

Agenda for Scrutiny Committee Thursday, 11th July, 2024, 6.00 pm

Members of Scrutiny Committee

Councillors: I Barlow, J Brown, M Chapman, B Collins, O Davey, M Goodman (Chair), A Hall, M Hall, M Hartnell, J Heath, V Johns, Y Levine, D Mackinder (Vice-Chair), A Toye and J Whibley

Venue: Council Chamber, Blackdown House, Honiton

Contact: Sarah Jenkins;

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(or group number 01395 517546)

Tuesday, 2 July 2024



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- 1 Minutes of the previous meeting held on 13 June 2024 (Pages 3 - 8)
- 2 Apologies
- 3 Declarations of interest
Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)
- 4 Public speaking
Information on [public speaking](#) is available online
- 5 Matters of urgency
Information on [matters of urgency](#) is available online
- 6 Confidential/exempt item(s)
To agree any items to be dealt with after the public (including the press) have been excluded. There are no items which officers recommend should be dealt with in this way.
- 7 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules
There are no items identified
- 8 East Devon Safeguarding annual review 2023/24 (Pages 9 - 12)
- 9 S.106 & CIL processes and resources update (Pages 13 - 16)

10 Work programme (Pages 17 - 25)

1. Cabinet forward plan of key decisions 1 August to 30 November 2024
2. Scrutiny work programme

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[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 13 June 2024****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.46 pm

1 Minutes of the previous meetings held on 4 April 2024 and 18 April 2024

The minutes of the previous meetings held on 4 April 2024 and 18 April 2024 were agreed and signed as a true record.

2 Declarations of interest

Minute 8. Review of Emergency Responses in 2023/4 by East Devon District Council. Councillor Vicky Johns, Affects Non-registerable Interest, Councillor is a member of Ottery St Mary Town Council which distributes sand bags in the event of local flooding.

3 Public speaking

There were no members of the public registered to speak.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no confidential / exempt items.

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

There were no decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules.

7 Improving green spaces for wildlife

The StreetScene Operations Manager presented the report which set out the approach, objectives for and reasoning behind targeted wildlife improvement areas. The report covered the management of designated wildlife improvement areas, legislation, policies and strategies that apply to the development and designation of wildlife improvement areas, management systems, stakeholders consultations, communication with residents and similar work by other local authorities.

The StreetScene Operations Manager highlighted the following points from the report:

- Not all green spaces in East Devon are managed by the StreetScene team as some are managed by other bodies such as DCC, town and parish councils or EDDC's Countryside / Wild East Devon team.

- The way green spaces are managed is crucial particularly in light of the loss of wildlife and bio-diversity across Devon.
- Management of wildlife improvement areas is a key priority in the Council Plan for creating a Greener East Devon and aligns with the priorities set out in the Council's Climate Change Strategy, Action Plan and the legislated Nature Recovery Plan.
- As wildlife improvement areas are all public realm, StreetScene recognises the need for on-going communication with residents regarding how the areas are created and managed. The team will be working on a communications campaign to educate residents with the help of councillors and local town and parish councils.
- All wildlife improvement areas are now mapped and can be viewed on the Council's website.
- Recommendation 6 of the report [page 12] is key to supporting good communication with residents moving forwards.

The Chair thanked Officers for their comprehensive and informative report.

Responses to questions from Members and discussion included the following points:

