we use relevant data to inform our business decisions. Performance data needs to be readily available and used by managers and members to drive decisions and be clear where action is needed/not needed and how we are performing for our residence, identifying and resolving issues quickly.

The Council has invested in a Performance Management System with an aggressive implementation plan. This will move us forward in the current year against this enabler.

5. Asset Management: Enabler Lead

In reviewing our services there are some services where asset management is relevant and areas it is not. There are key elements to be considered by services;

- Understanding the financial and non-financial performance of assets and using this to drive asset management decisions.
- Proactive asset management – Maximising the returns from assets and disposing of assets that have a poor financial / non-financial return.
- Investing in assets only where there's a strong business case.
- Supporting wider objectives – Being clear where and how asset management is supporting wider objectives, such as benefitting the community, shaping the built landscape, supporting the Council in its service delivery and proactively supporting our commitment to tackling climate change.

- e) Encouraging asset transfer where appropriate.

There can be a quick analysis within each service to determine scope of opportunities which will form part of the service reviews.

6. Income Maximisation

It is viewed that members are supportive of ensuring where fees and charges are made that these set at appropriate rates and reviewed regular to keep pace with costs. It is also considered there is support to develop existing services areas where there is opportunity and customer demand for additional or enhanced services to be offered that can generate surpluses for the Council.

Again the opportunities here need to be explored in service reviews.

EXTERNAL INFLUENCES AND KEY ASSUMPTIONS WITHIN THE REVENUE MTFP MODEL

- Inflation**

Inflation rates used are identified in Appendix A of the MTFP attached. Although the financial model is based upon what are believed to be a series of prudent assumptions, there is inevitably a risk that some or all factors applied could be inaccurate. The table below summarises the impact of any such inaccuracies that would have a detrimental effect upon the financial plan. Inflation rates have been high but now falling with September 2024 recorded at 1.7% (CPI). The biggest impact on the MTFP will be future pay settlements.

Financial impact of changes in inflation assumptions 2025/26.

Factor	MTFP Predicted Inflation Costs £000	Worse by 1% £'000	Worse by 2% £'000
Pay, N.I & Pension & other employee costs + other costs	682	230	460
Extracting N.I alone as speculation of an increase	51	17	34

- Investment Returns**

The approach adopted, of budgeting for investment income remains prudent. Investment return is based on a marginal reduction in base rate for 2025/26 and a reduction in cash to invest has been factored in.

- Council Tax Income**

The MTFP follows recent Government practice of allowing a £5 a year increase or 3% whichever is the greatest.

Financial impact of changes in council tax levels (2025/26).

Level of council Tax increase	Predicted council tax income £000	Loss of income in MTFP 2025/26 £'000
Council tax yield at £5 (3.00%) increase	(11,144)	Nil
Yield at 2.0%	(11,036)	108
Yield at 1.0%	(10,928)	216
Yield at 0.0%	(10,820)	324

This calculation shows a one year effect, this reduction would be lost each year going forward plus the opportunity to increase the level in future on a higher base.

- **New Homes Bonus**

Details are covered in the main Strategy the risk in income being below the projections are unlikely as they are based in the main on current known taxbase numbers. The Plan assumes going forward a significant reduction in income from previous years. We await Government intention on a revised scheme which could have positive implication on the MTFP both revenue and capital but no projections can be made on this until Government outline any replacement scheme. The introduction of the Minimum Funding Guarantee Grant will mitigate any reductions but there is no guarantee this will continue.

- **Business Rate Income**

The risks associated with Business Rate income has been covered in the Strategy, including the Government's intention of business rates rebasing. A £5m additional benefit has been budgeted in 2025/26 for additional rates above the Council's baseline, this is the sum that will be budgeted and if the actual amount is less through a reduction in assessments or collection of income drops than the difference will be met from the Business Rates Volatility Fund which has a current balance of £0.639m.

Should the Government suddenly rebase for 2025/26 (very unlikely but a risk that needs to be considered) then the Council has a MTFP Risk Reserve of £3m will be used to mitigate this for the year.

Report to: Cabinet



Date of Meeting 30/10/24

Document classification: Part A Public Document

Exemption applied: None

Review date for release n/a

Approval on the proposals to go out for public consultation in Spring 2025 to discharge and vary the Public Spaces Protection Orders to be implemented in May 2026

Report summary:

To seek approval to go out to public consultation on proposals to vary and discharge three Public Spaces Protection Orders: Dog Control, Seashores & Promenades, and Control of Anti-Social Behaviour & the Consumption of Intoxicating Substances in Exmouth.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet agree to public consultation of the proposed variations to go out to public consultation, to approve the variation of and to discharge the Public Spaces Protection Orders 2023 as required by the provisions within the Anti-Social Behaviour Crime and Policing Act 2014.

Reason for recommendation:

To enable public consultation of proposed changes to clarify the current PSPO's and allow a targeted approach to dog control and anti-social behaviour within the district.

Officer: Sally Webster, PEHO, Environmental Protection, swebster@eastdevon.gov.uk
01395519973

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

There is a need for appropriate controls using the PSPO's to address issues such as irresponsible dog ownership and alcohol related anti-social behaviour in Exmouth, which negatively impacts on other members of the public using the open spaces.

Climate change Low Impact

Risk: Low Risk; The consultation is a requirement of the Act and is necessary in order to create the required orders.

Links to background information Anti-Social Behaviour Crime and Policing Act 2014

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted/data.htm> Home Office Statutory

Guidance on the Act July 2014

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final_2_.pdf

Link to [Council Plan](#)

Priorities (check which apply)

- A supported and engaged community
- Carbon neutrality and ecological recovery
- Resilient economy that supports local business
- Financially secure and improving quality of services

Report in full

1. Report

1. A Public Space Protection Order is a tool under the Anti-Social Behaviour Crime and Policing Act 2014 which is intended to deal with a particular nuisance or problem affecting a specified area that is detrimental to the local community's way of life. They could be used for a wide range of problems. The area may be as small as a play park or as large as the district of the local authority.
2. A PSPO can be made by the council if it is satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:
 - Have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;And that the effect or likely effect of the activities:
 - Is or is likely to be persistent or continuing in nature;
 - Is or is likely to be unreasonable and
 - Justifies the restrictions imposed.
3. Byelaws are local laws which can be introduced by the Council to implement requirements in a specified area. Sanctions for contravention of a byelaw would be through conviction in a magistrates court. A Public Space Protection Order is preferable to control certain anti-social behaviour as contravention can be dealt with more efficiently by issuing a fixed penalty notice, or by prosecution in a magistrate's court. In addition, a Public Space Protection Order is in place for maximum of three years before review and so can be amended to respond to specific local issues.

4. The dog controls were transferred from Dog Control Orders into Public Spaces Protection Orders in 2017; this was a requirement on local Councils.
5. PSPOs may be used to control a range of activities where there is evidence of detriment.
 - Control of Dogs – continuing the existing whole district requirements to clear up after dogs, keep dogs on leads in specified places and designate some areas where dogs are not allowed, to walk no more than six dogs at any one time, and a requirement for dog(s) to be kept on a lead when asked by an authorised officer and to amend the current exemption criteria.
 - Seashores and Promenades – to amend the seasonal dog exclusion for Exmouth beach, update dog on lead areas, amend the current exemptions criteria and to continue to prohibit the feeding of seagulls on the town beaches and promenades.

A table of proposed changes with justifications is included below. These changes have been proposed following internal consultation with relevant Council teams and Council members.

The proposed amendment of the season dog exclusion to allow dogs to be exercised during certain times of the day in the exclusion areas has arisen for several reasons;

- The Council has received several requests from dog walkers to be allowed to exercise their dogs on Exmouth Beach in the summer during the early morning or later evening when the beaches are cooler and quieter for residents and people visiting the area to exercise their dogs.
- Analysis of complaints received concerning dogs on the exclusion area at Exmouth Beach indicates that many of the complaints relate to a breach of the current PSPO rather than specific anti-social behaviour caused by the dog owners, such as fouling or nuisance behaviour of the dogs.
- The introduction of time limits for the use of Exmouth beach for dog owners will enable the Council to prioritise and target our resources more effectively during the summer months to tackle specific anti-social behaviour relating to dogs. If complaints are received regarding incidents of anti-social behaviour, targeted patrols can take place based on intelligence gathering in respect of fouling on the beaches for example and enable the Officer to issue Fixed Penalty Notices. Outside of the specific time limits, patrols of the beaches will be undertaken, taking the appropriate enforcement action as needed.
- Time limits apply on beaches within Cornwall and feedback from Cornwall Council has indicated that they received fewer complaints concerning dog nuisance and fouling on the beaches and dogs being on the beach during the banned times. They also commented that they were able to target their limited resources in hot spot areas based on local intelligence and this enabled more successful enforcement. Many of Cornwall's beaches are also dog accessible all year round, whilst EDDC are still proposing to retain dog ban areas on our other beaches during May to Sept.
- Dorset Council are another local council who have also relaxed dog controls on some of their beaches from January 2021 and they now have seasonal exclusions on some beaches and others are dog accessible all year round, enabling residents and visitors to use the beaches as appropriate to their needs.
- The Dog Enforcement Officer regularly patrols the beaches during the summer, providing information and education to those found in the dog exclusion areas and the majority of those spoken to and asked to leave the beaches were found to be residents of East Devon who were fully aware of the current restrictions. Any changes to the PSPO will be disseminated to the public and we will robustly enforce the PSPO with the use of Fixed Penalty Notices to reinforce the requirements.

6. The PSPOs will remain in force for 3 years at which point they will be reviewed, amended and renewed as appropriate.
 7. A person observed not to be complying with the PSPO is liable to receive a fixed penalty notice of £100. Certain council officers and police officers are authorised to enforce the requirements of the orders.
 8. There is a requirement in the legislation for interested parties to be consulted about the proposals. Consultees will include all district councillors, town and parish councils, affected landowners, Devon County Council, Devon and Cornwall Police and the Police and Crime Commissioner. There will be several press releases drawing attention to the web-based consultation, social media posts and paper copies available on request.
 9. It is proposed to carry out the consultation in Spring 2025 for a period of 12 weeks, which will allow time for the variations to be included in the PSPO's in May 2026. Responses will be considered and if appropriate the orders will be amended prior to the final draft being submitted to Cabinet and Council for approval.
10. Table of Proposed Changes

Changes to the Dog Control Public Spaces Protection Order

Dogs on Lead Areas	Justification
Colyton	
Grassed area and war memorial, St Andrews Church, Colyton	Request received from Colyton Parish Council due to increased dog fouling in this area.
Honiton	
Re-introduction of this requirement at The Glen, Honiton	This is an open green space close to residential areas within Honiton and the Dog on Lead requirement was removed in the 2023 consultation. There has been a request to reinstate this requirement due to an increasing number of dog fouling and dog on dog attack complaints received by the Dog Enforcement Officer.
Exmouth	
Donkey Field, Foxholes, Exmouth to be a Dogs on Lead area.	Request received from the public and the Dog Enforcement Officer to change to Dog on Lead due to dog fouling on the site.
The Maer, Exmouth to become Dogs on Lead area.	Request from the Dog Enforcement Officer to change to Dogs on Lead due to increasing number of dog fouling complaints.
Sidmouth	
The Byes, Sidmouth	Request received from the Dog Enforcement Officer, due to the increasing number of complaints received regarding nuisance dogs/ dogs off lead in this area.

