



Agenda for Cabinet

Wednesday, 4th June, 2025, 6.00 pm

Members of Cabinet

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

Venue: Council Chamber, Blackdown House, Honiton

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Tuesday, 27 May 2025

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

- 1 Minutes of the previous meeting (Pages 3 - 6)
- 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 Minutes of Arts and Culture Forum held on 16 April 2025 (Pages 7 - 11)
- 8 Minutes of Housing Review Board held on 24 April 2025 (Pages 12 - 18)
- 9 Minutes of Recycling and Waste Partnership Board held on 23 April 2025 (Pages 19 - 23)

Key Matters for Decision

- 10 Adoption of the Blackdown Hills National Landscape Management Plan 2025-2030 (Pages 24 - 26)
- 11 Seaton Coast Protection Scheme (Pages 27 - 31)
- 12 Exemption to Standing Orders - Purchase of Election Booths (Pages 32 - 34)
- 13 Executive Leadership Team structural review (Pages 35 - 40)

Matters for Decision

- 14 **Update on the Council Plan delivery plan** (Pages 41 - 43)
- 15 **Peer Challenge recommendations and delivery plan update** (Pages 44 - 45)
- 16 **S106 funding to support delivery of affordable housing alongside the Local Authority Housing Fund** (Pages 46 - 50)
- 17 **Contract standing orders exemption Global City Futures final business case** (Pages 51 - 52)
- 18 **Planning and Infrastructure Bill Update** (Pages 53 - 65)
- 19 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

The Vice-Chair to move the following:

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

Part B Matters for Decision

- 20 Minutes of Leisure Strategy Delivery Forum held on 8 April 2025 (Pages 66 - 70)

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Members of the public exercising their right to speak during Public Speaking will be recorded.

[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 30 April 2025

Attendance list at end of document

The meeting started at 6.03 pm and ended at 6.34 pm

193 Minutes of the previous meeting

The minutes of the previous meetings of Cabinet held on 2 April 2025 were agreed.

194 Declarations of interest

Min 195. Public speaking.

Councillor Ian Barlow, Affects Non-registerable Interest, Member of Sidmouth Town Council.

Min 198. Minutes of Placemaking in Exmouth Town and Seafront Group held on 18 March 2025.

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

195 Public speaking

Cllr Ian Barlow asked the Portfolio Holder for Culture, Leisure, Sport and Tourism why the council was not supporting the Sidmouth Jazz Festival and what would need to be done to gain any support. He asked him to confirm how much officer and member time has been spent in responding to the concerns that he had raised in relation to this issue.

The Portfolio Holder for Culture, Leisure, Sport and Tourism answer was that a written response would be sent to Cllr Barlow once he had spoken to the relevant officers.

196 Matters of urgency

There were none.

197 Confidential/exempt item(s)

There was one item which officers recommended should be dealt with in this way recorded at Minute 204.

198 Minutes of Placemaking in Exmouth Town and Seafront Group held on 18 March 2025

Members noted the Minutes of the Placemaking in Exmouth Town and Seafront Group held on 18 March 2025.

199 Minutes of Overview Committee held on 27 March 2025

Members noted the Minutes of the Overview Committee held on 27 March 2025.

200 **Procurement of Developer Advisor and Technical Advisor for Cranbrook District Heating Expansion Areas Project**

The report notified Members of two contracts that would both exceed £100k.

- 1) Contract for consultant support for a Developer Advisor. The advisor would play a vital role in facilitating coordination of the commercial, financial, and operational aspects of developer and land promoter connections and include project liaison.
- 2) Contract for consultant support for a Technical Advisor. The advisor would play a critical role in developing the scheme to RIBA Stage 2 and would be responsible for addressing and de-risking key engineering and technical interfaces with the developers involved in the Cranbrook expansion areas.

RESOLVED that Cabinet:

1. Grants delegated authority to the Leader, Chief Executive and the Director of Place to proceed with the following recommendations once they have satisfied themselves that it is appropriate to proceed.
2. Approves the letting of the contract to Inventa Partners, to provide Developer Liaison, with a total contract value is £128,000.
3. Approves the letting of the contract to WSP, to provide technical and engineering support, with a total contract value is £180,000.

REASON:

To support the delivery of Cranbrook District Heating Expansion Project.

201 **Economic Development Strategy - Year 2 Priorities**

The Economic Development Manager updated Members to the progress made against each of the five policy areas Since the Economic Development Strategy (EDS) was endorsed by Cabinet in July 2024. The Strategy made a clear commitment to keeping track of progress and reviewing the policy priorities on an annual basis. Officers have undertaken this review, with an EDS Tracker providing RAG ratings for each priority over the initial six months.

RESOLVED that Cabinet:

1. That the progress made in the first six months of the 2024-29 Economic Development Strategy be noted.
2. That the proposed amendments to the EDS priorities for the second year of the Strategy and the indicative workplan for July 2025 – July 2026 be agreed.