- Areas such as tree copses are considered vital for the sustainability of small mammals. The recent planting of the Exmouth Tiny Forest provides an example of newly planted trees and will be monitored over the next decade to assess the benefits to bio-diversity.
- As StreetScene does not have an Ecologist within the team, it is important that the team works with local groups, such as the Exmouth Wildlife Group, which provide vital support to StreetScene's work.
- Concern was expressed regarding mowing in Brixington Park, Exmouth which could be detrimental to small mammals. The StreetScene Operations Manager and the Horticultural Technical Officer agreed to give this point further consideration.
- There was discussion regarding the up-keep of closed cemeteries such as Beer Cemetery and concern was expressed that the area around graves should be kept well maintained out of respect for the deceased. The Horticultural Technical Officer advised that improvements were being made to the management of the western section of Beer Cemetery which is not a wildlife improvement area.
- There was concern that there is not always a clear distinction between formal maintained areas and areas designated for wildlife improvement. It was noted that this should be monitored closely to ensure that maintained areas are clearly kept in good condition and that any wildlife areas are mown along the edges ie. by the side of pavements etc. so that the areas are clearly defined.
- With regard to the use of yellow rattle to suppress grasses and increase biodiversity, it was noted that it can take several years to see any improvement. Use of the cut and collect mowers to scarify the ground will support the growth of yellow rattle.
- The Portfolio Holder Coast, Country and Environment outlined the process by which EDDC takes on the management of closed cemeteries and the challenge of striking the right balance between respectful maintenance and enabling re-wilding.
- With regard to a query about Winters Lane at Ottery St Mary, it was noted that this site will be re-assessed in the next few months and consultation will be undertaken with a view to under-canopy planting such as hazel and buckthorn.
- Concern was expressed regarding basic maintenance of public open spaces in Seaton and good, timely maintenance could assist with public perception and support for wildlife improvement areas. It was noted that glyphosate had been banned on EDDC land since 2022, and this, together with mild winters and wetter springs has led to greater challenges with the maintenance of public open spaces.
- The Council has a definite role to play in leading and inspiring residents to follow the aims of wildlife improvement, however, the messaging needs to correctly identify and explain what is re-wilding or improving areas for wildlife.
- Real progress will be made when residents follow EDDC's example of improving areas for wildlife.

- Greater involvement of community groups, town and parish councils and schools would assist with encouraging residents' involvement, communications and managing resident's expectations.
- It was noted that the environment, sensitivities and residents' expectations are different in every area and that this would be an ongoing evolving project. A holistic approach to ongoing communications is needed.

It was noted that the Horticultural Technical Officer would be happy to provide workshops for new Councillors to increase awareness as part of the induction process. It was agreed that Officers would consider the use of clear and easily recognisable signage to indicate wildlife improvement areas.

RECOMMENDATIONS TO CABINET

The Scrutiny Committee recommends that Cabinet:

1. Reviews the reasons that the Managing Sites for Wildlife approach was adopted and how this came about.
2. Endorses the approaches and amended process of wildlife improvement practices, and notes the wider Nature Recovery Work being led by Countryside.
3. Approves wider communication to Councillors regarding this approach, with a feature in the Councillor update and reconsiders communication with residents, towns and parishes to increase positive interaction.
4. Provides any further recommendations for supporting the important strategy of transitioning traditionally maintained green spaces to wildlife improvement areas within climatic (eg. mild winters and wet springs) and budgeting constraints.
5. Agrees that Councillors increase their awareness of the reasoning and history of this approach and how it relates to central and local government legislative and policy frameworks.
6. Agrees that Councillors help disseminate this message to residents / voters in order to bridge the gap between Council strategy and residents' expectations of wildlife improvement areas and the continual transition of EDDC-owned green spaces from traditionally mown grass areas to wildlife havens. This will help StreetScene continue to align its targeted work with the legislative framework and Council-wide agendas, policies, strategies and action plans.
7. Endorses that the Council continues to work with voluntary and community groups across the District.
8. Supports that the Wildlife Improvement Strategy is brought back to the Scrutiny Committee on an annual basis.

The Chair thanked Officers for attending the meeting.

8 Review of Emergency Responses in 2023/4 by East Devon District Council

The Assistant Director Environmental Health presented the report which outlined the Emergency Planning and Response work undertaken in the year 2023 / 24 with particular reference to the floods in May and September 2023 and subsequent work based on lessons learned. The Assistant Director Environmental Health highlighted the following points in the report:

- The Council is defined in law as a 'Category 1' responder to emergencies which places certain responsibilities on the Council.
- The Council is an active partner in the Devon, Cornwall and Isles of Scilly Local Resilience Forum and a member of the Devon Emergency Planning Partnership which provides support with specialist administrative tasks.

- An Emergency Planning Officer is employed by the Council, based in the Environmental Health Service.
- Weather related risks and incidents dominated the period covered by the report and it was noted that weather warnings from the Met Office are improving, supported by flood alerts from the Environment Agency, both of which assist with emergency planning.
- Weather warnings and flood alerts are widely disseminated to assist Council staff and town and parish councils to increase local resilience.
- Members' attention was drawn to the highly localised flash floods in the Otter Valley in May 2023 and storm damage to the seawall at Exmouth caused by Storm Ciaran in November 2023.
- The flash floods in the Otter Valley had highlighted that EDDC was responsible for the recovery phase due to the localised nature of the incident. The response had emphasised the need for multi-agency partnership working. The work done at the time had resulted in better engagement with the local community and increased awareness of the need for local resilience.
- It was noted that recent changes in the Senior Leadership Team had resulted in agreeing a new weekly rota for the role of Emergency Duty Officer which will enable the Council to respond to emergencies at short notice.
- Attention was drawn to the National Risk Register and the key risk of a national power outage which highlighted the need for resilience among local communities.