	4 requests received from the public due to increased dog nuisance/not under proper control and dog fouling of the area.
Kilmington	
Kilmington Playing Fields to remove the current Dogs on Lead requirement	Request from Kilmington Dog Walkers Association to remove this requirement to enable off lead walking. (n.b. This is subject to a separate report).
Cranbrook	
Cranbrook Nature Reserve south of old A30 to change from Dog Exclusion to Dog on Lead area And Rename to Cranbrook Nature Reserve, Great Meadow area south west of river	Cranbrook Town Council felt that Great Meadow is used by a significant number of Dog Walkers. The E.ON district heating pipe extends through this area and has been installed as a bridge with the heating pipe incorporated underneath. The footbridge gives access for park users to cross directly from Great Meadow into the area designated as the Nature Reserve. In reality it is not possible to effectively enforce either area as a Dog Exclusion zone but the Council feel the Nature Reserve should be a Dog on Lead zone to protect habitat and local species. The nature reserve is under review and its final designation has not yet been determined
Off Tillhouse Road, access path leading to wheeled sports facility (Skatepark) to become Dog on Lead Area	Cranbrook Town Council and supported by Dog Enforcement Officer. 2 complaints regarding Tillhouse Lane in 2024 and 1 in 2023
Dog Exclusion Areas	
Honiton	
Allhallows Playing Fields, Honiton	Order to be made clearer to state dog exclusion on both pitches only (n.b. this is also subject to a separate report).
Cranbrook	
Hayes Square Play Park Dog Exclusion area to be renamed as Hayes Square Play Space	Request by Cranbrook Town Council
Ingrams sports pitches Dog Exclusion area to be renamed as Ingrams Sports Centre	Request by Cranbrook Town Council
Phase 3 Country Park play area Dog Exclusion area to be renamed as Stone Meadow play space	Request by Cranbrook Town Council
Crannaford allotments play area Dog Exclusion area to be renamed as Crannaford allotments play space	Request by Cranbrook Town Council
Platinum Park play area. Within the defined play area enclosed by fencing and not the wider public	Request by Cranbrook Town Council

open space to be designated as a Dog Exclusion Area	
Off Tillhouse Road, wheeled sports facility (Skatepark)	Request by Cranbrook Town Council
Education Campus, play space in front of Education Campus (due to complete in 2026)	Request by Cranbrook Town Council

Changes to the Seashores and Promenades Public Spaces Protection Order.

Location	Justification
Exmouth	
Maintain the existing Dog Exclusion Areas on Exmouth beach between the Hours of 10:00 – 18:00 and to allow dogs on the whole beach during the off-peak hours before 10:00 and after 18:00 for the period May – Sept.	To enable the Council to prioritise and target our resources more effectively during the summer months to tackle specific anti-social behaviour relating to dogs. The timings proposed mirror the RNLI Lifeguard sessions on the beach and those used by Cornwall Council.
Beer	
Change current seasonal dogs allowed area to dogs on lead area	Request made by Cllr Heath following dog fouling complaints.

Exemptions for Dog Control Order, Seashores and Promenades Order, ASB Exmouth Order

Dog Control Order – Current Exemption	Proposed Exemption
<p>Dog Fouling</p> <p>i) A person registered as blind in a register compiled under section 29 of the National Assistance Act 1948 shall not be guilty of an offence if they are alone with the dog and unable to remove the faeces;</p> <p>ii) A person with a disability which affects his mobility, manual dexterity, physical coordination or ability to lift and who relies for assistance on a dog trained by a prescribed charity shall not be guilty of an offence if they are alone with the dog and unable to remove the faeces. A “prescribed charity” is:</p> <ul style="list-style-type: none"> • Dogs for the Good (Registered Charity no. 1092960) • Support Dogs (Registered Charity no.1088281) 	<p>Dog Fouling</p> <p>(i) A person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948 if they are alone with the dog; or</p> <p>(ii) A person with a disability affecting their mobility, manual dexterity, physical coordination or ability to lift, carry or move everyday objects or who relies upon a dog trained by any prescribed charity (and is clearly identified) for assistance if they are alone with the dog. A 'prescribed charity' including but not limited to</p> <ul style="list-style-type: none"> • Dogs for the Disabled (Registered Charity no. 700454) • Support Dogs (Registered Charity no. 1088281) • Canine Partners for Independence (Registered Charity no. 803680)

<ul style="list-style-type: none"> • Canine Partners for Independence (Registered Charity no. 803680) 	<p>(iii) Any police dog or fire dog. The term 'police dog' or 'fire dog' is deemed to be any dog, which is trained, or is undergoing structured training on behalf of the Chief Police Officer or Chief Fire Officer for the relevant service's dog unit. All reference to the term 'dog' also includes bitches and puppies belonging to that service that are subject to any separate contractual conditions and arrangements.</p> <p>(iv) Working dogs: When actually working e.g. those working on a land under the control of a farm worker when moving livestock would not expect to be on a lead. Working dogs includes dogs that are being used in connection with emergency Search & Rescue, Law Enforcement, and the work of HM Armed Forces.</p>
<p>Seashores and Promenades Order</p>	<p>Proposed Exemption</p>
<p>No specific exemptions</p>	<p>(i) A person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948 if they are alone with the dog; or</p> <p>(ii) A person with a disability affecting their mobility, manual dexterity, physical coordination or ability to lift, carry or move everyday objects or who relies upon a dog trained by any prescribed charity (and is clearly identified) for assistance if they are alone with the dog.</p> <p>A 'prescribed charity' including but not limited to</p> <ul style="list-style-type: none"> • Dogs for the Disabled (Registered Charity no. 700454) • Support Dogs (Registered Charity no. 1088281) • Canine Partners for Independence (Registered Charity no. 803680) <p>(iii) Any police dog or fire dog. The term 'police dog' or 'fire dog' is deemed to be any dog, which is trained, or is undergoing structured training on behalf of the Chief Police Officer or Chief Fire Officer for the relevant service's dog unit. All reference to the term 'dog' also includes bitches and puppies belonging to that service that are subject to any separate contractual conditions and arrangements.</p> <p>(iv) Working dogs: When working e.g. those working on a land under the control of a farm worker when moving livestock would not expect to be on a lead. Working dogs includes dogs that are being used in connection with emergency Search & Rescue, Law Enforcement and the work of HM Armed Forces.</p>

ASB Exmouth Order – Current Exemption	Proposed Exemption
Exemptions will apply in cases where the substances are used for a valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes or vaporisers (tobacco products) or are foodstuffs regulated by food safety legislation or where the use of the intoxicating substances falls within the curtilage of a premises licensed for the sale and consumption of alcohol and within the operating hours of such.	Exemptions will apply in cases where the substances are used for a valid and demonstrable medicinal use, for the use of a recognised cultural or religious practices, given to an animal as a medicinal remedy, are cigarettes or vaporisers (tobacco products) or are foodstuffs regulated by food safety legislation or where the use of the intoxicating substances falls within the curtilage of a premises licensed for the sale and consumption of alcohol and within the operating hours of such.

The Control of Anti-Social Behaviour & the Consumption of Intoxicating Substances in Exmouth PSPO.

11. There are no proposed changes to the current ASB PSPO in Exmouth other than the amendment to the exemption.
12. The PSPOs will remain in force for 3 years at which point they will be reviewed, amended and renewed as appropriate.
13. A person observed not to be complying with the PSPO is liable to receive a fixed penalty of £100.
14. There is a requirement in the legislation for interested parties to be consulted about the proposals. Consultees will include all district councillors, town and parish councils, affected landowners, other interested parties, Devon County Council, Devon and Cornwall Police and the Police and Crime Commissioner. There will be several press releases and social media posts drawing attention to the web-based consultation and throughout the consultation period, with paper copies available on request, and there will also be an opportunity for members of the public to comment by emailing or writing to the Environmental Health team.
15. It is proposed to carry out the consultation in Spring 2025 which will allow time for the variations to be included in the PSPO's in May 2026. Responses will be considered and if appropriate the orders will be amended prior to the final draft being submitted to Cabinet and Council for approval.

Use this link to the current PSPO's, for further reference [Public spaces protection orders \(PSPOs\) - East Devon](#)

The timetable of events are as follows:

Action:	Date:
Liaise with Edith Stokes regarding exemptions for each Order and produce an Equality Impact Assessment.	August 2024

Confirm proposed changes to be consulted on.	August 2024
Instruct Legal to amend the Legal Order to state proposed changes to be consulted on.	September 2024
Complete Cabinet Report by 8 October 2024 for inclusion at Cabinet 27th November 2025 following approval of ELT.	September 2024
Work with Comms to put together consultation questions.	Completed by November 2024. To go live during January/February 2025.
Work with Comms to put together press release including social media.	Completed by November 2024. To go live during consultation January/February 2025.
<p>Consultation webpage</p> <ul style="list-style-type: none"> - Create new webpage for consultation with link to consultation questionnaire. Not to go live until consultation. 	December 2024
<p>Consultation</p> <ul style="list-style-type: none"> - Draft consultee email - Produce list of consultees, including statutory consultees, individual complainants, dog walker associations etc. - Include parish newsletters - Notify residents who live in locality where PSPO is due to change. 	Draft documents to be completed by December 2024
<p>Consultation to take place. All consultation emails and letters to be sent out. Consultation webpage to go live. Consultation to go live for 12 weeks. Press release every four weeks during consultation.</p>	January/ February 2025
Review of Consultation responses and comms on responses	May – June 2025
Instruct Legal to amend Draft PSPO's as appropriate	July 2025
Prepare Cabinet Report for Cabinet Meeting Oct 2025	
Full Council Meeting to ratify and sign off final PSPO's December 2025	

Legal Services instructed to seal and sign PSPO's	
Website updated with 2026 PSPO's	May 2026

16. Conclusion

In order to allow the PSPOs to continue beyond May 2026, they must be formerly reviewed and as part of that, public consultation must take place. This report only deals with the request to go to consultation, the outcome of the consultation in 2025 will be brought back to Cabinet for consideration and decision.

Financial implications:

The financial implications are included with in the report

Legal implications:

Legal comment: The legal framework is set out within the report and requires no further comment at this stage. Legal Services will continue to provide advice and support in the drafting and making of the final orders for enforcing from Spring 2026.

Report to: Cabinet



Date of Meeting 30 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Clyst Honiton Neighbourhood Plan Examiner's Report

Report summary:

The purpose of the report is to provide feedback and set out proposed changes following the independent examination of the Clyst Honiton Neighbourhood Plan. The examination of the Plan has now concluded and the Examiner's final report has been received. The Examiner has found that, with proposed modifications, the Plan meets the necessary 'basic conditions' and recommends to the District Council that it can go forward to referendum. In accordance with the relevant legislation, the District Council must now consider its response to the Examiner's recommendations and also satisfy itself that the Plan meets the necessary 'basic conditions'. The report highlights some remaining policy areas where Officers consider a different view regarding the degree of general conformity with the current adopted Local Plan and to some extent also with national policy, could be argued. However, on balance and in all the circumstances, Officers recommend acceptance of the Examiner's recommendations in full. If the recommendation is accepted, a decision notice will be published accordingly. This will confirm that the Plan can go forward for public vote in a local referendum as the penultimate stage in the plan-making process. An updated (Referendum Version) of the Neighbourhood Plan will also be published. The publishing of the decision notice itself will give the Plan significant weight in the determination of planning applications in the Clyst Honiton neighbourhood area.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- (1) That Cabinet agree to endorse the Examiner's recommendations on the Clyst Honiton Neighbourhood Plan (the Plan).
- (2) That Cabinet agree a 'referendum version' of the Plan be produced (incorporating the Examiner's modifications as set out in this report, together with consequential and other minor corrections for accuracy) and proceed to referendum and that a decision notice to this effect be published.
- (3) That Cabinet congratulate Clyst Honiton Parish Council and the Neighbourhood Plan Steering Group on their hard work.