REASON:

The Economic Development Strategy committed officers to producing an annual report to measure the progress made against each of the policy priorities. The purpose of this was to keep members aware and engaged. Tracking and where necessary, updating policy priorities ensured that the EDS did not become out of date.

202 **Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 May 2025 to 31 August 2025.

203 **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).

204 **Leisure Management Option Appraisal**

The Leisure Management Option Appraisal report along with the supporting documentation sought to outline all the options available and the merits of each. The recommendations were to streamline the options available and focus on those that would provide the most advantageous outcome for the Council that meets its stated critical success factors. An alternative management arrangement may lead to an opportunity to rationalise facilities and achieve revenue savings.

RESOLVED that Cabinet:

1. Note the content of this options appraisal report
2. Endorse the options to be considered in more detail to include the practicalities of:
 - a) No change - continuing with the existing portfolio and arrangements of the leisure facilities within the contract until 31st December 2035
 - b) retaining the leisure facilities to be provided by the existing Leisure Trust, with a deed of variation of the existing contract to ensure it is fit for purpose, subject to procurement rules governing 'material change' and when this would trigger the need for re-procurement.
 - c) exercising the break clause and carrying out a full procurement exercise to outsource the leisure services to an external operator (which could potentially be the existing Leisure trust).
 - d) exercising the break clause and pursuing a joint procurement with neighbouring authorities

REASON:

To ensure that Cabinet could take a decision in relation to future leisure service during 2025 that was informed by the best possible assessment of the available options and the associated benefits and costs.

Attendance List

Present:

Portfolio Holders

M Rixson	Portfolio Holder Climate Action & Emergency Response
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Sustainable Homes & Communities
S Jackson	Portfolio Holder Communications and Democracy
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
N Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
P Arnott	Leader of the Council

P Hayward
T Olive

Deputy Leader and Portfolio Holder Economy and Assets
Portfolio Holder Strategic Planning

Cabinet apologies:

S Hawkins

Portfolio Holder Finance

Also present (for some or all the meeting)

Councillor Ian Barlow
Councillor Roy Collins
Councillor Richard Jefferies

Also present:

Officers:

Tim Child, Assistant Director Place, Assets & Commercialisation
Amanda Coombes, Democratic Services Officer
Simon Davey, Director of Finance
Ed Freeman, Assistant Director Planning Strategy and Development Management
Naomi Harnett, Corporate Lead (Interim) – Major Projects & Programmes
Tracy Hendren, Chief Executive
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Tom Winters, Interim Economic Development Manager
Andrew Wood, Director of Place

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Arts and Culture Forum held at Online via the Zoom app on 16 April 2025****Attendance list at end of document**

The meeting started at 10.00 am and ended at 12.20 pm

21 Public speaking

There were no members of the public registered to speak.

22 Minutes of the previous meeting

The minutes of the meeting held on 6 November 2024 were agreed.

23 Declarations of interest

5. Year 3 Cultural Programme.

Councillor Ian Barlow, Affects Non-registerable Interest, Director of Sidmouth School of Art.

5. Year 3 Cultural Programme.

Councillor Vicky Johns, Affects Non-registerable Interest, Works for an arts based charity in Sidmouth.

24 Year 3 Cultural Programme

The Cultural Producer's presentation and report provided a summary of the third year of the UK Shared Prosperity Fund (UK SPF) Cultural Programme, from April 2024 to March 2025. This three-year funded programme was helping 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 now complete, and a fourth year had been agreed in principle, with total funding of £37,985 toward Creative East Devon Fund (£20,985), ACED network (£2,000), Screen Devon (£10,000) and Villages in Action (£5,000).

The total year three budget allocation for the Cultural Programme in 2024/25 was £52,000. During this year it predominantly focussed on two activities: the continued support for and development of the Arts and Culture East Devon (ACED) network through meetings and training, and continued delivery of the Creative East Devon Fund grant scheme. Funding was also designated to support the new initiative Screen Devon. Other activities during 2024/25 included grants for museums and the cultural tourism map. It was noted that funding for a continued Cultural Programme beyond March 2026 remained uncertain.

The Cultural Producer was thanked for her comprehensive report and presentation and members agreed that she was pivotal in delivering the work of the Cultural Strategy.

RESOLVED: that the Arts and Culture Forum endorses the report and the successful delivery of the third year of the UK Shared Prosperity Fun Cultural Programme.

25 **Villages in Action**

The Forum received a presentation from Mair George, Creative Director, Villages in Action detailing the work of Villages in Action (VIA) and how this related to the East Devon Cultural Strategy. The presentation outlined the success of VIA and the 56 performances that had taken place in East Devon, including box office income, audience and participant attendees, community fundraising and the number of paid artists. Funding had also been received from Heritage Lottery and Arts Council England.

Activities for 2025-26 were the recruitment of the East Devon network lead, which the uplift received from EDDC had enabled, a summer performance programme and From Devon with Love (First Steps Touring) bursary.

The Forum discussed the importance on collaborations with other organisations, as well as the accessibility of the venues. Cultural activity was a huge benefit to people's health and wellbeing and should be available to all. It was noted that 21% of people had been able to walk to the events. The importance of promoters was highlighted as VIA relied on volunteers within communities.