Responses to questions and discussion included the following points:

- The Portfolio Holder for Coast, Country and Environment thanked Officers and noted how well EDDC had responded to the localised flooding incident in May 2023 and emphasised the need for local communities to have plans in place to support themselves during such an event.
- Local community groups are key to resilience during emergencies and communities should be encouraged to start work on emergency planning if they had not already done so.
- It was noted that Devon Communities Together provided information and support for emergency planning.
- Local knowledge suggested that the localised flooding in May 2023 was exacerbated by water running off fields and lack of maintenance of drains and gullies which was previously undertaken by DCC.
- Better use of land management was discussed following the May 2023 flooding and should form part of the 'business as usual' phase following recovery from such an emergency.
- Good local knowledge would be crucial in managing an emergency such as a national power outage as it would be very difficult to hold detailed local information on residents' specific needs at District Council level.
- DCC operates an annual or tri-annual cycle of gully cleaning with an interactive map available on the DCC website showing the last time a gully was cleaned. Issues can be reported through the DCC website.

The Committee particularly noted the comments made with regard to the need for local community resilience groups and the concerns expressed regarding the importance of gully clearance. The Committee asked the Assistant Director Environmental Health to emphasise the need for gully clearance during communications with DCC.

It was agreed to ask the Emergency Planning Officer to come back to the Committee to respond to the concerns and issues raised.

It was agreed to note the Emergency Planning work undertaken in the year 2023 / 24.

RECOMMENDATION TO CABINET

That the Council should encourage every community in East Devon to have a local emergency plan in place.

9 **Work programme**

It was noted that the Scrutiny Action Plan, which is in course of preparation, will inform much of the Committee's work programme for the rest of the civic year.

It was also noted, and agreed, that the Chair of the Overview Committee had requested early sight of the Service Plans, well in advance of the joint Overview and Scrutiny Committee meeting in January.

The work programme was agreed.

Attendance List

Councillors present:

M Chapman
M Goodman (Chair)
A Hall
M Hall
M Hartnell
J Heath
V Johns
D Mackinder (Vice-Chair)

Councillors also present (for some or all the meeting)

A Bailey
B Bailey
R Collins
G Jung
M Rixson

Officers in attendance:

Matthew Blythe, Assistant Director Environmental Health
Tracy Hendren, Chief Executive
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Andrew Wood, Director of Place (interim)
Paul Fealey, Horticultural Technical Officer
Julia Woodbridge, StreetScene Operations Manager

Councillor apologies:

I Barlow
J Brown
B Collins
O Davey
Y Levine
A Toye
J Whibley

Chairman

Date:



Report to: Scrutiny Committee

Date of Meeting 11 July 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

East Devon Safeguarding Annual review 2023/24

Report summary:

The report outlines the key deliverables that have been achieved during 2023/24 as part of East Devon District Council's Safeguarding responsibilities.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Scrutiny Committee note the activity that has been taken with regards to Safeguarding delivery for 2023/24

Reason for recommendation:

No decisions are required and the report is for informational purposes.

Officer: David Whelan, Emergency Planning and Business Continuity 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. However this is only because the report is an update. Safeguarding going forwards would be high impact.

Climate change Low Impact

Risk: Low Risk; However the this is only because the report is an update. Safeguarding going forwards would be higher risk, although the measures implemented during 23/24 reduce this risk to an acceptable level.

Links to background information Care Act, Childrens Act, EDDC Safeguarding Policy

Link to [Council Plan](#)

Priorities (check which apply)

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

Introduction

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

The Council also has a number of statutory obligations with regards to safeguarding. It has a Safeguarding policy which was updated and approved by Cabinet in January 2024 and published in March 2024.

This report outlines the safeguarding work that the Council has undertaken in 2023/24.

General Safeguarding Submissions 2023/24

As a District Council we come across more adults at risk who require safeguarding than children and this is reflected in our safeguarding data. Our main areas of safeguarding submission come from our Housing Colleagues (75%), followed by Revenue & Benefits including customer services (20%).

