

Agenda for Cabinet Wednesday, 27th November, 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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(or group number 01395 517546)
Tuesday, 19 November 2024



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

- 1 Minutes of the previous meeting (Pages 4 - 7)
- 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 late item to be dealt with in this way at item 24 Review of Leisure Provision - Funding and Management Agreement with LED Community Leisure.
- 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 Overview Committee held on 24 October 2024 (Pages 8 - 12)
- 8 Minutes of Budget Setting and Capital Allocations Panel held on 11 November 2024 (Pages 13 - 17)
- 9 Minutes of Leisure Strategy Forum held on 11 November 2024 (Pages 18 - 21)

- 10 Minutes of Recycling and Waste Partnership Board held on 12 November 2024 (Pages 22 - 28)
- 11 Minutes of Housing Review Board held on 7 November 2024 (Pages 29 - 37)
- 12 Minutes of Arts and Culture Forum held on 6 November 2024 (Pages 38 - 48)

Key Matters for Decision

- 13 Elections update (Pages 49 - 52)

Matters for Decision

- 14 **River Axe SAC Local Nutrient Mitigation Fund Round 2 award** (Pages 53 - 58)
- 15 **Cranbox Modular Space Delivery in Cranbrook Town Centre** (Pages 59 - 62)
- 16 **Peer Challenge review update** (Pages 63 - 64)
- 17 **Financial Monitoring Report 2024/25 - Month 6 September** (Pages 65 - 80)
- 18 **UKSPF Programme amendment** (Pages 81 - 84)
- 19 **Amendments to the Public Spaces Protection Order - Dog Control 2023** (Pages 85 - 97)
- 20 **Government consultation on remote attendance and proxy voting at Council meetings** (Pages 98 - 102)
- 21 **Update on the Council Plan delivery plan** (Pages 103 - 105)
- 22 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

The Vice Chair to move the following:

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

Part B Key Matters for Decision

- 23 Towards Zero Carbon Development in the West End: Interconnector Project Part A (Pages 106 - 118)
- 24 Review of Leisure Provision - Funding and Management Agreement with LED Community Leisure (Pages 119 - 126)

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If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chair has the power to control public recording and/or reporting so it does not disrupt the meeting.

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 30 October 2024

Attendance list at end of document

The meeting started at 6.01 pm and ended at 7.30 pm

72 Minutes of the previous meeting

The minutes of the previous meeting of Cabinet held on 2 October 2024 were agreed.

73 Declarations of interest

None given.

74 Public speaking

There were no members of the public wishing to speak.

75 Matters of urgency

There was one item dealt with in this way which is recorded at Minute 85.

76 Confidential/exempt item(s)

There were two items dealt with in this way which are recorded at Minutes 84 and 85.

77 Minutes of Strata Joint Scrutiny Committee held on 17 September 2024

Members noted the Minutes of the Strata Joint Scrutiny Committee held on 17 September 2024.

78 Household Support Fund 6

The Assistant Director for Revenues, Benefits, Customer Access and Fraud and Compliance presented the report which provided details on the proposed policy of the Household Support Fund 6, and the funding available to support low-income households for the period 1 October 2024 to 31 March 2025.

In answer to a question Libby Jarrett informed members that each proposed policy needed to take into account the latest Government guidelines and that it was right the Cabinet reviewed each policy to ensure it was targeting support in the most effective way.

RESOLVED that Cabinet:

1. Agree to the proposed policy for the Household Support Fund for the period 1 October 2024 to 31 March 2025.
2. Agree that delegated authority 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. Agree that delegated authority 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 would be based on funding available and would consider available data from EDDC's social resilience dashboard, and any other relevant factors at the time a decision needs to be made. Any changes would include a new Equalities Impact Assessment being carried out.

REASON:

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

79 **Financial Plan 2025 - 2035**

The Director of Finance presented the annual formulation of the Financial Plan and approval process that helped the Council plan to maintain balance budgets. There was a discussion concerning the day's Budget and the implications to business rates relief.

RECOMMENDED to Council:

Cabinet considered the draft Financial Plan 2025 – 2035 and recommended to Council its adoption and direction outlined in balancing future budgets.

REASON:

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

80 **PSPO Consultation request 2026**

The report sought 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. During discussion it was asked that a proposal for dogs to remain on leads on pebble beaches for the sake of environmental health due to the difficulty in clearing up dog mess be consulted on.

RESOLVED 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:

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.

81 **Clyst Honiton Neighbourhood Plan Examiner's report**

The Portfolio Holder Strategic Planning presented the report that provided feedback and set out proposed changes following the independent examination of the Clyst Honiton Neighbourhood Plan. The examination of the Plan had concluded, and the Examiner's final report had been received. The Examiner had found that, with proposed modifications, the Plan met the necessary 'basic conditions' and recommends to the 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 satisfy itself that the Plan meets the necessary 'basic conditions'.

RESOLVED that Cabinet:

1. Agree to endorse the Examiner's recommendations on the Clyst Honiton Neighbourhood Plan (the Plan).
2. 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. Congratulate Clyst Honiton Parish Council and the Neighbourhood Plan Steering Group on their hard work.

REASON:

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

82 **Forward Plan quarterly review**

Members agreed the contents of the forward plan for key decisions for the period 1 November 2024 to 28 February 2025.

83 **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).

84 **Beer Cliffs urgent work in collaboration with Clinton Devon Estates**

The recommendations as set out in the confidential report were agreed.

85 **Disposal of asset in Sidmouth**

The amended recommendation as set out in the confidential report was agreed.

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
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
N Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
P Arnott	Leader of the Council
S Hawkins	Portfolio Holder Finance, Group Leader of Cranbrook Voice
T Olive	Portfolio Holder Strategic Planning

Cabinet apologies:

S Jackson	Portfolio Holder Communications and Democracy
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets

Also present (for some or all the meeting)

Councillor Ian Barlow
Councillor Colin Brown
Councillor Steve Gazzard
Councillor Mike Goodman
Councillor John Heath
Councillor Richard Jefferies

Also present:

Officers:

Matthew Blythe, Assistant Director Environmental Health
Amanda Coombes, Democratic Services Officer
Simon Davey, Director of Finance
Tracy Hendren, Chief Executive
Libby Jarrett, Assistant Director Revenues, Benefits, Corporate Customer Access, Fraud & Compliance
Catrin Stark, Director of Housing and Health
Melanie Wellman, Director of Governance (Monitoring Officer)
Andrew Wood, Director of Place

Chair

Date:

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

Overview Committee held on 24 October 2024

Minute 14 East Devon Trees, Hedgerow and Woodlands Strategy

- The adoption of the final draft of the East Devon Tree, Hedgerow and Woodland Strategy 2024 – 2034 which reflects the ambitions and opportunities to protect East Devon's treescape and create opportunities for tree planting working in partnership with key stakeholders.
- To appoint a part time Tree & Woodland Project Officer role to enable the delivery of the Strategy. The budget and costs for this role are already secured within the existing salary budget due to a vacant part time role within the Tree team.
- To note the Overview Committee's concerns about the reduction of the enforcement role within the Tree team and to consider continuing including this vacant post in the establishment, going forward.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 24 October 2024

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.32 pm

9 Minutes of the previous meeting held on 30 May 2024

The minutes of the previous meeting held on 30 May 2024 were approved as a true and accurate record.

10 Declarations of interest

Minute 14, East Devon Trees, Hedgerow and Woodlands Strategy
Cllr Tim Dumper, Affects Non-Registerable Interest, Member of Exmouth Town Council (ETC) and working on ETC's Tree Forum.

11 Public Speaking

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

12 Matters of urgency

There were no matters of urgency.

13 Confidential/exempt item(s)

There were no confidential/exempt items.

14 East Devon Trees, Hedgerow and Woodlands Strategy

The District Ecologist introduced this item and welcomed Ben Coles of Treeconomics Ltd to the meeting. Treeconomics Ltd had been appointed in July 2024 to start the process of leading the consultation and shaping of the East Devon Trees, Hedgerow & Woodland Strategy (THaWS).

The THaWS is a ten-year strategy which aligns with the Devon Tree and Woodland Strategy, Climate Change Strategy, Local Plan review and Nature Recovery Plan.

Mr Coles and the District Ecologist delivered a presentation to members which provided an overview of the THaWS, its key themes and aims, its development and timeline and a summary of the results from public consultation. The Strategy is expected to be finalised in December 2024.

Members were asked to consider the THaWS and make recommendations, before it is presented to Cabinet for approval in January 2025.

Discussion and clarification included the following points:

- The strategy sets out a high level aspiration of 30% canopy cover for the district, partly through tree planting but mainly through maintenance and enhancement of existing trees.

Canopy cover can be easily measured using satellite imagery or other technology and progress can be tracked by replicating the exercise at 5 or 10 year intervals.

- Some members were concerned that the strategy does not set a target for the number of trees and felt that canopy cover is less meaningful to residents than numbers. The District Ecologist responded that it is not possible or viable to monitor numbers of trees or to track progress, without access to private land. He added that canopy cover targets better reflect the varying methods of tree establishment and added that, as a district, natural regeneration is the favoured approach.
- In response to a member's question, it was confirmed that a policy is not currently in place concerning replacement of trees on Council owned land. Consideration is being given to whether planting trees is best, or if the focus should be on natural regeneration and maintenance of nearby existing trees.
- The THaWS is a high level strategy document intended to be holistic in its approach and as accessible as possible. Some members expressed concern that the document is not easy for the lay person to understand and engage with. It was felt however that it will be understood by people who activate members of the public and one member outlined the Tiny Forest project in Exmouth, as an initiative in which local residents had become actively involved.
- 6% of consultees had responded that a benefit of trees was noise reduction, and the District Ecologist would ensure this is added the Trees Benefits section of the strategy.
- The actions set out in the strategy are currently in draft format and decisions will need to be taken on where to channel the council's limited resources. Community engagement has been identified as high priority due to the cumulative returns.
- Members recognised the importance of hedgerows in the strategy and were keen to engage the farming community in the planting and protection of hedgerows. It was acknowledged that the council has no direct influence in this respect, but the East Devon National Landscape Team are engaged with farmers on the ground, and management of hedgerows and natural regeneration is covered in the Farming in Protected Landscapes (FiPL) programme.
- Members commented on the importance of protecting existing trees and asked if the policy on enforcement of Tree Preservation Orders could be tightened up. In response, it was noted that East Devon has one of the highest levels of TPOs amounting to more than the whole of Cornwall. To increase the number of TPOs would have significant cost and resource implications arising from the associated administration. The public are asked to contact the Council without delay if they see a tree being cut down.
- Members raised concern that mature trees are being felled on the insistence of insurance companies where it is suggested the trees are undermining the walls of houses. Mr Coles explained that he is currently writing an insurance claims best practice appendix including a subsidence mitigation protocol, which will give more power to the Council's Countryside team in contesting subsidence claims.
- The Local Plan is the mechanism through which the Council can best influence the planting of trees and hedgerows in the district, and the Council's requirements will be set out in detail in an associated Supplementary Plan Document.
- Members were concerned that the proposed Tree & Woodland Project Officer post will be at the expense of a part time Tree Warden, with implications for enforcement and the protection of existing trees. In response, the District Ecologist highlighted the cumulative gains that the Project Officer's role will bring from delivering the Tree Strategy and engaging the community, and stated that this can be as important as direct enforcement for looking after the treescape.

RECOMMENDED to Cabinet:

- The adoption of the final draft of the East Devon Tree, Hedgerow and Woodland Strategy 2024 – 2034 which reflects the ambitions and opportunities to protect East Devon's treescape and create opportunities for tree planting working in partnership with key stakeholders.
- To appoint a part time Tree & Woodland Project Officer role to enable the delivery of the Strategy. The budget and costs for this role are already secured within the existing salary budget due to a vacant part time role within the Tree team.

- To note the Overview Committee's concerns about the reduction of the enforcement role within the Tree team and to consider to continue to include this vacant post in the establishment, going forward.

15 **Work Programme 2024 - 2025**

The Committee considered the Cabinet Forward Plan and noted the Work Programme for 2024-2025.

Cllr Del Haggerty provided an update on the progress of the Coach Tourism in East Devon Task and Finish Forum and thanked officers for their ongoing support.

The Chair reminded members that a joint meeting of the Scrutiny Committee and the Overview Committee is scheduled for December 2024 to review the Directorate Plans, followed by a Joint Budget Meeting in January 2025.

Attendance List

Councillors present:

O Davey
T Dumper (Vice-Chair)
D Haggerty
A Hall (Chair)
J Heath
Y Levine
M Martin

Councillors also present (for some or all the meeting)

I Barlow
R Collins
M Goodman
G Jung

Officers in attendance:

Simon Davey, Director of Finance
Sarah James, Democratic Services Officer
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Chris Hariades, Landscape Architect, Development Management
Sarah Jenkins, Democratic Services Officer
Andrew Wood, Director of Place
Will Dommatt, District Ecologist

Also in attendance:

Ben Coles, Treeconomics Ltd

Councillor apologies:

A Bailey
B Bailey
P Fernley
V Johns
H Riddell

K Blakey

Chair:

Date:

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

Budget Setting and Capital Allocations Panel held on 11 November 2024

Minute 6 Listing of Capital bids proposed

1. that the following bids be included in the Capital Programme:
 - a. Exmouth SANG for £1,580k in 2025/26 as forward funding in advance of securing funding from CIL and proportionate funding from Teignbridge District Council and Exeter City Council through the Habitat Regulations Executive Committee;
 - b. Lighting upgrade for parks and gardens across the District for £75k;
 - c. HRA Higher Brook Meadow replacement of play provision for £120k subject to transfer to General Fund;
 - d. Phear Park play area for £200k for 2025/26;
 - e. Events Team electrical outlets upgrade for £30k for 2025/26;
 - f. Recycling and Refuse Fleet requirements for £290k for 2025/26;
 - g. Fluvial works for £320k for 2025/26;
 - h. Exmouth BMP Phase 2 risk budget for £300k for 2025/26;
 - i. Seawall investigations for £30k for 2025/26;
 - j. Beer beach huts decking replacement for £75k for 2025/26;
 - k. Cliff works for £150k for 2025/26;
 - l. Bin replacement in Exmouth (Maer) for £20k for 2025/26;
 - m. Recycling and Refuse Depot and Plant for £78k for 2025/26;
 - n. Exmouth Pavilion electrical works for £34,500 for 2025/26;
 - o. Ocean Building terrace floor works for £55,500 for 2025/26 subject to being liable for works with delegated authority to the PH Finance, Director of Finance and Assistant Director Place, Assets and Commercialisation to agree to action if required;
 - p. Flooring works OSM and Honiton Leisure Centres for £72,500 for 2025/26 subject to confirmation on dual-site contribution;
 - q. Play equipment replacement for £50k for 2025/26;
 - r. Internal decorations and repairs for various LED buildings for £33,500 for 2025/26 and £33,500 for 2026/27 subject to confirmation on dual-site contribution;
 - s. Manor Gardens drainage for £75k for 2025/26;
 - t. Home Safeguard alarms for £465,810 for 2025/26;
 - u. UV Filtering for Exmouth, Honiton and Sidmouth pools for £88,500 for 2025/26;
 - v. Manor Pavilion roofing works for £15k for 2025/26 and £161,500 for 2026/27;
 - w. Swim pool underwater works for Exmouth, Honiton & Sidmouth for £60k for 2025/26;
 - x. External decorations and repairs for various corporate buildings for £153,500 for 2025/26; £153,500 for 2026/27; and £153,500 for 2027/28;
 - y. Cranbrook flagship play provision for £150k for 2025/26.
2. That the following bids put forward for inclusion are **not** supported at this time:
 - a. Normal Lockyer structural repairs for £157,500 for 2025/26 and £7,500 for 2026/27. This was deferred to permit further discussions between the Council and the Norman Lockyer Observatory Society;
 - b. Exmouth Pavilion toilet works for £61,900 for 2025/26 and £67,600 for 2026/27. This was deferred for later consideration as part of the wider consideration of the Leisure Strategy;
 - c. Glen Goyle footpath for £30k for 2025/26. This was deferred with a request made for officers to explore discussion with local stakeholders on funding.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Budget Setting and Capital Allocations Panel held at online via Teams on 11 November 2024

Attendance list at end of document

The meeting started at 9.30 am and ended at 3.32 pm

1 Notes from the previous meeting held on 7 December 2023

The minutes of the previous meeting held on 7 December 2023 were confirmed as a correct record.

2 Welcome from the Chair

The Chair outlined the role of the Panel in considering the bids proposed for inclusion in the Capital Programme. Each bid had already been considered by ELT and their recommendation was included.

3 Declarations

Minute 6: Listing of Capital Bids proposed.

Councillor Hawkins; Affects NRI as member of Cranbrook Town Council
Councillor Bloxham; Affects NRI as member of Cranbrook Town Council
Councillor Barlow; Affects NRI as member of Sidmouth Town Council
Councillor Health; Affects NRI as member of Beer Parish Council
Councillor Hookway; Affects NRI as member of Exmouth Town Council
Councillor Loudoun; Affects NRI as member of Sidmouth Town Council
Councillor Hayward; Affects NRI family members reside in Cranbrook

4 Capital Financing

The Panel were reminded of the current capital programme, which set out the schemes already approved through Council. The programme had been updated to include the new bids that were before the Panel to debate.

The Director for Finance explained Revenue impact of £607k in 2025/26 of borrowing to fund the proposed bids, and the basis behind the minimum revenue provision for managing the repayment and interest, over a 25 year period. He also outlined the overall financial position.

5 Capital Programme as at Month 6 2024/25 to 2028/29

The capital programme running through to 2028/29 was set out for the Panel. The detail set out covered the individual schemes as at month 6 of 2024/25.

The Panel were also informed of a pending capital bid that was not ready for consideration at this meeting, but would go forward to Cabinet for consideration. This was a bid for the third phase of the Toilet Review for £2m.

6 Listing of Capital bids proposed

The Panel considered the 28 bids presented, with questions answered by relevant officers.

The Chair directed the Panel to consider the bids in order of rank, so that the bids attracting the highest scoring in meeting the criteria for inclusion were considered first.

Areas for further development included:

- Additional detail on each bid that built up a picture of how the bid was assessed against the criteria would be beneficial to include for future bid consideration;
- A further review of the bid process to be undertaken by officers to look at elements for inclusion, such as if other sources of funding had been explored.

Detailed discussion took place on each bid, including taking account of any recommendation by ELT.

The bid relating to Cranbrook flagship play provision attracted considerable debate on the policy contradictions for the provision. The bid for £150k was the same level of funding that would be sought for a flagship play provision; the play strategy also refers to the two-step stewardship approach, whereby a mechanism exists for town councils and other communities to apply for 25% capital funding project where they provide 75% of the funding. ELT had not recommended the bid for 100% of the project to go forward. Following the debate, a proposal to include the bid at 100% was made, related to the Play Strategy which states EDDC would provide a flagship play site in each of its towns. This was seconded and was carried on voting for inclusion to recommend forward to Cabinet.

RECOMMEND to Cabinet:

1. that the following bids be included in the Capital Programme:
 - a. Exmouth SANG for £1,580k in 2025/26 as forward funding in advance of securing funding from CIL and proportionate funding from Teignbridge District Council and Exeter City Council through the Habitat Regulations Executive Committee;
 - b. Lighting upgrade for parks and gardens across the District for £75k;
 - c. HRA Higher Brook Meadow replacement of play provision for £120k subject to transfer to General Fund;
 - d. Phear Park play area for £200k for 2025/26;
 - e. Events Team electrical outlets upgrade for £30k for 2025/26;
 - f. Recycling and Refuse Fleet requirements for £290k for 2025/26;
 - g. Fluvial works for £320k for 2025/26;
 - h. Exmouth BMP Phase 2 risk budget for £300k for 2025/26;
 - i. Seawall investigations for £30k for 2025/26;
 - j. Beer beach huts decking replacement for £75k for 2025/26;
 - k. Cliff works for £150k for 2025/26;
 - l. Bin replacement in Exmouth (Maer) for £20k for 2025/26;
 - m. Recycling and Refuse Depot and Plant for £78k for 2025/26;
 - n. Exmouth Pavilion electrical works for £34,500 for 2025/26;
 - o. Ocean Building terrace floor works for £55,500 for 2025/26 subject to being liable for works with delegated authority to the PH Finance, Director of Finance and Assistant Director Place, Assets and Commercialisation to agree to action if required;
 - p. Flooring works OSM and Honiton Leisure Centres for £72,500 for 2025/26 subject to confirmation on dual-site contribution;
 - q. Play equipment replacement for £50k for 2025/26;
 - r. Internal decorations and repairs for various LED buildings for £33,500 for 2025/26 and £33,500 for 2026/27 subject to confirmation on dual-site contribution;
 - s. Manor Gardens drainage for £75k for 2025/26;

- t. Home Safeguard alarms for £465,810 for 2025/26;
 - u. UV Filtering for Exmouth, Honiton and Sidmouth pools for £88,500 for 2025/26;
 - a. Manor Pavilion roofing works for £15k for 2025/26 and £161,500 for 2026/27;
 - b. Swim pool underwater works for Exmouth, Honiton & Sidmouth for £60k for 2025/26;
 - c. External decorations and repairs for various corporate buildings for £153,500 for 2025/26; £153,500 for 2026/27; and £153,500 for 2027/28;
 - d. Cranbrook flagship play provision for £150k for 2025/26.
2. That the following bids put forward for inclusion are **not** supported at this time:
- a. Normal Lockyer structural repairs for £157,500 for 2025/26 and £7,500 for 2026/27. This was deferred to permit further discussions between the Council and the Norman Lockyer Observatory Society;
 - b. Exmouth Pavilion toilet works for £61,900 for 2025/26 and £67,600 for 2026/27. This was deferred for later consideration as part of the wider consideration of the Leisure Strategy;
 - c. Glen Goyle footpath for £30k for 2025/26. This was deferred with a request made for officers to explore discussion with local stakeholders on funding.

Attendance List

Councillors present:

P Arnott
I Barlow
M Goodman
S Hawkins (Chair)
P Hayward
J Heath
N Hookway
S Jackson
G Jung
D Ledger
J Loudoun
T Olive
M Rixson

Councillors also present (for some or all the meeting)

K Bloxham
C Brown
J Brown
R Collins
P Faithfull

Officers in attendance:

Tom Buxton-Smith, Engineering Projects Manager
Tim Child, Assistant Director Place, Assets & Commercialisation
Caitlin Davey, Events Officer
Simon Davey, Director of Finance
Andrew Hancock, Assistant Director StreetScene
Naomi Harnett, Corporate Lead (Interim) – Major Projects & Programmes
Tracy Hendren, Chief Executive
Lou Hodges, Recycling & Waste - Service Manager
John Hudson, Accountant
Paul Osborne, Green Infrastructure Project Officer

Jorge Pineda-Langford, Principal Building Surveyor, Property & FM
Catrin Stark, Director of Housing and Health
John Symes, Finance Manager
Melanie Wellman, Director of Governance (Monitoring Officer)
Andrew Wood, Director of Place

Councillor apologies:

M Hall

Chair

Date:

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

Leisure Strategy Delivery Forum on 11 November 2024

Minute 17 Outcome of Leisure Workshops

To endorse the proposed timetable and decision stages

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Leisure Strategy Delivery Forum (formerly LED Monitoring Forum) held at Council Chamber, Blackdown House, Honiton on 11 November 2024

Attendance list at end of document

The meeting started at 5.30 pm and ended at 8.18 pm

8 Minutes of the previous meeting held on 25 June 2024

The minutes of the previous meeting held on 25 June 2024 were noted as a true and accurate record.