The Creative Director was thanked for her interesting presentation, the excellent community networking that took place and also for including the EDDC logo on the VIA website. It was suggested that VIA could use the EDDC Residents Newsletter for publicity of their events.

26 **South West Museums Development**

Representatives from South West Museums Development (MDSW) had given their apologies for the meeting, but the Forum noted the report contained within the agenda papers detailing the work of MDSW and how this related to the East Devon Cultural Strategy.

27 **Screen Devon**

The Arts and Culture Forum received a presentation from Claire Horrocks, Manager of Screen Devon, who had been in post since January 2025.

Screen Devon had been working hard to establish themselves and to make Devon more film friendly. They had been working on logging infrastructure, understanding workforce capacity, identifying skills gaps and informing a new programme of skill development. Screen Devon intended to track the economic impact from screen productions in the region, as well as nurture and support Devon's creative industries and identify where there were gaps. By aligning cultural strategies across the county local authorities could work towards shared goals and ensure they did not miss opportunities to collaborate, benefit and grow, putting Devon on the map and building a strategy to become recognised as a world class destination.

Screen Devon collaborated with Exmouth Film Festival to deliver a pop-up industry event. The session included an industry guest speaker, information on Screen Devon and its role in the region, and networking. Seven enterprises and five organisations from within East Devon were supported.

The presentation outlined post event outreach and targets for 2025-26. These included Screen Devon acting as a simple one-stop point of contact to make life easy for visiting productions and providing a process for simple Devon-wide permits. Screen Devon would help to broker new locations and manage a private directory.

The Forum agreed that collaborations were extremely important and that the more all involved worked together the better. There would be economic benefits from the ripple effect of screen tourism. Screen Devon was a significant initiative bringing investment into the area. It was noted that recent filming in Beer brought £700,000 to the local economy and approximately 40% of this figure would have gone directly to East Devon businesses.

The Screen Devon Manager thanked EDDC for its continued support and investment and committed to hosting another event with an East Devon based provider. On behalf of the Forum the Chair thanked the Manager of Screen Devon for her presentation and congratulated her on year one.

28 **Manor Pavilion Theatre**

The Arts and Culture Forum received a presentation from the Manor Pavilion Theatre Manager on the previous and forthcoming twelve months at the Manor Pavilion Theatre.

The presentation included information on theatre usage, where customers were coming from, and the Sidmouth Summer Play Festival. Ticket sales and bar sales had seen a year-on-year increase until covid. This post covid recovery trend had continued, despite the theatre closure in January and February 2024 for building work. It was noted that art investment contributed up to £4 to the local economy for every £1 spent by a local authority.

The Big Survey was conducted in December 2024, with 656 people completing the anonymous survey. The results revealed a friendliness score of 9.4 out of 10, and respondents highly likely to recommend the theatre to a friend. The survey confirmed that the right types of performances were being put on and justified having a summer play festival, with it being the most popular fixture and having the most mentions and being the most attended. It also revealed what people's favourite shows were and what they would like to see more of. Constructive criticism highlighted the need for more online advertising and a greater social media presence, more matinees requested, and local transport infrastructure impacting attendance.

Looking to the future the Manor Pavilion Theatre would take the feedback from the Big Survey to help it grow and improve. The Play Season would continue and be developed. There would be new comedy nights and more contemporary drama, as requested by the public. Long standing relationships with local societies would continue and youth theatre would be supported.

It was noted that refurbishment of the theatre would take place in early 2026, with redecoration of the auditorium, a new carpet and the seating being replaced. A capital budget of £260,000 had been provided by EDDC.

On behalf of the Forum the Chair thanked the Manor Pavilion Theatre Manager for his presentation. The Forum agreed that the Theatre was a fantastic asset to East Devon and were pleased to see the venue go from strength to strength. The Manager and his team were congratulated for the remarkable covid recovery.

29 **East Devon events update**

The StreetScene Events Officer introduced herself and explained that the events team (two officers) managed the hiring out of StreetScene and car parks land to those who want to put on events across the district. In addition to this they:

- Hosted a maximum of six weddings on EDDC land at Connaught Gardens, Sidmouth, where they acted as venue manager.
- Granted filming and photography permissions.
- Administered fitness licences.
- Provided administration for the Safety Advisory Group.
- Managed the Sidmouth Folk Festival Seafront Traders.
- Provided support to town and parish councils.

The Events Officer outlined the numbers of days and events that had taken place over the last few years, with the majority taking place in Exmouth. A wide variety of events were approved, from regular town band performances to larger scale festivals. 2025 was fully booked for weddings, with only one slot available in 2026. The team were extremely busy, but it was hard to predict the number of future events as only six weeks' notice was required for low level events. If it was not possible to hold an event on Council land organisers would be signposted to other locations within East Devon in order to support the district-wide economy.

The events officers were part of the national Local Authority Event Organisers Group, which allowed for benchmarking and collaborative working with other events officers across the country.