In 2023 East Devon District Council submitted 65 adult safeguarding referrals to Devon County Council (DCC). Of the 65 submitted 18 directly met the threshold for raising a Section 42 Care Act 2014 concern with DCC Adult Social Care, with a further being 8 forwarded onto other health authority agencies for actioning.

In order to check that the Council's Safeguarding submissions were appropriate, a DCC colleague and the operational safeguarding lead undertook a review of a number of referrals. They 'dip sampled' (i.e. dipped into the records and randomly selected referrals) six of the submissions which had not been taken on as a S.42 concern. They found all of these to be relevant for submission even though they did not progress to a S.42 enquiry being raised.

The reasons for not proceeding were varied:

- Closed because the risk had been mitigated before assessment or as a result of the assessment process.
- DCC were able to pass onto another agency/department to take forward or raise this awareness with another already engaged agency which mitigated the safeguarding risk.
- Concerns were mitigated as a result of the initial submission and the subsequent social care enquiries being made.

Some Forms were submitted in order to raise a concern for welfare or other assessment with DCC Adult Social Care and we always ask staff to go with their gut feeling and err on the side of caution in relation to raising a safeguarding concern. Self-neglect is the predominant type of concern raised by EDDC with 40 out of the 65 submissions having a self-neglect element.

For Child Safeguarding referrals the process is slightly different as submit to the Multi Agency Safeguarding Hub (MASH), which is administered by DCC but with a wider partnership approach. We submitted 3 MASH referrals in 2022, 1 in 2023 and now 2 in 2024, with the type of engagements we undertake across the council, these low figures are expected. But even though are submission numbers are low we continually keep aware of the processes and remit for Devon's Safeguarding Children Partnership via MASH who currently use an automated system via their website to capture all their safeguarding submissions.

Safeguarding Policy

In March 2024 we adopted our reviewed Safeguarding Policy which drew on learning from the Section 11 Childrens Act 2004 self-assessment audit we undertook in 2022, linked with recommendations from the Verita Report as well as learning taken from debriefs notes of our Safeguarding training.

This was a wholesale review with key changes being:

- Aims of the Policy, to include voice of the vulnerable & Corporate Parenting
- Volunteer policy & Councillor Code of Conduct included.
- Councillor Safeguarding Lead role introduced.
- Councillor Safeguarding Champion role introduced.
- Councillor responsibilities including mandatory training attendance.
- Councillors to ensure they have an up-to-date DBS disclosure.
- Councillor Safeguarding Champion or Lead support in a safeguarding concern.
- Accompanied LADO meeting attendance consultation with safeguarding lead and reference to EDDC Safeguarding Forum.
- Designation of Assistant Director/Director as Champions.
- Line manager responsibility.
- Contractor safeguarding delivery.
- Officer Safeguarding Champion responsibility and Director Lead responsibility.
- LADO liaison role.
- Monitoring Officer responsibility for councillor DBS disclosure.
- Officer mandatory training requirement.
- Inclusion of process flowchart.

Safeguarding Forum

In November 2022 we set up the Internal Safeguarding Forum which meets bi-monthly under the guidance of the Corporate Safeguarding Lead and includes managers and officers from the main services where safeguarding is a live issue (e.g. Housing, revenue and benefit, Environmental Health). The Forum looks at safeguarding policy, processes, training opportunities, external safeguarding trends, case reviews and looks at the submitted EDDC safeguarding concerns which make up the data above, these activities in turn further raises our awareness of safeguarding within the most relevant areas to safeguarding.

Safeguarding Training

Since 2022 we have delivered level 3 Safeguarding and Mental Capacity Assessment training for our front-line staff across the council to improve their knowledge base in these areas. We have also provided specific training for our Officer Champions (2023) and Members in (2022). Online Safeguarding awareness training is now a mandatory requirement for staff upon induction and subsequently every three years.

Partnership Work

We continue to be active members of the Devon Districts Safeguarding Network which meets quarterly and has meeting inputs from representatives of the Devon Safeguarding Children Partnership and the Torbay and Devon Safeguarding Adult Partnership as well as links into the TDSAP Learning and Informing subgroup to ensure we are aware of national and county wide developments. This meeting allows the Districts to be sighted on relevant safeguarding information, sharing good practice, as well as the ability to provide a shared response on issues which impact the Districts Devon wide.