9 Declarations of interest

There were none.

10 Public Speaking

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

11 Matters of urgency

There were no matters of urgency.

12 Confidential/exempt item(s)

There was one confidential/exempt item (minute 17 refers).

13 LED Facilities and Activities report August - October 2024

The Forum received and noted this report which provided an update on the activities of LED including operational delivery, customer engagement, facilities projects, health and safety, and community projects.

14 LED School Reflection report 2023-2024

The LED Director of Delivery introduced this report which highlighted the activities carried out by LED with schools during the 23/24 academic year, as part of their community outreach work.

Discussion and clarification included the following points:

- Much of the work with schools is through legacy projects, and some is related to a specific funding stream becoming available for a certain area which enables the community outreach team to engage with a particular school. Schools are often keen to continue engaging, once they have seen what the team can deliver.
- There is the possibility of engaging with further schools, subject to capacity in the team.
- It was suggested that if additional capacity becomes available, LED could consider a plan to reach out to schools more generally across the district and across age ranges. One member suggested LED could promote the outreach work at headteachers meetings.

- A member asked what the charges are to schools taking part in the LED Schools Project; it was agreed for LED to bring a report to the next Forum meeting setting out this information.

15 **LED KPI Dashboard August-September 2024**

The Forum received and noted key details of the performance of LED Community Leisure for August – September 2024.

16 **Property and FM Team Update on activity at LED occupied sites along with proposals for 2025/26 capital bids**

The Assistant Director – Place, Assets and Commercialisation presented this report which summarised the Property and FM Team activities since last report, and future activities at LED occupied sites.

The report also included an update on approved capital projects and listed the capital project proposals submitted to the Executive Leadership Team (ELT) and to the Budget Setting and Capital Allocation Panel (BSCAP) for the 2025/26 budget allocation.

Discussion and clarification included the following points:

- Referring to a pie chart at section 3.4 of the report which details the distribution of reactive work by property, a member sought to understand what the expected distributions would be relative to the number of users at each site and asked that this detail is set out in future reports to the Forum.
- The percentages set out in the aforementioned pie chart relate to the number of jobs.
- The work to replace the roof at East Devon Tennis Centre is now complete; the maintenance spend set out for 2023/24 relates to reactive work.

The Forum noted the contents of the report and the 2025/26 capital bid proposals submitted to ELT and BSCAP.

The meeting went into private session.

17 **Outcome of Leisure Workshops**

The Assistant Director – Place, Assets and Commercialisation delivered a presentation which detailed the content and outcome of a series of Leisure Workshops between May and October 2024 led by leisure consultants, Strategic Leisure.

Forum members were asked to consider a proposed timetable for next steps and decisions, for recommendation to Cabinet.

Members discussed relevant considerations and asked direct questions.

RECOMMENDED to Cabinet to endorse the proposed timetable and decision stages.

Attendance List

Councillors present:

P Arnott

K Bloxham
M Goodman
S Hawkins (Chair)
N Hookway
J Loudoun

Councillors also present (for some or all the meeting)

I Barlow
C Brown
J Brown
R Jefferies
M Rixson

Representatives of LED Community Leisure in attendance:

Olly Swayne, LED CEO
Matt Wright, LED Director of Delivery

Representatives of Strategic Leisure in attendance:

Liz Taylor

Officers in attendance:

Tim Child, Assistant Director Place, Assets & Commercialisation
Andrew Wood, Director of Place
Mike O'Mahony, Senior Leisure Officer
Sarah James, Democratic Services Officer

Councillor apologies:

S Smith
A Toye
J Whibley

Chair:

Date:

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

Recycling and Waste Partnership Board on 12 November 2024

Minute 13 – Joint contract and operations report

RECOMMENDED:

1. that the Recycling and Waste team run a communications campaign to promote greater awareness amongst residents on the safe disposal of batteries.
2. that the Recycling and Waste team undertake proactive communications to promote the use of the first electric recycling collection vehicle.
3. that the joint Overview and Scrutiny Committee review the budget volatility of material prices during the budget setting process.

Minute 18 – Bulky household waste collection charges

RECOMMENDED: that Cabinet approve the proposed increase in bulky household waste collection charges from 1 December 2024 to cover the additional operational costs introduced by POPs regulations.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Recycling and Waste Partnership Board held at Clyst Room, Blackdown House, Honiton, EX14 1EJ on 12 November 2024

Attendance list at end of document

The meeting started at 10.00 am and ended at 12.20 pm

10 Minutes of the previous meeting

The minutes of the meeting held on 24 July 2024 were agreed as a true record.

11 Declarations of interest

Declarations of interest.

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

12 Matters arising

There were no matters arising, however the Chair requested that the East Devon District Councillor membership on the Recycling and Waste Partnership Board be reviewed due to difficulties faced by some members in attending meetings.

RECOMMENDED: that Council review the district council membership on the Recycling and Waste Partnership Board.

13 Joint operations and contract report

The Recycling and Waste Service Manager and the SUEZ Contract Manager gave the Board a joint contract and operational update for the second quarter of 2024/25. During this quarter operations had been consistent and service levels had remained excellent. The summer months had historically been a difficult period with staffing shortages, but there had been no impact this year, with full staff resources and no occasions of incomplete rounds.

The main focus of the quarter was preparing for the absorbent hygiene products (AHP) recycling trial which started in mid September and was going well. Also in September the first of two electric recycling vehicles purchased as part of the bridging solutions was received. The electric vehicles would primarily be tested in the growth zone area (Cranbrook and Tithebarn), making this area a fully electric round, but would also be used in other areas across the district to assist with the decision making for when a large proportion of the fleet was due for renewal in 2026/27. There was currently only one other local authority in the country using electric collection vehicles. A proposal had also been put forward for an electric refuse collection vehicle. Options for electric vehicles had been vigorously trialled, with Romaquip being generally better built and more robust. The vehicle tipping system also worked with the system at the depot. It was noted that the electric recycling vehicles carried as much as the standard vehicles, with the configuration providing additional cardboard capacity. They also offered other benefits including reduced emissions and lower maintenance costs. The Board requested that there be proactive communications to highlight the use of the first electric Romaquip

vehicle in the district and suggested organising a photo call and involving the local media to promote the initiative.

Recycling rates were around 62%, with the potential for a good year if this rate was maintained for the remainder of the year. It was noted that the rates were a quarter behind due to the validation process.

The SUEZ Contract Manager highlighted the success of reducing sickness levels from 9.21% in September 2023 to 2.77% in September 2024 through effective management and medical dismissals. This included immediate follow-up on day one of sickness and addressing long-term sickness. The reduction in sickness positively impacted operations. Complaints and missed collections remained below the performance framework thresholds, along with health and safety issues. Crew stability had improved and recruitment efforts were successful. There was good staffing levels, but these were slightly down on contract staff, with spaces filled by agency staff. The agency staff were on a temporary to permanent basis, with the aim of transferring them over to SUEZ staff in the next few months.

The material recycling facility (MRF) was fully staffed, following a period of under staffing pressures due to a successful recruitment drive. The MRF was working well dealing with waste flows. The SUEZ Contract Manager explained the fire watch procedures at the MRF, where staff conducted two-hour fire watches after shutting down operations. This included taking heat readings of motors and machines to ensure safety before leaving the site. There were also five thermal cameras which activated if temperatures exceeded a certain threshold.

The Board discussed risks associated with incorrect battery disposal and the need for more communications to residents. Disposing of lithium batteries in general waste could start fires. The Board agreed on the need for a public awareness campaign to educate residents about the proper disposal of batteries, including using the East Devon app, social media and bin tags to communicate this message effectively. There should be a push on all communications channels to ensure that batteries were in plastic bags and placed on the top of the recycling box, visible for crew collection. Small electricals should be placed in the recycling box and not the grey waste bins. The SUEZ Contract Manager agreed to provide figures on fires at the depot.

The Board noted that revenue was falling for materials across the market, nationally, but that the partnership was still receiving competitive prices. Budget setting for the forthcoming year had recently been undertaken, with a cautious approach taken as the fluctuation in material prices impacted the overall budget and required careful monitoring. The volatility of the materials market was a risk on EDDC. It was suggested that the joint Overview and Scrutiny committee should review the budget volatility around materials income during the budget setting process to ensure that the budget was set realistically, considering the fluctuations in the national market.

RECOMMENDED:

1. that the Recycling and Waste team run a communications campaign to promote greater awareness amongst residents on the safe disposal of batteries.
2. that the Recycling and Waste team undertake proactive communications to promote the use of the first electric recycling collection vehicle.
3. that the joint Overview and Scrutiny Committee review the budget volatility of material prices during the budget setting process.

The Board noted the performance report which showed performance across the contract. It highlighted eight parts of the contract that officers focused on and allowed officers to look for areas of improvement and put plans in place if necessary. The Recycling and Waste Service Manager highlighted the overall good performance and addressed questions about container delivery. The increase in containers not delivered within target during August 2024 was attributed to one of the 2.5 delivery drivers being off work, as well as the additional 200 containers delivered as part of the AHP trial and an increase in green waste subscriptions. It was noted that approximately 2500-3000 containers were delivered per month.

It was suggested that QR codes could be put on the recycling boxes to provide information to residents on recycling. The SUEZ Contract Manager reported that there was not an issue with contamination amongst the recycling bins and that full recycling information was available on the EDDC website, app and was included with new property comms packs.

The Recycling and Waste Operations and Projects Officer agreed to review what information other councils provided on their recycling bins and ask the manufacturer whether it would be possible to include a QR code on the recycling containers. He would report back to the next meeting of the Recycling and Waste Partnership Board.

15 **Absorbent Hygiene Products (AHP) trial update**

The Recycling and Waste Operations and Projects Officer provided the Board with an update on the AHP trial, including the three different containers used, resident feedback and the potential for district-wide rollout. The trial began in September and was just past its half way point. Simple communications were sent out, initially a letter which gave participants an overview of the reasons for the trial. A second letter was then sent out which included a visual image and a 'how to' use the container provided and to take part in the trial. The three different containers were demonstrated to the Board and discussed.

There were around 200 properties taking part in the trial as well as one childcare setting. So far 6.4 tonnes of material had been collected in total, averaging around 1 tonne per week. The participation rate was high, at 82% with no complaints received. Resident feedback was good and there had been only one missed collection out of 1600 so far. There had been no odour problems reported at Greendale and the Nappicycle collections had been reliably completed each fortnight (Nappicycle had funded the haulage part of the trial to their plant in Wales).

Following the 12 week trial a questionnaire would be sent to all residents taking part as part of an evaluation of the trial. Discussions would be needed with Devon County Council (DCC) around potential disposal costs. It was noted that the gate fee of around £155 per tonne at Nappicycle was similar to the Exeter energy from waste gate fee. Projections based on tonnage from the trial were similar to the Nappicycle data predictions of an increase of 3.4% in the recycling rate. Officers would need to understand what percentage of the AHPs collected were classed as recycling.

The Recycling and Waste Operations and Project Officer would report back to the Recycling and Waste Partnership Board on the outcome of the trial, along with a business case detailing the costs of the trial, where these costs may sit and the carbon footprint of the trial. A report on the trial would also be presented to DCC. More data

was required before any decisions could be made. If the AHP collection service was to be continued decisions would be required on the type of vehicle needed, whether the collection service would be district wide and whether to collect adult AHP as well as nappies.

On behalf of the Board the Chair thanked the Recycling and Waste Operations and Projects Officer for the AHP trial update.

16 **Green waste accounts**

The Recycling and Waste Service Manager presented the green waste accounts to the Board and thanked the accountant for producing them. The green waste service was popular, with 21,300 subscribers (out of 74,000 properties in the district). A fifth crew had been added to the service this year, creating increased capacity but an additional expense. Predicted profit was £383,921 for the year. There was no longer a profit share with SUEZ, resulting in EDDC retaining 100% of the profits.

It was noted that all fees and charges would be reviewed during the budget setting process but the proposal was to increase the charge for the green waste service from £52 to £55 per year.

17 **Recycling box colour change**

The Recycling and Waste Operations and Project Officer's report proposed to procure black recycling boxes rather than green to save costs, reduce supply chain delays, increase potential for economies of scale and improve longevity.

Over the last few years all reference to colour had been removed from communications material in relation to the recycling boxes to enable more flexibility over future colour. The black and green boxes were identical, apart their colour, but the black box was 63p cheaper, with a potential annual cost saving of £8,000 per year. The black boxes also aligned with resource efficiency principles because the 'master batch' raw materials used in black boxes were more abundant. In addition to this they were more robust than the green boxes which faded and became brittle quicker.

RESOLVED: that the Recycling and Waste Partnership Board approve the permanent procurement of black 55 litre recycling boxes in order to reduce purchasing costs.

18 **Bulky household waste collection charges**

The Recycling and Waste Service Manager's report proposed an adjustment to the charges for the bulky household waste collection service in response to the introduction of the Persistent Organic Pollutants (POP) regulations. The new regulations mandated that from 1 December 2024 certain waste items must be collected and disposed of separately, resulting in increased operational costs. As the service must be run on a cost recovery basis, it was necessary to revise the current pricing structure to reflect these changes. The Recycling and Waste Service Manager's report outlined the proposed pricing adjustments and the impact of the POPs regulations on the bulky waste collection service.

The POPs regulations would significantly impact operational procedures for bulky waste collection, resulting in an increase in the number of days per week that the bulky household waste service operated from two days per week to four days per week. POPs

items could only be taken to household waste recycling centres at Pinhoe and Exmouth, thus increasing travelling time and distance. These changes had increased the cost per collection, making the previous pricing structure insufficient to cover the service's full costs. The bulky household waste service provided by EDDC was discretionary and all large household items could be taken to a household waste recycling centre free of charge directly. The report suggested that by implementing the proposed changes the service would continue to meet both regulatory obligations and customer needs without imposing an unsustainable financial burden on the service. The Board expressed concern over increased fly tipping and officers agreed to report back on this in six months, along with a review of the pricing structure.

RECOMMENDED: that Cabinet approve the proposed increase in bulky household waste collection charges from 1 December 2024 to cover the additional operational costs introduced by POPs regulations.

RESOLVED:

1. that the Recycling and Waste Partnership Board agree for the Recycling & Waste Team to review the pricing structure in 6 months, to ensure the operational costs are being covered with any amendments to this proposal going back to the Board.
2. that the Recycling and Waste Partnership Board note that the Recycling & Waste Team will undertake a basic comparison exercise in 6 months to ensure there had not been a significant increase in fly-tipping.

Attendance List

Board Members:

Councillors present:

M Goodman
G Jung (Chair)
M Rixson

Officers present:

A Hancock, Assistant Director StreetScene
L Hodges, Recycling & Waste - Service Manager

Suez present:

J Gatter, Contract Manager

Councillors also present (for some or all the meeting)

I Barlow
C Brown

Officers in attendance:

Gareth Bourton, Recycling and Waste Contract Manager
Steve Maclure, Recycling & Waste - Operations and Projects Officer
Alethea Thompson, Democratic Services Officer

Suez representatives in attendance:

Jess Prosser, Recycling Officer

Board member apologies:

Mike Wildman, Regional Manager, SUEZ

Mark Taylor, Regional Director, SUEZ
Councillor Paula Fernley
Councillor Todd Olive
Andrew Wood, Director - Place

Chair

Date:

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

Housing Review Board on 7 November 2024

Minute 24 Financial monitoring report

1. that Cabinet acknowledge the variances identified as part of the Revenue and Capital monitoring process up to month six.
2. that Cabinet approve the recommendation contained within the report to fund all Right to Buy acquisitions with 100% Right to Buy capital receipts and the £0.975m of budgeted borrowing released by this be utilised to fund the urgently required electrical compliance work.

Minute 26 Housing Revenue Account position statement

that Cabinet note the Housing Revenue Account update report.

Minute 27 Acquisitions and disposal policy.

1. that the Strategic Acquisitions & Disposals Policy be adopted subject to 2(i) of the policy objectives being amended to 'Enhance Housing Stock; acquire properties meet the needs of our community, including **good quality**, affordable and accessible housing needs'.
2. that delegated authority be granted to the Director of Housing, in agreement with the S.151 Officer and the Director of Governance & Licensing (the Monitoring Officer), to authorise the disposal of individual non contiguous HRA assets up to a maximum value of **£500,000**, in accordance with the adopted 'Acquisitions and Disposals Policy' and in consultation with the Portfolio Holder for Sustainable Homes and Communities.
3. that all acquisitions and disposals within the HRA be reported to the Housing Review Board and Cabinet.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Housing Review Board held at Council Chamber, Blackdown House, Honiton, EX14 1EJ on 7 November 2024

Attendance list at end of document

The meeting started at 10.15 am and ended at 12.55 pm

17 Minutes of the previous meeting

The minutes of the meeting held on 1 August 2024 were agreed.

At the start of the meeting the Chair welcomed new tenant representative members Rachel Browne and Rosie Dale to the meeting. Subject to formal co-option by Full Council on 4 December 2024 they would become new tenant members on the Housing Review Board. She also welcomed newly appointed district councillor Jenny Brown onto the Board. There remained another district councillor vacancy which would be filled shortly.

Members questioned when pre-briefings for Board members (minute 8, 1 August 2024 refers) would take place. The Director for Health and Housing responded that the earlier presentation from Currie and Brown was an example of this and that the Scrutiny Improvement Plan was in the process of being delivered. All member briefings across the Council were also about to commence, which were likely to cover housing related matters at times.

A request was made for 'matters arising' to be added to future Housing Review Board agendas.

18 Declarations of interest

Declarations of interest.

Councillor Aurora Bailey, Affects Non-registerable Interest, Tenant of East Devon District Council.

Declarations of interest.

Councillor Brian Bailey, Affects Non-registerable Interest, Tenant of East Devon District Council.

Declarations of interest.

Councillor Jenny Brown, Affects Non-registerable Interest, Member of Honiton Town Council.

Declarations of interest.

Councillor Sarah Chamberlain, Affects Non-registerable Interest, Employed by Exeter City Council in the housing department.

Declarations of interest.

Councillor Steve Gazzard, Affects Non-registerable Interest, Tenant of East Devon District Council.

Declarations of interest.

Rob Robinson, Affects Non-registerable Interest, Tenant of East Devon District Council.

19 **Public speaking**

There were no members of the public registered to speak.

20 **Matters of urgency**

There were none.

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

There were none.

22 **Housing Review Board forward plan**

The Director – Housing and Health presented the forward plan and advised members that the forward plan acted as a reminder of agenda items to come forward to future meetings. The forward plan had been derived from previous meetings and requests, as well as the housing service plan. Service managers were currently reviewing realistic timeframes against each topic. Members were reminded that they could add further reports and topics for discussion to the next forward plan by either informing herself or the Democratic Services Officer.

The Director for Health and Housing asked the Board if the forward plan was demonstrating the type of work plan that they would like to see. She also asked for suggestions from the Board about how additional briefing sessions could be phased into the forward plan and asked for guidance from Members on how they would like officers to do this. It was suggested that an online session be arranged for the Board within the next few weeks to discuss the Housing Review Board forward plan and programming of briefings.

Other items discussed and added to the forward plan:

- An update on the stock condition survey – it was noted that the initial data that had just been received required scrutiny and cross referencing before it was brought back to the Board, but that this would be added to the forward plan. The information would be used to inform the Housing Asset Management Strategy which was on the forward plan to be reported to the Board in April 2025.
- An updated timetable for the output from the stock condition survey to give a forward view of what was happening with the report and what the next dates would be to be presented at the January HRB meeting.
- Housing Revenue Account financial monitoring reports to be included on every HRB agenda.

It was noted that extraordinary meetings could be called if necessary.

23 **Staffing update**

The Interim Assistant Director for Housing (Regulated Services) gave a brief update on staffing changes in the Housing Service. He reported that Susie Williams, Responsive Repairs and Voids Service Manager, had left the organisation at the end of August and he wished her the best of luck in her new role. Recruitment for the role was currently underway. The Interim Assistant Director for Housing (Regulated Services) announced

that his old role of Interim Tenancy Services Manager (Regulated Services) had successfully been backfilled by Darren Hicks. Liam Reading had been appointed as Assistant Director for Housing Programmes, Investment and Development. He also introduced Les Joint, Housing Maintenance Surveyor to the Board. The Interim Assistant Director for Housing (Regulated Services) advised that a formal housing staff structure would be produced with a brief description of the housing roles.

A request was made for an organisational structure chart detailing 'who's who'. In response to a question about staffing levels the Director for Housing and Health replied that she was confident that the right people were in the right posts and that the service was adequately staffed. A reduction in staffing costs had been seen due to a number of agency staff becoming permanent. The number of staff across the teams had remained similar, with the changes in staffing being at higher level. It was noted that the property and asset team was currently understaffed at management level.

24 **Financial monitoring report**

The Finance Manager's report gave a summary of the Council's Housing Revenue Account (HRA) and associated capital programme's overall financial position for 2024/25 at the end of month six (30 September 2024).

Producing a Housing Revenue Account had been a statutory requirement for Councils who managed and owned their housing stock for some time, and therefore a key document for the Board to influence.

Current monitoring indicated that:

- The revised HRA budget approved by Council (July 2024) agreed the use of the HRA balance up to £1.750m in year, with the acceptance that 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 maintain full assurance on this position to year end.

The Finance Manager's report summarised increased flexibilities for financial years 2024/25 and 2025/26 on Right to Buy Receipts, which were announced by the Ministry of Housing, Communities and Local Government on 30 July 2024. By deciding to fund all Right to Buy acquisitions with 100% capital receipts would enable the Council to utilise this limited window of opportunity and also provide the funding required to immediately address an area of significant risk to both the Council and tenants (electrical compliance) without impacting the previously agreed and budgeted borrowing needs.

It was noted that both garage income and lost rent due to voids were greater than expected and this would need to be addressed during the forthcoming budget setting process. The Board also noted the revenue expenditure by categories and the notable variations in expenditure in disrepair and complaints and within supervision and management. Officers explained that there was now greater oversight and scrutiny of the budget and careful monitoring ensured that there was more control on the level of spend due to better knowledge of what was coming forward. The stock condition survey would inform the budget setting process.

The Finance Manager's report also detailed the funding and predicted borrowing requirement. He explained that the potential forecasting available was £7.4m versus a forecast capital expenditure of £13.3m. This left a residual borrowing requirement of £8m rather than the £9.2m originally budgeted for.