It was noted that the Events Strategy and Policy, approved in March 2021 needed updating to reflect the Cultural Strategy and the Tourism Strategy.

In response to questions from members the Events Officer explained how event safety was assessed and the measures that were taken to support event organisers. She was thanked by members of the Forum for the fantastic job the team were doing.

Attendance List

EDDC Councillors present:

O Davey
P Fernley
N Hookway
V Johns

Town Representatives

R Doorbar, Budleigh Salterton Town Council
C Buchan, Cranbrook Town Council
I Barlow, Sidmouth Town Council

Officers in attendance:

Charles Plowden, Assistant Director Countryside and Leisure
Graham Whitlock, Theatre and Arts Centre Manager (Manor Pavilion Theatre)
Sarah Jenkins, Democratic Services Officer
Alethea Thompson, Democratic Services Officer
Caitlin Davey, Events Officer
Sarah Elghady, Cultural Producer

Also Present

Mair George, Villages in Action
Claire Horrocks, Screen Devon
Jack Price, Axminster Town Council

Apologies:

J Brown, Honiton Town Council
J Farrow, Axminster Town Council
P Faithfull
Jo Cairns, South West Museums Development
Vic Harding, South West Museums Development

Chair

Date:

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

Housing Review Board on 24 April 2025

Minute 48 Housing policy review – Succession Policy

RECOMMENDED by the Housing Review Board:

that Cabinet approve the updated Housing Succession Policy.

Minute 50 Annual report of the Housing Review Board

RECOMMENDED by the Housing Review Board:

that Cabinet and Council note the work that the Housing Review Board has undertaken during the 2024-25 civic year.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Housing Review Board held at Council Chamber, Blackdown House, Honiton, EX14 1EJ on 24 April 2025

Attendance list at end of document

The meeting started at 10.00 am and ended at 12.05 pm

39 Minutes of the previous meeting

The minutes of the meeting held on 30 January 2025 were agreed.

40 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 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.

Rachel Browne, 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.

Declarations of interest.

Rosemary Dale, Affects Non-registerable Interest, Tenant of East Devon District Council.

41 Public speaking

There were no members of the public registered to speak.

42 Matters of urgency

There were none.

43 Confidential/exempt item(s)

There were none.

44 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 – Housing and Health advised the Board that the report on the Housing Asset Management Strategy had been delayed due to the pre-election period. A report on the 30-year business plan and the asset management strategy would be brought to the next meeting of the Housing Review Board. The temporary accommodation procurement and allocation policy would also be brought to the next HRB meeting.

In response to a question about Local Government Reorganisation the Director of Housing and Health replied that at present it was unknown what the new structure would look like. There were currently three stock holding authorities within Devon. Residents would be communicated with when there was greater clarity.

45 **Housing staffing update**

The Assistant Director – Housing (Regulated Services)'s report provided the Board with key staffing updates on the housing service. An up-to-date structure chart for key roles and service management across the housing service was included with the agenda papers and explained by the Assistant Director – Housing (Regulated Services).

The Assistant Director – Housing (Regulated Services) introduced the newly recruited Corporate Lead for Housing Property and Assets and welcomed him to the meeting. With the appointment made, officers were now beginning the process of recruiting permanently to other posts within the property and assets teams to help bring further stability and permanence to the teams and service area.

It was noted that there were currently 12 vacancies across the Housing Service that fell within the Housing Revenue Account (HRA). Some of the roles were out for active recruitment, some were occupied by interim staff whilst work was undertaken to review the role or permanently recruit, and others were under consideration for removal from the structure to support with savings and efficiencies.

In response to a question about total staff numbers within the HRA the Assistant Director – Housing (Regulated Services) explained that it was difficult to provide an exact figure but estimated it to be around 90. There were over 140 staff within the housing directorate, including statutory services. The system would allow for a breakdown of staff numbers, but this interpretation of data required some time. A request was made for staff names to be included alongside the structure chart job roles but the Director of Housing and Health explained that individual names were removed from the public domain so that teams/mailboxes were used rather than individual contacts, and to negate any risk to staff.

RESOLVED: that the Housing Review Board note the contents of the housing service staffing update report.

46 **Housing performance report - quarter 4**

The Housing Review Board were presented with key performance indicators (KPIs) for quarter four of 2024/25. It was noted that at the time of writing the report not all year end activities had closed and therefore some of the data was partial or subject to change once the year end activities were completed. The end of year complaints data would be reported in July. The Assistant Director Housing (Regulatory Services) gave a presentation which summarised the performance and actions being taken to improve performance, and gave some examples of successful planned works, adaptations and accessible homes.

The service was in a strong position and had demonstrated incredible movement from the previous years' performance.