Internal Processes

In 2023 we developed a Firmstep process for submission of our adult safeguarding forms to Devon County Council to maximise the capture and understanding of our corporate adult safeguarding risks, this can't be done for Children submissions due to their external process.

Going Forwards

The focus for safeguarding work in 2024/25 will be to embed the new policy and ensure that officer and member champions are fully engaged with the safeguarding work through the new bi-annual meeting. We are also working to ensure that we have full oversight of the referrals being made, so that we can monitor effectiveness and take any learning points.

Conclusion

2023/24 was a significant year for how the Council delivers safeguarding work. The new policy and associated responsibilities and structures should ensure that safeguarding is a high priority in all of the Council's work.

Financial implications:

There are no financial implication arising from the report

Legal implications:

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



Report to: Scrutiny Committee

Date of Meeting 11th July 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

S106 and CIL Resourcing Update

Report summary:

This is a brief report to update Members on progress with addressing resourcing issues involved in Section 106 obligations and CIL administration. This is further to a report to the Committee's meetings on the 7th September 2023 and 4th April 2024 and subsequent resolutions from Cabinet on resourcing these key areas of work.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Members note the progress that has been made on addressing the resourcing of CIL and Section 106 work.

Reason for recommendation:

To ensure that Members are advised of progress in addressing the issue of resourcing Section 106 and CIL work as highlighted at previous meetings of the committee.

Officer: Ed Freeman – Assistant Director Planning Strategy and Development Management
(efreeman@eastdevon.gov.uk; Tel 10395 517519)

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 Previous Scrutiny Report - [070923 S106 CIL Resources and Processes 2023 Scrutiny.pdf \(eastdevon.gov.uk\)](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

This report seeks to update Members on progress in increasing staff resources associated with CIL and Section 106 work further to Members previous consideration of these issues at their meeting of the 7th September 2023 and 4th April 2024. At the September meeting Members made a series of recommendations as follows:

“RECOMMENDATIONS TO CABINET:

1. Recommend that Cabinet support the proposed revised S.106 Monitoring Fees charging schedule appended to the report [Report on Section 106 and CIL Resources and Processes] and recommend to Council that these charges be applied with effect to Section 106 agreements associated with planning applications received once the new charges have been published on the Council's website.
2. Recommend to Cabinet and to Council that the proposed Planning Obligations Team incorporating the existing CIL and Section 106 Officer posts and the proposed new Planning Obligations Manager and Planning Obligations Support Officer posts be created with the new posts to be funded from S.106 Monitoring Fees and CIL admin funds.
3. Recommend to Cabinet that the current spend process for S.106 receipts for spend in the community on play areas, open space and other community spaces be amended as per option 2 as detailed in the report and delegated authority be given to the Assistant Director – Planning Strategy and Development Management to issue best practice guidance on the Council's website on how Town and Parish Councils should engage their communities on spend decisions.
4. Recommend to Cabinet that an interim solution be found to put resources in place as soon as possible in respect of dealing with the approximately 150 outstanding cases where a notice of payment has been issued and monies remain outstanding.

These recommendations were subsequently agreed and in the update report to Scrutiny Committee on the 4th April 2024 Members were advised that:

Concerning Recommendation 1 above, the revised monitoring fees schedule has now been adopted and published on the Council's website.

Between Sept 2023-April 2024, a thorough recruitment process was undertaken to identify candidates to fill the permanent roles referred to in Recommendation 2.

Recommendation 3 relates to revisions to the best practice guidance on the Council's website covering engagement with town and parish councils on the spend of Section 106 monies. Formally reviewing and updating this guidance is a key priority for the new Planning Obligations team.

In terms of addressing issues raised in Recommendation 4, two additional temporary members of staff were appointed to deal with a backlog of S106 and CIL cases. This is in addition to the agency Section 106 Monitoring Officer who has been in post since early last year.

The following was then agreed:

RESOLVED:

1. That the Scrutiny Committee receive an update report in late Summer 2024 to advise of progress in forming the new planning Obligations Team and their progress in addressing the issues highlighted in the report.

Current position

Following a successful recruitment process, a new team of officers is now in place in addition to a full-time CIL Officer who has been in post since 2016. The Planning Obligations team is led by a Team Leader, supported by a permanent S106 Monitoring Officer, two permanent full-time CIL Officers and a Support Officer. Two out of three temporary members of staff have had their contracts extended in the short term to ensure a smooth transition is achieved while the new officers review current systems, address a backlog of work and put into place new, more efficient processes for collecting, recording, and spending both CIL and S106 contributions.