RECOMMENDED:

1. that Cabinet acknowledge the variances identified as part of the Revenue and Capital monitoring process up to month six.
2. that Cabinet approve the recommendation contained within the report to fund all Right to Buy acquisitions with 100% Right to Buy capital receipts and the £0.975m of budgeted borrowing released by this be utilised to fund the urgently required electrical compliance work.

25 Performance update

The Housing Review Board were presented with the key performance indicator (KPI) dashboard and the compliance dashboard for quarters one and two 2024/25. The performance report encapsulated complaints data as well as tenant satisfaction measures. The Interim Assistant Director (Regulatory Services) gave a presentation which summarised the performance and actions being taken to improve performance where targets were not being achieved. Targets were set annually and figures were benchmarked against the previous financial years' performance and HouseMark was used to benchmark performance and set targets for the KPIs against performance of other social housing landlords.

Discussion and clarification included the following points:

- Income collection – rent arrears as a percentage of the annual rent that the Council should be receiving. Performance in this area was strong, with the Council above its own target and within the top quartile of landlords nationally.
- Income lost through void properties – although void loss was significantly higher than the top quartile of landlords nationally the housing service was improving its performance, with void loss figures continuing in the right direction.
- Properties vacant and not available to let – the management of the turnover of vacant stock to ensure a reduced number of vacant properties were held at any one time. Performance was below target but continuing to improve in this area.
- Average days to relet homes – there had been an improvement of 55.71 days in this area since the end of 2023/24. Over the last 12 months officers had worked through a backlog of vacant properties whilst balancing this with the void budgets and projected rent loss. There continued to be a positive downward trend.
- Routine repairs completed in target and emergency repairs completed in target – work was being undertaken with the contractors to reconcile outstanding jobs and completion dates, and ensure robust and accurate reporting. Data validation was needed as the systems were recording different target completions. Performance so far was around 5% higher than the previous year. 8,736 routine and emergency repair jobs had been completed across both contractors so far this year.
- Compliance – this area had presented the biggest challenge so far this year, particularly in relation to electrical checks. There had been a huge improvement in performance following a change of contractor.

The Housing Performance Lead reported that good progress had been made on reducing complaints, mainly due to staffing changes and implementing dedicated resources. Communication was a key driver in the complaints system and measures were in place to improve this. There had been an excellent improvement in the response times for stage one complaints from quarter one to quarter two. However, there was a significant backlog of stage two complaint investigations and responses during quarter two. This was largely due to the departure of the Property and Assets Service Manager at the end of August. A task force of senior managers had now been put in place to clear outstanding complaint responses over the next couple of weeks. Officers recognised the need to continuously improve in complaints handling and meet the requirements of the Housing Ombudsman Complaint Handling Code.

Tenant satisfaction had been moved from annual to quarterly surveying in order to review and analyse tenants' satisfaction levels on a more regular basis and be more responsive to any trends. Although it was acknowledged that there was still much room for improvement in the tenant satisfaction measures, improvement had already been achieved since the survey at the end of 2023/24. It was noted that more negative feedback tended to be received during the winter months.

Officers were thanked for the comprehensive report which demonstrated the positive efforts being made to improve performance across all areas. Restaffing of the housing service with the right people in the right posts would continue to support the service to make good progress.

A request was made for a breakdown of void properties into ward areas to be made available for councillors.

RESOLVED: that the Housing Review Board note performance at the end of quarter two, 2024/25.

26 **Housing Revenue Account position statement**

The Housing Strategy, Enabling and Project Manager's report provided the Board with an update on the key plans, strategies and work streams relating to the Housing Revenue Account (HRA). It covered the current financial position, the stock condition survey, the Chartered Institute of Public Finance and Accountability (CIPFA) healthcheck, the HRA sustainability plan, the business plan and options appraisal work, the asset management strategy and the housing investment and delivery plan. These elements collectively formed the strategic plan and framework to establish the financial and operational sustainability of the HRA and this was explained within the report.

The Housing Strategy, Enabling and Project Manager highlighted that the issues facing EDDC's HRA were reflective of national issues and pressures, which included:

- Funding.
- Rent restrictions.
- Ageing housing stock.
- Rising costs.
- Borrowing limits.
- Employment market.

There was an increasing call from local authorities and other interested organisations to review the financial relationship between stock holding authorities and central

government. Despite this EDDC was planning and undertaking significant work to respond to the challenges outlined in the report, with the overall objective of ensuring that EDDC provided the best possible services to its existing tenants and future residents.

The Housing Strategy, Enabling and Project Manager's report provided an update on a series of interlinked plans, workstreams and strategies which aimed to answer 'can the current business model and financial position of the HRA effectively respond to the challenges arising from the stock condition survey and deliver safe, warm, affordable and regulatory compliant homes for our tenants; and does the HRA have capacity to go further and improve our communities and meet the increasing demand for additional affordable homes for residents in East Devon?'. Included as an appendix to the report was a HRA roadmap outlining a projected timeline.

The Board acknowledged that the Council needed to provide good, safe, decent homes, but this needed to be balanced against income.

RECOMMENDED: that Cabinet note the Housing Revenue Account update report.

27 **Acquisitions and disposals policy**

The Housing Strategy, Enabling and Project Manager's report sought approval for the adoption of a Strategic Acquisitions and Disposals Policy for the Council's Housing Revenue Account (HRA) property portfolio. The introduction of the policy would enable the efficient and effective management of the Council's housing stock and other assets. The policy would form part of a comprehensive asset management strategy for the HRA and was being introduced at this stage to provide a framework for any acquisitions or disposals that might be required in advance of the adoption of a comprehensive asset management strategy, to assist in the effective management of the Council's housing stock in the interim period. The strategic acquisitions and disposals policy aimed to align with the broader housing strategy and Council's priorities of addressing the housing needs of residents whilst ensuring sustainable financial management of the HRA. The report outlined the rationale, key objectives and principles behind the acquisitions and disposals policy framework.

The proposed strategic acquisitions and disposals policy offered a proactive approach to managing EDDC's housing stock. By setting clear criteria and objectives for acquisitions and disposals, the Council could ensure it continued to meet the needs of its residents, optimise the use of resources and contribute to wider strategic goals such as reducing homelessness and providing warm, safe and well maintained homes for its tenants.

Concern was expressed over the disposal of properties and officers responded by explaining that disposal of stock might be necessary where properties no longer met strategic or operational objectives. Disposals would be progressed in order to support the efficient and effective financial management of the HRA and to ensure that the Council provided affordable, safe, warm and well maintained homes for its existing tenants. Disposals would be subject to a thorough evaluation process, including independent valuations, stakeholder consultation and assessment of alternative options. Where possible the Council would aim to retain properties for affordable housing.

RECOMMENDED: that Cabinet approve:

1. that the Strategic Acquisitions & Disposals Policy be adopted subject to 2(i) of the policy objectives being amended to 'Enhance Housing Stock; acquire properties

meet the needs of our community, including **good quality**, affordable and accessible housing needs’.

2. that delegated authority be granted to the Director of Housing, in agreement with the S.151 Officer and the Director of Governance & Licensing (the Monitoring Officer), to authorise the disposal of individual non contiguous HRA assets up to a maximum value of **£500,000**, in accordance with the adopted ‘Acquisitions and Disposals Policy’ and in consultation with the Portfolio Holder for Sustainable Homes and Communities.
3. that all acquisitions and disposals within the HRA be reported to the Housing Review Board and Cabinet.

28 **Review and replacement of Home Safeguard equipment**

The Director for Health and Housing updated the Board on the review and replacement of Home Safeguard equipment within housing stock. This was included on the forward plan for April 2025. It was noted that work was progressing towards purchasing a platform and that the Interim Assistant Director for Housing (Regulated Services) would be presenting a report explaining this, along with a timeline.

Attendance List

Board members present:

Councillor Aurora Bailey
 Councillor Christopher Burhop
 Councillor Sarah Chamberlain (Chair)
 Councillor Melanie Martin
 Councillor Simon Smith (Vice-Chair)
 Sara Clarke, Independent Community Representative
 Rob Robinson, Tenant
 Councillor Jenny Brown

Councillors also present (for some or all the meeting)

B Bailey
 I Barlow
 C Brown
 R Collins
 S Gazzard
 M Goodman
 D Ledger
 J Loudoun

Officers in attendance:

Sarah James, Democratic Services Officer
 Alethea Thompson, Democratic Services Officer
 Tracy Hendren, Chief Executive
 Andrew King, Interim Assistant Director for Housing (Regulated Services)
 Andrew Mitchell, Housing Solutions Service Manager
 Giles Salter, Solicitor
 Catrin Stark, Director of Housing and Health
 John Symes, Finance Manager
 Darren Hicks, Interim Tenancy Services Manager (Regulated Services)

Les Joint, Housing Maintenance Surveyor
Liam Reading, Assistant Director - Housing Programmes, Investment and Development

Rosie Dale, Tenant
Rachel Browne, Tenant

Chair

Date:

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

Arts and Culture Forum 6 November 2024

Minute 15 Funding requests from Villages in Action and Screen Devon

RECOMMENDED by the Arts and Culture Forum:

that subject to further information being provided on KPIs, that Cabinet approve the following funding requests:

1. Villages in Action - an uplift of £5,000 to their annual contribution from EDDC (currently £10,000) to support the recruitment of a new Network Lead in East Devon.
2. Screen Devon - £10,000.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Arts and Culture Forum held at Online via the Zoom app on 6 November 2024

Attendance list at end of document

The meeting started at 10.05 am and ended at 1.10 pm

10 Public speaking

There were no members of the public registered to speak.

11 Minutes of the previous meeting

The minutes of the meeting held on 12 June 2024 were agreed.

12 Declarations of interest

9. Exmouth Festival - decarbonisation pilot.

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

9. Exmouth Festival - decarbonisation pilot.

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

10. UK Shared Prosperity Fund Year 2 Cultural Programme.

Councillor Ian Barlow, Affects and prejudicial Non-registerable Interest, Director of Sidmouth School of Art who had a UK SPF grant.

13 Villages in Action

Mair George, Creative Director, Villages in Action explained that Villages in Action (VIA) had been in existence for over 30 years. It was an arts charity working across rural Devon. There was a small team of four part time workers – the Creative Director, two producers and a finance manager. Since 2021 VIA had embarked on a new journey to shift the way that rural touring in Devon was thought about, with a network of volunteer promoters and co-curators, re-imagining how and why towns and villages engaged with culture, and opening up the way that rural communities enjoyed and grew new creative opportunities. The aim was to strengthen the voice of towns and villages in both hosting and creating work that reflected changing communities in the wider world. This was done by growing a network of locally rooted co-curators who imagined and shaped new creative projects with VIA, inspired by what their community wanted and needed. The aim was that over time this culturally driven action network would grow meaningful. Agriculture was a way of thinking about rural touring differently.

The Creative Director highlighted four main points of VIA work between June to October 2024 and the positive audience and promoter feedback received:

- Love Riot, by Miracle Theatre at Goran Farm, near Stockland, 28 June 2024.
- Those in Glass Houses, by Matt Pang and Owen Reynolds at the Strand, Exmouth, 16 August 2024.
- The Goat Show, by Running Dog Theatre at Farway Village Hall, 6 July 2024.
- Blind Spot, by Alright Mate? At Awliscombe, Axminster and Exmouth during June 2024.

VIA were most known for their community touring. Box office income in East Devon had increased, along with the number of performances and attendees. Overall there was a range of work for all ages across a number of different community spaces with positive feedback received.

The VIA Creative Director explained that a proposal had been submitted to EDDC for an uplift of £5,000 to support the recruitment of a (Agri) Culture Network Lead (current EDDC funding was £10,000). The aim was to galvanise the East Devon network - to act as a local support for new promoters and members of the network, offering on the ground support for first-time events, risk assessment and other event management training. The Network Lead would represent Villages in Action at co-creation meetings with partners, wider networking events, meeting representatives from other organisations to better collaborate, plan and co-design shared projects with a focus on community-based asset development. It would offer paid employment opportunities, and a chance to grow the team in line with the longer-term ambitions to grow the East Devon hub of Villages in Action.

Members of the Forum questioned the Creative Director over whether there would be key performance indicators (KPIs) in place to measure the difference made within the East Devon specifically for the role of a (Agri) Culture Network Lead. A request was made for more specific details on what value would be added to East Devon from the investment. The Forum acknowledged the need to measure risk against the impact of health and well being. The Creative Director replied that she would investigate metrics around audience attendance and who was going to the events, and that she would present annually to the Arts and Culture Forum.

The Creative Director was thanked for an interesting presentation and the great work that was being carried out.

14 **Screen Devon**

David Salas, Screen Devon delivered a presentation on the advantages of establishing a regional screen agency for Devon. Screen Devon emerged out of a two year research project at Exeter University to promote the region's capabilities and develop the local screen industry. It's goals were to improve Devon's prosperity potential, raise the profile of Devon's talent, culture and landscapes, and to ensure that growth was equitably distributed and fair. Screen agencies were ordinarily governmental organisations, but this was difficult in Devon due to the number of local authorities in the region and the scale that a screen agency needed to work to. Screen Devon was independent and able to work easily across boundaries to the benefit of all.

Discussion points included:

- The estimated market capture of UK productions.
- The South West was the largest English region but only had one film and TV studio, located in Bristol.
- Public service broadcasters were required to base more TV productions in the regions.
- East Devon would benefit from productions based in other Devon local authorities and vice versa, based on the average travel time radius of an hour, which is what was looked at for locations to shoot around a base.
- There was a lot of talent in film making in Devon.
- Eight areas of action:
 - Profile building.
 - Economy.
 - Jobs.

- Education.
- Champion screen culture.
- Sustainability and equality.
- Research.
- Future facing.
- Potential income streams.
- Initial funding would be from other Devon district councils, Devon County Council, Exeter Culture, Plymouth Culture and the University of Exeter.

A request was made for £10,000 contribution from EDDC towards £72,000 core funding for 2025/26. Screen Devon was a five to ten year project that would take time to build capacity, profile and reputation. It would help to make sure that East Devon benefitted from the national growth of the film and TV sector. It was reported that medium budget feature film would spend £66,000 per day in a local region. The Forum noted that Screen Cornwall figures revealed that film and TV production was worth £5m to the local economy.

The Forum agreed that Screen Devon was an excellent idea and a fantastic opportunity for the area. It would help to keep creative people in Devon. Tourism in the area would also benefit as well as local employment and arts education.

Members asked at what point money invested from EDDC would start returning, what the value for money was, what success looked like and how success would be measured. Initially the funding was being put in place to hire staff in order to be able to achieve outcomes. Any additional 'in kind' benefits would also be welcomed.

David Salas was thanked for his comprehensive report and all the opportunities that it presented.

15 **Funding requests from Villages in Action and Screen Devon**

The Arts and Culture Forum were asked to consider two grant requests from Villages in Action and Screen Devon. Villages in Action were seeking an uplift of £5,000 to their annual contribution from EDDC (currently £10,000) to support the recruitment of a new Network Lead in East Devon. Screen Devon were seeking £10,000 from EDDC. The current year's £10,000 had been contributed via the UK Shared Prosperity Fund (SPF) Cultural Programme budget and the Sustainable Tourism budget. Presentations from Villages in Action and Screen Devon had been received earlier in the meeting. The report outlined eight ways in which the two organisations would help EDDC reach its Cultural Strategy goals.

The Forum acknowledged the need to ensure the monitoring of outcomes from any funding granted and discussed how key performance indicators (KPIs) would be put in place with the two organisations requesting funding. It was agreed that Villages in Action and Screen Devon needed to work with EDDC officers to define the details of the data and the proposal, and that officers would monitor these and report back to the Forum on how success would be measured. The Cultural Producer reassured the Forum that the initial funding had specific SPF metrics in place. Where future funding was coming from was a key decision and the specific metrics involved.

RECOMMENDED: that subject to further information being provided on KPIs, that Cabinet approve the following funding requests:

1. Villages in Action - an uplift of £5,000 to their annual contribution from EDDC (currently £10,000) to support the recruitment of a new Network Lead in East Devon.
2. Screen Devon - £10,000.

16 **South West Museum Development**

Jo Cairns, Museum Development Officer for Museum Development South West (MDSW) gave the Forum some background to MDSW. They were a team of museum and heritage development specialists working with the museum and heritage sector in the South West to effect positive, lasting change and deliver public value. MDSW was an Arts Council England funded Investment Principles Support Organisation and was one of five museum development providers across England supporting accredited museums.

In the South West 78% of museums were independent charities, compared to 65% nationally. 47% of museums were 'micro', with fewer than 10,000 visitors annually. Visitor numbers were down by 2% in the South West in 2023/24 on 2019/20. 39% of the museums in the South West were wholly volunteer run, with 7 volunteers to every one paid member of staff in the South West (compared to five volunteers to one paid member of staff nationally). 32% of South West museums reported an annual turnover of less than £25,000 in 2022/23 (national average was 28%). These regional statistics highlighted the need for professional support from MDSW.

The key services of MDSW were:

- Local, place based Museum Development Officers.
- Small grants programmes and funding support.
- Skills and training networks.
- Specialist support in collections and volunteering.
- Organisational development and technical accreditation.
- Communications, advocacy and resources.
- Secure funding for projects.

MDSW worked in partnership with EDDC with funding provided through the Shared Prosperity Fund. There were four accredited museums receiving support (Allhallows Museum, Sidmouth Museum, Fairlynch Museum and Arts Centre, Axminster Heritage Centre) and there were five others not yet accredited, but still receiving support due to funding from EDDC (Exmouth Museum, Seaton Museum, Ottery St Mary Heritage Museum, Whimble Heritage Centre, South West Airfield Heritage Trust). Projects delivered in 2024/25 included:

- Photographic collections project.
- Caring for and displaying costume training session.
- Accreditation training session.
- Development support for the National Lottery project grant application for the Our Wild and Changing Estuaries Project.

The Museum Development Officer explained that in 2023/24 EDDC received a 300% return on its investment from MDSW. It received:

- £4,685 in Museum Development Officer support.
- Technical accreditation support to two museums.
- Accreditation advice to submit eligibility for Whimble Heritage, Exmouth Museum and Seaton Museum.
- £1,264 specialist officer support in collections and digital.
- One participant in Volunteering Fit for the Future at £1,400 (Exmouth Museum – dedicated volunteer management consultancy).
- 18 training attendances at 13 training sessions from 3 museums at £986.

- One On Display! grant awarded at £1,000 (Axminster Heritage Centre – Thomas Whitty Rug) which enabled a total project valued at £5,735.

During the first two quarters of 2024/25 EDDC had invested £1,500 and generated £2,342 in Museum Development Officer support and £330 in museum skills.

It was noted that Arts Council funding was received by MDSW for accredited museums. The accreditation scheme run by Arts Council England ensured that museums were adhering to a certain standard. A return had to be submitted every five years to the Arts Council to demonstrate the museum was still adhering to the particular criteria. Being accredited showed that a museum was working to a particular standard and opened up opportunities for grants as a lot of funding was only open to accredited museums.

On behalf of the Forum the Chair thanked the Museum Development Officer for her presentation.

17 **Exmouth Festival - decarbonisation pilot**

Jess Magill and Zoey Cooper gave the Forum a presentation on the 2024 Exmouth Festival decarbonisation pilot.

The actions were to:

- reduce travel carbon by booking local acts and infrastructure,
- promote sustainable travel to the event,
- programme acts and activities that reflected the ethos of the event,
- reduce waste through use of reusable cups and no single-use plastics,
- buy new bin toppers & recycled food,
- bring in compost loos,
- encourage traders to take action on carbon, waste reduction & plant-based foods.

The presentation outlined engagement before and during the festival, which included:

- Pre-event participation.
- Volunteers – Green Team!
- Coordinated stalls and activities to engage people in the sustainability messages and opportunities.
- Involving people in environmental themes in participatory performances.
- Multiple activities around earth and marine science and protecting the natural world. Arts and crafts with recycled materials or messaging.

A sustainability message was incorporated through all press releases and PR so that it became a consistent thread in the event. Communications included:

- Customised graphics for sharing on social media, with general messages 'tread lightly at Exmouth Festival' and specific messages 'travel green', 'bring a water bottle'.
- The app and the website contained information on what was being done to make the festival greener and a section on what participants could do.
- Press release to local media.
- Newsletter emails used to communicate actions.

The approach to messaging was:

- To work with traders in advance of the event to produce a checklist to display on their stall, detailing what carbon-reduction actions they are taking.
- To work with artists to consider their travel footprint, record and send the data, and the chance to offset it.
- To encourage both of these groups to share the results on their social media to amplify the message.

- Put notices in each of the compost loos about why they were better for the environment.
- Wrote announcements for the compere about actions and activities around sustainability.

Surveys were commissioned to gather data on audiences and what they experienced. Travel, energy and waste data were recorded in a spreadsheet to calculate the event's carbon footprint and as a way of monitoring improvement. Feedback from the festival was that 42% of those asked said that they had experienced an 'environment of sustainability'. Overall travel footprint reduced from 14.7 to 13.1 tCO₂. Overall carbon footprint was reduced by 5% from 2023 to 2024. During the 2024 festival car use went up and walking down, but seven times more people travelled by train.

The festival organisers outlined the toolkit during their presentation. The toolkit was an excellent resource for event planning and contained:

- Exmouth festival case-study.
- Carbon calculator spreadsheet.
- Sample survey.
- Event planning document; pre, during and post event actions.
- Templates for signage and bin toppers.
- Examples of sustainability messaging.
- Resources and links.

On behalf of the Forum the festival organisers were congratulated on a fantastic piece of work. Their work on sustainability was inspirational and provided a good example of how data driven things needed to be. It was critical to create awareness of decarbonisation and to be mindful of carbon footprints.

18 **UK Shared Prosperity Fund Year 2 Cultural Programme**

The Cultural Producer's report provided a summary of the second year of outputs of the UK Shared Prosperity Fund (UK SPF) cultural programme, from April 2023 – April 2024. This was a three year funded programme which helped to both support the delivery of East Devon's Cultural Strategy 2022-2031 as well as deliver funding into the district's diverse and distinctive creative communities and help to support their activities and events. The three year Cultural Programme was due to be complete in March 2025.

In year two the Cultural Programme predominately focussed on two activities:

- The continued development of the Arts and Culture East Devon (ACED) network, including increased membership, training and the launch of an ACED website.
- The launch of the Creative East Devon Fund (CEDF) grant scheme (£25,000) – to provide small grants of up to £3,000 to cultural projects and events that aligned with the EDDC Cultural Strategy. The launch of the CEDF provided a formal framework through which to consider future requests and ensure parity and transparency in the decision-making process and has created a robust mechanism to process funding requests from cultural organisations, with involvement from elected members.

The outputs and outcomes in year two were contained in the report and it was noted that all but two had been exceeded. Overall, the CEDF grants had a hugely positive impact that was widespread in both the aims achieved and the location and types of beneficiaries reached. It proved an effective and low-cost way of supporting cultural organisations and delivering on both UKSPF outputs and outcomes and the themes of the Cultural Strategy. This funding had acted as crucial seed funding for organisations to submit larger bids using CEDF as match funding.

On behalf of the Forum the Assistant Director – Countryside and Leisure thanked the Cultural Producer for all the work that she had undertaken.