- Void loss was just 0.1% above target.
- The median number of days taken to relet a home had more than halved.
- Contractors had completed over 14,500 reactive repairs in Council homes.
- A priority focus for 2025/26 would be the improvement in completing jobs within target timescales.
- Rentals continued to achieve sector leading outcomes, despite the economic climate and cost of living crisis facing residents.
- Income collection was excellent, with arrears at just 1.36%.
- Rental support had helped tenants access food bank vouchers, electricity vouchers, white goods and discretionary housing payments.
- 25 cases were referred through the partnership with Homemaker Southwest, resulting in £95,502.97 of financial help for tenants and 2 evictions prevented.
- Major refurbishments projects had been undertaken.
- 478 adaptations to tenants' homes were completed in 2024/25.
- Improvements in all but one tenant satisfaction category.
- Complaint handling required improvement but additional resource had been brought in to support the complaints team and an incredible shift in performance was already being seen.

During his presentation the Assistant Director Housing (Regulatory Services) highlighted the Involved Devon Event which took place in March and focussed on 2 main topics selected by tenants; anti-social behaviour and the cost of living crisis. Involved Devon was a networking group of professionals working in tenant engagement for social landlords, sharing best practice, ideas and resources, and delivering training and events. The learning from the event would help inform the work that involved tenants carried out in their roles on the tenant scrutiny and participation groups.

During discussion the following points were raised:

- Reusing outgoing tenants carpets/flooring where possible.
- Discrepancy of data with contractors' data. Both sets of teams were working closely together to resolve this.
- Concern that tenants may not know subcontractors were working for EDDC if they did not display branding. All contractors had ID and tenants should be aware of a visit as an appointment would have been made.
- Since the introduction of the member enquiry form there had been a reduction in the number of complaints being received directly by officers. Complaint numbers were being monitored.
- Compliance was at almost 100% across the board. There was just one property with an outstanding electrical check.

The Assistant Director Housing (Regulatory Services) thanked all the housing service teams for the incredible journey over the past year. Members present also thanked staff for all the service improvements, despite having less finances. A request was made for

scrutiny of performance two years ago in order to reflect back and learn lessons. The Assistant Director Housing (Regulatory Services) replied that he thought that the improvement in performance despite having less staff and spending less could be attributed to a number of processes including reorganising functions, teams coming together and working really hard, and a change of staffing. There was a new set of operational controls which allowed the budget to be managed well.

On behalf of the Board the Chair thanked the Assistant Director Housing (Regulatory Services) for his presentation and congratulated all those involved with the housing service.

RESOLVED: that the Housing Review Board note performance at the end of quarter 4, 2024/25.

47 **Resident involvement strategy - progress on objectives**

The Community Team Manager's report provided the Board with an assessment of progress made against the strategic priorities identified in the Resident Involvement Strategy (RIS) since it was adopted by Cabinet in January 2024. The strategy was produced after extensive consultation with staff, stakeholders, involved tenants and non-involved tenants and included focus groups, interviews and online surveys. There were currently 72 involved tenants and at least nine different ways, including Resident Involvement panels and groups to help residents' voices be heard.

Some of the key messages from the consultation were:

- A more diverse of residents needed to be involved.
- A need to increase the variety of ways for residents to get involved.
- The focus of formal resident involvement groups needed to improve.
- Performance information and reports needed to be presented to residents in a clear and concise format.
- Training needs for involved residents should be identified and met.
- More attractive incentives should be offered to involved residents.

The Resident Involvement Strategy 2023 -2027 outlined 5 main objectives, linked to 28 aims. The strategy set out an ambitious programme of work to be delivered over three years. The five objectives were:

1. To understand more about the people who live in our homes.
2. To improve the value of our tenant engagement.
3. To increase the diversity of our involved tenants.
4. To improve our communication and consultation with tenants.
5. To value our involved tenants, volunteers, and communities.

Significant areas of progress against these 5 objectives were outlined in the report. One of the ways improvement was measured was via the Tenant Satisfaction Measures (TSM), which were used by the Regulator for Social Housing to measure tenant satisfaction. Improvements were being seen in some TSMs.

It was noted that Councillors weren't directly involved in the RIS but were urged to contact the Communities Team if they wanted to become involved. Members of the HRB requested more on-line pre-meetings/training opportunities.

RESOLVED: that the Housing Review Board note the contents of the report and progress made against the strategic priorities and objectives outlined in the Resident Involvement Strategy.

48 **Housing policy review - Succession policy**

The Housing Review Board were asked to approve the updated housing succession policy. The policy had been reviewed and updated and a new section had been added to the housing succession policy to incorporate guidance on tenancy assignments to add clarity to this area. This was felt necessary due to the number of assignments the housing allocations team had processed. It was noted that over the past two years the housing allocations team processed an average of 41 succession requests per year and 21 assignments.

In response to a question the Housing Solutions Manager confirmed that claims for the right of succession were always dealt with sensitively and that if necessary an extension beyond the 28 days of death could be granted.

RECOMMENDED: that Cabinet approve the updated Housing Succession Policy.

49 **Website redesign - housing pages**

The Housing Projects Officer's report set out ongoing plans to review and improve the housing section of the EDDC website to better meet the needs of council tenants and residents of East Devon. The housing section of the EDDC website would be redesigned to improve accessibility for tenants and streamline the pages to make navigating the site easier and quicker for tenants and residents. The 'existing council tenants' section would be prioritised initially.