Priorities in the short term are to recover outstanding monies, undertake effective monitoring of developments, issuing of CIL liability notices and checking of exemption applications. Collectively, these actions will ensure that money raised from development is optimised.

A review of S106 deeds over 6 years old has been undertaken in the last few months resulting in the number of outstanding payments being halved through a combination of settlement, removal of duplicate deeds, and reclassification of some cases as not having reached trigger points for payment. A process has been initiated to attempt to recover outstanding S106 debt involving about 100 cases. The vast majority are amounts of less than £5k which we are working to recover, however there are 3 much larger amounts of between £60k and just under £100k outstanding. One of these relates to a housing developer that is in administration and officers are currently working with legal services to investigate what action can be taken. The remaining larger amounts relate to the same housebuilder who we are actively pursuing.

Action has also been taken to begin to address Members concerns regarding spending of S106 and CIL contributions. Every Town and Parish Clerk in the district has been contacted to raise awareness of the advice and guidance that is available from the Planning Obligations team, and meetings have been held with some local councils with further events planned. We will shortly be updating advice on spending contributions on our website with the objective of introducing a more stream-lined, localised process.

CIL contributions in East Devon are currently split into various pots. 15-25% is transferred twice yearly to towns and parishes (percentage is dependent on whether they have a 'made' Neighbourhood Plan), 8.6% is spent on habitat mitigation projects, 5% on administration and the remainder is available for strategic projects. We propose to hold a bidding process to facilitate spending on key infrastructure projects to be made in the Autumn. We are currently looking at setting up an initial meeting of the CIL Member Working Group in July to commence this process.

Financial implications:

There are no direct financial implications arising from this report.

Legal implications:

There are no legal implications arising from this update report

Scrutiny Committee Work Programme 2024/25
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Work for scoping and/or allocation to the Work Programme 2024 - 2025

Proposed date	Topic
	Future work to be allocated to the Work Programme
TBC	Scoping report on Exmouth Sea Wall Task and Finish Forum
TBC	Scoping report on S.106/CIL Resources & Processes Task and Finish Forum
TBC	Scoping report on South West Water Sewage Task and Finish Forum
	Portfolio Holder reports: Awaiting the Scrutiny Action Plan and further discussion (Scrutiny Action Plan to be discussed at full Council on 17 July 2024)
TBC	Follow up meeting with Southwest Water (date and scope TBC)
TBC	Referral from Cabinet of Minute 120, Serious Violence Duty: That this and other wider tasks and duties being given to EDDC from central government be referred to the Scrutiny Committee for further discussion and debate (awaiting advice from senior officers on how to proceed)
Correspondence regarding Scrutiny Committee topics	
Date received	Details

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4-month period: 1 August 2024 to 30 November 2024

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

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

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

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

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

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

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

Obtaining documents

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

Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
Sidmouth and East Beach BMP – Approval to enter design and construction contracts	Assistant Director StreetScene					Part A
Recycling and Waste: - MRF/Baling Plant Refurbishment/Site Compliance - vehicle refurbishment programme	Assistant Director StreetScene					
EDDC lifeguard service provision and funding (26/02/24)	Assistant Director StreetScene					Officer Decision
Colyton Land disposal	Housing Enabling Officer					Part A
Feniton Flood Alleviation Scheme, Phase 4 contract award	Assistant Director Streetscene					Part A
Procurement of CBRE through the Crown Commercial Services Framework to undertake work in relation to the second new community	Delivery Manager					Part A

Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
Home Safeguard – Digital Monitoring Platform (23/05/24)	Assistant Director – Housing Statutory Services				4 September 2024	Part A
Individual property: external and internal repairs and refurbishment	Assistant Director Housing					Part B Officer Decision
Individual property: external and internal repairs and refurbishment	Assistant Director Housing					Part B Officer Decision
Colyford Road and Fosse Way Viability Assessment	Assistant Director Place Assets & Commercialisation	Colyford Road and Fosse Way Viability Assessment	No	Asset Management Forum	4 September 2024	Part A *possibly some Part B including the SOBC as they are commercially sensitive confidential
Cloakham Lawns Employment Site Viability Assessment	Assistant Director Place Assets & Commercialisation	Colyford Road and Fosse Way Viability Assessment	No	Asset Management Forum	4 September 2024	Part A *possibly some Part B including the SOBC as commercially sensitive confidential