Reason for recommendation:

The legislation requires a decision notice to be produced at this stage in the process. The Plan is the product of significant local consultation and has been recommended to proceed to referendum by the Examiner subject to modifications which are accepted by the Parish Council.

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

Neighbourhood Planning is designed to be inclusive and extensive consultation is a fundamental requirement. The Neighbourhood Plan has gone through wide consultation with the community and has been advertised in a variety of formats to increase accessibility. All electors are invited to vote in the referendum.

Climate change Low Impact

Risk: Medium Risk; There is a risk that the Neighbourhood Plan could fail the referendum if a majority of the community vote against it. However, if the Neighbourhood Plan is not recommended for referendum, there is a risk that the community will feel disenfranchised.

Links to background information [The Localism Act](#); [Plain English Guide to the Localism Act](#); [National Planning Policy Framework \(2023\)](#); [Neighbourhood Planning Regulations](#); [Neighbourhood Planning Roadmap Guide](#); [East Devon Neighbourhood Planning webpages](#); [East Devon Neighbourhood Planning Protocol](#); [Clyst Honiton Neighbourhood Development Plan \(Submission Version\)](#); [Examiner's Questions](#); [EDDC Response](#); [Parish Council Response 1](#), [Parish Council Response 2](#), [Examiner's Final Report](#)

Link to [Council Plan](#)

Priorities (check which apply)

- A supported and engaged community
- Carbon neutrality and ecological recovery
- Resilient economy that supports local business
- Financially secure and improving quality of services

Report in full

The Examination

1.1 The Clyst Honiton Neighbourhood Plan has now been examined and, subject to modifications, it has been recommended that it proceed to referendum. The Examiner, Ann Skippers, was appointed by East Devon District Council, following consultation with Clyst Honiton Parish Council. Ann Skippers is a highly experienced planning professional, having completed approximately 150 neighbourhood plan examinations, and held the presidency of the Royal Town Planning Institute in 2010.

- 1.2 The examination was undertaken on the basis of considering the written material, which forms the Plan, its appendices and accompanying documents, as well as representations received in response to the formal consultations. The Examiner did not consider it necessary to hold a public meeting. The Plan (as submitted for examination) and the Examiner's report are available to view on our website (links above).
- 1.3 The legislation, reflected in the Council's Neighbourhood Planning Protocol, requires the Policy Team to notify Members of the findings and recommendations of the Examiner and how the Council proposes to respond to the recommendations. The agreed response will then be published as a decision notice.
- 1.4 The Examiner has recommended textual modifications, to varying degrees, to all but one of the 24 policies within the Plan, including the deletion of one policy. There are also a number of recommended amendments to plan text and supporting figures. The modifications are for reasons of clarity/accuracy and to ensure the Plan meet the 'Basic Conditions'. These amendments are summarised and explained in Annex 1, which will form the basis of the legally required Decision Notice, and the modified policies are shown in full in Annex 2.
- 1.5 In the process of considering her recommendations, the Examiner consulted with both the Parish and District Council and gave the opportunity for responses to be made to specific questions. The questions and the responses can be viewed on the Clyst Honiton neighbourhood plan information on the EDDC neighbourhood planning webpages (links above). The Examiner's reasons for all of the amendments are explained in more detail in her report.
- 1.6 The Examiner acknowledged the efforts of the Clyst Honiton community on the Plan production in her report, stating that, "The Plan is the result of a long-term commitment to producing the Plan by the residents. The foreword to the Plan refers to goodwill and patience and describes the Plan as clear and confident. There is a clarity of thought in what the Plan hopes to achieve." Overall, the examiner concluded in her report that the Plan, "does meet the basic conditions and all the other requirements I am obliged to examine" and that she is therefore "pleased to recommend to East Devon District Council that, subject to the modifications proposed in this report, the Clyst Honiton Neighbourhood Development Plan can proceed to a referendum". The Examiner also concluded that the Plan Area – which unusually is less than the whole parish in order to exclude strategic developments such as the airport and Skypark – is an appropriate area for the purpose of holding the referendum.
- 1.7 By way of context, Members should note that the Plan period aligns to the adopted Local Plan (to 2031) and that the neighbourhood plan was examined for general conformity with the strategic policies of this Plan. The examiner noted the preparation of a new Local Plan (to 2040) and, in line with Government guidance, referred to this emerging Plan in her report where relevant, whilst noting there is no legal requirement to examine the Plan against emerging policy. Members should also bear in mind that in the current (and emerging) Local Plan, Clyst Honiton is a settlement which does not have a development boundary and so the whole of the Plan area is regarded as countryside for planning purposes. However, the parish includes/borders numerous strategic 'west end' sites and it is one of three parishes where land falls within the preferred area for the second new community under the emerging new Local Plan.

Response to the Examiner's Recommendations

- 1.8 Under paragraph 12 of the Town and Country Planning Act it is for the Local Planning Authority (EDDC) to consider the recommendations made in the Examiner's report and the reasons for them and decide what action to take in response to each recommendation.
- 1.9 The District Council must also itself be satisfied that the Neighbourhood Plan meets the necessary 'Basic Conditions' by:
- having regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributing to the achievement of sustainable development;
 - being in general conformity with the strategic policies of the Development Plan for the area;
 - not breaching, and being compatible with European Union obligations (as retained and/or incorporated into UK law)
 - is compatible with the European Convention of Human Rights (within the meaning of the Human Rights Act 1998), and;
 - complies with the provisions under section 38A and 38B of the Planning And Compulsory Purchase Act,

Or, that the draft Neighbourhood Plan would do so if modifications were made to it, whether or not recommended by the Examiner, before a referendum is held.

- 1.9 The Neighbourhood Plan regulations go on to state that if
- a) the Local Planning Authority propose to make a decision which differs from that recommended by the Examiner, and
 - b) the reason for the difference is (wholly or partly) as a result of new evidence or a new fact or a different view taken by the authority as to a particular fact, then,

the authority must notify prescribed persons of their proposed decision (and reason for it) and invite representations.

- 1.10 The legislation, which is reflected in our protocol, requires the Council to consider and respond to the Examiner's report. Officer assessment is that with the incorporation of the amendments suggested by the Examiner, the Council can overall be satisfied that the Plan meets the legal requirements. However, it should be noted that in considering some of the comments made on the Plan by the Council as part of the examination, the Examiner has taken a broader view than Officers regarding interpretation of general conformity with the strategic policies of the Local Plan, in particular Strategy 7 Development in the Countryside. As a result, in Officers view, Policies E1, E2 and H1 (as modified) remain more permissive than the adopted local plan regarding development (live/work units, self-build homes, holiday accommodation, and small-scale business units) in this primarily rural area. However, on balance, given the examiner's conclusions that the Plan has overall regard to the National Planning Policy Framework (2023), the Parish Council's support for the Examiner's modifications, and the context of the advancing proposals in the new emerging Local Plan for allocation of a new community in large part in this Plan area, Officers do not consider it to be necessary or appropriate to seek to amend the plan further. In considering the decision, Members should also note that Officers also have some reservations about the modified Policy C2, which is intended to support the achievement of a new community building to serve Clyst Honiton. This long-standing ambition of the community is supported

in principle, but Officers question if the policy can be applied to help ensure that the extent of any enabling residential development proposed is limited to that strictly necessary to deliver a new community building of an appropriate size and scale to meet residents' needs. However, this proposal is no longer an allocation within the neighbourhood plan and is intended to be pursued separately through a Neighbourhood Development Order (NDO). This means that in due course it will itself be subject to its own rounds of formal consultation and independent examination and the views of the LPA will be taken into account throughout this process. Officers will also continue to offer support, advice and guidance to the community should the NDO be progressed.

- 1.11 It is therefore proposed that members accept the recommendations of the Examiner's report and agree that a notice to this effect be published.

Next Steps

- 1.12 A revised version of the Plan (known as the 'Referendum Version'), incorporating the recommended changes as set out in Annex 1 and 2, will be made available to view on the Clyst Honiton page of the East Devon District Council website, together with the Decision Notice. As well as incorporating the Examiner's recommended changes and consequential amendments, East Devon District Council Officers will work with Clyst Honiton Neighbourhood Plan Steering Group to help ensure the accessibility of the plan document. This may require some changes in formatting and layout, together with addition of descriptive text ('alt text') for images but will not otherwise amend any part of the plan. Minor corrections e.g. for typing errors will also be agreed between the parties in preparing the Referendum version.
- 1.13 The District Council will be responsible for arranging a referendum where all electors within the Clyst Honiton Neighbourhood Area will be invited to vote on whether the Neighbourhood Plan should be used to make planning decisions in the Plan Area (a large proportion of the Clyst Honiton Parish, excluding strategic development areas) as approved by this Council on 2 April 2014. If more than 50% of those who vote say 'yes', the Neighbourhood Plan will be made and will form part of the Development Plan for East Devon, where it will carry full weight in the planning decision making process.

Financial implications:

Central Government funding is available for Neighbourhood plans. This income covers not only examination fees but also all other associated costs such as employment and all other supplies and services. Any residual funds are placed into an earmarked reserve and utilised to cover funding gaps in subsequent years.

Legal implications:

As the report identifies, it is a formal requirement for the Cabinet to consider the Examiner's recommendations and satisfy itself that the proposed neighbourhood plan, as modified, meets the prescribed 'Basic Conditions'. The purpose of the report is to satisfy this formal requirement. Assuming Members endorse the Examiners recommendation in accordance with Recommendation 1, then the Local Planning Authority is obliged to publish a notice to this effect, pursuant to the applicable Regulations, and to proceed to a referendum in accordance with Recommendation 2. At this stage there are no other legal observations arising.

Annex 1: Examiner's Proposed Modifications and Officer Responses

Amendments to Policy (*bold italics indicate new/revised wording*)

(See Annex 2 for the full revised policy wording with modifications)

1. Policy C1: Community Facilities & Services

The policy identifies 4 existing named facilities that make an important contribution to the local community. To clarify the primary intent to protect them, modify the second part of the policy from:

"Proposals for the redevelopment of these existing facilities will be supported where they are replaced by equivalent or better community provision".

to read:

"Proposals *which retain or enhance the above uses or their roles as valued community facilities* will be supported".

Minor wording amends for clarity throughout the remainder of the policy, to read:

"The loss of all or part of **a** community use including, but not limited to those identified above, will not be supported unless:

- the proposal *is for or includes* an alternative community *use* that would provide *equivalent* or greater *community* benefits to the local community, and is no less accessible to the community and where possible, *offers* greater levels of accessibility; or
- it can be demonstrated that the community facility is no longer *economically* viable (in the case of public houses, they should provide *appropriate and proportionate* marketing information and viability studies that *satisfactorily demonstrate* that the current use or an alternative community use is not viable)."

EDDC Officer Comment: Accept, for greater clarity.

2. Policy C2: New Community Building

This policy is included in place of the allocation of a site for a mixed-use scheme including community building at Pre-Submission stage to support future submission of a proposal for this via a Neighbourhood Development Order. Modifications are made in response to matters raised at Submission by EDDC and Exeter Airport.