RESOLVED: that the Arts and Culture Form endorse the report and the successful delivery of the year two outputs of the UK Shared Prosperity Fund culture programme.

19 **Thelma Hulbert Gallery**

Gemma Girvan, Thelma Hulbert Gallery Manager and Curator updated the Forum on some of the activities happening at the Thelma Hulbert Gallery (THG).

The Create our Space (COS) Arts Council funded project encouraged young people between the ages of seven and 25 into gallery spaces and to engage with visual arts. Some of the highlights of the project were:

- Employed the first Student Intern.
- Delivered over 30 school's workshops engaging more than 1000 young people.
- Reached over 5000 people directly engaging in the project and over 10,000 more widely.
- Welcomed Visitors to THG from 26 of the 33 EX postcodes.
- Delivered over 75 workshops, events and festival events.
- Successfully hosted 2 Summer Art Weeks.

Further Arts Council funding (£29,000) had been secured to continue the positives from the COS project and continue working with young people. The highlights of the extensive Arts Council application for the new COS project were:

- Continue to work with young people to build our Youth Network.
- Establish student intern opportunity.
- Work with community groups to build a long-term relationship, including East Devon Tenant's and Youth Groups.
- Continue to take artists into secondary schools to build community confidence in the gallery and creative arts.
- Find a more portable solution to the Creative Cabin. 'The Creative Cabinet'.
- Build awareness of hidden disabilities through programming and training.

The following exhibitions had successfully been delivered:

- Seam - an visible thread. Textile collective that received Arts Council funding to exhibit a touring exhibition.
- Philippa Lawrence – a space between.
- Anne Jackson – the Witchcraft series.

The next exhibition was Telling our Stories Finding our Roots, from 23 November – 21 December 2024, celebrating Devon's multicultural history. Funded by the National Lottery Heritage Fund the project continued on from similar projects in Exeter, Tiverton, Bideford and Okehampton. Further funding from the Creative East Devon Fund had enabled the commission of British-Mexican artist Ione Maria Rojas, to create an artist commission and engage children from a local primary school to contribute artwork to the exhibition. The annual Christmas selling exhibition Present Makers would also be held.

The Gallery Manager and Curator Thelma Hulbert Gallery outlined the 2025 programme, which had the theme Community and Place. The aim was to strengthen ties with both local and artistic communities through the following initiatives:

- Encouraging emerging artists: Providing opportunities and support for new talent.

- Collaborating with local artists and photographers: Showcasing the unique perspectives of the community's creative voices.
- Bringing renowned artists to a rural setting: Creating a platform for the local audience to engage with established artists.
- Continuing climate-focused exhibitions: Highlighting the interconnectedness of climate and racial justice through impactful programming.
- Embedding Equity, Diversity, and Inclusion (EDI) and accessibility into programming and delivery.

The programme included:

- Ashish Ghadiali
- James Ravilious
- THG Open 2025
- CAMP

Members of the Forum thanked the THG Manager and Curator and the Cultural Producer for the excellent work being undertaken. The ability to secure the highly competitive Arts Council funding was a real testament to the work of the THG team. On behalf of the Forum the Chair thanked the THG Manager and Curator for her presentation.

20 **Local Visitor Economy Partnership**

The Senior Economic Development Officer gave a presentation to the Forum on the Local Visitor Economy Partnership (LVEP). She explained that an LVEP was a strategic, high performing organisation representing the destination at local and national levels, working with VisitEngland and the Government on a set of growth ambitions and visitor economy policy and strategy. It involved leading, marketing and managing the destinations in its geography, working in partnership with other destination organisations, local government and businesses.

The benefits of the LVEP were:

- Synergy and co-ordination.
- Greater profile positioning.
- A strategic partner.
- Increased productivity.
- Devon on the world stage.

The priorities of the LVEP were:

- Advocacy and leadership.
- Better data.
- Higher quality.
- Position and profile.
- Boosting skills.
- Sustainable tourism.
- Transport solutions.

The vision of the LVEP was creating prosperity for people and places with a high quality, high spend and productive visitor economy. The mission was helping its partners on their path to making a better Devon. The objectives of the LVEP were:

- Grow visitor spend.
- Spread the benefits.
- Create a year-round economic driver.

The Senior Economic Development Officer explained the structure of the LVEP and that EDDC were part of the wider representation on the Devon and Partners LVEP Advisory Board. She was the EDDC representative on the LVEP Advisory Board and regularly updated the Portfolio Holder for Culture, Leisure, Sport and Tourism. There was no financial commitment from EDDC, other than officer time. Devon was one of the last areas in the country to form an LVEP. The current focus for the Devon and Partners LVEP was:

- Growth plan.
- South West visitor economy hub.
- AccessAble project.
- Promotional activities with VisitEngland.
- Feeding into national priorities and opportunities.

The vision and mission of the LVEP and the work of the Advisory Board linked closely with the tourism priorities outlined in EDDC's Council Plan, Economic Development Strategy, Tourism Strategy and Cultural Strategy.

The Senior Economic Development Officer was thanked for her helpful presentation. Members were pleased to see the clear link between culture, the economy and tourism.

Attendance List

EDDC Councillors present:

O Davey
P Fernley
N Hookway
P Faithfull

Town Representatives

I Barlow, Sidmouth Town Council
R Doorbar, Budleigh Salterton Town Council

Officers in attendance:

Charles Plowden, Assistant Director Countryside and Leisure
Gemma Girvan, Gallery Manager and Curator
Sarah James, Democratic Services Officer
Alethea Thompson, Democratic Services Officer
Caitlin Davey, Events Officer
Sarah Elghady, Cultural Producer
Tracy Hendren, Chief Executive
Geri Panteva, Senior Economic Development Officer
Andrew Wood, Director of Place

Also Present

Jo Cairns, South West Museum Development
Mair George, Villages in Action
Zoey Cooper, Exmouth Festival
Jess Magill, Exmouth Festival
David Salas, University of Exeter

Apologies:

J Bull, Axminster Town Council

V Johns
J Whibley
J Brown, Honiton Town Coucil
C Buchan, Cranbrook Town Council
A Singh, Seaton Town Council

Chair

Date:

Report to: Cabinet

Date of Meeting 27 November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Update on the 2024 Elections

Report summary:

After an election it is best practice to carry out an evaluation of election processes seeking feedback from appropriate stakeholders. That exercise has been carried out and will inform the project plan and risk register for future elections. This report specifically updates on the printing issue that led to a significant number of residents not receiving their poll card in a timely manner and the steps that have been taken to minimise the risk of this occurring again.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet note the update.

Reason for recommendation:

To ensure that members are updated regarding the printing issue that arose in relation to the Parliamentary elections and that the learning from that and other lessons learnt, helps to inform the project plan and risk register for future electoral events.

Officer: Melanie Wellman, Returning Officer

Portfolio(s) (check which apply):

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

Equalities impact Low Impact

Climate change Low Impact

Risk: High Risk; There are reputational and organisational risks if we do not ensure that we review and learn lessons from elections.

Links to background information None

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

1. It is best practice following an election to carry out a thorough evaluation of all processes involved in an election, seeking feedback from appropriate stakeholders and ensuring that lessons learnt are used to inform the project plan and risk register for future elections. This report specifically updates on the printing issue that led to a significant number of residents not receiving their poll card in a timely manner for the Parliamentary election and the steps that have been taken to minimise the risk of that occurring again.
2. Overall, both the Police and Crime Commissioner and Parliamentary elections went well and were free from any legal challenge. As with any election, however, there are always lessons that can be learnt to improve processes moving forward. Whilst neither election resulted in any challenge, there was a significant issue that arose in relation to the parliamentary election, namely the failure to send out a significant number of poll cards. This issue was promptly notified to the Electoral Commission.
3. After every election the Electoral Commission undertakes a review of all the issues that arose to consider whether they reach the level where they would assess that elements of the performance standards that are set by the Electoral Commission have not been met. The Electoral Commission have finished their evaluation process and have determined in relation to this Council that no further action is needed, and they thanked us for providing such a robust and detailed timeline and background to the issue.
4. As a result of the error that arose our printers undertook a thorough investigation, and several recommendations were made and agreed to help reduce the risk of such an error occurring again in the future. It should also be noted that the councils printing contract is up for renewal in 2025 and therefore a fresh procurement exercise will need to be undertaken.
5. The key findings of the investigation were: -
 - a. On Thursday 30th May, the printers received 9 poll card data files on the secure Mimecast portal. The files were for 2 constituencies (Honiton and Sidmouth & Exmouth and East Exeter) and contained some 'shared data' files from Exeter City Council and Mid Devon District Council. All files were downloaded and passed on to their team for proofing. The expectation was that poll cards would be released into the mail on the Monday of the following week.
 - b. Proofs for all variants of the poll cards were signed off by the Council late on Friday the 31st of May. The printers merge data files and dynamically bring in templates for each type of card, and in this case demonstrated that all constituencies and variants were proofed and approved. They then worked an overtime shift over the weekend

and despatched approximately 105,000 poll cards over 2 days on Monday 3rd and 4th of June.

- c. In late June and early July, we had dialogue with the printers due to EDDC receiving a large number of complaints from residents, due to non-receipt of poll cards. This was with a backdrop of the national picture where widespread delays were being reported in the national press in relation to the postal service. Initially we were advised that everything had been passed to the postal carrier and a handover proof was supplied, and a complaint raised with the carrier. However, having reviewed the handover proofs, we raised a discrepancy with the overall quantity shown in the proof of delivery relating to station poll cards for the Honiton and Sidmouth constituency. Upon further investigation with the printers, it was identified that although multiple files received on the 30th May had been passed over to their data services team, one file had not been merged. This file was the East Devon data file for the Honiton and Sidmouth constituency (ordinary voters) containing 49,955 records.
6. This error was discovered on Monday 1st July. To resolve the issue the printers mobilised their teams to see if cards could be processed and despatched at short notice that day. After several rounds of proofs, they were signed off at approximately 3pm that day and the cards were printed that afternoon and handed over to the Royal Mail distribution centre personally. The additional cost to upgrade the post to a 1st class service was met by the printers and the mail arrived with residents (or were with Royal Mail sorting offices) on Tuesday 2nd July.
7. The printers were extremely upset by the error and took full responsibility. They advised that it exposed a gap in their front-end processing quality checks that needed to be addressed. Due to the nature of quick turnaround proofs and the reduced timetable for election printing (especially at a parliamentary election) the need to get work into the factory meant that their team concentrated on getting proof approval and jobs out as quickly as possible.
8. To ensure the issue does not occur again they introduced (with immediate effect) a process to validate both the number of data files received, but also the count per data file received and a total number of files and records received. This is then validated by the Council. They also sought to introduce a pre-validation step in that when files are uploaded by the Council, they are accompanied by a table containing information on the files and the quantities per file. In this way, both parties can be 100% certain that any pre-processing checks have been completed.
9. Following the printer's investigation, we met with them to discuss implementation and to identify any other improvements moving forward. The following was agreed:
 - a. A reconciliation report to confirm data receipt and counts for each file received. This will be applied to both poll cards and Postal Vote pack data files received. They also added internal checks at the printers. The printers will also issue postal dockets (with counts) once poll cards have been released into the post.
 - b. For major elections they will use a consolidated checklist. This is a document that will be sent to us and completed 2 months before the election to collate the necessary information required.

- c. To raise overall awareness of the election and the importance of the mail being received, we also asked the printers to update our postal vote outer envelopes with purple flashes added.
 - d. There was another issue that we had identified and resolved before they were issued to polling stations in relation to the numbering on the rear of the ballot papers. This was rectified but to ensure no repeat moving forward, both the postal ballot paper and station ballot papers will now be proofed to us, and the versions will be identical (face and reverse).
10. These new processes were (except for b.) implemented for a by-election in September and the new processes worked extremely well.
11. It is clearly unfortunate that this issue arose, but the printers took full responsibility and quickly took steps to try and resolve the issue once aware. We ourselves also took a number of steps to raise awareness of the issue including significantly upscaling our communications to ensure voters were aware that they did not need a poll card to vote and to help them identify where their polling station was. We also stepped up our customer services support, to assist the elections team in managing the increased calls. These crucial actions, together with the steps taken by the printers, led to the constituency returning more votes than the national average which is an encouraging statistic given concerns that the lack of poll cards might have resulted in a drop in turnout.
12. These issues fed into our overall evaluation of all processes involved in both the Police and Crime and Parliamentary elections. We have sought feedback from appropriate stakeholders and are ensuring that lessons learnt are used to inform the project plan and risk register for future elections.

13. Conclusion:

This was clearly a fundamental error that caused reputational issues for the Council, but it is very pleasing to see that prompt action (once identified) was taken by the printers, that they fully accepted the error was theirs and have made robust changes to ensure that the risk of such an error is mitigated moving forward.

Financial implications:

The additional cost arising from the error was met by the printers and not the Council.

Legal implications:

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

Report to: Cabinet

Date of Meeting 27th November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



River Axe SAC Local Nutrient Mitigation Fund Round 2 award

Report summary:

The water quality of the River Axe Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) has been a concern for a long time. The River Axe SAC is in unfavourable and declining status owing to nutrient enrichment and sediment pollution. A condition assessment and evidence report by Natural England in June 2024 on the River Axe SAC stated that “recent water quality measurements for the River Axe within the SAC show phosphorous concentrations to be exceeding the targets for all units.” East Devon District Council, as the Competent Authority under the Habitat Regulations 2017, is required to consider the implications of these matters on the River Axe SAC before permitting any further development which has the potential to result in additional phosphate loads entering the catchment. This applies to all development of any scale and for any purpose if it potentially increases phosphate loading.

The practical impacts of this requirement are that applications cannot be approved for any development of any scale if it creates new sources of phosphate pollution. This means that housing (including affordable or specialist and supported housing) cannot be built.

The only way development that is not nutrient neutral can be approved, is to demonstrate that the increase in phosphate from the development is mitigated on site, or by an equivalent credit from some other intervention in the catchment. The existing housing allocations have been captured in the report and there is no existing mitigation.

An Expression of Interest (EOI) outlining a proposal for £4 million was made by East Devon DC as lead authority in collaboration with both Dorset and Somerset Councils (who have parts of the River Axe SAC catchment within their boundaries) in April 2024 to Round 2 of the Government's Local Nutrient Mitigation Fund. However, due to the 2024 General Election decisions on Round 2 bids were put on hold for all those competent authorities who had made an EOI. The recent Budget on the 30th October unexpectedly announced and included £4.09 million allocated to East Devon DC and the River Axe catchment as one of the seven successful EOIs that were made in England. We were also awarded an additional £192,494 in capacity support funding along with a further £100,000 through the Nutrient Support Fund.

Not all developers have practical capacity to mitigate phosphates on site or the means to negotiate off-site mitigations directly. To unlock this position, it is therefore necessary for the Council to facilitate a scheme to fund schemes that create mitigation credits, which it can then allocate to facilitate development.

The proposed approach is focussed on three mitigation categories:

1. Nature Based Solutions such as constructed wetlands;
2. Upgrading of packaged treatment works and septic tanks;
3. Water saving measures on council house stock connected to permitted Waste water Treatment Works .

It is anticipated that the scheme programme that has been approved and the funding allocation that has been provided will need to be completed by 2030. The programme will be delivered in partnership with Dorset Council, Somerset Council and also the Westcountry Rivers Trust. Therefore there is both a time pressure and a significant amount of work to set up the programme and put in place complex arrangements to ensure that the mitigation measures that have been identified can be delivered to help bring back the River Axe SAC into favourable condition.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet:

1. Welcome the outcome of the bid and approves the Council acting as the Accountable Body for the funds and entering in to the accompanying Memorandum of Understanding and Grant Determination letter. Authority to agree terms being delegated to Director of Place in consultation with Director of Finance (S151 Officer) and Director of Governance (Monitoring Officer).
2. Endorses the establishment of a Programme Board to provide oversight and advise on the deployment of the funds to include representatives of Somerset and Dorset Councils
3. Receives a further report setting out the Terms of Reference for the Programme Board and associated scheme of delegation necessary to operationalise the Mitigation Fund
4. Endorses the recruitment of the Programme Manager, Project Manager and administration support roles be funded through the award and for to be hosted by the Council.

Reason for recommendation:

To be able to deliver the River Axe SAC Local Nutrient Mitigation Fund scheme as detailed in the report and put in place the necessary legal, financial and reporting processes to enable the delivery of the £4.09 million that has been allocated by the Ministry of Housing, Communities & Local Government to the scheme programme.

Officer: Will Dommett, District Ecologist, WDommett@eastdevon.gov.uk; Charlie Plowden, Assistant Director – Countryside & Leisure, CPlowden@eastdevon.gov.uk

Portfolio(s) (check which apply):

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

Equalities impact Low Impact

Climate change Low Impact

Risk: High Risk; To not deliver the strategic mitigation of the scheme would continue the risk of developments and affordable led schemes within the catchment continuing to be stalled.

Links to background information [Local Nutrient Mitigation Fund – Round 2 Expression of Interest](#)

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. [Nutrient Neutrality](#)

1.1 In March 2022, East Devon District Council, Dorset Council, Somerset West & Taunton and South Somerset District Councils (now Somerset Council – a Unitary Authority) received an advice note from Natural England regarding development proposals and the unacceptable levels of nutrients (phosphorus) affecting the qualifying features of the River Axe Special Area of Conservation (SAC).

1.2 The advice note was an extension to the application of 'Nutrient Neutrality' already covering other catchments from 2022 affected by excessive nutrient pollution.

1.3 As a result of a European court judgment known as 'Dutch N', Natural England advised that, in light of the unfavourable condition of the River Axe SAC, before determining a planning application that may give rise to additional phosphates within the catchment, competent authorities are required to undertake a Habitats Regulations Assessment (HRA) proceeding to an Appropriate Assessment. The Appropriate Assessment must rule out any reasonable doubt as to the likelihood of an adverse impact of the proposed development, either alone or in combination with other plans and projects, on the site.

1.4 In summary, this applies to the following work development types in the catchment:

- New residential units including holiday and tourist accommodation, gypsy sites/pitches, agricultural workers dwelling;
- Commercial development – where overnight accommodation is provided;
- Agricultural development – additional barns, slurry stores etc, where it is likely to lead to an increase in herd size;
- Anaerobic Digesters;
- Reserved matters applications for residential development

1.5 An updated condition assessment of the River Axe in 2024 has confirmed the site is still within an 'Unfavourable Declining' status and Nutrient Neutrality still applies.

1.6 In response to the application of Nutrient Neutrality to the River Axe catchment East Devon DC commissioned a Phosphates Mitigation Solution report by Royal HaskoningDHV supported by a bespoke nutrient budget calculator to support the delivery of the new East Devon Local Plan 2020-2042.

- 1.7 The Phosphates Mitigation Solution report considers a range of mitigation measures including nature-based solutions, wastewater, and demand management systems. It considers short, medium, and, long term solutions, as well as temporary and permanent solutions.
- 1.8 The residential housing budget projections within the Phosphates Mitigation Solution include 1,324 dwellings affected by Nutrient Neutrality to be delivered within the next local plan period until 2039. This figure was calculated based on what was known at the time the bid was made. Strategic Planning Committee has subsequently agreed allocations amounting to just over 1,000 homes in Axminster itself but mitigation will also be needed for homes coming forward in the wider catchment area as well as windfall sites not allocated in the Local Plan itself. It should also be noted that the Local Plan will now run to 2042. There is therefore a risk that the projected number at the time of the bid may be exceeded and further mitigation required in future.
- 1.9 The Phosphates Mitigation Solution estimates the total phosphorus loading mitigation required in East Devon up to 2039 is 127.30 kg/yr. In the period 2023-2029, the total phosphates mitigation required is 12.70 kg/yr for each year. Between 2030-2039, following the upgrade of wastewater treatment works required under Levelling Up and Regeneration Act 2023, the mitigation requirement is 3.84 kg/yr.
- 1.10 The above figures do not include Somerset, Dorset, or include other use types such as overnight accommodation, campsites etc.

2. Local Nutrient mitigation Fund

- 2.1 In March 2024 the Local Nutrient Mitigation Fund (LNMF) Round 2 was launched to provide grant funding to local authorities on behalf of affected nutrient neutrality catchments. It is intended to support high quality proposals to boost the supply of mitigation available to enable housing delivery and sustainable development.
- 2.2 The LNMF required the submission of an expression of interest (EOI) from local planning authorities affected by nutrient neutrality advice to submit a completed template for costed expressions of interest for programmes or strategies to deliver nutrient mitigation. The aim is to unlock housing delivery in catchments of Habitats Sites affected by nutrient pollution.
- 2.3 It requested capital bids of up to £10 million (from a single catchment or area where 2 catchments overlap). Funding as part of this scheme is in the form of a grant, paid directly from the Ministry of Housing, Communities & Local Government (MHCLG) (formally Department for Levelling Up, Housing and Communities (DLUHC)) to a lead local planning authority for catchment-level working.
- 2.4 East Devon DC are designated as the lead for the group of Local Planning Authorities (LPAs) affected by Nutrient Neutrality in the River Axe catchment, which includes Somerset and Dorset. An EOI was submitted in April 2024 following collaboration with the adjacent LPAs, the Planning Advice Service and Westcountry Rivers Trust who have helped informed the proposed mitigation measures and method for proceeding in the submitted EOI.
- 2.5 The assessment of the EOI was delayed in part to the general election. However, following the announcement in the autumn budget on 30th October 2024 of £45 million to bring forward nutrient mitigation schemes and to progress stalled housing development East Devon District Council has been informed it was successful in their bid.
- 2.6 The successful bid includes £4.09 million allocated to East Devon DC and the River Axe catchment. East Devon DC are also awarded an additional £192,494 in capacity support funding, and a further £100,000 through the Nutrient Support Fund.