A project team had been set up to develop and deliver the improvement plan and officers intended to work with tenants and staff throughout the project. HRB members were also invited to participate in this and were encouraged to become involved.

RESOLVED: that the Housing Review Board note the report.

50 **Annual report of the Housing Review Board**

The Chair presented the annual report of the Housing Review Board which summarised and highlighted the diverse range of issues covered by the Board over the year. The report gave an overview of the achievements of the Board and celebrated the progress that had been made. The Chair thanked all those involved with housing and the Housing Review Board for their outstanding work and dedication, and huge efforts in improving the service.

RECOMMENDED: that Cabinet and Council note the work that the Housing Review Board has undertaken during the 2024-25 civic year.

Attendance List

Board members present:

Councillor Aurora Bailey

Councillor Sarah Chamberlain (Chair)

Councillor Melanie Martin
Councillor Simon Smith (Vice-Chair)
Sara Clarke, Independent Community Representative
Rob Robinson, Tenants
Councillor Tim Dumper
Rachel Browne, Tenant
Rosemary Dale, Tenant

Councillors also present (for some or all the meeting)

B Bailey
I Barlow
R Collins
S Gazzard
D Ledger
S Westerman

Officers in attendance:

Sarah James, Democratic Services Officer
Alethea Thompson, Democratic Services Officer
Darren Hicks, Interim Tenancy Services Manager (Regulated Services)
Andrew King, Assistant Director for Housing (Regulated Services)
Andi Loosemore, Rental Manager
Andrew Mitchell, Housing Solutions Service Manager
Liam Reading, Assistant Director - Housing Programmes, Investment and Development
Catrin Stark, Director of Housing and Health
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Nathan Muggeridge, Corporate Lead for Housing Property and Assets

Councillor apologies:

Councillor Christopher Burhop
Councillor Jenny Brown

Chairm

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Recycling and Waste Partnership Board held Online via Teams on 23 April 2025****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.15 am

27 Minutes of the previous meeting

The minutes of the meeting held on 29 January 2025 were agreed as a true record.

28 Declarations of interest

Declarations of interest.

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

.

29 Matters arising

There were no matters arising.

30 Joint contract and operations report

The Recycling and Waste Service Manager and the SUEZ Contract Manager gave the Board a joint contract and operational update for the fourth quarter of 2024/25. Quarter 4 began with a continued focus on completing the Christmas catch-up collections and the teams worked efficiently to handle the additional seasonal waste materials and ensured that all collections were completed as scheduled.

The remainder of quarter 4 was quiet in terms of day-to-day service pressures, which allowed focus to shift onto a number of key project initiatives, progressing internal projects and service improvements. Recruitment of a replacement supervisor from within the team had been completed and agency staff levels were at a year to date low, with most being inducted into the SUEZ model. The service had extra resource to deal with problems such as road closures and storms.

Service levels remained strong throughout the quarter, with the consistent high performance reflecting the robustness of operations. Missed collections remained low, below contract thresholds. It was noted that missed collections were down over 14% for the same quarter of 2023/24. Missed assisted collections remained an area of focus, but these were down 32% compared to quarter 4 of 2023/24. Complaints had peaked in January, but this was a seasonal trend, with levels back well below threshold in March.

Work was continuing well in the MRF, dealing with waste flows. A site supervisor had been promoted to assistant site manager to add continuity to the contract, and manage new regulations/compliance, new Environment Agency sampling of materials and digital tracking. A temp to permanent weighbridge operator had also been employed to assist with the MRF site in staffing for the extra workload created by sampling, also creating cover for admin staff. It was noted that the depot had to submit quarterly waste returns to the Environment Agency.

Revenue for materials was falling across the market nationally. It was a volatile market but the partnership was still receiving a relatively good income for all material types. Overall waste flow was down, but recycling tonnages were higher.

The Recycling and Service Waste Manager reported that the Department for Environment, Food and Rural Affairs (DEFRA) had recently published the provisional annual results for local authority collected waste management in England for the 2023/24 financial year. East Devon had a recycling and composting rate of 60.1%, a 0.6% increase from the previous year and retained its position of 6th nationally among all waste collection authorities. Achieving and maintaining a recycling rate around 60% was a significant accomplishment, reflecting both the success of the service delivery and the continued engagement of local residents. East Devon's residual household waste was 256.1kg, resulting in East Devon retaining its 1st position in England for the lowest kg of residual waste per household. This performance reflected the strong partnership between EDDC, SUEZ and local residents, and positioned the district well as it looked ahead to challenges and opportunities. Continued investment in public engagement, service efficiency and innovation in waste collection would be key to sustaining and improving performance.

Members asked what the highest performing collection authorities were doing to achieve their recycling and composting rates. Officers replied that there were no major differences between the services to EDDC's and that the population demographic and participation could make the difference between the top performing authorities. It was suggested that a report be brought to the next meeting of the Recycling and Waste Partnership Board on the top three performing waste collection authorities (recycling and composting rates) in the country, to include what they did, participation rates, social media, resident engagement, residual waste analysis and good practice learning points.