Revise the policy to read:

"**The** provision of a new community *building* in or near the village where it can be accessed by Clyst Honiton residents through active travel and, where appropriate, with additional provision of an outdoor community space and parking *is supported in appropriate locations*.

Residential development on the site will be supported *where this is essential to enable the delivery of the community building. The number of new homes provided must be proportionate to enable the delivery of the scheme, be at the discretion of the local planning authority and reflect and meet local housing*

needs.

Schemes will be supported through:

- 1) A Neighbourhood Development Order or
- 2) Submission of a community engagement statement detailing the preapplication engagement activity with the community and wider stakeholders.”

EDDC Officer Comment: Accept. Officers support the principle of the securing of a community space for residents and the likelihood of needing enabling development to deliver it. Giving LPA discretion regarding the number of new homes is not considered to be best practice in policy wording but it has not been objected to by the Parish Council and Officers will continue to work with them to help ensure the scale of this proposal is acceptable and appropriate to the location and local need.

3. Policy C3: Additional New Community Facilities and Services

Delete the following clauses:

- “Proposals to bring forward new community facilities at the River Clyst Park (Policy NE3) will be supported.” and
- “where there is a proven need for development to extend the existing leisure and or recreation experience for the community”.

Amend the second sentence of the policy to read:

“Proposals for new community facilities in the Neighbourhood Plan Area will be supported where:”

EDDC Officer Comment: Agree. This gives the policy a wider general application in supporting a range of new facilities and services whilst taking account of the live section 106 to deliver public access at the River Clyst Park site and the valid objections raised by the landowner to the wider public access being promoted through the draft policy.

4. Policy DS1: Development of high-quality design

Minor amends throughout the policy to:

- Strengthen the reference to the design code by amending the first clause to require proposals to ‘accord with’ it rather than simply ‘have regard to’ it.
- To better reflect national policy, to amend criterion 3 to ‘conserve or enhance’ heritage assets, rather than conserve AND enhance.
- To better future-proof the policy, to remove the reference to the 2023 version of the NPPF in this clause and simply refer to ‘national policy’.
- To delete ‘where appropriate’ in criterion 10 to ensure due regard is given to issues of airport related noise and airport safeguarding.

EDDC Officer Comment: Agree, for clarity and implementation.

5. Policy DS2: Sustainable design and construction of buildings

Similar to above modification, minor amendment to delete ‘where appropriate’ in the last paragraph, to ensure due regard is given in all proposals to mitigating noise.

EDDC Officer Comment: Agree. This directly address the concerns raised by EDDC and Exeter airport on the draft policy wording.

6. Policy DS3: Communications Infrastructure

No modifications proposed.

EDDC Officer Comment: Agree/accept. Many of our neighbourhood plans have equivalent policies.

7. Policy DS4: Sustainable Drainage

Additional wording to include:

- 'additional' before 'surface water' in the first paragraph for clarity on the requirement and to ensure it is related to the impact of the proposal.
- 'any other feature which might create standing water' as well as retention ponds in the last sentence of the policy to clarify that this will be limited in respect of airport safeguarding.

EDDC Officer Comment: Agree. These amendments directly address the concerns raised by EDDC and Exeter airport on the draft policy wording.

8. Policy DS5: Flood Risk

To add to the first part of the policy supporting new flood risk management proposals, that, "Priority will be given to natural flood management schemes which are preferred to engineered solutions."

Amend the second part of the policy from:

"Flood management and/or flood defence proposals should seek opportunities for natural biodiversity enhancement and habitat creation and mitigate against damage to the river environment."

To read:

"Flood management and/or flood defence proposals should ***avoid harm to biodiversity, mitigate any harmful impacts where this is a last resort and take every available opportunity for natural biodiversity enhancement and habitat creation. Any biodiversity enhancement and habitat creation must be made acceptable from an airport safeguarding perspective.***"

EDDC Officer Comment: Agree. These amendments directly address the concerns raised by EDDC and Exeter airport on the draft policy wording.

9. Policy DS6: Storage Spaces

Various minor modifications for clarity to wording of the second part of the policy, from:

"Design of such storage facilities are to ensure that there is:

- Minimal visual impact on the public realm,
- Minimum obstruction to pedestrians and vehicular access and,
- Minimum space for the storage of 2 bikes per dwelling.
- Minimum space to accommodate containers provided by the district council for waste and recycling."

To read:

“**Such** storage facilities **should be designed** to ensure that there is:

- **An acceptable** visual impact on the public realm,
- **No** obstruction to pedestrians and vehicular access and **movement**,
- **Space** for the storage of **a minimum of 2** bikes per dwelling, **and**
- **Sufficient** space to accommodate containers provided by the district council for waste and recycling.

EDDC Officer Comment: Agree. These amendments directly address comments made on the draft wording by EDDC and generally improve clarity.

10. Policy DS7: Provision of charging points

As elsewhere, to future proof the policy to replace the reference to the ‘NPPF (2023)’ with reference more generally to ‘national policy’. No other amends recommended.

EDDC Officer comment: Agree, for longevity, especially given the new Government is currently preparing a revised NPPF.

11. Policy DS8: Provision and use of renewable energy

Add a new paragraph at the end of the policy which states:

“Development proposals for such schemes should be designed to ensure that there is no impact on airport safety and operations.”

EDDC Officer comment: Agree. This addresses valid concerns raised by Exeter Airport on the draft policy.

12. Policy DS9: Community led renewable energy production

Amend the wording in criterion 1, 2, 3 and 5 of the policy so that the second part of the policy reads as follows:

“**Such** schemes should be designed to:

1. **Respect the** scale, form and character **of their location** and or countryside setting;
2. **Ensure that** noise, **lighting**, vibration, views and vistas, shadow flicker, water pollution **and** emissions **do not cause unacceptable harm** on the amenities of local residents and the road network;
3. **Have an acceptable** impact on local biodiversity **ensuring any impacts are appropriately mitigated**;
4. Where appropriate, provide natural screening perimeters and new wildlife habitats;
5. **Ensure that** there is no impact on airport safety and operations.
6. Where appropriate, for livestock farming to continue on the land.”

Also to amend the final paragraph to clarify that when renewable energy developments are no longer in use, sites are to ‘**appropriately restored**’ to be more specific than the draft wording of ‘reinstated’.

EDDC Officer comment: Accept, with minor amendment for accuracy/syntax to replace 'harm on' with 'harm **to**' in clause 2.

13. Policy E1: Supporting a rural economy

Revisions to wording throughout the draft policies clauses for clarity and to give greater control, including addition of a new criterion 5 related to active/sustainable travel.

Policy modified to read:

“Proposals for holiday accommodation **or small-scale** businesses classes (E(c) and E(g)(i) in Zone B (Fig 6), excluding Hill Barton Business Park, will be supported where they:

1. Are proposed on previously developed land or through the conversion of an existing redundant **building**;
2. The building and its proposed use(s) is in keeping with the existing scale and form **of development in its setting**;
3. The building is physically located adjacent to **or is otherwise** well related to an existing building **and or** dwelling;
4. Are **compatible** with the existing countryside **and** landscape setting;
5. **Have suitable access and take every opportunity for encouraging active travel; and**
6. Do not result in adverse impacts to residential amenity, biodiversity or highway safety.

Where proposals involve the conversion of existing buildings, disproportionate extensions **will not be permitted.**”

EDDC Officer comment: Acknowledge that the modifications address some of the concerns raised by Officers regarding the draft policy including to clarify criteria 2; clarify the policy support is for 'small scale' business uses and include a new criterion to make reference to access by sustainable and active means of travel. However, Officers would flag that the policy is more open to opportunities for new build business accommodation and holiday let spaces in a rural area than under the Local Plan and there is a risk of the policy ultimately leading to isolated dwellings in the countryside 'by the backdoor'. However, it is noted the examiner has considered these concerns and concluded that, she did “not consider either policy [E1 or E2] will generate new dwellings unrelated to employment uses in the countryside because of the strict criteria in the policies.” And that, “This can also be managed through the development management process.” The Parish Council have also advised that there are a very limited number of places within the wider rural parts of the parish where proposals could come forward under this policy in compliance with the criteria and reaffirmed their support for it. On balance and given the emerging proposals for a new community in this area under the emerging new Local Plan, Officers consider the Examiner’s recommendations can be accepted.

14. Policy E2: Rural economy: live-work units

Modify the policy title and reference to 'live-work' units throughout the policy and the Plan text to, “Live **and** Work Units” and amend the first 3 bullets of the policy from:

1. “A live-work unit conforms to the following requirement: The residential element can only be occupied in conjunction with the operation of the dedicated working space.
2. Proposals involve the change of use of an existing building and/or on a brownfield site.

3. Proposals for demolition and/or conversion of existing buildings should not entail substantial building beyond the existing footprint, or disproportionate extensions.”

To read:

- “1. The residential element **of the live and work unit will** only be occupied in conjunction with the operation of the dedicated working space; **and**
2. Proposals involve the change of use of an existing building and/or **are located** on a brownfield site.

Proposals for demolition and/or conversion of existing buildings should not entail substantial building beyond the existing footprint, or disproportionate extensions.”

Also, to modify the first 3 site specific requirements in the second part of the policy, to read:

- **Respect the scale and form of existing development** and their countryside setting.
- **Be located** adjacent to, or **be** well-related to, existing dwellings or clusters of dwellings such as Holbrook.
- **Be of a high quality** design **which enhances the immediate setting**, and”

EDDC Officer comment: Similar to E2 above, propose to accept the recommendation, noting that LPA concerns about the policy have been considered by the Examiner, but with limited modifications as a result. In considering the basic conditions, the Examiner has given consideration to general conformity with the strategic policies of the Local Plan, the NPPF and the need to further sustainable development. The Examiner found ‘no reason to restrict support to [conversion of] existing buildings’. However, further to consideration of concerns about the risk of this policy leading to residential development in the countryside ‘by the back door’, the Examiner recommends a modification to “to ensure that the building is occupied for live and work purposes and not one or the other given the ambiguity often associated with this term”, through the recommended amendment in terminology which Officers support.

15. Policy E3: Opportunities for new and/or improved business development in Zone A (Fig 6)

Significant revision to the wording for clarity and to tighten up the criteria/requirements, but without any change to the fundamental purpose and intent, to read as show below. Also, to remove the part of the Old School site from the associated Figure 26 on page 76 of the Plan which now has a dwelling on it.

“Development proposals for new business **and commercial uses** and new and/or improved business development will **usually** be supported at the following locations:

A. Clyst Honiton village locations

1. Home Farm Business Park (Site 1 in Figure 26):
2. Exeter Inn Car Park (Site 2 in Figure 26):
3. Old School Business Park (Site 3 in Figure 26):

subject to:

- a) **any new built development and/or the proposed use must** be in keeping with the scale and form of their setting;

- b) where applicable, **new buildings must** be designed to **respect** the existing village character as identified in the Clyst Honiton Village Character Assessment **and accord with the Design Code**;
- c) residential amenity is not adversely **affected**;
- d) **the provision of satisfactory** off-street parking to avoid businesses using on street parking;
- e) **retention of** the village road **as** a cul-de-sac;
- f) **ensuring** that the level and flow of traffic generated does not adversely impact on the safety and operation of the village road and/ or the highway network;
- g) **demonstration of satisfactory noise conditions including taking the noise from the airport on the site into consideration and implementation of any mitigation measures**;
- h) **the provision of an appropriate flood risk** assessment and **implementation of any** mitigation measures; and
- i) **there would be no adverse impact on airport safety and operations.**

Development proposals for Old School Business Park should seek to retain and reuse the original school building and incorporate this structure's design features into the wider scheme.