3. River Axe SAC Local Nutrient Mitigation Fund bid

- 3.1 The bid includes both bridging and permanent solutions to deliver phosphate mitigation. Bridging or temporary measures are short term measures, such as seasonal land use change. There is a requirement for water companies, to upgrade a number of wastewater treatment works by 2030 which will reduce the amount of total phosphate mitigation required through a reduction in nutrient permit levels.
- 3.2 The submitted bid included the following mitigation measures:
- Upgrading of package treatment plants and septic tanks
 - Nature Based solutions:
 - that includes Riparian buffers, cover crops, and restoration of wetlands as bridging measures until the upgrade of wastewater treatment works and until permanent mitigation measures are available
 - and Constructed wetlands linked to unpermitted wastewater treatment works.
 - Water Saving Measures on council house stock connected to permitted waste water treatment works.
- 3.3 The bid included a program of measures as outlined above. The capital budget may move between the proposed mitigation measures as this would provide maximum flexibility of delivery. For example, if unforeseen barriers were causing some measures to stall, and there were other opportunities to deliver more efficient measures, such as a suitable wetland site with high levels of nutrient removal, and willing landowners, then this would make the most sense to pursue. Any changes in allocation would be documented with clear audit trail to demonstrate the best value/use of funds for the proposed measures.
- 3.4 To be able to progress the oversight and delivery of the programme a dedicated resource in the form of a full-time Nutrient Mitigation Programme Manager, Nutrient Mitigation Project Officer, and administration support is envisioned to action meaningful change, in combination with delivery partners.
- 3.5 The bid includes £557,975.04 revenue funding to cover the salary of a FT East Devon DC Programme Officer, Project Officer, and administrator for a 6-year period. The cost for these posts is reduced when considering match funding from proposed delivery partners Westcountry Rivers Trust has committed £200,000 and the East Devon National Landscape Partnership has committed £51,000 from East Devon National Landscape as part of the EOI in April 2024. These will now need confirming. Also, there is an existing allocation of £100,000 from the Nutrient Support Fund. However, due to the time period between producing the bid and the award of the bid, the match funding element from other partners will need to be confirmed.
- 3.6 Costs were included for the Westcountry Rivers Trust as a key delivery partner, a budget allocation of £390,000 for a 3-year term are also included in the bridging measures costs. Westcountry Rivers Trust are specialists in the field, currently progressing nutrient mitigation schemes in the River Camel SAC catchment for Cornwall Council. They also have trusted relationships with landowners in the River Axe SAC catchment to enable the delivery of the proposed land use change measures. Costs will also need confirming due to elapsed time scales.
- 3.7 To enable the delivery and success of the project and to comply with procurement legislation and cross boundary mitigation delivery, corporate governance arrangement and spending agreements would be prioritised. This would be followed by an assessment of programmes to proceed with an engagement with delivery partners.

Financial implications:

The report outlines the funding to be received and areas of spend planned which will be met from the external funding without an additional budget requirement from the Council.

Legal implications:

There are no substantive legal issues to be added to this report (Legal/002545/ALW)

Report to: Cabinet

Date of Meeting 27 November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Cranbox Modular Space Delivery in Cranbrook Town Centre

Report summary:

This report provides an update on the Cranbox project. This project delivers new commercial floorspace within Cranbrook Town Centre. The project has been developed by EDDC with the support of Cranbrook Town Council. The project has been awarded funding through the Devon & Torbay Net Zero Capital Programme, subject to Ministry of Housing, Communities and Local Government (MHCLG) sign off.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet note:

1. Studio 4 have been appointment through an NHS procurement framework to support the delivery of a planning application for the scheme, to the value of £25k from the Enterprise Zone programme budget.

That Cabinet agree:

1. To accept the funding from the Devon & Torbay Net Zero Capital Programme, following MHCLG sign off.
2. EDDC act as Accountable Body for the grant funding, with Cranbrook Town Council delivering the project.

Reason for recommendation:

To support the delivery of Cranbrook Town Centre through the delivery of additional commercial floor space, using grant funding from the Devon & Torbay Net Zero Capital Programme.

Officer: Frances Wadsley Enterprise Zone Project Manager fwadsley@eastdevon.gov.uk 07870 824884 Naomi Harnett Corporate Lead -Major Projects & Programmes (Interim) nharnett@eastdevon.gov.uk 07580 297 059

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☐ Communications and Democracy
- ☒ Economy

- ☐ Finance and Assets
- ☒ Strategic Planning
- ☒ Sustainable Homes and Communities
- ☒ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Medium Impact

Risk: Medium Risk; This project needs to be delivered within a tight timeframe but provides an excellent opportunity to delivery new commercial floor space, supporting the development of Cranbrook town centre. EDDC will work in partnership with CTC to delivery this scheme, utilising procurement frameworks to accelerate delivery.

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

1. Introduction

- 1.1. Cranbox was initially conceived in 2014 to create local jobs and address deficits identified in a community needs analysis for Cranbrook carried out by the then Community Development Officer. The needs analysis identified a lack of community, retail and social infrastructure in Cranbrook, which, at the time, did not have the neighbourhood shops or the pub in the town centre.
- 1.2. The growth of indigenous economic activity was part of a wider health and wellbeing strategy developed within the Cranbrook Health Impact Assessment (HIA) promoting community cohesion, identity, and security and also within the Cranbrook Economic Development Strategy that recommended a business ladder approach to be adopted, with Cranbox forming a critical part of that. The HIA and Economic Development Strategy would go on to form the underpinnings for the Cranbrook Plan and Cranbrook Masterplan.
- 1.3. The initial concept for Cranbox was designed to provide modular and easily transportable accommodation quickly and cheaply for small and start-up businesses and community services. Modular designs and mobile units could be scaled and located as needed and arranged to enclose outdoor spaces to host informal social gatherings, community or cultural events, or serve as commercial spaces for business occupiers.
- 1.4. Strong economic activity at Cranbrook is critical to delivery of a sustainable community and the transport strategy for Cranbrook by reducing out-commuting which would otherwise risk overwhelming key points in the local highway network at peak periods.
- 1.5. Over time, the project proposition has evolved into a more fixed modular community, retail and business hub. The intention is to provide this project as a long-term asset for the community fitting within the Asset Based Community Development (ABCD) approach which underpins the strategy for Cranbrook going forward. In addition to being revenue generating for the community, it will also ensure that the required infrastructure is delivered at the point of need rather than if and when it would become commercially viable.

2. Current project

- 2.1. In early May 2024 the Cranbox project was submitted to the Devon & Torbay Net Zero Capital Programme, a £16m fund which forms part of the Devolution package. Cranbox was one of three projects submitted within East Devon. £1.9m was sought to deliver the scheme, which will be owned and operated by Cranbrook Town Council.
- 2.2. The funding bid drew on the results of a feasibility study was funded and developed by the Exeter and East Devon Enterprise Zone with the support of Cranbrook Town Council. This work was undertaken in by LDA Design in 2022, following a procurement exercise.
- 2.3. The Cranbrook Town Centre Masterplan, adopted by Strategic Planning Committee in October 2024, identifies the area that Cranbox could occupy and identifies its role and function within the town centre.

“This priority structure should be designed to delivered rapidly to fulfil a pioneering role in the Town Centre. As it will be one of the first structures to be built on TC2 it, along with The Tillhouse, has an important role in defining the extents of the Town Square. It will also complete the high street frontage opposite the existing retail units and apartments on the south side of the road.”

CranBox needs to be designed to enable easy, rapid and low cost adaptation of the space it contains so it can be partitioned or opened up according to need or demand. This enables the town to trail different configurations of space, both open and enclosed, as businesses and the community grow and evolve to have different needs.”

(Cranbrook Town Centre Masterplan)



Figure 1 Proposed location of Cranbox scheme - from Cranbrook Town Centre Masterplan

- 2.4. EDDC has been advised that the CCA panel has approved funding for the project. It is proposed that EDDC is the Accountable Body for the Cranbox scheme, entering into a funding agreement with CTC. A copy of the funding agreement from the CCA is provided in Appendix A. CTC would lead delivery of the scheme, own and operate.
- 2.5. The scheme also needs to gain planning permission to ensure delivery. EDDC (through the Enterprise Zone Programme) commissioned LDA Design to undertake the initial

feasibility study in 2022. EDDC can also access procurement frameworks, including the NHS framework that allows direct procurement. EDDC are procuring 'Studio 4' to prepare the planning application, with this work undertaken in partnership with CTC. The use of Studio 4 is proposed are currently working with CTC to develop schemes for other buildings within the town centre. CTC will then submit the planning application to EDDC for determination. The use of the procurement framework will reduce the timescale to prepare and submit a planning application within the timeframes required by this funding agreement.

- 2.6. The proposed location of Cranbox is land at TC2 (to the north of the high street). This land will be transferred to EDDC as required by a Cranbrook s.106 agreement. At present the land transfer process is being progressed has not concluded. There are outstanding issues to be resolved with Devon County Council regarding the Stage 2 ground investigations report and the services to the site. But the EDDC team is working to have completed the transfer of the land by late December 2024.

3. Conclusion

- 3.1. The Cranbox project represents a critical step in the ongoing development of Cranbrook Town Centre, supporting both the local economy and community infrastructure. The modular space concept aligns with the town's growth strategy, providing flexible, low-cost accommodation for businesses, services, and community activities. The project's evolution from an initial idea to an adaptable hub will play an essential role in reducing out-commuting and fostering local employment.
- 3.2. With the approval of funding from the Devon & Torbay Net Zero Capital Programme, and EDDC acting as the Accountable Body, this project is well-positioned to deliver tangible benefits to Cranbrook. The collaboration with Cranbrook Town Council will ensure that the scheme is developed and managed in a way that reflects the needs and aspirations of the local community, while meeting the goals of sustainability and economic resilience.
- 3.3. However, timely delivery is essential to meet funding agreements, and challenges such as gaining planning approval and land transfer must be carefully managed.
-

Financial implications:

The financial details are contained in the report; associated costs are to be met from within existing budgets (£25k from the EZ programme budget) or from external funding.

Legal implications:

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

Report to: Cabinet

Date of Meeting 27th November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Update on the Peer Challenge recommendations and delivery plan

Report summary:

This report provides Cabinet with an overview of the Peer Challenge recommendations and the delivery plan to implement the recommendations.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

- (1) That Cabinet receive the Peer Challenge recommendations and delivery plan and note the progress of the actions to date.

Reason for recommendation:

To ensure that the recommendations from the Peer Challenge are actioned and delivered appropriately.

Officer: Joanne Avery, Management Information Officer, javery@eastdevon.gov.uk

Portfolio(s) (check which apply):

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

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; There are reputational and organisational risks if we do not ensure that we address the recommendations from the Peer Challenge.

Links to background information [Appendix a – Peer Challenge delivery plan updated October 2024](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

Following the report on the delivery plan for the peer challenge recommendations presented to Cabinet on 10 July 2024, this follow-up report provides an update on the progress of the actions outlined in the delivery plan. This is in preparation for the return of the Peer Challenge Team on 28 November, who will review our progress towards their recommendations.

All of the recommendations are being progressed with several now marked as completed. There is one area for action that has been delayed due to a long term staff absence but most of the actions are progressing well and updates on their progress is provided in the linked action plan.

See [delivery plan](#) for more details on each recommendation.

Financial implications:

There are no direct financial implications arising from the report.

Legal implications:

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

Report to: Cabinet

Date of Meeting 27 November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Financial Monitoring Report 2024/25 – Month 6 September

Report summary:

This report gives a summary of the Council's overall financial position for 2024/25 at the end of month six (30 September 2024).

Current monitoring indicates that:

- The General Fund Balance is currently projected to be above the adopted level, no action is recommended for members consideration at this stage. Forecasts indicate a favourable position of £968k is predicted. We continue 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 is being maintained within this perimeter with ongoing analysis on future spending plans and projections to gain assurance on this position to financial year end.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

The variances identified as part of the Revenue and Capital Monitoring process up to Month 6 be acknowledged.

The recommendation discussed in section 3.1 to fund all Right to buy Acquisitions with 100% Right to Buy Capital Receipts be agreed and the £0.975m of budgeted borrowing released by this decision be utilised to fund urgently required electrical compliance work.

Reason for recommendation:

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

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

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☐ Council and Corporate Co-ordination
- ☐ Communications and Democracy

- ☐ Economy
- ☒ Finance and Assets
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information -

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ 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. Introduction

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

1.2 The report contains the following sections:

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

2. General Fund Position as at Month 6 – September 2024

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

General Fund Position	£m	F/A
General Fund Budget Requirement	10.607	
Predicted adverse (A) / favourable (F) spend at year end	0.968	F
Predicted Budget Outturn Position 31/3/2025	9.639	

General Fund Position	£m	F/A
General Fund balance as at 1/4/24	4.300	
Agreed General Fund Contribution within 24/25 Budget	0.500	F
Net predicted favourable (F) spend at year end	0.968	F
Approved use of General Fund Balance in year:		
- Leisure and Playing pitches enabler role, new post	(0.058)	A
- New Communities in East Devon review work	(0.080)	A
- HR Operations Manager new post (total £76k, £21k available)	(0.055)	A
Predicted General Fund Balance 31/3/2025	5.575	

** Prior to any agreed transfers of surpluses to Earmarked reserves*

- 2.2 A summary of the General Fund position with variations against budget for members noting is contained within Appendix 1.

- 2.3 The portfolio variation against budget forecast at the end of September is an adverse variation of £28k, commentaries for each of the portfolios are also found within Appendix 1.

- 2.4 The large favourable outturn prediction, as in the previous report, relates to interest income which is expanded upon in the Treasury section of this report.

- 2.5 There are 3 other material cost centre variation of note, which are wither above or below £0.2m. The items have been listed in terms of their scale and significance in relation to the ability to deliver a balanced budget during the course of the current financial year. These will each be kept under careful review alongside any further or emerging variances. The details and comments behind these are;

- £0.543 (A) in Development Management, Strategic Development & Partnership
 - There is currently a national issue with many major developments held up due to confusion over the introduction of Bio-diversity net gain and uncertainty over the new governments approach to planning which is impacting application numbers and therefore associated income.
 - Total number of year-to-date applications received are actually higher than the same period last year (2023 = 1039; 2024 = 1310). Workloads therefore remain high albeit on minor developments and house extensions which yield lower fees. A reduction in large scale major applications has primarily impacted on fee income, however, the

position could change markedly if we receive major applications such as the Cranbrook expansion areas before the end of the current financial year.

- In terms of mitigation, as of September, the remaining agency staff contracts have been ended and we have also held off recruiting to a vacant Assistant Development Manager role.
- £0.306 (A) in Public Convenience Management, Street Scene portfolio
 - Within the 24/25 budget £0.3m was included with regards to cost savings of closing sites and income generation from installing a payment mechanism. These amounts are £0.2m and £0.1m respectively.
 - The cost savings variance will mostly impact the 2025/26 financial year upon the closure of the sites categorised as B and C coming forward on 1/4/25. It is likely that 2 of these sites will remain open, however, it is expected that the vast majority of the savings will be realised.
 - With regards to the income projection of £100K included within 24/25 budget, it is expected that circa 1/3rd will be realised ready for 1/4/25 with remaining 2/3rds later in 2025, possibly into early 2026 financial year.
- £0.223 (F) in Refuse Collection & Recycling, Street Scene portfolio
 - Refuse and Green Waste variance £238k (A)
 - Recycling material income favourable position. Card material income £157k (F) as benefitting from current high market price. Glass material income £232k (F) due to high price and improved traded terms this f/y.

3.1. Recent Developments Impacting Right to Buy & the Use of Capital Receipts

3.1.1 On the 30th July 2024, Emma Payne, Director of Social Housing at the Ministry of Housing, Communities & Local Government wrote to all Section 151 officers confirming the increased flexibilities on the Right to Buy (RTB) receipts which were announced on the same day by the Deputy Prime Minister.

Previous significant changes to RTB receipt flexibilities were announced and experienced in the 2020/21 financial year when the timeframe to spend receipts was increased from 3 years from date of receipt to 5 years. This benefitted the council as under the 3 year timeframe we would have had to pay back over £0.8m to central Government, however, the timeframe extension enabled us to spend these receipts in the next two years. Since that time the council has continued to achieved spending the required amount of receipts to prevent payback.

3.1.2 The increased flexibilities can be summarised as follows, for the two financial years 24/25 and 25/26.

- The maximum permitted contribution from Right to Buy receipts to replacement affordable housing will increase from 50% to 100%.
- Right to Buy receipts will be permitted to be used with section 106 contributions.
- The cap on the percentage of replacements delivered as acquisitions each year (currently 50%) will be lifted.

3.1.3 The agreed revised budget set out in the report “Housing Revenue Account: Financial Review, Revised Budget & Sustainability Plan” included £1.95m in right to buy replacement acquisitions, funded 50% with Right to Buy (RTB) receipts (£0.975m) and 50% through additional borrowing.

3.1.4 In the Financial monitoring report to cabinet on the 2nd October one of the particular areas of risk that was highlighted and needed determining was the scope of investment required to meet electrical compliance standards. The current estimate of investment required is £1.19m.

3.1.5 Deciding to fund all RTB acquisitions with 100% Capital Receipts (the 2023 closing balance of which was £6.097m) will both enable the council to utilise this limited window of opportunity and also provide the funding required to immediately address an area of significant risk to both the council and our tenants without impacting the previously agreed and budgeted borrowing needs.

3.2 Opening Revenue Position of the HRA

3.2.1 As previously presented reports have described resulting from financial pressures on the service a budgeted deficit for the year has been agreed. Therefore, the HRA account should be budgeted as follows during the 24/25 financial year:

HRA Revenue Position	£m	F/A*
HRA balance @ start 24/25	(3.100)	F
Approved deficit for the 24/25 financial year	1.337	A
HRA balance @ end 24/25	(1.763)	F

* F = Favourable A= Adverse

3.3 Opening Capital Position of the HRA

- 3.3.1 In addition to the above changes to revenue, it was additionally agreed within the report that the Housing Capital programme be increased significantly to address urgent areas of concern as part of a short term 'Sustainability Plan'.
- 3.3.2 This will be followed until such time as the business plan and options review, being undertaken by Savills, is in place which will then inform future years budgets and decision making. This will ensure we are following the 'Good Practice Principles to support the Self-Financed Housing Revenue Account' as set out by CIPFA and the LGA.

HRA Capital Position	£m
HRA predicted capital expenditure 24/25	13.3

3.4 Income

Year to Date				4Cast Outturn		
Actuals	Budget	Diff		Actuals	Budget	Diff
-10,559,589	-10,544,160	-15,429	INCOME	-21,106,788	-21,088,320	-18,468
-101,640	-77,646	-23,994	Gross Property Rents	-204,013	-155,292	-48,721
-338,637	-346,314	7,677	Garage Rents	-666,444	-692,628	26,184
-10,999,865	-10,968,120	-31,745	Other Income	-21,977,244	-21,936,240	-41,004

- 3.4.1 The currently weekly income trend for both dwellings and garages can be reviewed in appendix 2.
- 3.4.2 The graphs show income and lost rent due to voids materially in line with expectations for dwellings.
- 3.4.3 Both garage income and lost rent due to voids can be seen to be greater than expectations which will need to be addressed during the coming budget setting process. Income surpluses currently outweigh lost rent deficits potentially contributing approx. £50k should the trend continue.
- 3.4.4 There are no material issues in other income on which to comment.

3.5 Transfers of Revenue budget to Capital (Virements)

- 3.5.1 In the first half of the year £0.89m of budget has been transferred from the Housing Revenue Account into the capital program after extensive review with officers. This revenue budget gap has been filled by revenue contributions to capital which ultimately means the borrowing position is unchanged as the capital budget is increased by and equal and offsetting capital contribution.
- 3.5.2 Where expenditure can be treated as capital either through enhancement of an asset or a program or project of works, it should be as it gives the flexibility of being able to be funded by borrowing, capital receipts or a revenue contribution.
- 3.5.3 The two material items that have been transferred are
- Disrepair & complaint works - £0.6m – considered as enhancements to the fabric of the property and therefore considered as capital. Legal fees and compensation remain as revenue costs with £0.3m of budget.

- Social Service Adaptations - £0.3m – the majority of adaptations in year will be large scale additions such as wet rooms and extensions, the smaller revenue costs such as individual grabs rails will be lower than budgeted.

3.6 Revenue Expenditure

3.6.1 The below pie chart illustrates the make-up of the revenue expenditure budget in 24/25 by category after the above transfers have been made. This is prior to financing charges being applied but including the prescribed transfer to major repairs within the premises costs category.

3.6.2 This transfer is effectively a required revenue contribution to capital of the amount of depreciation calculated within the year on the council dwellings.

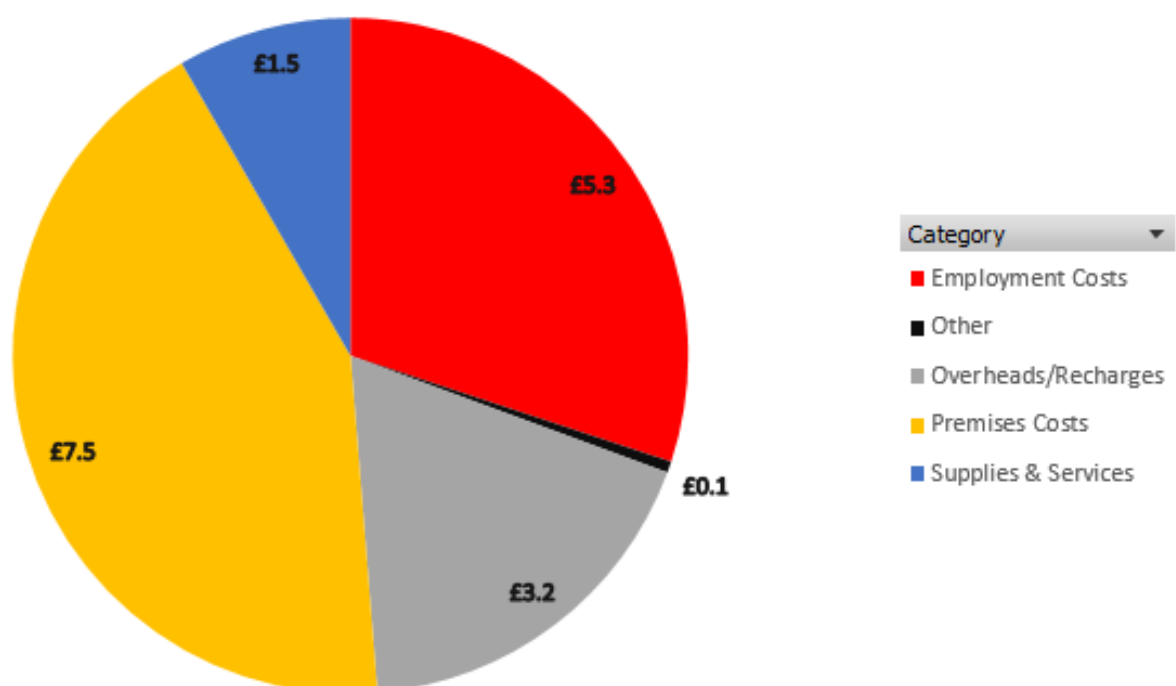


Chart 1. Revenue Expenditure Budget 2024 split by Accounting Category

3.6.3 The below table shows variations in expenditure against the above budget within each HRA reporting line.

Year to Date			EXPENDITURE	4Cast Outturn		
Actuals	Budget	Diff		Actuals	Budget	Diff
3,135,498	2,805,378	330,120	1 Repairs And Maintenance - General	5,605,681	5,610,504	-4,823
468,540	736,500	-267,960	2 Repairs And Maintenance - Special	1,382,141	1,473,000	-90,859
6,419,573	6,220,186	199,387	3 Supervision And Management	9,211,852	9,388,046	-176,194
666,700	613,548	53,151	4 Other Expenditure	1,053,626	1,091,844	-38,218
1,014,150	1,014,150	0	5 Capital Charges & Bad Debt Total	2,028,300	2,028,300	0
11,704,460	11,389,762	314,697		19,281,600	19,591,694	-310,094

3.6.4 Within repairs and maintenance each underlying cost centre is initially forecast on a historical year to date average basis projected forward. Where an officer has reviewed this and specifically required an adjustment, for example if they are certain all the years budget will be spent, an overwrite is made to this effect.