31 **Performance framework**

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 reported that the contract had never invoked a penalty.

32 **Absorbent Hygiene Product business case update**

The Recycling and Waste Operations and Projects Officer provided the Board with an update on the absorbent hygiene product (AHP) trial and business case, which was at the work in progress stage, detailing costs, benefits and feedback from wider stakeholders. Operational costs required some fine tuning and vehicle prices were awaited from SUEZ. A heat map of demand across the district had been developed to help inform what vehicles would be required.

There would be daily running costs of the service and significant depot cost as the storage of materials on site would have an impact on depot space. The Environment

Agency were currently querying how the materials would be handled and stored on site, which could potentially increase costs.

The Recycling and Waste Operations and Projects Officer explained that disposal costs would usually fall to the disposal authority (Devon County Council (DCC)), but there was no statutory obligation to fund nappy recycling and DCC had advised that they were not in a position to fund this currently. Nappicycle, the disposal site in Wales had increased their gate fees from £155/tonne to £216/tonne over the past year, which they still felt represented good value for money, particularly with the forthcoming changes in legislation.

The initial results from the Nappicycle lifecycle analysis were encouraging and a finalised analysis was awaited. DCC would pay recycling credits of around £70/tonne. There would also be a significant reduction in carbon output.

The final business case would include all of this refined information and it was hoped that this would be brought to the next meeting of the Recycling and Waste Partnership Board. It was suggested that if the business case was recommended to Cabinet for approval that it should also be presented to the Devon Authorities Strategic Waste Committee (DASWC) for their support. It was noted that Mid Devon District Council were planning on starting an AHP trial in May and if successful there could be two authorities with the same proposal and potential benefits of economies of scale.

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

33 **Green waste accounts**

The Recycling and Waste Service Manager presented the green waste accounts to the Board and thanked the accountant for producing them. It was noted that year-end figures shown were draft, but only minimal changes were anticipated. The total income for the service during 2024/25 was £1,103,871, total expenses were £633,451 and the total profit was £470,421. It had been a good year for the green waste service.

34 **Risk register**

The Recycling and Waste Service Manager presented the risk register to the Board. This had recently been updated, with updates mainly around scoring rather than the risks themselves. She highlighted key material changes, which included:

- A1,2,3 – the scoring for this had decreased as there was less of an impact on other EDDC teams.
- B2 – scoring had increased and the impact of the loss of key staff in the SUEZ team was emphasised. Scoring had decreased in the other B sections due to the successful SUEZ recruitment campaigns.
- D1 – delivery of containers was a medium risk as a bottle neck with suppliers was expected due to forthcoming legislative changes.
- E4 – the service was rapidly outgrowing the depot due to growth of operation. An additional satellite depot at Greendale had been budgeted for.
- H2 – a large section of the fleet was due for renewal in 2026/27. The lead time for vehicles was about a year.
- H4 - the materials market was volatile and could impact on the budget.
- N – there were many legislative changes forthcoming and the full impact of these were unknown.

- N4 – the risks around Simpler Recycling had reduced as the service met most of the future requirements with minimal changes required.

The Board noted the risk register and the Recycling and Waste Service Manager was thanked for her report.

35 **Forthcoming legislation overview**

The Recycling and Waste Service Manager updated the Board on forthcoming legislative changes. Packing extended producer responsibility (pEPR) and Simpler Recycling (for businesses) would be introduced in 2025. EPR would shift full financial responsibility to producers, with different packaging incurring different payments for disposal. PackUK would be managing the scheme.

Simpler Recycling would be introduced in 2026, along with WEEE reforms, digital waste tracking and universal labelling. In terms of Simpler Recycling EDDC were proposing to keep the existing service as it was, evaluating green waste requirements. Members queried if the new Simpler Recycling legislation would require provision of a narrow green waste collection service if requested. Officers commented that they were waiting further clarification on this aspect of the legislation. There was minimal information available on digital waste tracking at present. WEEE reforms were currently being reviewed.

2027 would see Films and Flexibles implementation (which would involve service changes for residents, and significant financial impact to the service), Deposit Return Scheme and universal labelling (plastic films and flexibles). The Emissions Trading Scheme (to include Energy from Waste) would be introduced in 2028.

Members asked if more on-street recycling bins should be provided. A discussion covered logistics, affordability, and the forthcoming Deposit Return Scheme (DRS). Officers recommended waiting to monitor the impact of Simpler Recycling on behaviour change and DRS before committing to more bins, to enable them to be specified appropriately for the right material streams.

The Recycling and Waste Service Manager was attending as many webinars and keeping up to date as possible with the forthcoming legislative changes. On behalf of the Board the Chair thanked her for the update.