B. **Edge of** village locations

Development proposals for new businesses and new and/or improved business development will, in principle, be supported **on appropriate sites immediately** adjacent to the village where:

- i) the proposal is consistent with Strategy 7 in the Local Plan (or its future equivalent);
- ii) the proposal does not impact the cul-de-sac status of the village road;
- iii) a safe highway access is in place and the local highway network is capable of accommodating the forecast increase in traffic, established by a Traffic Assessment; **and**
- iv) criteria c, d, g, h **and i** (above) where appropriate, is met."

EDDC Officer comment: Accept, noting that the modifications pick up on all comments made by Officers on the draft policy, and have improved the control and clarity of the clauses. It is however recommended by way of a minor amend that the term 'new-built' is replaced with 'new-build' in the modification to criteria A.a) as the former would imply pre-existing rather than proposed development.

16. Policy SA1: Slate and Tile Site, York Terrace

This is the only allocation in the plan and is for up to 9 homes. Consideration was given by the Examiner to a full range of issues, including the consequent loss of an active employment site, and on balance, the Examiner has supported this proposal. The examiner has added further/more prescriptive requirements / criteria to ensure the necessary safeguards are put in place to ensure the eventual development is acceptable and meets local needs/circumstances.

The revised policy is recommended to read:

"Land fronting onto York Terrace identified in Figure 39 is allocated for a small development of up to nine dwellings **subject to the following requirements**:

1. Housing to be **smaller units of 1 and 2 bed properties**;
2. **Any scheme should meet local housing needs including through the onsite provision of affordable housing**;
3. **Appropriately detailed assessments should be submitted at the time of any planning application to satisfactorily address issues of contamination, flood risk and noise, particularly from Exeter Airport and the road which set out any mitigation measures and how these will be implemented**;
4. The provision of **a satisfactory level of car parking**;
5. The provision of safe vehicular, pedestrian and cycle access;
6. **The scheme is designed to a high quality that reflects the site's gateway location and position within the village**;
7. **The scheme meets nationally prescribed space standards**;
8. **The site lies within the Zone of Influence for the Exe Estuary SPA and the East Devon Pebblebed Heaths SPA and SAC. All new residential development is required to accord with the requirements set out in the South-East Devon European Site Mitigation Strategy or any successor document.**

EDDC Officer comment: Accept. As commented on at Regulation 16 stage, the loss of an active employment site is regrettable, however there is no outright objection in this particular case noting that the plan makes provision for retention/development of employment uses on other sites and that the Plan Area lies in close proximity to concentrations of employment uses. The desire by the community to enable residents to have greater options to remain living locally, the limited sites available and the opportunity to enhance the appearance of this 'gateway' site to Clyst Honiton is understood. Mitigation will be needed for airport and road noise through the layout and design of the development as flagged in the policy, and this will be managed through the development management process.

17. Policy H1: Self – Build and Custom Build Houses

Fairly minor modifications recommended throughout all parts of the policy for clarity and control, to read:

“Development of self and custom-build dwellings will be **supported**:

1. On single plots where the dwelling is a conversion of an existing building **which would not need significant rebuilding for its new use, or**
2. On single plots in which the new build is in scale with surrounding properties and is located within the plot **of, or adjoins, an existing dwelling and**
3. **Where such development would not harm the distinctive landscape, amenity and environmental qualities within which the plot is located.**

Provision of 10% self-build and custom build dwellings will be **encouraged** on all residential schemes of 30 houses or more, unless superseded by Local or National requirements.

Such provision could be provided through: Serviced plots for self-build and custom build, either on an individual basis or for a duly constituted self-build group (to include a community group).

This policy will not apply to Hill Barton Business Park.”

EDDC Officer comment: The Examiner has made changes that address some of the concerns raised by Officers on the draft policy at Regulation 16 stage. This includes adding a new clause (no. 3) which directly brings criteria into the policy from Local Plan Strategy 7 regarding

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development in the countryside. However, this is still considered to be a more permissive policy that potentially supports isolated new-build dwellings in an area of open countryside. In her report, the examiner sets out that her assessment is that the Plan Area as a whole is not isolated given its proximity to Exeter, Cranbrook, the airport and employment sites, the significant growth the surrounding area has seen and the emerging proposals for a new community falling partly within it. In commenting on Officer concerns, the Parish Council have advised they consider that there are a very limited number of locations where this policy could apply and reaffirm their support for it. On balance, Officers propose that the Examiner's recommendation is accepted and would expect that any proposals supported under this policy to be subject to condition or Section 106 obligation to ensure that it is a genuine self-build development.

18. NE1: Landscape and Biodiversity

The policy is recommended to retained in full as drafted but with addition of a new paragraph at the end to read, "Any measures must be made acceptable from an airport safeguarding perspective."

EDDC Officer comment: Agree and note this modification addresses comments of Exeter Airport.

19. Policy NE2: Green Landscaped Corridor

Amend the second paragraph from,

"Other than development requirements associated with maintaining the strategic road network, only minor proposals associated with managing and improving the wildlife corridor will be supported."

To read:

"Development requirements associated with maintaining the strategic road network **are supported. Proposals which improve the management or enhance** the wildlife **and landscape** corridor **and the setting of the village are positively encouraged and welcomed.**"

EDDC Officer comment: Agree. The proposed modifications respond to the comments of EDDC Officers on the draft policy.

20. Policy NE3: River Clyst Park

In view of the existing public access arrangements being brought forward over this land under a separate signed section 106 agreement, concerns over allowing wider public use of the land beyond designated PROWs, and objection of the landowner, the Examiner has recommended **deletion of this policy** from the plan and consequential modifications to plan text as a result.

EDDC Officer comment: Accept – removal of this proposal and default to the on-going work to provide public access under the legal agreement is in accordance with the response made by Officers to the Examiner's questions during the course of the examination.

21. Policy NE4: Local Green Spaces

Modifications proposed to:

- remove superfluous wording from the first paragraph stating, “(in accordance with paragraphs 100 and 101 of the NPPF (2021) in Appendix 17:”
- change the last sentence of the policy from, “Inappropriate forms of development within any area of LGS will not be permitted unless justified by very special circumstances.” to, **“Development proposals within the designated local green spaces will be consistent with national policy for Green Belts.”**
- Also, to insert a correct version of the associated map to ensure the areas of designated LGS are shown in full.

EDDC Officer comment: Accept. Noted this varies from amends to LGS policy made through other neighbourhood plan examinations for the same reasons of complying with the NPPF but there is no reason to object.

22. Policy AC1: Parking provision

For sustainability and accuracy, to amend the criteria in the second paragraph of the policy from,

“Development proposals on existing commercial sites which enable the provision of the following are supported:

- further onsite parking spaces, and
- charging facilities (see 7 above)”

To read:

“• further onsite parking spaces **where these are justified by the operational needs of the commercial enterprise and cannot otherwise be met through measures to promote sustainable travel** and

- charging facilities (see 8 above).”

EDDC Officer comment: Agree – the main amendment proposed addresses the comment made by EDDC Officers on the draft policy.

23. Policy AC2: Public realm improvements to Clyst Honiton village road and its road junctions

Add a new bullet point to Policy AC2 that reads: “Measures that facilitate walking and cycling infrastructure and connectivity.”

EDDC Officer comment: Agree – the amendment proposed addresses the comment made by EDDC Officers on the draft policy.

24. Policy AC3: Active Travel Provision

Various modifications proposed throughout to:

- i) Change the opening line of the policy from:

“Development proposals which would provide new and/or would extend and/or improve existing routes for active travel will be supported,”

To read:

“Development proposals which would provide new and/or **enhanced** routes for active travel, **particularly on the routes listed below**, will be supported.”

- ii) Correct the reference in bullet point 1 to refer to Figure 43 rather than Figure 49
- iii) Remove the reference to the NDO in bullet point 3, to say simply “Route No 7”.
- iv) Extend the sentence above the bullets in the second paragraph from:

“Development proposals that contribute to the creation of new links for non-motorised users to the following network of cycle paths and key destinations in the wider region will be particularly welcome.”

To read,

“Otherwise acceptable development proposals that contribute to the creation of new links to the following key destinations will be particularly welcome. These should be multi-use, wherever possible as these provide the most inclusive and accessible opportunities for everyone. Such routes should be designed to allow safe use by all users:”

- v) Clarify the expectation in the third paragraph by modifying the wording from

“Development proposals should provide appropriate and safe access and should link up with existing networks.”

To read,

“Development proposals **must** provide appropriate and safe access **for all users** and should link up with existing networks **wherever practicable**.”

In addition, to substitute the existing figure 55 with the revised version provided by EDDC in response to clarification questions during the examination, changing its title as necessary.

EDDC Officer comment: Agree – the amendments proposed address the comments made by EDDC Officers as well as the Devon Countryside Access Forum on the draft policy, as well as making corrections for accuracy.

Other Recommendations by the Examiner

In addition to the policy changes, the examiner also proposes a range of other amendments, all of which Officers’ support for clarity, accuracy, consistency, brevity and longevity of the Plan.

A number of these are specified in her report as follows:

- Update references to the NPPF as necessary throughout the Plan, including in paragraph one on page 109.

- Delete paragraph 4 on page 43 of the Plan as a consequential amendment to the supporting text, given the modification to Policy C3.
- Update the Design Code to remove all references to the potential future Neighbourhood Development Order (NDO) and to 'draft' policies in the Plan and amend the reference to the code on p.45 of the Plan to correct that it contains 7 codes (and not 6 as currently stated).
- Amend the last sentence of paragraph four on page 58 of the Plan before the quoted content to read: "At a recent EDDC meeting (SPC Oct 4th 2022) the following insert on page 1 of the Committee Report was provided and is a statement read out on behalf of a resident of Cranbrook."
- Add a key to map of business areas (page 69 of the plan).
- Correct typos and incorrect references on pages 67, 70, 99, 102, 110, 130 and 133.
- Update the expectation of EDDC in respect of monitoring of the plan (page 135), from:

"A responsibility for monitoring Neighbourhood Plans also rests with the Local Planning Authority and this function will be carried out by East Devon District Council. To make sure that its plan continues to be effective, Clyst Honiton Parish Council will, however, need to adopt local level monitoring. An example is provided in Appendix 19."

To read:

"At the moment, there is no mandatory monitoring of neighbourhood plans. It is anticipated that East Devon District Council will undertake high level monitoring of neighbourhood plan preparation across the District. The responsibility therefore lies with the Parish Council to undertake monitoring to ensure that its plan continues to be effective. It is anticipated that the District Council will support the Parish Council in this with any support or guidance as required. An example of the monitoring the Parish Council intends to undertake is provided in Appendix 19."

In addition, it is recommended to reduce the vast number of supporting documents and appendices, retaining those are relevant as the Plan proceeds to the next stage. This is left to the discretion of the LPA and Qualifying Body apart from an instruction to append the Design Code to the Plan, and for all other [existing] appendices to become separate supporting documents.

Finally, the Examiner advises that as a result of some modifications, consequential amendments may be required, including changing policy numbering, section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on. The Examiner considers these to be primarily matters of presentation and recommends a common-sense approach, without specifically itemising all of these modifications in her report. These must include:

- Removing the reference to the safeguarded community space and Policy NE3 in paragraph 4 on page 95 of the Plans
- Amendments to the supporting text of the housing policies on page 99.
- Amendments to paragraph nine on page 100 of the Plan to remove references to the NDO site.