3.6.5 Within Supervision & Management there are two notable variations.

- Employment costs are forecast on a prior month basis projected forward with the current year to date variation being -£0.12m. Permanent staffing costs are currently £0.62m below budget with a partial offset of £0.5m in Agency costs, highlighting the pressure the service has had with regards to a consistent establishment.
- Premises costs are forecast to be higher than expected with the main driver being the higher insurance property premiums paid in this financial year versus the prior year and therefore our expectations included within the budget.
- The remaining variations are wide ranging and less material.

3.7 Financing & Movement in Reserves

3.7.1 The below table shows the variations in Financing and the movement in reserves. There are two drivers to this variation;

- Net interest income is £0.4m higher than anticipated, with the current estimate based upon an average of the opening and budgeted closing HRA reserve balances @ a 4.9% return rate.
- The contribution to capital is £0.75m higher than expected (which means additional funding for capital) due to the aforementioned favourable variances in sections 3 and 5.

3.7.2 This leaves the HRA forecast exactly as budgeted.

Year to Date			Financing & MIRS	4Cast Outturn		
Actuals	Budget	Diff		Actuals	Budget	Diff
2,397,257	1,840,273	556,984		4,031,569	3,680,546	351,023

HRA Account		4Cast Outturn		
		Actuals	Budget	Diff
Surplus/Deficit		1,335,925	1,336,000	-75

3.8 Housing Capital Programmes

3.8.1 The capital programmes budget has increased from the original £13.3m to £15.1m due to

- £0.9m budget virements as described in 4.3 and the associated capital contribution.

- £0.975m of Electrical updating should the recommendation above and described in 1.5 be agreed and be funded by 100% as opposed to 50% RTB receipts.

3.8.2 The variations in each of the capital work streams can be seen within the below table.

HOUSING CAPITAL PROGRAMMES

Year to Date				4Cast Outturn		
Actuals	Budget	Diff		Actuals	Budget	Diff
388,166	975,158	-586,992	1 Affordable Housing	1,952,789	1,950,316	2,473
675,533	685,000	-9,467	1A Grant Subsidised Affordable Housing	778,245	1,370,000	-591,755
197,953	1,174,998	-977,045	2 HRA Capital Housing Compliance	1,956,409	2,349,996	-393,587
1,448,712	1,352,962	95,750	3 HRA Capital Programme	3,082,718	2,705,924	376,794
3,802,092	3,378,573	423,519	4 Major Repairs Total	7,561,335	6,757,146	804,189
6,512,455	7,566,691	-1,054,236		15,331,495	15,133,382	198,113

3.8.3 1 Affordable Housing – RTB replacements are expected to be on budget, currently one purchase has completed and one deposit paid;

- 1 Cawley Avenue Axminster @ £0.24m
- Deposit paid on 5 properties in Plumb Park, Exmouth £0.15m

3.8.4 1A Grant Subsidised Affordable Housing – the budget was set on the purchase price however, a 10% contribution was made in the prior year. Additionally a match funding grant from DCC of £0.37m has also significantly reduced the required outlay for the 4 Cranbrook plots.

3.8.5 Compliance Capital – each budget line apart from the £0.5m allocated to sewerage plant works has been forecast as spent on advice from the responsible officer. The responsibility for the sewerage plants have recently been passed to the planned team so it is unlikely that the entire budget will be spent in the current financial year.

3.8.6 Capital Programme – the main area of concern is the costs associated with disrepair and complaints which on a year-to-date basis are significantly higher than expected. A great deal of headway has been made to review, resolve and reduce the costs of any outstanding commitments that have been made. This forecast should be considered as prudent as it is hoped these efforts will reduce the second half years expenditure.

3.8.7 Major Repairs – the most significant overspend within major repairs by far is due to Voids. On a year-to-date basis £1.8m has been spent versus an annual budget of £2.5m. This is an area which is not expected to slow and therefore needs to be monitored closely should offsets/savings elsewhere be required.

3.9 Funding & Predicted Borrowing Requirement

3.9.1 In the original revised budget the total funding level was evaluated at £4.1m on a capital budget of £13.3m leaving a residual additional borrowing requirement of £9.2m.

3.9.2 The funding of the additional capital budget has been explained in 6.1 which increases the funding levels from £4.1m to £6m.

3.9.3 Additional funding is also currently forecast from;

- £0.75m additional contribution to capital versus budget from revenue surpluses as described in 6.1
- £0.38m in additional earmarked reserves contributions
- £0.3m Local Authority funding due for Major void works

3.9.4 The potential forecast funding available is therefore £7.4m versus a forecast capital expenditure of £15.3m. This leaves a forecast residual borrowing requirement of £8m versus that which was originally budgeted of £9.2m.

4. Capital Programme Position up to Month 6

- 4.1 Below is the estimated current position for the capital programme, which reflects a re-profiling of expenditure taking into account carried forward from the 2023/24 budget and any agreed in year budgets.

Capital Programme Summary	£000
Revised 2024/25 budget	35,065
Actual Capital Expenditure	9,151
Unpaid orders	1,943
Projected Actual	21,980

- 4.2 Details of portfolio budgets and expenditure is available at appendix 3.
- 4.3 The Council currently does not hold a general capital reserve and all funding needs to be found. The cash required to fund the expenditure can be met from internal cash balances or through raising loans, this decision is made in line with Council's Treasury Management Strategy. The revenue implications of funding this position has been factored into the revenue monitoring position.

5. Treasury Management

- 5.1 The treasury management interest received position is summarised below:

	Annual Budget £000	Forecast Outturn £000s	Forecast Variance £000s
Internal Investments	674 (F)	1,288 (F)	613 (F)
External Investments	827 (F)	1,210 (F)	383 (F)
	1,501 (F)	2,498 (F)	996 (F)

- 5.2 An appended report provides details of the mid-year treasury management update.
- 5.3 Detail of the month 6 treasury management portfolio is available at appendix 4.

Financial implications:

Contained within the report.

Legal implications:

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

Appendix 1

General Fund Revenue Budgets 2024/25

Portfolio Budget - Net Expenditure	Actuals 2024/25	Budget 2024/25	Variation	%age Var	Notes
Corporate Business	198,180	233,140	-34,960	-18%	1
Corporate Services	3,132,631	3,122,967	9,664	0%	2
Economy And Regenrtn Portfolio	800,333	727,758	72,575	9%	3
Environment Portfolio	5,951,621	6,019,897	-68,276	-1%	4
Finance	-511,509	-642,710	131,201	-26%	5
Strategic Development & P'Ship	3,152,186	2,771,210	380,976	12%	6
Street Scene Portfolio	14,210,931	14,355,990	-145,059	-1%	7
Sustainable Homes & Communitie	1,787,406	2,105,486	-318,080	-18%	8
Portfolio Totals	28,721,778	28,693,738	28,040	0%	
Reversal of Capital Charges (Depreciation)	-3,270,390	-3,347,540	-77,150		
Portfolio Totals Net of Capital Charges	25,451,388	25,346,198	-49,110	0%	
Interest Receipts (Net of investment management fees)	-2,564,996	-1,570,490	-994,506	39%	9
Interest Payable	455	300	155	34%	
PWLB Interest	65,658	68,210	-2,552	-4%	
Principal Repayments	427,000	427,000	0	0%	
Net Expenditure	23,379,504	24,271,218	-891,714	-4%	
Government Grants					
New Homes Bonus Grant	-1,147,701	-1,147,701	0	0%	
Rural Services Delivery Grant	-265,000	-265,000	0	0%	
Lower Tier Services Grant	-1,714,000	-1,714,000	0	0%	
New Services Grant	-58,000	-58,000	0	0%	
Add in £0.5m to GF balance	0	0	0	100%	
Use of Reserves					
Capital Reserve Transfers	0	0	0		
Use of Collection fund surplus Income	-96,000	-96,000	0	0%	
Use of Collection fund surplus MIRS	0	0	0		
Use of Accumulated Absence Reserve	0	0	0		
Use of Other Earmarked Reserves	-943,664	-1,366,514	422,850	-45%	
Contribution to/(from) General Fund Balance	0	500,000	-500,000		
Budget Requirement	19,155,139	20,124,003	-968,864	-5%	
Business Rates Income	-9,516,242	-9,516,242	0	0%	
Business Rates MIRs	0	0	0		
Council Tax Requirement	9,638,897	10,607,761	-968,864	-10%	
Vs EDDC Precept per MTFP	-10,414,911	-10,414,911	0	0%	
(Surplus) / Funding GAP	-776,014	192,850	-968,864		

Notes

- 1 No significant variances, marginal savings within Information & Governance due to a vacant post within the team projecting salary savings
- 2 No significant variances on which to comment.

Most notable deficit is within building control, when forecast based on historical data the reduced levels of income produce a variance of £0.3m on the cost centre which has been partially offset by a reserve contribution of circa £0.15m. Fees have been reviewed and revised upwards which will hopefully reduce the prudent outturn impact forecast.
- 4 Salary savings across the portfolio projected on a prior month basis have been partially offset by higher than expected maintenance charges across leisure sites.

Forecast marginally lower than expected income from Parking services (£0.1m) and the greater than expected deficit due to homelessness housing benefit recovery (£0.1m) has been partially offset by salary savings, projected the same way as in note 4.
- 6 The issue with regards to planning fees has been addressed within the body of the report.
- 7 The two material and partially offsetting variances have been addressed within the body of the report.
- 8 Homelessness (£0.14m) is the main driver of the surplus within the portfolio as an additional £195k of Central Government grant has been received that was not within the data received at the time the budget was set.
- 9 Better than anticipated income from Treasury Management activities - please see separate section of report for detail.

Appendix 2: HRA Income

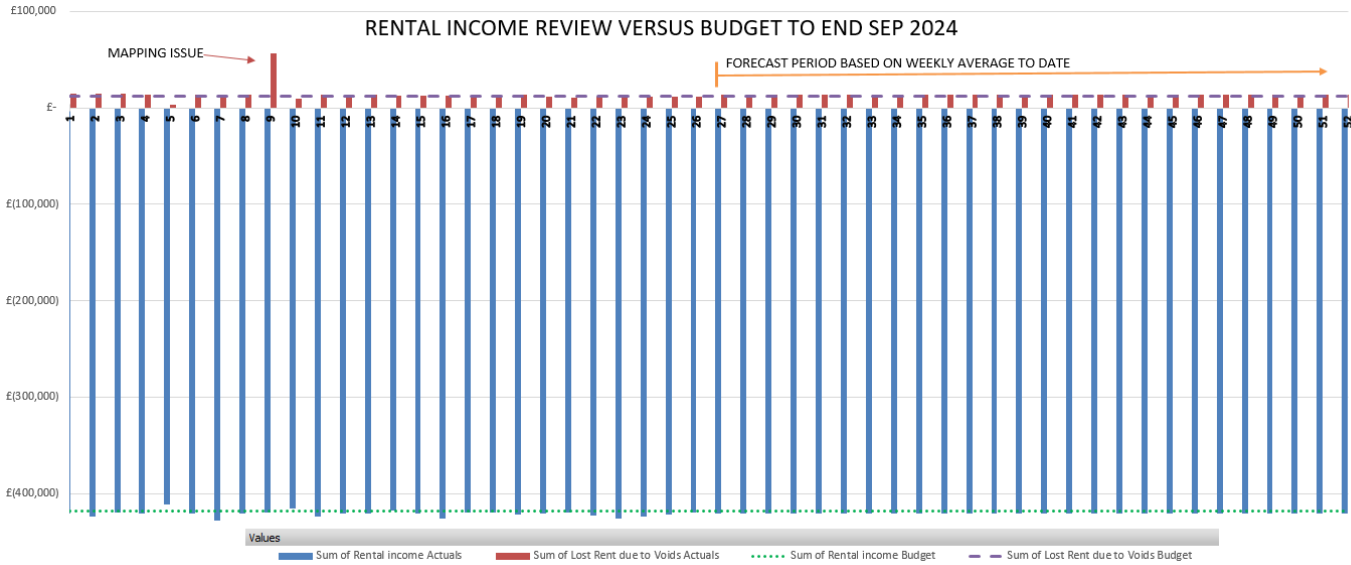


Table A1: Dwelling Income

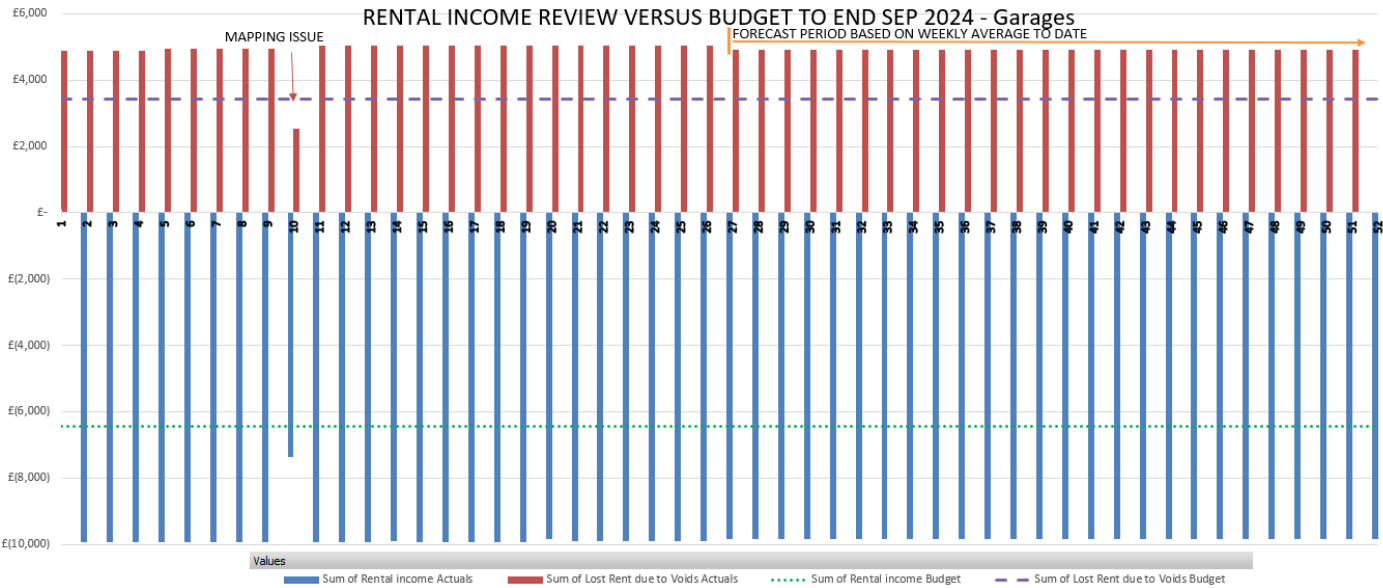


Table A2: Garage Income

Appendix 3: Capital Programme

Capital Programme Portfolio Summary 2024/25				
Portfolio	Budget after revisions	Actual	Unpaid Orders	Projected Actual
	2024/25	2024/25	2024/25	2024/25
	£	£	£	£
Corporate Services	1,278,027	64,128	28,893	942,432
Community - Housing General Fund	1,310,547	203,554	0	1,310,547
Economy and Regeneration	7,624,993	667,903	57,798	3,082,136
Environment	2,144,713	689,590	225,567	1,659,578
Street Scene	19,617,435	2,946,538	1,591,668	11,461,586
Strategic Development	1,250,000	0	0	0
TOTAL GF GROSS EXPENDITURE	33,225,715	4,571,714	1,903,926	18,456,278
Community - HRA	14,158,232	6,672,721	38,771	14,158,232
TOTAL GROSS EXPENDITURE	47,383,947	11,244,434	1,942,697	32,614,510
Corporate Services	0	0	0	0
Community - Housing General Fund	(1,201,667)	(614,514)	0	(1,201,667)
Economy and Regeneration	(3,650,627)	(1,105,367)	0	(2,526,127)
Environment	(132,653)	0	0	(91,080)
Street Scene	(3,932,523)	0	0	(3,413,893)
Strategic Development	0	0	0	0
TOTAL GF EXTERNAL FUNDING	(8,917,470)	(1,719,881)	0	(7,232,767)
Community - HRA	(3,401,305)	(373,654)	0	(3,401,305)
TOTAL EXTERNAL FUNDING	(12,318,775)	(2,093,535)	0	(10,634,072)
Corporate Services	1,278,027	64,128	28,893	942,432
Community - Housing General Fund	108,880	(410,960)	0	108,880
Economy and Regeneration	3,974,366	(437,464)	57,798	556,009
Environment	2,012,060	689,590	225,567	1,568,498
Street Scene	15,684,912	2,946,538	1,591,668	8,047,693
Strategic Development	1,250,000	0	0	0
TOTAL GF NET EXPENDITURE	24,308,245	2,851,833	1,903,926	11,223,511
Community - HRA	10,756,927	6,299,067	38,771	10,756,927
TOTAL NET EXPENDITURE	35,065,172	9,150,900	1,942,697	21,980,438

Appendix 4: Treasury Management

Treasury Portfolio		
	31.3.24	30.9.24
	Actual	Actual
	£000	£000
Treasury investments		
Banks		
Lloyds Bank Fixed Term Deposit	0	2,000
Santander Business Reserve Account	10	0
Santander Business Notice Account	1,000	0
Building Societies	0	0
Local Authorities		
Aberdeen Borough Council	3,000	0
Central Bedfordshire Council	3,000	0
Cheltenham Borough Council	3,000	0
Crawley Borough Council	2,100	0
Devon County Council	3,000	0
Eastleigh Borough Council	2,500	0
London Borough of Barking and Dagenham	3,000	0
Stoke on Trent City Council	2,000	2,000
West Dunbartonshire Council	0	3,000
DMADF (HM Treasury)	250	2,300
Money Market Funds		
CCLA - Public Sector Deposit Fund	3,000	3,000
Goldman Sachs - Sterling		
Liquid Reserves Fund	1,800	2,200
Morgan Stanley Sterling Liquidity Fund	2,800	3,000
Total managed in house	30,460	17,500
Money Market Funds		
Payden Sterling Reserve Fund	15,337	15,403
Royal London Asset Management Short Term Fixed Income Fund	15,600	15,603
Total managed externally	30,937	31,006
Total treasury investments	61,397	48,506
Treasury temporary external borrowing		
Furness Building Society	(5,000)	0
Hertsmere Borough Council	(5,000)	0
Wealden District Council	(3,000)	0
Total external temporary borrowing (excluding PWLB)	(13,000)	0
Net treasury investments/ (temporary borrowing) excluding PWLB	48,397	48,506

Report to: Cabinet



Date of Meeting 27 November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

UKSPF Programme Amendment

Report summary:

MHCLG have recently updated the guidance on the UK Shared Prosperity Fund (UKSPF) and Rural England Prosperity Fund (REPF), stating that all funded activity, including that delivered by third parties, must conclude by the end of the current financial year. This updated guidance now threatens a number of our planned projects which were forecasting end dates beyond March 2025.

To complete all spend and activity by the March deadline, officers have explored alternative projects which can be fully delivered within the timeframe and demonstrate alignment with the UKSPF guidance. Phase 1 of EDDC's Public Toilet Investment Programme (PTIP), along with our Carbon Action Programme (CAP), meet both of these criteria. Both initiatives are due to be completed and fully spent by the end of the financial year and are compatible with the UKSPF interventions. We therefore have an opportunity to utilise remaining UKSPF funding by part-funding our PTIP and CAP schemes. In return, we are recommending that the EDDC funding saved through the utilisation of the UKSPF budget is to be committed for the delivery of the remaining UKSPF projects.

This cost-neutral solution ensures successful delivery of the PTIP, CAP and the UKSPF projects, and reduces the likelihood of any underspend being returned to MHCLG. It allows EDDC to retain the benefits of the UKSPF allocation within the local community and continue the positive impacts into the 2025/26 financial year.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendations:

1. That Cabinet agrees to using EDDC's UKSPF and REPF allocation to part-fund up to £600,000 for the Public Toilet Investment Programme (PTIP) and up to £200,000 to part-fund the Carbon Action Programme (CAP).
2. That Cabinet agrees to allocate and ringfence the internal funding saved through this measure to deliver all remaining UKSPF and REPF activity endorsed by Cabinet and/or the UKSPF Programme Management Panel. The amount of funding ringfenced will be equal to the total sum of UKSPF and REPF payments to part-fund the PTIP and CAP.
3. That Cabinet agrees to give delegated authority to the Director of Place, in consultation with the S151 officer and the Monitoring Officer, to determine the total amount of UKSPF and REPF funding (up to £800,000) to be allocated to part-fund the PTIP and CAP and to authorise the relevant payments.
4. That Cabinet agrees to delegate authority for the ringfenced funding to the UKSPF Programme Management Panel and the Director of Place, in consultation with the S151 officer and the Monitoring Officer, to allocate the funding, amend existing projects and approve new projects (up to £800,000).

Reason for recommendation:

Cabinet approval is required to ensure that UKSPF and REPF activity can continue following the updated guidance issued by MHCLG. This will also significantly reduce the risk of EDDC having to repay a significant amount of funding back to MHCLG.

Officer: Tom Winters twinters@eastdevon.gov.uk 01395 571528

Portfolio(s) (check which apply):

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

Equalities impact Low Impact

Climate change High Impact

Risk: Low Risk;

Links to background information East Devon's [UKSPF Investment Plan](#) and [REPF Addendum. Public Toilet Cabinet Report](#) (12 May 2021) and [Carbon Action Programme Cabinet Report](#) (3 January 2024).

Link to [Council Plan](#)

Priorities (check which apply)

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

Background and Context

1.1 On 13 July 2022 Cabinet endorsed our Investment Plan to deliver East Devon's UK Shared Prosperity Fund (UKSPF) allocation of £1,796,363 through a series of projects over a three year period, with funding needing to be fully defrayed by 31 March 2025. This was followed up with a report to Cabinet on 2 November 2022, on how our Rural England Prosperity Fund (REPF) allocation of £854,298 was to be spent.

1.2 On 25 September 2024, MHCLG sent an email to all UKSPF lead local authorities prohibiting continuation of UKSPF activity after 31 March 2025. It stated:

"Funding cannot be paid to organisations in 2024/25, or used by the local authority themselves, to fund activity that takes place after 31 March 2025 ... Funding paid to third parties, or retained by lead local authorities to meet costs associated with activities that take place after the 31 March 2025 is not eligible for UKSPF, Multiply or REPF."

1.3 Prior to this update, we were operating under the principle that whilst all spend had to be defrayed by the 31 March 2025, project activity could continue past this date. On this basis, EDDC's Economic Development team had developed a clear UKSPF delivery plan to achieve full

spend by this date. This plan involved the continuation of some UKSPF activity post March 2025 to prevent a drop off in provision following the end of UKSPF funding.