Exmouth Town and Seafront Placemaking Plan Adoption	Assistant Director Place Assets & Commercialisation	Placemaking Plan and appendices	Yes some Strategic Outline Business Cases (SOBC)	Placemaking in Exmouth Town and Seafront Group	4 September 2024	Part A *possibly some Part B including the SOBC as commercially sensitive confidential
Place and Prosperity Fund acquisition	Assistant Director Place Assets & Commercialisation	None	Business case/Appraisal of proposal	Place and Prosperity Investment Board	4 September 2024	Part B under Section 100(A) (4) of the Local Government Act 1972

page 21	Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
	Site Acquisition	Project Manager Place, Assets & Commercialisation				4 September 2024	Part B
	Formation of an Exmouth Town and Seafront Subgroup	Assistant Director Place Assets & Commercialisation	Steering Group ToR		Placemaking in Exmouth Town and Seafront Group	4 September 2024	Part A
	Council Depots Review	Project Manager Place, Assets & Commercialisation				4 September 2024	Part A

Hayne Lane Masterplan	Assistant Director Place Assets & Commercialisation	Hayne Lane Masterplan	No	Asset Management Forum	4 September 2024	Part A *possibly some Part B including the SOBC as commercially sensitive confidential
Recycling & Waste Contract Replacement and future services	Assistant Director - StreetScene	PH Team workshop notes and options appraisal			4 September 2024	Part B extraordinary meeting (commercially sensitive)

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Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting
Exmouth Emergency Seawall Repairs: Consultant fees forecast to go above £100k Exmouth BMP: Consultant fees forecast to go above £100k	Engineering Projects Manager					Part A
Individual property: external and internal repairs and refurbishment	Assistant Director Housing					Part B Officer Decision

Towards Zero Carbon Development in the West End: Interconnector Project Final Investment Decision	Assistant Director Growth, Development & Prosperity	Full Business Case				Part B
Strategic Development Review – Exeter Science Park Limited (01/03/24)	Assistant Director Growth, Development and Prosperity		N			Part B (information relating to finance)
Key Decision (date added to FP)	Portfolio (Lead Officer)	Documents to be considered before Cabinet take decision	Whether other documents will be considered before decision taken [Y/N]	Other meetings where matter is to be debated / considered	Date of Cabinet meeting	Part A = Public meeting Part B = private meeting [with reasons]
Procurement Support from Devon County Council – renew 5-year SLA (01/05/24)	Director of Finance					Officer Executive Decision

Plot 337 Clover Way Cranbrook	Director of Housing Health & Environment					Part B Request for Officer Executive Decision
Plot 340 Clover Way Cranbrook						
Plot 341 Clover Way Cranbrook						
Plot 378 Clover Way Cranbrook						
Plot 529 Clover Way Cranbrook						
Plot 533 Clover Way Cranbrook						
Plot 100 Plumb Park Exmouth						
Plot 101 Plumb Park Exmouth						
Plot 102 Plumb Park Exmouth						
Plot 103 Plumb Park Exmouth						
Plot 104 Plumb Park						
Exmouth East Devon Tennis Centre, Roof Works. Appointment of contractor (19/03/24)	Simon Allchurch / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision
Sidmouth Manor Pavilion Theatre and Art Centre, Internal Decorations and Refurbishment (19/03/24)	Steve Parker / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision

Exmouth the Pavilion Theatre, Flytower and Auditorium Works. (19/03/24)	Steve Pratten / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision
Exmouth Withycombe Changing Rooms, Decarbonisation / Boiler replacement Works (19/03/24)	Paul Manning / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision
Exmouth the Pavilion Theatre, Roof Works (19/03/24)	Paul Manning / Jorge Pineda-Langford					Appointment of contractor. Request for Officer Executive Decision
Decarbonising TDDC swimming pools (20/03/24)	Jorge Pineda-Langford					Appointment of consultants to undertake design work. Officer Decision
Green Waste Collection vehicle 5 - RCV quotation (22/03/24)	Assistant Director StreetScene					Request for Officer Executive Decision
Fraud Strategy Delivery Plan	Portfolio Holder Finance Assistant Director – Revenues, Benefits, Customer Services, Fraud & Compliance			Audit & Governance 19 September 2024	Cabinet 2 October 2024	Part A Approve the Fraud Strategy Delivery plan

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

July 2024