Annex 2 Clyst Honiton Neighbourhood Plan – Post Examination Policy Wording (shown as track changes)

(Dated January 2024)

Plan vision:

“Clyst Honiton is a happy and healthy community which is inspired by positive change for those living and working in the Plan Area.

The wellbeing of our rural and village communities is enhanced by spaces which provide a strong community and business focus which harness community spirit.

Clyst Honiton aspires to be an attractive, friendly, safe place, encouraging a diverse community to set down their roots and value their river and rural landscape.”

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
	Community Facilities	<p>Aims: To protect, enhance and develop new community facilities, and services.</p> <p>Objectives: To support the retention and/or enhancement of Clyst Honiton Village’s existing community facilities. To support provision of new or re-development of existing community facilities. To support the development of a new community building.</p>
Policy C1	Community Facilities & Services	<p>The Neighbourhood Plan identifies the following community facilities which make an important contribution to creating a cohesive and inclusive local community:</p> <ol style="list-style-type: none"> 1. St Michaels and All Angels Church. 2. The Duke of York Public House. 3. The Exeter Inn Public House. 4. The Parish Field. <p>Proposals which retain or enhance the above uses or their roles as valued community facilities will be supported.</p> <p>The loss of all or part of a community use including, but not limited to those identified above, will not be supported unless:</p> <ul style="list-style-type: none"> • the proposal is for or includes an alternative community use that would provide equivalent or greater community benefits to the local community, and is no less accessible to the community and where possible, offers greater levels of accessibility; or • it can be demonstrated that the community facility is no longer economically viable (in the case of public houses, they should provide appropriate and proportionate marketing information and viability studies that satisfactorily demonstrate that the current use or an alternative community use is not viable).
Policy C2	New Community Building	<p>The provision of a new community building in or near the village where it can be accessed by Clyst Honiton residents through active travel and, where appropriate, with additional provision of an outdoor community space and parking is supported in appropriate locations.</p> <p>Residential development on the site will be supported where this is essential to enable the delivery of the community building. The number of new homes provided must be proportionate to enable the delivery of the scheme, be at the discretion of the local planning authority and reflect and meet local housing needs.</p> <p>Schemes will be supported through:</p>

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
		1) A Neighbourhood Development Order, or 2) Submission of a community engagement statement detailing the pre-application engagement activity with the community and wider stakeholders.
Policy C3	Additional New Community Facilities and Services	Proposals for new community facilities in the Neighbourhood Plan Area will be supported where: <ul style="list-style-type: none"> • they are of a scale and design that would be in keeping with the character of their location; • there would be no significant adverse impact on the amenity of surrounding residential properties; • they are designed to minimize their environmental impacts, including where necessary and appropriate, controlled hours of working; • they include where appropriate the provision of sufficient and safe parking provision within the development site; and • the access arrangements enable and encourage active travel for pedestrians and cyclists and safe vehicular access.
	Design	<p>Aims: To support zero carbon energy use, and the production of renewable energy. To encourage energy efficient and sustainable development. For development to include designs and structures that provide effective flood management and minimize flood risk. To support the development of residential and businesses of high-quality design. To improve access to high-speed communication services.</p> <p>Objectives: To support Passivhaus dwellings and the construction of other energy efficient low carbon buildings. To support provision of renewable energy generation on new and existing buildings. To support community led renewable energy schemes in the Plan Area. For new build to include provision of electric charging points. To support new flood management schemes. To support flood defence schemes especially those that produce renewable energy. For all development to include sustainable drainage measures to minimize surface water run-off. To provide design guidance on sustainable drainage. For new and existing developments in the village to adhere to the Clyst Honiton Character Area high quality design specifications and Design Codes. For adequate storage areas to be designed in new builds for recycling and active travel vehicles. For new developments outside the village to protect and enhance the rural landscape setting and outlook. To retain and enhance the semi-rural, non-urban character of the Clyst Honiton village. To provide guidance and support for development of outdoor residential storage to support recycling and sustainable travel options To provide all residents and businesses in the Plan Area with high-speed communication services.</p>
Policy DS1	Development of high-quality design	Proposals in the Plan Area should have regard to the Clyst Honiton Village Character Assessment (2015) and accord with the Clyst Honiton Design Code (2020). New development across the NP Area will be designed to: <ol style="list-style-type: none"> 1. Recognise and reinforce local character in relation to the height, scale, layout, orientation and spacing of buildings, and draw inspiration from the best and most locally distinct buildings. Proposals that seek to introduce designs which deviate from the character of the local context will only be supported where a robust design rationale is presented, and it is demonstrated that the development would be of exceptional design quality. (Design Code 1-4)

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
		<ol style="list-style-type: none"> 2. Utilise materials that recognise and respond positively to the local character. The use of locally sourced materials is encouraged to recognise and reinforce local character in relation to property boundary treatments. The use of local stone, castellated walls and native planted hedgerows/hedge banks is encouraged. (Design Code 5) 3. Conserve or enhance designated and non-designated heritage assets and their setting. Proposals that affect the significance of heritage assets or their setting will be determined in line with national policy. 4. Create well-defined, attractive and secure streets and spaces benefiting from good levels of natural surveillance. To design out crime through environmental design principles to provide safety and climate change resilience. (Design Code 2-4) 5. Retain mature or important trees of good arboricultural and/or amenity value, and where possible, integrate other existing green and natural features such as trees, hedgerows, wildflower verges and green corridors into the proposal. To use native and or climate resilient planting of green corridors and hedgerows. 6. Link into and enhance the existing pedestrian and cycle network and facilitate future connectivity and sustainable transport options. (Design Code 7) 7. Minimise the visual impact of parking on the built landscape and rural landscape, and for parking areas to have maximum surface permeability. 8. Create attractive climate resilient planted frontages and gardens to maximise removing carbon dioxide from the air, storing carbon in the plants and soil, and releasing oxygen into the atmosphere. (Design code 2 and 4) 9. Take into account the location in relation to the flood zone and to be sensitive to any increase in fluvial flood risk posed by the effects of climate change. 10. Provide an acceptable environment and amenity with regard to the noise impact of the airport and to address all airport safeguarding requirements.
Policy DS2	Sustainable design and construction of buildings	<p>Any new development and conversion/extension schemes will be required to meet a high level of sustainable design and construction (see supporting text), be designed to maximise energy efficiency and be compatible with a net-zero carbon future. This means that as appropriate to their scale, nature and location proposals should:</p> <ul style="list-style-type: none"> • minimise energy demand through optimising site layout and building orientation; • maximise energy efficiency through taking a fabric first approach to construction and using high quality, thermally efficient building materials; • incorporate non fossil fuel-based heating systems; • minimising water usage; • incorporate on-site renewable or low carbon energy sources. <p>Any new development and conversion/extension schemes will be required to meet high level design and construction to mitigate for air and noise pollution that arise from the proximity to Exeter Airport and/or the nearby road network.</p>
Policy DS3	Communications Infrastructure	<p>All new residential, community, educational and business premises will be required to make provision for the latest high-speed telecommunication networks including broadband.</p> <p>Physical structures relating to communications infrastructure, such as masts, should be designed and positioned to minimise their visual impact on the village and local landscape. Overly prominent, visually intrusive telecommunications proposals will not be supported.</p>
Policy DS4	Sustainable Drainage	<p>To avoid adverse impacts of development upon the drainage regime of the River Clyst, reduce incidents of localised sewage levels and release, mitigate flood risk and pollution and to maximise water storage, all development involving new build, extensions or additions, will be required to accommodate additional surface water run off within the site</p> <p>All development to maximise use of natural flood management and artificial SuDS and water recycling features as appropriate, with reference to the latest guidance from DCC²⁵ including those listed below:</p> <ol style="list-style-type: none"> 1. permeable paving for driveways and parking areas; 2. water harvesting and water storage features; 3. green roofs;

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
		<p>4. swales; 5. soakaways; 6. retention ponds *; 7. filter strips; and/or 8. detention basins.</p> <p>All development proposals should seek to minimise the amount of green space lost to hard surfacing.</p> <p>Appropriate to the scale and nature of proposals, SuDS measures should also be designed to enhance the local river environment and seek to provide additional benefits including:</p> <ul style="list-style-type: none"> • water treatment and the removal of pollutants; • infiltration and groundwater replenishment; • recreation and amenity space provision; and/or • biodiversity and habitat creation. <p>*The use of retention ponds or any other feature which might create standing water will be limited by airport safeguarding legislation</p>
Policy DS5	Flood Risk Management	<p>Proposals for new flood risk management schemes that will help to improve river water quality and management and reduce flooding in the Plan Area will be supported. Priority will be given to natural flood management schemes which are preferred to engineered solutions.</p> <p>Flood management and/or flood defence proposals should avoid harm to biodiversity, mitigate any harmful impacts where this is a last resort and take every available opportunity for natural biodiversity enhancement and habitat creation. Any biodiversity enhancement and habitat creation must be made acceptable from an airport safeguarding perspective.</p> <p>The combination of a river flow regulation structure on the River Clyst with a micro – hydro renewable energy scheme, is supported if it is acceptable regarding impacts to habitats, biodiversity, geomorphological processes, water quality and flood risk by the specialist bodies (Environment Agency and Flood Risk Authority).</p>
Policy DS6	Storage Spaces	<p>All new development shall be designed to facilitate occupants to recycle and use modes of low carbon active travel by providing the following dedicated storage spaces readily accessible at ground level for:</p> <ol style="list-style-type: none"> 1. waste and recycling containers, and 2. secure and dry storage to accommodate bicycles, scooters and/or mobility aids. <p>Such storage facilities should be designed to ensure that there is:</p> <ul style="list-style-type: none"> • An acceptable visual impact on the public realm, • No obstruction to pedestrians and vehicular access and movement, • Space for the storage of a minimum of 2 bikes per dwelling, and • Sufficient space to accommodate containers provided by the district council for waste and recycling.
Policy DS7	Provision of charging points	<p>In addition to providing vehicle charging points in line with national policy, all new housing development proposals are required to provide appropriately located charging points for electric bicycles.</p> <p>All new employment, commercial, leisure and retail development, in which cycle/scooter parking is provided, are required to include secure covered cycle parking with charging points.</p>

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
Policy DS8	Provision and use of renewable energy	<p>New development proposals will be expected to utilise available opportunities to incorporate on-site renewable energy technology subject to overall energy demand being first minimised in line with Policy DS2 of this plan.</p> <p>For existing buildings (residential and commercial) where planning permission is required there is support for proposals that include:</p> <ol style="list-style-type: none"> 1. The retrofitting of heritage assets through measures that result in the overall reduction in overall energy demand and through the incorporation of on-site renewable or low carbon energy technologies, providing the proposal does not harm the significance of the asset and stakeholder engagement takes place with relevant organisations. 2. Refurbishment and extensions that result in an overall reduction in the energy demand of a building, through the incorporation of measures set out in Policy DS2 and through the installation of on-site renewable energy or low carbon technology. <p>Development proposals for such schemes should be designed to ensure that there is no impact on airport safety and operations.</p>
Policy DS9	Community led renewable energy production	<p>Development proposals for renewable energy schemes which are community led or are promoted in partnership with a community organisation and a developer (commercial or non-profit) will be supported.</p> <p>Such schemes should be designed to ensure the following:</p> <ol style="list-style-type: none"> 1. Respect the scale, form and character of their location and or countryside setting; 2. Ensure that noise, lighting, vibration, views and vistas, shadow flicker, water pollution and emissions do not cause unacceptable harm to the amenities of local residents and the road network; 3. Have an acceptable impact on local biodiversity ensuring any impacts are appropriately mitigated; 4. Where appropriate, provide natural screening perimeters and new wildlife habitats; 5. Ensure that there is no impact on airport safety and operations. 6. Where appropriate, for livestock farming to continue on the land. <p>As technology evolves the renewable energy developments that are no longer in use are to be removed and the site appropriately restored.</p>
	Economy: Business and Jobs	<p>Aims: To provide new businesses and employment within the Plan Area. In order to expand local employment opportunities. To support new rural businesses in Zone B. To support the regeneration of existing buildings and/or existing business sites.</p> <p>Objectives: To support economic development in the Plan Area. To support a rural economy in the provision of: holiday accommodation, office space and live-work units. To support regeneration of three economic sites within the village. To support regeneration of existing buildings and agricultural buildings in Zone B.</p>
Policy E1	Supporting a rural economy	<p>Proposals for holiday accommodation or small-scale businesses classes (E(c) and E(g)(i) in Zone B (Fig 6), excluding Hill Barton Business Park, will be supported where they:</p> <ol style="list-style-type: none"> 1. Are proposed on previously developed land or through the conversion of an existing redundant building; 2. The building and its proposed use(s) is in keeping with the existing scale and form of development in its setting; 3. The building is physically located adjacent to or is otherwise well related to an existing building and or dwelling.