1.4 This updated guidance is contrary to our previous understanding and has put a number of East Devon's UKSPF projects at risk of underspend and reduced delivery. This includes:

1. Action on Poverty Fund (£107,416 capital) providing energy efficiency enhancements for low-income households.
2. Active Travel Programme (£200,000 capital) to develop part of a cyclepath linking Cranbrook to Mosshayne.
3. Council for Voluntary Service (£60,000 revenue) payment to continue VCSE support into 2025/26.
4. East Devon Tourism Network (£24,800 revenue) payment to continue the Network's activity into 2025/26.
5. Carbon Action Fund (financial impact unknown as the fund is currently live) remaining projects to be funded in December 2024

1.5 In total, this new MHCLG requirement impacts at least £392,216 of UKSPF activity (£307,416 capital and £84,800 revenue) and prevents us from reprofiling any underspend from other UKSPF and REPF projects. Unless action is taken, these projects will need to be ended early or in full, with at least £392,216 of UKSPF funding at risk of be returned to MHCLG.

Proposal

2.1 To mitigate this risk and help enable the total spend of our UKSPF allocation in district, the first recommendation of this report is to utilise part of our remaining UKSPF and REPF capital budget to part-fund the Public Toilet Investment Programme (PTIP) currently being delivered by the Place, Assets and Commercialisation (PAC) service. This will include Phase 1 investments in public toilets at Exmouth, Seaton, Budleigh Salterton and Honiton. Cabinet agreed to a £3.15m capital budget for this project on 12 May 2021.

2.2 The Public Toilet Investment Programme is considered eligible UKSPF spend against the list of eligible intervention in MHCLG's [Interventions List for England](#) (see intervention E1, E2 and E17). Other local authorities have directed their UKSPF budgets towards public toilets, including Dover, Forest of Dean and Rochford councils.

2.3 The proposal also includes utilising part of our remaining UKSPF revenue budget to part-fund the Carbon Action Programme currently being delivered by the Economic Development team. Cabinet agreed to a £207,000 revenue budget for this project on 3 January 2024. This is also eligible activity for UKSPF, with a similar provision already being delivered by the Council using our UKSPF budget.

2.4 To avoid the early or total cancellation of UKSPF projects and deal with any unplanned underspend, the second recommendation of this report is that any UKSPF and REPF projects impacted by the new guidance be funded through the internal budgets allocated to the PTIP and CAP so that there is a cost-neutral financial impact on this activity.

2.5 As the UKSPF is a live programme, the exact amount of spend threatened by the updated guidance is currently unknown, so the amount of funding to be used for the PTIP and CAP has not yet been determined. As a result, the third recommendation of the proposal is that delegated authority be given to the Director of Place to determine the total amount of UKSPF and REPF funding to be spent on the PTIP and CAP. This will equal the total amount of EDDC funding to be ring-fenced to enable the remaining UKSPF projects to continue. This should be capped at £600,000 for capital expenditure and £200,000 for revenue expenditure. This is higher than the £392,216 of identified threatened spend, in order to protect any potential underspend from the Carbon Action Fund (currently live) or other projects in the UKSPF Programme.

2.6 To ensure this approach adheres to the rules and requirements of UKSPF, we requested further guidance from MHCLG. On 15 October 2024, we received an official response confirming:

There would be no UKSPF restriction preventing you from using UKSPF funding to fund a project which you had previously identified a different funding source for, as long as this is not funding something which the lead local authority, project deliverer, end beneficiary, or any member of their partnership has a statutory duty to undertake.

2.7 As there is no statutory duty to undertake either the PTIP or CAP projects, this proposal adheres to the terms and conditions of the UKSPF. As the remaining UKSPF projects will be funded through EDDC and not via MHCLG, we do not require their consent to proceed with this activity.

2.8 In our October 2024 monitoring report to MHCLG, officers confirmed that the proposal to shift UKSPF and REPF funding into the PTIP is being considered by Cabinet. As this proposal does not trigger the need for MHCLG approval (known as a 'material change request'), we are only required to update MHCLG on our plans and report back on progress – we do not require any further consent.

Other Considerations

3.1 An announcement was made in the Budget confirming an additional year of UKSPF funding for 2025/26 across the UK. It is not clear yet whether this will be distributed to district councils or to upper tier and combined authorities. If funding is allocated directly to EDDC, this may present the opportunity to roll-over funding and continue UKSPF activity into 2025/26. This too could reduce or remove the need for the Director of Place to utilise UKSPF and REPF funding towards the PTIP and CAP. We are awaiting further guidance from MHCLG and will inform the UKSPF Panel of any updates.

Alternative Options

4.1 The alternative option to this proposal is that the projects identified in section 1.4 of this report be cancelled and that at least £392,216 be returned to MHCLG.

Financial implications:

The financial details are contained within the body of the report. There is a potential risk in that, if the spend the £392,216, is not made on the identified projects before the 31 March 2025, monies will need to be returned to MHCLG.

Legal implications:

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

Report to: Cabinet



Date of Meeting 27 November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Approval for Amendments to the Public Spaces Protection Order – Dog Control 2023

Report summary:

Following the implementation of the Public Spaces Protection Order – Dog Control 2023, there are required corrections relating to Kilminster Playing Field, Kilminster and Allhallows Playing Fields, Honiton. Due to the time period since the introduction of the Public Spaces Protection Order – Dog Control 2023, a period of public consultation was undertaken regarding the proposed variations. This report outlines the responses and makes recommendations that need to be approved by Cabinet before the Order can be varied.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet approve the following variations to the Public Spaces Protection Order – Dog Control 2023 made under the Anti-Social Behaviour Crime and Policing Act 2014.

- Change the requirement for dogs to be kept on leads at Kilminster play area to a dog on lead requirement at Kilminster Playing Field and a dog exclusion requirement at the children's play area.
- Change the dog exclusion requirement at Allhallows playing fields, Honiton to only apply to the sports pitches.

Reason for recommendation:

To ensure that the Public Spaces Protection Order - Dog Control 2023 reflects public opinion, is as approved by Cabinet and is enforceable by authorised officers.

Officer: Sally Webster Principal Environmental Health Officer, 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 and Assets
- ☐ Finance
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Medium Impact

[Equality Impact Assessment](#)

Climate change Low Impact

Risk: Low Risk; The amendments do not alter the risk level in relation to the application of the PSPO.

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)

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

Report in full

1. A Public Space Protection Order (PSPO) 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. A PSPO could be used for a wide range of problems. The area may be as small as a play park or as large as the whole 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.

A PSPO can last for up to three years, after which it must be reviewed.

3. Following Cabinet decision on the 4th Jan 2023, the Control of Dog Public Spaces Protection Order 2023 was prepared and sealed and is now available on the Council's website. We have since been made aware of several corrections that need to be made to the current Order.
4. Any changes to a sealed Public Spaces Protection Order requires a full consultation and subsequent Cabinet Approval.
5. It was noticed that there were two transcription errors in the existing PSPO that required amendment:
 - Kilminster Playing Field – the Order currently states that there is a dog on lead requirement at Kilminster play area. This should state that there is a dog on lead

requirement at Kilmington Playing Field and a dog exclusion requirement at the children's play area.

- Allhallows, Honiton – the Order currently states that there is a dog exclusion requirement at the playing fields. This should state that there is a dog exclusion requirement on the sports pitches only.

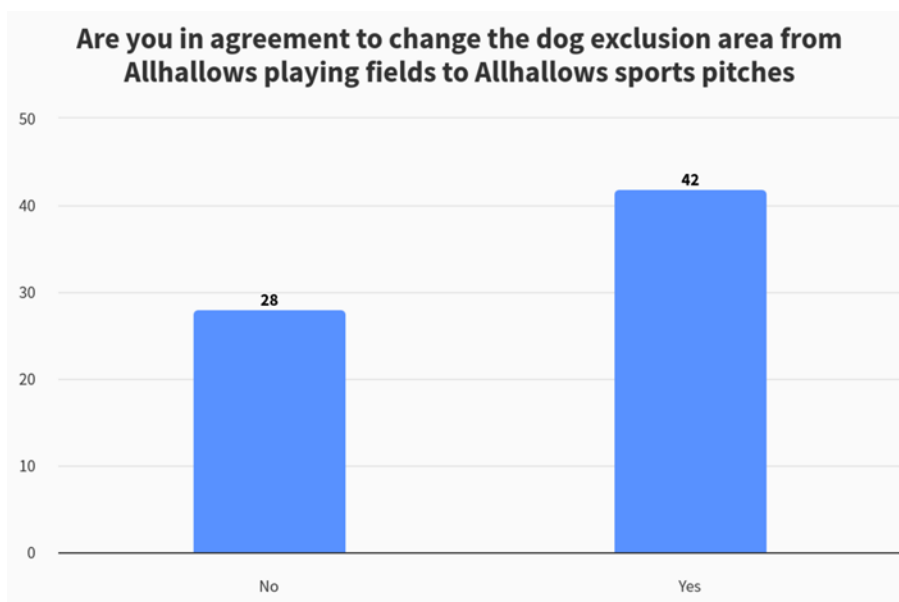
Whilst it is acknowledged that Cabinet approval is not required for the correction below, it is included within this report for clarity of the proposed corrections:

- A correction of the spelling of the Parish name, Colaton Raleigh. It currently has Collaton Raleigh.

6. A public consultation took place for two weeks from 14 October 2024 to 28 October 2024. It was hosted on the Council's engagement platform Commonplace which could be accessed via the Council's website.
7. Interested parties were consulted about the proposals. This included Honiton RFC, who lease the Allhallows sports pitches from East Devon District Council, the district councillors for Honiton wards and Honiton Town Council.
8. We also consulted the trustees for the Arthur Hitchcock charity who maintain Kilmington Playing Field, Kilmington Cricket Club, Kilmington Dog Walkers Association, and Kilmington Parish Council.
9. We also wrote to residents living within the vicinity of Allhallows playing fields and Kilmington Playing Field and the public consultation was also advertised on social media, including EDDC Facebook page, and via the East Devon resident's newsletter.
10. Comments in respect of Allhallows Sports Pitches are presented in Appendix 1.
11. Comments in respect of Kilmington Playing Field are presented in Appendix 2.

Allhallows, Honiton.

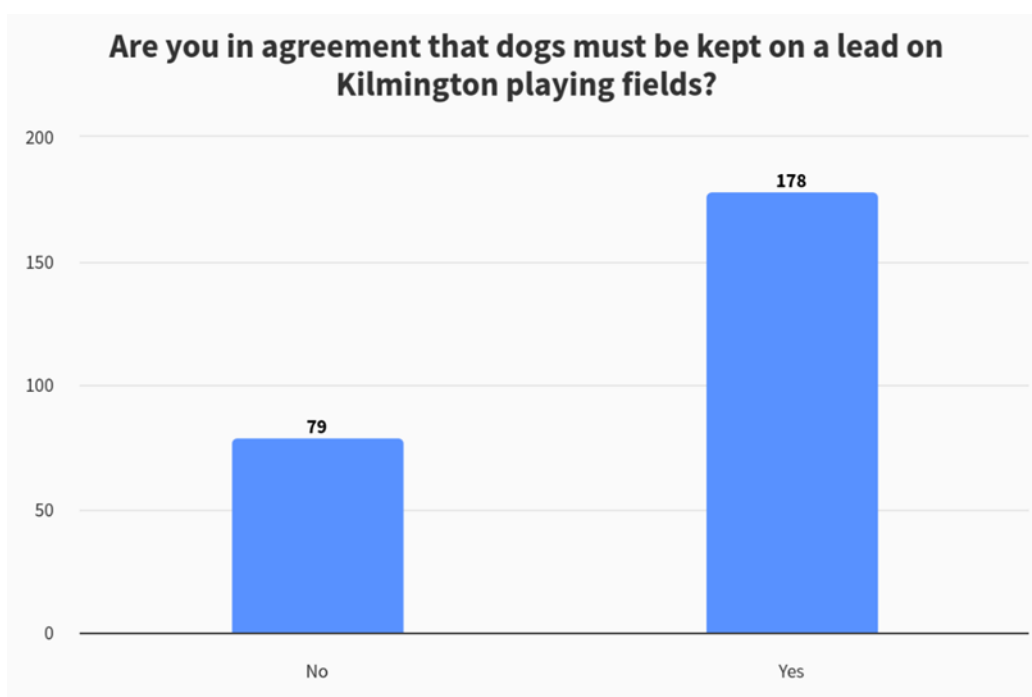
12. The public consultation asked whether members of the public agreed to change the dog exclusion area from Allhallows playing fields to Allhallows sports pitches.
13. There were 70 responses in total for this part of the consultation. There were 28 respondents who did not agree to changing the dog exclusion area and 42 respondents who did agree.



14. Respondents were able to provide further comments to share their views. Example comments from this part of the public consultation are included in Appendix 1.
15. Given the original proposal for dogs to be excluded from Allhallows sports pitches was supported by a majority of local respondents, it is recommended that the Public Spaces Protection Order – Dog Control, 2023 be varied to include this provision

Kilmington Playing Field.

16. The public consultation asked whether members of the public agreed that dogs must be kept on a lead on Kilmington Playing Field.
17. There were 257 responses in total for this part of the consultation. There were 79 respondents who did not agree that dogs must be kept on a lead and 178 respondents who did agree.



16. Respondents were able to provide further comments to share their views. Example comments from this part of the public consultation are included in Appendix 2.

17. Out of the 79 respondents who did not agree that dogs should be kept on a lead, 26 recommended that a compromise was put in place. Respondents recommended that, as a compromise, dogs should not be allowed on the field between 10.00 and 17.00 between May and October when the field is in use by the Cricket Club and Primary School, and all other times dogs can be exercised off lead.
18. The suggested compromise did not form part of the consultation and cannot be included in the final amended Order. It may, however, be included in the public consultation which will take place in Spring 2025 prior to the review of the 2026 Dog Control Public Spaces Protection Order.
19. Given the original proposal for dogs to be kept on leads on Kilmington Playing Field was supported by a significant majority of local respondents, it is recommended that the Public Spaces Protection Order – Dog Control, 2023 be varied to include this provision

Conclusion

20. Following a thorough, targeted public consultation there was majority public support for the controls previously agreed by cabinet.

Financial implications:

There does not appear to be any financial implications of these changes/updates.

Legal implications:

The variation of a PSPO is subject to public consultation, the extent of the consultation is for the Local Authority to decide. The consultation will be reviewed by the Local Authority and the proposed variation placed before cabinet to confirm. Any PSPO variation is subject to a potential judicial review within six weeks of the date of the variation.

Appendix 1. Allhallows Sports Pitches

Comments –

Honiton Town Council.

Honiton Town Council were consulted and did not agree to change the dog exclusion area. The Town Council provided the following response:

Honiton Town Council would question how EDDC will enforce the dog exclusion zone whether it is changed from Allhallows playing fields to Allhallows sports pitches or not. Honiton Town Council has been advised that EDDC will not allow the second sports pitch to be fenced off which will make enforcement harder. Instead Honiton Town Council suggests that the Public Spaces Protection Order should require dogs to be kept on leads. Dog wardens should then patrol the area and fine those dogs owners who allow their dogs to be off leads on the whole of Allhallows playing fields.

Resident views included the following comments:

I believe dogs should not be allowed near pitches where children play sport. Unfortunately not all owners are responsible - there are other areas of Honiton that are away from sports fields where people can exercise dogs.

If only one part is a dog exclusion zone, dogs inevitably and always roam where they shouldn't. Some owners, maybe only a few, simply ignore restrictions, or can't/won't control their dogs. It only takes one owner to fail to clear up after their dog, and parents/grandparents are left with a horrible problem

As the pitches are not fenced it means dogs always stray into the pitches. At night/winter there is zero visibility so dog owners cannot see if there dogs stray into the pitch and regularly defecate on the pitch. These pitches are used by rugby players 6 days a week which poses a huge health and hygiene risks for children and adults.

A lot of people, young and old in the community have dogs and they need space as well to run and play, but obviously in a controlled and supervised manner.

Appendix 2. Kilmington Playing Field

Comments –

Kilmington Parish Council.

Kilmington Parish Council were consulted and did not agree to change the dog on lead area. The Parish Council provided the following response:

At a meeting of the Kilmington Parish Council, councillors voted unanimously to support the dog on lead requirement at Kilmington playing field and the dog exclusion requirement at the children's play area.

It was felt this was the best compromise to serve all the public who use the amenity.

Dog walkers can use the field whilst keeping their dogs under control, which will allow other users who are wary of loose dogs, particularly children and the elderly, to also enjoy the amenity.

This is important as children must cross the playing field to access the children's play area. Also, Kilmington Primary School use the playing field for exercise as the school does not have its own sports field.

An additional benefit is that, if handlers have dogs close by on a lead, handlers are more likely to see when and where dogs foul the field and will pick it up.

Resident views included the following comments:

I have taken my dog to the playing field for many years and there has never been any issues with dog fouling . As I am quite elderly at 88 years old my mobility is not good and the playing field is the ideal place for me to access and enjoy a slow walk round and exercise my dog off lead . It is also a lovely space where I can meet my friends with their dogs and enjoy the open air. There are no other areas in Kilmington that I can go.

I have two young children who are nervous when dogs are running around off the lead. Unfortunately, when they were younger, a dog came bounding up to them (ignoring its owner calling for him to come) although nothing bad happened, it jumped up and knocked both my children over. To this day they are very wary around dogs running free. Knowing the playing field has a dog on lead policy will enable us to enjoy the recreational field and play park.

In the past when dog owners did not pick up, we always found dog mess in the field, since the 'dogs on leads' arrangements we do not find dog mess and it is a joy to have the field clean. Also, we have grandchildren who visit and play on the field and we are relieved to know that they will not be treading in dog mess. We also look after our son's dog on occasions and it is re-assuring to know that while our dog is on a lead we will not have other dogs bounding over out of control. We totally support the consultation that all dogs must be on leads for the safety of all users of the field for both sport and family use.

The Kilmington Playing Field is for everyone to use and dogs should be allowed off-lead or have an area that allows this. There is no street lighting in the village which makes it hard to walk dogs in the Winter. An off-lead area would be much appreciated.

I feel the dogs on lead ban is very restrictive, especially when the field is not used for months on end. Whilst I agree dogs would be best not using the field when it is cricket season, I cannot see a reason why the ban shouldn't be lifted for the rest of the year.

Response – Kilmington Playing Fields Committee.

3rd September 2024

Dear Sally and Alice

PSPO (Control of Dogs) – Kilmington Playing Fields

The Playing Fields Committee, as the management committee of the Arthur Hitchcock Charity which has responsibility for the Playing Field, wishes to retain the current 'dogs on leads' policy which has been in place since 1st May 2023. The following is offered in support of this request:

Between the 1st May and 30th Sept 2022 there were 73 incidents of dog fouling whereas between the same dates in 2023 the number of incidents was only 13 and from the 1st May 2024 up until the 15th August there have only been 6 incidents. These figures demonstrate that the introduction of the dogs on leads policy has reduced the number of incidents to what we consider to be a manageable figure.

To access the Play Park, people have to walk across the Playing Field and a number of parents have commented that this is a much nicer experience now that children who are nervous, and in some cases frightened of dogs are not at risk of being approached by off lead dogs. In addition, some residents who have always walked their dog(s) 'on lead' have said that they welcome the policy as they no longer have to contend with the unwanted attention of off lead dogs.

Recognising that some residents were unhappy with the introduction of the policy a public meeting was held in April 2024 with an attendance figure of over 100. The Headteacher of the Primary School could not be at the meeting but sent a letter (copy attached) which laid out compelling arguments for the 'dogs on leads' policy. A variety of views about the policy were raised in the

meeting. Whilst no formal vote was taken it was clear that there was overwhelming support for the 'dogs on leads' policy which represents the only sensible compromise between those who favour 'no controls' and those who would like a total ban on dogs. Supporters of the policy include many dog owners.

Insurers have expectations that their policy holders take reasonable action to mitigate risk and that is what has happened with the introduction of the 'dogs on leads' policy. Removing the restrictions would have the opposite effect and increase risk.

The committee are concerned about the health, safety and wellbeing of all users of the field and consider that 'dogs on leads' is the appropriate policy. We hope that you will continue to support this position.

Yours sincerely

R J Seward

Response – Kilmington Cricket Club

Dear Alice Gill and Sally Webster

REF: PublicSpaces Protection Orders - Kilmington playing fields

We are writing on behalf of Kilmington Cricket Club to fully support a PublicSpaces Protection Order (dogs on leads) covering the Arthur Hitchcock Memorial Field (Kilmington Playing Field). Indeed, we understood that this was in place in the 2023 Order.

Kilmington Cricket Club was formed in 1879 and has been playing on the current ground since 1908. Whilst we have previously had some problems with dog fouling, this problem grew exponentially during the Covid pandemic. We had hoped that this was specifically related to the pandemic and it would subside, but it remained at those high levels after lockdowns. Clearly, people had been used to using the field as a 'dog toilet'. The volunteer groundsman was frequently having to stop mowing to remove excrement and inspections of the field and resultant clearing up were needed before each match. **To clearly illustrate the problem, in the 2022 cricket season, we had to clear up 73 times.**

The Trustees applied for a PSPO for dogs on leads in the 2023 Order and were informed in January 2023 that the application had been successful. This Order came into force on the 1st May 2023. As the council had indicated that the relevant notices would not be ready until later, temporary signs were used. The impact is clear and obvious as we had to clear up **13 times in the 2023 cricket season** and **9 in the 2024 cricket season** – evidence that a dogs on leads policy can drastically reduce the amount of fouling. At no point has the Club asked the Trustees to seek a total ban on dogs in the field.

In the 2024 cricket season, our club has seen a massive growth due to the introduction of Under 11, 12, 14, 15 and 17 Youth Cricket teams. We have run fixtures, training and a youth festival for these youngsters. Over 100 players, including at least, 52 youth players, represented our club in competitive cricket this season. Many more youngsters trained and learned the basics of the game at the ground this season.

The Trustees and the Club have a duty of care/legal responsibility to all our players, adult and youth, supporters, opponents, the Primary School and its pupils who use the field, and other field users. Dog fouling is both anti social behaviour and a clear cut Health & Safety issue, in the form of, but not only, Toxocariasis, which can cause blindness and many other health issues. The Club, and the Trustees, have tried to remove and mitigate the risk to the public by introducing a dogs on leads policy and the massive reduction (**88%**) in fouling incidents have shown it to

work. The volunteer groundsman with other helpers do their utmost to keep the field and its surrounds in good condition but find it very demoralising when having to deal with dog fouling incidents.

People have thanked the club and Trustees for introducing the dogs on leads policy. This includes the parents of small children and dog owners who have always used leads, with neither group liking the unwanted attention that they had received from off lead dogs.

The health, safety and wellbeing of both adults and children is the top priority and the introduction of a dogs on leads policy has reduced and mitigated risk. We would request that it be supported by the amendment of the PSPO to correct the error in the sealed 2023 order.

Please could you confirm receipt of this email for our records.

Yours Sincerely

Richard Reed, Kilmington Cricket Club Chairman
Martin Huscroft, Kilmington Cricket Club Vice Chairman

Consultation response – Kilmington Primary School



Kilmington Primary School

Whitford Road, Kilmington, Devon, EX13 7RG
Tel: 01297 32762
admin@kilmington-primary.org.uk
www.kilmington-primary.org.uk



15th October 2024

To The Environmental Health Department

I am writing, as the Head of Kilmington Primary School, to express my support for the PSPO requiring dogs to be on leads at Kilmington Playing Field.

Kilmington Primary School has no play or sports field of their own, we therefore very much appreciate The Hitchcock Trust allowing our pupils to use the recreation field in Kilmington for outdoor play and PE lessons such as athletics and sports day.

In common with all schools, we must comply with rigorous regulations which includes risk assessments to ensure our 80 – 90 pupils, aging from 3 to 11 years, are kept safe. Before we bring children onto the field our staff have to take additional time to walk the area we will use to check for and remove any dog faeces found. More recently, since the dogs on leads order was introduced, we have found fewer “deposits” and have had far fewer cases of children becoming soiled, we appreciate the trustees of the field doing what they can to keep the grass clean.

When we take the children to the field it is also reassuring for our staff to know that dogs are required to be kept on leads. Many children (and adults) are wary of unfamiliar dogs so we would normally have to ask owners to put their dogs on leads, which can become a difficult confrontation when we are also handling a class of children. It is clearly imperative that pupils can run and play in safety without the danger of being chased or their balls taken. This is particularly pertinent at a time when the instances of dog attacks are on

the increase, people are much more wary of unfamiliar dogs than they may have been in the past and mental health can be affected.

In our opinion, it is a logical and reasonable decision to require dogs to be on leads on the Kilmington playing field. Nobody is suggesting that owners knowingly leave dog mess behind but the field is very large, it is therefore difficult to see what your dog is up to from the other side and the droppings can therefore easily be missed. Having the dogs on leads means that dog walkers can use the field while still providing a safe leisure facility for all village residents.

I hope that you will all understand the school point of view, this is a wonderful village that we are all proud to be part of and wish to fully support all stakeholders in the community. On behalf of the school, I would therefore like to back the PSPO that specifies that dogs are required to be on leads.

Kind regards

Mrs Lee White

Head of School

Consultation response – On behalf of Kilmington Dog Walkers Association

I am representing the Kilmington Residents dog walking group and 156 signatures from residents of Kilmington. We would like to propose a compromise to suit all the residents of Kilmington regarding the PSPO restrictions on the Kilmington Playing field.

Between May and October dogs are not allowed in the field between 10am and 5pm. All other times dogs can be exercised off lead. between May and October there are no restrictions. The residents are confident the compromise will work as it has work well on Devon Beaches.

I have submitted evidence to EDDC Cabinet and the Environment Health.

- 1: Correspondence between EDDC and the Arthur Hitchcock Charity Trustees.
- 2: 156 signatures from residents of Kilmington.
- 3: Data collected of dogs and Wild animal (badgers, foxes and hedgehog) fouling from April 2023 to date
- 4: Arthur Hitchcock Charity Object.
- 5: Home Office guidelines controlling the presents of dogs page 69.
- 6: Pictures of how the cricket team have monopolised the playing field
- 7: A proposed compromise to suit all residents of Kilmington young and old.

The PSPO restrictions on the Kilmington Playing field is unjustified. There has never been a problem with dogs fouling in the playing field.

The playing fields was gifted to the residence of Kilmington by the Arthur Hitchcock Charity and the object of the charity is for recreation and other leisure-time occupation with the objects of improving the condition of life for the said inhabitants. NO JUST CRICKET

There are no alternatives areas in Kilmington that the elderly, people will reduce mobility and disabled residents can access safely and exercise their dogs off lead and meet like minded people. This has impacted on lived of the elderly residents.

We ask the council Environmental Heath to consider the proposed compromise as it will work for all ages of the Kilmington Residents.

Kind regards.

Yvette Turner on behalf of the Kilmington Residents dog walking group and 156 signatures from residents of Kilmington

KILMINGTON VILLAGE PLAYING FIELDS

the public-use open field opposite the Kilminster Village Hall

We're asking Kilminster residents if you disagree with decisions being made regarding dogs being kept on leads in the playing field, and possibly banned. This is due to the small minority of dog owners who do not pick up after their dogs. Everyone should be able to enjoy this wonderful, local open-air space and it must be possible to resolve this problem without extreme decisions being made which affect the majority of responsible dog owners.

Please kindly sign this position below and also confirm you are a Kilminster resident.

Thank You for your support

P1

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Yes	13. [Signature]	Yes
2. [Signature]	Yes	14. [Signature]	Yes
3. [Signature]	Yes	15. [Signature]	Yes
4. [Signature]	Yes	16. [Signature]	Yes
5. [Signature]	Yes	17. [Signature]	Yes
6. [Signature]	Yes	18. [Signature]	Yes
7. [Signature]	Yes	19. [Signature]	Yes
8. [Signature]	Yes	20. [Signature]	Yes
9. [Signature]	Yes	21. [Signature]	Yes
10. [Signature]	Yes	22. [Signature]	Yes
11. [Signature]	Yes	23. [Signature]	Yes
12. [Signature]	Yes	24. [Signature]	Yes

Thank You for your support

P2

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Yes	13. [Signature]	Yes
2. [Signature]	Yes	14. [Signature]	Yes
3. [Signature]	Yes	15. [Signature]	Yes
4. [Signature]	Yes	16. [Signature]	Yes
5. [Signature]	Yes	17. [Signature]	Yes
6. [Signature]	Yes	18. [Signature]	Yes
7. [Signature]	Yes	19. [Signature]	Yes
8. [Signature]	Yes	20. [Signature]	Yes
9. [Signature]	Yes	21. [Signature]	Yes
10. [Signature]	Yes	22. [Signature]	Yes
11. [Signature]	Yes	23. [Signature]	Yes
12. [Signature]	Yes	24. [Signature]	Yes

Thank You for your support

P3

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Yes	13. [Signature]	Yes
2. [Signature]	Yes	14. [Signature]	Yes
3. [Signature]	Yes	15. [Signature]	Yes
4. [Signature]	Yes	16. [Signature]	Yes
5. [Signature]	Yes	17. [Signature]	Yes
6. [Signature]	Yes	18. [Signature]	Yes
7. [Signature]	Yes	19. [Signature]	Yes
8. [Signature]	Yes	20. [Signature]	Yes
9. [Signature]	Yes	21. [Signature]	Yes
10. [Signature]	Yes	22. [Signature]	Yes
11. [Signature]	Yes	23. [Signature]	Yes
12. [Signature]	Yes	24. [Signature]	Yes

Total number of signatures: 156

N.B. Original copies available for inspection

Thank You for your support

P4

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Yes	13. [Signature]	Yes
2. [Signature]	Yes	14. [Signature]	Yes
3. [Signature]	Yes	15. [Signature]	Yes
4. [Signature]	Yes	16. [Signature]	Yes
5. [Signature]	Yes	17. [Signature]	Yes
6. [Signature]	Yes	18. [Signature]	Yes
7. [Signature]	Yes	19. [Signature]	Yes
8. [Signature]	Yes	20. [Signature]	Yes
9. [Signature]	Yes	21. [Signature]	Yes
10. [Signature]	Yes	22. [Signature]	Yes
11. [Signature]	Yes	23. [Signature]	Yes
12. [Signature]	Yes	24. [Signature]	Yes

Thank You for your support

P5

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Yes	13. [Signature]	Yes
2. [Signature]	Yes	14. [Signature]	Yes
3. [Signature]	Yes	15. [Signature]	Yes
4. [Signature]	Yes	16. [Signature]	Yes
5. [Signature]	Yes	17. [Signature]	Yes
6. [Signature]	Yes	18. [Signature]	Yes
7. [Signature]	Yes	19. [Signature]	Yes
8. [Signature]	Yes	20. [Signature]	Yes
9. [Signature]	Yes	21. [Signature]	Yes
10. [Signature]	Yes	22. [Signature]	Yes
11. [Signature]	Yes	23. [Signature]	Yes
12. [Signature]	Yes	24. [Signature]	Yes

Thank You for your support

P6

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Yes	13. [Signature]	Yes
2. [Signature]	Yes	14. [Signature]	Yes
3. [Signature]	Yes	15. [Signature]	Yes
4. [Signature]	Yes	16. [Signature]	Yes
5. [Signature]	Yes	17. [Signature]	Yes
6. [Signature]	Yes	18. [Signature]	Yes
7. [Signature]	Yes	19. [Signature]	Yes
8. [Signature]	Yes	20. [Signature]	Yes
9. [Signature]	Yes	21. [Signature]	Yes
10. [Signature]	Yes	22. [Signature]	Yes
11. [Signature]	Yes	23. [Signature]	Yes
12. [Signature]	Yes	24. [Signature]	Yes

Thank You for your support

P7

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Yes	13. [Signature]	Yes
2. [Signature]	Yes	14. [Signature]	Yes
3. [Signature]	Yes	15. [Signature]	Yes
4. [Signature]	Yes	16. [Signature]	Yes
5. [Signature]	Yes	17. [Signature]	Yes
6. [Signature]	Yes	18. [Signature]	Yes
7. [Signature]	Yes	19. [Signature]	Yes
8. [Signature]	Yes	20. [Signature]	Yes
9. [Signature]	Yes	21. [Signature]	Yes
10. [Signature]	Yes	22. [Signature]	Yes
11. [Signature]	Yes	23. [Signature]	Yes
12. [Signature]	Yes	24. [Signature]	Yes

Consultation response – The Kennel Club



Formal Response to East Devon District Council's Public Spaces Protection Order Consultation

Submitted on 25 October 2024 by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare, and training. Our objective is to ensure that dogs live healthy, happy lives with responsible owners. We campaign for and advocate on behalf of dogs and their owners and, as part of our external affairs activities, engage with local authorities on issues such as Public Spaces Protection Orders (PSPOs).

The Kennel Club is the only national organisation named by the UK Government as a body that local authorities should consult prior to introducing restrictions on dog walkers and is considered the leading canine authority on dog access. As such, we would like to highlight the importance of ensuring that PSPOs are necessary and proportionate responses to problems caused by dogs and irresponsible owners. We also believe that it is essential for authorities to balance the interests of dog owners with the interests of other access users.

Kilmington proposals

The Kennel Club has been contacted by local dog owners who have told of us of their concerns regarding the requirement for keeping dogs on lead on the Kilmington playing fields. They have raised concerns over a lack of viable and accessible alternatives to exercise their dogs off-lead. Particularly for those with reduced mobility – has the Council conducted an equality impact assessment for the proposed restrictions on Kilmington playing field?

It has also been suggested to us that there is a lack of evidence to justify a requirement for keeping dogs on lead on the playing fields. We are interested to know what evidence has been put forward to the Council to justify the restrictions being considered?

We understand Kilmington is located in a rural area, surrounded by considerable amounts of farmland, with livestock present. Displacing dog walkers from Kilmington playing fields onto farmland will increase the risks of dogs worrying or attacking livestock, and indeed potentially increase the risk of dog walkers being trampled by cattle. The Council must consider the impact of displacing dog walkers from Kilmington playing field, if it decides to impose restrictions on their ability to exercise their dogs off-lead on the playing fields.

Further we understand that the restrictions currently in place under the PSPO and the suggestion that dogs should be kept on a lead on Kilmington playing fields has never before been subject to a public consultation, allowing interested parties (as defined in law) to provide views on the proposals. As such we welcome the current consultation, and urge the Council to fully consider the responses received when deciding on whether to impose restrictions on dog walking on the playing field, or not.

If the Council is minded to impose restrictions, then we would urge them to fully consider whether a blanket restriction is required, or whether a more nuanced approach would be better suited.



We gather that some local dog walkers have proposed a compromise position that restrictions on the playing field only apply during certain hours of the day, during specified months of the year.

Restrictions of this nature, seasonal and time limited, are widely used across the country for dog control purposes.

One successful example of such a restriction is Lydiard Park, Swindon where dogs are required to be kept on a lead in a designated section of the park, from 1 April – 30 Sept inclusive, between times of 10.00-18.00.

In the case of Lydiard Park the restriction covers under 1/3 of the overall area of the park, and has been in place for a number of years, having been successfully renewed on more than one occasion. Elsewhere, similar restrictions are widely used on parks and beaches.

Appropriate signage

It is important to note that in relation to PSPOs, The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 makes it a legal requirement for local authorities to –

“cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to –

(i) the fact that the order has been made, extended or varied (as the case may be); and

(ii) the effect of that order being made, extended or varied (as the case may be).”

Regarding dog access restrictions, such as a ‘Dogs on Lead’ Order, on-site signage should clearly state where such restrictions begin and end. This can be achieved with signs that say on one side, for example, ‘You are entering [type of area]’ and ‘You are leaving [type of area]’ on the reverse.

Report to: Cabinet

Date of Meeting 27 November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Government consultation on remote attendance and proxy voting at Council meetings

Report summary:

The government is currently conducting an eight-week consultation on the detail and implications of allowing remote and hybrid attendance and proxy voting at local authority meetings in England. This report seeks Cabinet approval to a response to that consultation.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

- (1) That Cabinet agree the proposed response to the consultation and agree its submission to the Government.
- (2) That the Monitoring Officer share the response with all Town and Parish Councils in East Devon and encourage them to respond to the consultation by the 19 December 2024 deadline.

Reason for recommendation:

To ensure that the Council has the opportunity to respond to the consultation.

Officer: Melanie Wellman, Director of Governance and Monitoring Officer

Portfolio(s) (check which apply):

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

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; There are reputational and organisational risks if we do not ensure that we review and learn lessons from elections.

Links to background information

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

1. The Government is currently consulting on introducing powers for local authority members to apply to the relevant authority for a dispensation to attend formal council meetings remotely and vote by proxy in certain circumstances. The consultation will last for 8 weeks from 24 October 2024, closing on 19 December 2024.
2. If any changes to legislation are made as a result of this consultation, they would apply to England only local authorities including County, District and Town/Parish Councils.
3. The government wishes to reset the relationship between central and local government as partners in delivering better outcomes for the communities we collectively represent. They state that key to this is supporting the sector to modernise democratic engagement, raise standards and widen the range of candidates standing for council by removing unnecessary barriers.
4. The attendance of elected members at local authority meetings is a core part of the democratic process at the local level and is integral to members carrying out their functions effectively. In addition to the value of members coming together to debate and discuss the issues which impact the lives of the people they represent; it is also important that local residents have the opportunity to engage directly with the people they have elected to take key decisions on their behalf.
5. At the same time, the government recognises that there are circumstances in which it may not always be possible for members to attend council meetings in person. It is with this in mind that the government intends to amend the law to introduce provisions for remote attendance at local authority meetings.
6. Their intent is that this increased flexibility will strike the balance between the principle that significant in-person engagement remains vitally important, and a recognition that there will sometimes be a need to accommodate members' requirements to attend council meetings remotely. They hope it will encourage a wider diversity of people willing and able to stand and actively participate in local democracy by creating improved conditions where meetings are accessible and inclusive.
7. In addition, they are seeking views on the possible introduction of proxy voting for those occasions when an elected member, due to personal circumstances, may be unable to attend even remotely, for example during maternity, paternity or adoption leave.
8. The consultation seeks views on the detail and practical implications of this proposition to inform the Government's ongoing policy development. The questions raised in the consultation, together with a proposed response are set out below:-

1. In what capacity are you responding to this consultation?

A council body

2. Do you agree with the broad principle of granting local authorities powers to allow remote attendance at formal meetings?

Yes

3. If you answered 'Yes' to question 2, do you think that there should be specific limitations on remote attendance?

Please tick all the options below that correspond with your view and use the free text box for any other comments.

~~Any formal meeting allowing remote attendance should have at least two thirds of members in physical attendance~~

~~Members should only be able to attend council meetings remotely in exceptional circumstances, such as those who are medically or physically unable to attend, or for reasons of local or national emergencies~~
There should be no limitations placed upon councils with regard to setting arrangements for remote attendance of council meetings, up to and including full remote attendance

Add any further comments

4. If you are an elected member, can you anticipate that you personally may seek to attend some of your council meetings remotely?

N/A

5. If you are responding to this consultation on behalf of a council as a whole, what proportion of the council's current elected members are likely to seek to attend council meetings remotely over the course of a year?

~~Less than 10%~~

~~More than 10% but less than 50%~~

~~More than 50% but less than 90%~~

Most of them 90% to 100%

6. The government recognises that there may be cases in which it is necessary for councils to hold meetings fully remotely. Do you think there should be limitations placed on the number of fully remote meetings councils should be able to hold?

Councils should be able to allow full remote attendance at up to half of council meetings within a 12-month calendar period

~~Councils should only have the flexibility to change a meeting from in-person to online, or vice versa, due to unforeseen and exceptional circumstances~~

~~Councils should not have the flexibility to conduct fully remote meetings to ensure there is always an in-person presence~~

Add any other comments that you have

The need for a fully remote meeting will depend upon the nature of the meeting and the circumstances e.g. an extreme weather event

7. Do you think there are there any necessary procedural measures that would help to ensure a remote or hybrid attendance policy is workable and efficient?

Tick all the options that correspond with your view and use the free text box for any other comments.

~~Councils should be required to publish a list of attendees joining the meeting remotely and give notice if a meeting is being held with full remote attendance~~

Councils should be required to ensure that standard constitutional arrangements are followed for hybrid and fully remote meetings

Councils should be required to make arrangements to ensure restricted items (where a council decision is taken in private to protect confidentiality) are managed appropriately and to require remotely attending members to join from a private location

Add any other comments that you have

8. Do you think legislative change to allow councillors to attend local authority meetings remotely should or should not be considered for the following reasons?

Tick all the statements below that apply to your point of view.

Should be considered because:

- It is a positive modernising measure ✓
- It would likely increase the diversity of people willing and able to stand for election in their local area, making councils more representative of the communities they serve ✓
- Councils would be more resilient in the event of local or national emergencies which prevent in-person attendance ✓

Add any other reasons that it should be considered

- It is likely to increase engagement in Council meetings
- Accessibility for the public, members and staff.
- Carbon Reduction

Should not be considered because:

- ~~• Councillors should be physically present at all formal meetings~~
- ~~• It could lead to a significant number of councillors habitually attending remotely and ultimately reduce the effectiveness of councils~~
- ~~• It would be more difficult for councillors to build personal working relationships with colleagues, and engage with members of the public in attendance at meetings~~

Add any other reasons that it should be considered

9. In your view, would allowing councillors to attend formal local authority meetings remotely according to their needs particularly benefit or disadvantage individuals with protected characteristics? For example, those with disabilities or caring responsibilities.

- It would benefit members
- ~~It would disadvantage members~~
- ~~Neither~~

Add any further comments you have on this question

10. In addition to provisions allowing for remote attendance, do you consider that it would be helpful to introduce proxy voting?

- ~~Yes~~
- No
- ~~Unsure~~

11. If yes, for which of the following reasons which may prohibit a member's participation in council meetings do you consider it would be appropriate?

Please select all that apply:

- Physical or medical conditions
- Caring responsibilities
- Parental leave or other responsibilities

N/A

12. Are there circumstances in which you feel proxy voting would not be appropriate?

The Council is not supportive of proxy voting. The introduction of remote meetings should negate the need for proxy voting.

13. If you think proxy voting is appropriate, are there any limitations you think should be placed upon it?

N/A. However, if proxy voting were introduced there should be a cap on the number of times it can be used in a year and the wish to appoint a proxy should be in writing and must be withdrawn in writing. There should also be sufficient notice of the wish to appoint a proxy.

Add your comments

Conclusion;

Members are invited to consider and approve the proposed responses to the consultation and suggest any changes. It is proposed that the response is also submitted to all Town and Parishes in East Devon to encourage them to submit a response.

Financial implications:

To be completed by finance.

Legal implications:

The proposed changes will require a change in legislation.

Report to: Cabinet

Date of Meeting 27 November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Update on the Council Plan delivery plan

Report summary:

This report provides Cabinet with an overview of the progress made on the Council Plan delivery plan up to the second quarter of 2024/25.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet receive the progress report of the delivery plan and note the progress of the actions to date.

Reason for recommendation:

To ensure that the objectives from the Council Plan are being actioned and delivered appropriately.

Officer: Joanne Avery, Management Information Officer, javery@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 and Assets
- ☐ Finance
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; There are reputational and organisational risks if we do not ensure that we monitor the objectives and measures from the council plan.

Links to background information [Appendix a – Council Plan delivery plan update quarter 2 2024/25](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

This report provides an update on the council plan actions. The council plan sets out our strategic direction, including our priorities and actions, and is supported by service plans and individual performance reviews.

Responsible officers have been asked to update on progress so far up to the end of quarter two 2024/25 so gives us six months of progress on the plan.

Many of the projects listed in the plan are now underway and are progressing as planned. Some work has been completed like the increases in charges on second homes and the establishment of a constitution working group and an information governance board.

However, we do have some areas of variation where the projects are experiencing some changes to their original timescales but are still on going. These include projects around our stock condition survey and associated Housing Asset Management Strategy. The delivery of a master plan for the new community within the district and the delivery of the Exmouth Placemaking action plan. Work in these areas is progressing although not to the original timescale at present.

We have no projects listed as an area of concern as not being progressed at this time.

There are some actions that need to be revisited to ensure that they fully meet the priority actions and work will be undertaken in the new year to review the delivery plan with responsible officers by the Portfolio Holder Council and Corporate Co-ordination, working with Director of Governance (Monitoring Officer) and the Management Information Officer. A report on recommended changes will be brought back to Cabinet for review and agreement.

[Appendix A](#) provides the full delivery plan with the updates from quarter two by responsible officers.

Key to the delivery status listed for each action -

In progress: This status indicates that the action or measure is currently being worked on and is making progress. There are 55 actions across different themes and directorates that fall under this category.

Variation: This status is used for actions that have experienced some changes or adjustments in their timelines or implementation plans. There are 24 actions with this status.

Completed: Actions or measures that have been successfully completed. There are 4 actions that have reached this status.

Not yet due: Actions or measures that have not yet commenced as they are not yet due and are waiting of other actions to be completed before they can start. There are 20 actions that are planned but have not started yet.

Not available: This status is used for actions where the current status information is not available. There is one measure with this status as this is not currently being recorded.

Forward reporting timetable

	Quarter 3 report	Quarter 4 report	Quarter 1 report	Quarter 3 report
End of quarter update request to responsible officers	6 th Jan to 20 th Jan	1 st April to 15 th April	1 st July to 15 th July	1 st September to 15 th September
Report collation	20 th Jan	16 th April	15 th July	16 th September
Report to ELT	4 th Feb	29 th April	29 th July	30 th September
Report submission for Cabinet	11 th Feb	6 th May	TBC*	TBC*
Cabinet	5 th March	TBC*	TBC*	TBC*

*(To be confirmed once 2025/26 meeting calendar published)

Update on the new Corporate Performance System

A new corporate performance and risk system, Inphase has been procured, and the implementation process is underway. This system will help us to provide enhanced reporting of all our objectives and performance measures and our risk management and mitigation. Cabinet will see changes to the quarterly reports as the system is implemented and we will welcome feedback on the design of the reports.

Financial implications:

There are no direct financial implication identified in that this is report outlines our progression against the plan to date. (SD15/11/25)

Legal implications:

There are no substantive legal issues to be added to this report. (MW 15/11/24)

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

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