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
		<p>5. Are compatible with the existing countryside and landscape setting; <u>Have suitable access and take every opportunity for encouraging active travel; and</u></p> <p>6. Do not result in adverse impacts to residential amenity, biodiversity or highway safety.</p> <p>Where proposals involve the conversion of existing buildings, disproportionate extensions will not be permitted.</p>
Policy E2	Rural economy: Live and Work Units	<p>Developments of live and work units in Zone B (Fig 6) excluding Hill Barton Business Park, will be supported when:</p> <ol style="list-style-type: none"> 1. The residential element of the live and work unit will only be occupied in conjunction with the operation of the dedicated working space; and 2. Proposals involve the change of use of an existing building and/or are located on a brownfield site. <p>Proposals for demolition and/or conversion of existing buildings should not entail substantial building beyond the existing footprint, or disproportionate extensions.</p> <p>Proposals are to meet the following site-specific requirements:</p> <ul style="list-style-type: none"> • Respect the scale and form of existing development and their countryside setting. • Be located adjacent to, or be well-related to, existing dwellings, or clusters of dwellings such as Holbrook. • Be of a high quality design which enhances the immediate setting, and • Will not result in adverse impacts to residential amenity or highway safety. <p>Proposals for live-work units on greenfield sites are not supported in Zone B.</p>
Policy E3	Opportunities for new and/or improved business development in Zone A (Fig 6)	<p>Development proposals for new business and commercial uses and new and/or improved business development will usually be supported at the following locations:</p> <p>A. Clyst Honiton village locations</p> <ol style="list-style-type: none"> 1. Home Farm Business Park (Site 1 in Figure 26): 2. Exeter Inn Car Park (Site 2 in Figure 26): 3. Old School Business Park (Site 3 in Figure 26): <p>subject to:</p> <ol style="list-style-type: none"> a) Any new build development and/or the proposed use must be in keeping with the scale and form of their setting; b) where applicable, new buildings must be designed to respect the existing village character as identified in the Clyst Honiton Village Character Assessment and accord with the Design Code; c) residential amenity is not adversely affected; d) the provision of satisfactory off-street parking to avoid businesses using on-street parking; e) retention of the village road as a cul-de-sac; f) ensuring that the level and flow of traffic generated does not adversely impact on the safety and operation of the village road and/ or the highway network; g) demonstration of satisfactory noise conditions including taking the noise from the airport on the site into consideration and implementation of any mitigation measures; and h) The provision of an appropriate flood risk assessment and implementation of any mitigation measures; and i) There would be no adverse impact on airport safety and operations. <p>Development proposals for Old School Business Park should seek to retain and reuse the original school building and incorporate this structure's design features into the wider scheme.</p>

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
		<p>B. Edge of village locations Development proposals for new businesses and new and/or improved business development will, in principle, be supported on appropriate sites immediately adjacent to the village where:</p> <ol style="list-style-type: none"> i. the proposal is consistent with Strategy 7 in the Local Plan (or its future equivalent); ii. the proposal does not impact the cul-de-sac status of the village road; iii. a safe highway access is in place and the local highway network is capable of accommodating the forecast increase in traffic, established by a Traffic Assessment; and iv. criteria c, d, g, h and i (above) where appropriate, is met. <ul style="list-style-type: none"> o
	Housing	<p>Aims: To provide new housing in Clyst Honiton village. To support the provision of affordable houses to meet the local affordable housing need. To enable a more balanced housing stock to enable local people to stay in the parish throughout their lifetime. To support appropriate development outside of the village (Zone B) which supports the rural economy and local needs.</p> <p>Objectives: To allocate one site for up to 9 houses in Clyst Honiton Village. To support development of self-build/custom build houses. To support a 10% self-build and/or custom-build houses on developments bringing forward 30 or more dwellings. To support the provision of the local affordable housing need on-site in Policy SA1 To provide 1 and 2-bed properties for those elderly villagers wishing to downsize and/or for the those needing their first home. To support development of work-live units in Zone B. To support self-build and custom-build houses in Zone B.</p>
Policy SA1	Slate and Tile Site, York Terrace	<p>Land fronting onto York Terrace identified in Figure 39 is allocated for a small development of up to nine dwellings subject to the following requirements:.</p> <ol style="list-style-type: none"> 1. Housing to be smaller units of 1 and 2 bed properties. 2. Any scheme should meet local housing needs including through the onsite provision of affordable housing; 3. Appropriately detailed assessments should be submitted at the time of any planning application to satisfactorily address issues of contamination, flood risk and noise, particularly from Exeter Airport and the road which set out any mitigation measures and how these will be implemented; 3. The scheme is designed to a high quality that reflects the site's key gateway location and position within the village; 4. The provision of a satisfactory level of car parking. 5. The provision of safe vehicular, pedestrian and cycle access. 6. The scheme meets nationally prescribed space standards; 7. The site lies within the Zone of Influence for the Exe Estuary SPA and the East Devon Pebblebed Heaths SPA and SAC. All new residential development is required to accord with the requirements set out in the South-East Devon European Site Mitigation Strategy or any successor document.
Policy H1	Self – Build and Custom Build Houses.	<p>Development of self and custom-build dwellings will be supported:</p> <ol style="list-style-type: none"> 1. On single plots where the dwelling is a conversion of an existing building which would not need significant rebuilding for its new use, or 2. On single plots in which the new build is in scale with surrounding properties and is located within the plot of, or adjoins, an existing dwelling and 3. Where such development would not harm the distinctive landscape, amenity and environmental qualities within which the plot is located.

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
		<p>Provision of 10% self-build and custom build dwellings will be encouraged on all residential schemes of 30 houses or more, unless superseded by Local or National requirements: Such provision could be provided through: Serviced plots for self-build and custom build, either on an individual basis or for a duly constituted self-build group (to include a community group)</p> <p>This policy will not apply to Hill Barton Business Park.</p>
	Natural Environment	<p>Aims: To protect, develop and extend Local Green Spaces to promote increased activity levels and outdoor opportunities for residents. To retain and enhance the semi-rural, non-urban character of the Clyst Honiton village. To protect and enhance landscape character and biodiversity.</p> <p>Objectives: Safeguard a local space identified in NE3 for public amenity use. To allocate 4 areas in Clyst Honiton Village as Local Green Spaces and to consider new areas. To allocate a green landscaped corridor. For the Parish Field to remain as a space to allow large numbers to gather for community events and field games. To ensure that new development responds positively to Clyst Honiton's existing landscape setting. To ensure that new developments protect and enhance local wildlife habitats. To protect and increase the Plan Area's habitats and wildlife corridors. To ensure a minimum 10% net gain in biodiversity is provided on development plots. For new developments outside of the village to preserve and enhance the rural landscape setting and outlook.</p>
Policy NE1	Landscape and biodiversity	<p>As appropriate to their scale, nature and location development proposals should contribute to a high quality and biodiversity-rich natural environment by demonstrating how the following are addressed:</p> <ol style="list-style-type: none"> 1. Retaining and integrating existing landscape features including hedgerows and banks, trees, watercourses and ponds, which contribute to the visual richness of the landscape and provide important habitat for wildlife. Where the loss of such features is unavoidable, replacement landscaping of at least equal habitat and visual amenity value should be provided. 2. Requiring biodiversity gains of at least 10% on all development (unless exceeded by Local or National policy) and a requirement that developers use the current DEFRA biodiversity net gain metric to calculate the impact of their proposals. Biodiversity gain to extend where appropriate to a gain rather than a loss of woodland canopy. 3. Using locally distinctive landscape and boundary treatments. Preference should be given to native plants species, and where this is not feasible, non-native species of demonstrable biodiversity and habitat value should be used. Use of Devon banks, treed boundaries are supported as the preferred boundary treatments to be in keeping with Zone B and/ or the Clyst Honiton Character Assessment and the Clyst Honiton Design Codes (Appendix 7B). 4. Creating new habitats and enhancing wildlife connectivity. Existing wildlife corridors shall be retained and enhanced, and new wildlife corridors created. The introduction of artificial nesting and roosting sites, such as bird boxes, insect bricks and bat boxes, shall be provided in line with the latest best practice, including BS 42021:20221, and/or as specified in the latest legislation. Habitat creation is to provide permeability for wildlife at ground level within boundary features. New biodiversity enhancements and habitat creation are to be made acceptable to airport safety and operations where appropriate. 5. Responding positively to the surrounding landscape setting, through sensitive design, siting and landscaping. In this regard development proposals located along the village edges, or within the surrounding rural countryside should carefully consider and respond positively to, the unique qualities and characteristics of their immediate landscape setting, as set out within the East Devon and Blackdown Hills 'Landscape Character Assessment' (2019) and the Clyst Lowland Farmlands Devon Landscape Character Area.

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
		<p>All major development proposals* should provide details of a landscaping scheme that demonstrates how the scheme responds to the above considerations.</p> <p>* As defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015</p> <p><i>Any measures must be made acceptable from an airport safeguarding perspective.</i></p>
Policy NE2	Green Landscaped Corridor	<p>The land denoted in Figure 47 is safeguarded as a green landscape corridor in order to maintain the landscape setting of Clyst Honiton village, maintain a wildlife corridor and mitigate traffic noise from the A30 carriageway.</p> <p>Development requirements associated with maintaining the strategic road network are supported. Proposals which improve the management or enhance the wildlife and landscape corridor and the setting of the village are positively encouraged and welcomed.</p>
Policy NE4	Local Green Spaces	<p>The following accessible community green spaces in Figure 50, have been demonstrated to be of particular importance to the local community. These sites which are all in Clyst Honiton village have been designated as Local Green Spaces</p> <ol style="list-style-type: none"> 1. The churchyard, adjacent to St Michaels and All Angels Church. 2. The green spaces <ul style="list-style-type: none"> • adjacent to noticeboard and village seat on St Michaels Hill, and • beside the Southwest Water pumping Station. 3. The Parish Field off Village Road. 4. The green verges at the entrance to the village and on both sides of the B3174 in Clyst Honiton village. <p>Development proposals within the designated local green spaces will be consistent with national policy for Green Belts. Inappropriate forms of development within any area of LGS will not be permitted unless justified by very special circumstances.</p>
	Parking and Access	<p>Aims:</p> <p>To improve parking provision for existing and new residents. To improve the public realm of Clyst Honiton Village Road and its junctions. To develop new footpaths, cycle paths and mobility networks for health, leisure and work purposes across the Plan Area.</p> <p>Objectives:</p> <p>To improve parking provision for existing and new residents in Clyst Honiton Village. To support improvements to parking provision provided by the existing businesses in Clyst Honiton Village. To provide specific parking guidelines for the design and development of new businesses in the NP Area. To support the development of active travel charging facilities for all new residential and business developments. To support the develop of infrastructures to change the layout, use and safety of the Village Road for residents. To integrate old and new residential areas in the village with multi-user routes. To support the development of new pedestrian paths/trails within the Plan area. To support and extend the number of multi-user routes linking the NP Area to wider active travel routes.</p>
Policy AC1	Parking provision	<p>New non-residential development proposals shall deliver parking arrangements which address the following matters:</p> <ol style="list-style-type: none"> 1. The type and mix of the development.

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
		<ol style="list-style-type: none"> 2. Parking areas are to provide maximum surface permeability. 3. The accessibility of the location. 4. Projected staff and visitor numbers. 5. Off-road space for turning and dropping off by service and delivery vehicles. 6. Disabled parking provision. 7. A covered and secure area for bike storage. 8. A mix of rapid, fast or trickle electric charge points appropriate to the type of development. 9. Identification of likely peak visiting times and associated parking requirements during this period. 10. Conforms to designing out crime in order to provide safe parking whilst not undermining the security of the wider development. <p>Development proposals on existing commercial sites which enable the provision of the following are supported:</p> <ul style="list-style-type: none"> • further onsite parking spaces where these are justified by the operational needs of the commercial enterprise and cannot otherwise be met through measures to promote sustainable travel, and • charging facilities (see 8 above) <p>All residential development proposals to providing parking on surfaces with maximum surface permeability.</p> <p>Opportunities for new development to provide additional off-street parking improvements for Clyst Honiton village residents in locations close to or adjacent to housing will be encouraged and supported where they do not have an unacceptable impact on:</p> <ol style="list-style-type: none"> a) the Village Character Area in which the parking is located, b) residential amenity, c) pedestrian and road safety, and d) flood risk (including local surface water flooding).
Policy AC2	Public realm improvements to Clyst Honiton village road and its road junctions	<p>The following intervention measures along Clyst Honiton village road will be supported where they improve the public realm and/or road safety.</p> <ol style="list-style-type: none"> 1. Safe pedestrian zones. 2. Street furniture and seating areas. 3. Cycle racking. 4. Infrastructure for planting to include trees. 5. Infrastructure to ensure safe vehicular access to and from Ship Lane. 6. Measures that facilitate walking and cycling infrastructure and connectivity.
Policy AC3	Active Travel Provision	<p>Development proposals which would provide new and/or enhanced routes for active travel, particularly on the routes below, will be supported.</p> <ol style="list-style-type: none"> 1. New Routes (Figures 43 and 55) 2. Clyst Park route No 3 3. Route No 7 4. Orange Meadow route No 9 <p>as well as those linking to:</p> <ol style="list-style-type: none"> 5. Sky Park Fitness Trail 6. Clyst Valley Trail 7. WW2 Fighter Pen 8. Clyst Valley Regional Park

Plan Ref	Topic/ Policy Title	Plan/Policy Wording
		<p>Otherwise acceptable development proposals that contribute to the creation of new links to the following key destinations will be particularly welcome. These should be multi-use, wherever possible as these provide the most inclusive and accessible opportunities for everyone. Such routes should be designed to allow safe use by all users:</p> <ul style="list-style-type: none"> • National Cycle Network Route 2 and Route 34 (Exe Estuary Trail) • Killerton Trail and Ashclyst Forest • Crealy Theme Park and Resort <p>Development proposals must provide appropriate and safe access for all users and should link up with existing networks, wherever practicable.</p> <p>Development proposals should be designed to create natural surveillance of routes, and such routes should include sufficient lighting provided by renewable energy to make users feel safe and secure.</p> <p>Development proposals are to consider future opportunities to enhance connectivity to neighbouring sites and should be designed in a manner that facilitates future connections.</p> <p>Development proposals for the provision of cycle and E bike racking will be supported.</p> <p>The loss of existing routes will be resisted unless an appropriate replacement route is provided as part of the development.</p>

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4-month period: 1 November 2024 to 28 February 2025

This plan contains all the Key Decisions that the Council's Cabinet expects to make during the 4-month period referred to above. The plan is rolled forward every month.

Key Decisions are defined by law as “an executive decision which is likely: –

- (a) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Council's area.”

In accordance with section 9Q of the Local Government Act 2000, in determining the meaning of “significant” in (a) and (b) above regard shall be had to any guidance for the time being issued by the Secretary of State.

A public notice period of 28 clear working days is required when a Key Decision is to be taken by the Council's Cabinet even if the meeting is wholly or partly to be in private.

The Cabinet may only take Key Decisions in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of the Constitution and the Local Authorities (Executive Arrangements) (Meetings and Access to information) (England) Regulations 2012. A minute of each Key Decision is published within 2 days of it having been made. This is available for public inspection on the Council's website <http://www.eastdevon.gov.uk>, and at the Council Offices, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton. The law and the Council's constitution permit urgent Key Decisions to be made without 28 clear days' notice of the proposed decisions having been published provided certain procedures are followed. A decision notice will be published for these in exactly the same way.

This plan also identifies Key Decisions which are to be considered in the private part of the meeting (Part B) and the reason why. Any written representations that a particular decision should be moved to the public part of the meeting (Part A) should be sent to the Democratic Services Team (address as above) as soon as possible. **Members of the public have the opportunity to speak on the relevant decision at the meeting in accordance with the Council's public speaking rules.**

Obtaining documents

Committee reports in respect of Key Decisions include links to the relevant background documents. If a printed copy of all or part of any report or background document is required, please contact Democratic Services (address as above) or by calling 01395 517546.

Members of the public who wish to make any representations or comments concerning any of the Key Decisions referred to in this Forward Plan may do so by writing to the Leader of the Council c/o Democratic Services (as above).

Key Decision <i>(date added to FP)</i>	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
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Elections Process Review	Monitoring Officer				27 November 2024	Part A
Colyton Land disposal	Housing Enabling Officer					Part A
Procurement of CBRE through the Crown Commercial Services Framework to undertake work in relation to the second new community	Delivery Manager					Part A
Colyford Road and Fosse Way Viability Assessment	Assistant Director Place Assets & Commercialisation	Colyford Road and Fosse Way Viability Assessment	No	Asset Management Forum		Part A *possibly some Part B commercially sensitive
Cloakham Lawns Employment Site Viability Assessment	Assistant Director Place Assets & Commercialisation	Colyford Road and Fosse Way Viability Assessment	No	Asset Management Forum		Part A *possibly some Part B commercially sensitive

Key Decision <i>(date added to FP)</i>	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
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Exmouth Town and Seafront Placemaking Plan Adoption	Assistant Director Place Assets & Commercialisation	Placemaking Plan and appendices	Yes some Strategic Outline Business Cases (SOBC)	Placemaking in Exmouth Town and Seafront Group		Part A *possibly some Part B commercially sensitive
Place and Prosperity Fund acquisition	Assistant Director Place Assets & Commercialisation	None	Business case/Appraisal of proposal	Place and Prosperity Investment Board	5 March 2025	Part B under Section 100(A) (4) of the Local Government Act 1972
Site Acquisition	Project Manager Place, Assets & Commercialisation					Part B
Formation of an Exmouth Town and Seafront Subgroup	Assistant Director Place Assets & Commercialisation	Steering Group ToR		Placemaking in Exmouth Town and Seafront Group		Part A
Council Depots Review	Project Manager Place, Assets & Commercialisation				27 November 2024	Part B

Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
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Hayne Lane Masterplan	Assistant Director Place Assets & Commercialisation	Hayne Lane Masterplan	No	Asset Management Forum		Part A *possibly some Part B commercially sensitive
Towards Zero Carbon Development in the West End: Interconnector Project Final Investment Decision	Assistant Director Growth, Development & Prosperity	Full Business Case				Part B
Strategic Development Review – Exeter Science Park Limited (01/03/24)	Assistant Director Growth, Development and Prosperity		No			Part B (information relating to finance)
Fraud Strategy Delivery Plan	Portfolio Holder Finance, Assistant Director Revenues, Benefits, Customer Services, Fraud & Compliance			Audit & Governance 21 November 2024	Cabinet 8 January 2025	Part A Approve the Fraud Strategy Delivery plan

Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
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Recycling & Waste Future Services – Detailed Business Case	Assistant Director StreetScene				Jan/Feb 2025	Part B
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Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
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Key Officer Decisions

Individual property: external and internal repairs and refurbishment	Assistant Director Housing					Part B Officer Decision
Individual property: external and internal repairs and refurbishment	Assistant Director Housing					Part B Officer Decision
Individual property: external and internal repairs and refurbishment	Assistant Director Housing					Part B Officer Decision
Procurement Support from Devon County Council – renew 5-year SLA (01/05/24)	Director of Finance					Officer Executive Decision

Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
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Exmouth East Devon Tennis Centre, Roof Works. Appointment of contractor (19/03/24)	Simon Allchurch / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision
Sidmouth Manor Pavilion Theatre and Art Centre, Internal Decorations and Refurbishment (19/03/24)	Steve Parker / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision
Exmouth the Pavilion Theatre, Flytower and Auditorium Works. (19/03/24)	Steve Pratten / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision
Exmouth Withycombe Changing Rooms, Decarbonisation / Boiler replacement Works (19/03/24)	Paul Manning / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision
Exmouth the Pavilion Theatre, Roof Works (19/03/24)	Paul Manning / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision

Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
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Decarbonising TDDC swimming pools (20/03/24)	Jorge Pineda-Langford					Appointment of consultants to undertake design work.
Green Waste Collection vehicle 5 - RCV quotation (22/03/24)	Assistant Director StreetScene					Request for Officer Executive Decision
Bathroom Adaptations to 20 properties Page 90	Planned Works & Climate Change Manager					Appointment of contractor. Request for Officer Executive Decision
Bathroom Adaptations to properties ED0322-24 (16/09/24)	Planned Works & Climate Change Manager					Appointment of contractor. Request for Officer Executive Decision

Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
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Officer Decisions to enter into Contract

		Date
Sidmouth and East Beach BMP – Approval to enter design and construction contracts	Assistant Director StreetScene	
Recycling and Waste: MRF/Baling Plant Refurbishment/Site Compliance - vehicle refurbishment programme	Assistant Director StreetScene	
EDDC lifeguard service provision and funding (26/02/24)	Assistant Director StreetScene	
Feniton Flood Alleviation Scheme, Phase 4 contract award	Assistant Director Streetscene	
Seaton Hole Coast protection scheme: Appointing of contractor above £100k to deliver the Seaton Hole Coast Protection Scheme	Engineering Projects Manager	

Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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

Document is Restricted