Attendance List

Board Members:

Councillors present:

P Fernley
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)

R Collins

Officers in attendance:

Angela Baquerizo Thorsen, Recycling and Waste Operations and Projects Officer

Steve Maclure, Recycling & Waste - Operations and Projects Officer

Alethea Thompson, Democratic Services Officer

Suez representatives in attendance:

Board Member apologies:

Vincent Masseri, General Manager, SUEZ

Andrew Wood, Director Place, EDDC

Councillor Mike Goodman

Chair

Date:

Report to: Cabinet

Date of Meeting 4 June 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Adoption of the Blackdown Hills National Landscape Management Plan 2025-2030

Report summary:

East Devon District Council together with other local authorities has previously authorised the Blackdown Hills National Landscape Partnership to undertake a review of the current AONB Management Plan on their behalf, as required under Section IV of the Countryside and Rights of Way Act 2000.

Public consultation on the reviewed management plan took place in January to March 2025, and now adoption of the Blackdown Hills National Landscape Management Plan by East Devon District Council and the other relevant local authorities is required before publishing the management plan and lodging it with Defra.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet agree to adopt the Blackdown Hills National Landscape Management Plan 2025-2030.

Reason for recommendation:

Under the Countryside and Rights of Way Act 2000 relevant local authorities are required to prepare and publish a plan which formulates their policy for the management of their area of outstanding natural beauty and review the Management Plan at intervals of not more than 5 years. East Devon District Council with other local authorities has authorised the Blackdown Hills National Landscape Partnership to review the Management Plan for the Blackdown Hills National Landscape on their behalf. The review has been completed and the plan is ready to be published.

Officer: Tim Youngs, Manager – Blackdown Hills National Landscape, email tim.youngs@devon.gov.uk or telephone 01392 383608, and Lisa Turner, Planning Officer – Blackdown Hills National Landscape email lisa.turner@devon.gov.uk or telephone 01392 383612.

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☒ Environment - Nature and Climate
- ☐ Environment - Operational

- ☐ Finance
- ☒ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; The Management Plan is a statutory document that requires adoption by East Devon DC as part of the Local Plan's key policies documents and as a framework for providing guidance on the management of the National Landscape. A third of the Blackdown Hills National Landscape lies within East Devon and so failure to adopt the Management Plan would present a risk to the Council's statutory undertakings and obligations.

Links to background information:

[Management Plan 2025-30](#)

[Delivery Plan](#)

[Appendices](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

Report in full

1.1 Under Part IV of the Countryside and Rights of Way (CROW) Act 2000, East Devon District Council, together with other local authorities is required to produce a Management Plan for the designated Blackdown Hills AONB (now known as National Landscape) and review it at intervals of not more than five years (exceptionally, Defra authorised a 12-month-plus extension to the review of the current Plan). Along with the other relevant local authorities, East Devon District Council has authorised the Blackdown Hills National Landscape Partnership to perform this duty on its behalf; this work is co-ordinated by the National Landscape team and has been previously reported to Cabinet in January and July 2024.

1.2 The CROW Act (and as amended by the Levelling Up and Regeneration Act 2023) and guidance from Natural England provides advice on the scale, nature and content of Management Plans. A Management Plan should serve to highlight a shared long-term vision for the National Landscape and contain ambitions, targets and actions that seek to further the statutory purpose, i.e. to conserve and enhance the designated AONB. The delivery of the Plan will be subject to availability of funding from Defra, the local authorities, and other parties.

1.3 The National Landscape Partnership has taken the opportunity to undertake a more thorough review than in the previous review cycle to ensure that the management plan remains fit for purpose and forward looking. The Plan is expected to contribute to Government's Environmental Improvement Plan (including protected landscapes targets) and key drivers include addressing the significant issues of the climate emergency and nature recovery, taking account of Local Nature Recovery Strategies and Plans and local authority climate action plans.

1.4 The review process has been a participatory one, with members of the Partnership Management Group, local authority officers and other stakeholders involved in agreeing the approach and identifying key matters for consideration, in advance of a wider public consultation on the draft management plan (held January to March 2025).

1.5 The Plan was also screened under both Strategic Environmental Assessment and Habitats Regulations Assessment regulations to determine whether policies in the Plan could have significant environmental effects, concluding that further detailed assessment was not required in either case.

1.6 Following public consultation the draft Plan has been revised, and the final version of the Management Plan is required to undergo a final formal consultation with the statutory consultee, Natural England, before local authority adoption. At the time of writing, we are awaiting formal approval for the Management Plan from Natural England, confirming that the Blackdown Hills National Landscape Management Plan meets the legislative requirements of the Countryside and Rights of Way Act 2000. Having received informal comments during the consultation period no issues are anticipated, and it is expected that this confirmation will be in place prior to the Cabinet meeting.

1.7 The Blackdown Hills National Landscape Management Plan is recommended by the Blackdown Hills National Landscape Partnership to East Devon District Council for adoption as the statutory Management Plan for the designated Blackdown Hills Area of Outstanding Natural Beauty for the period 2025 to 2030. The Plan will be formally confirmed to Defra following adoption by all the partner local authorities, expected by mid-July.

Financial implications:

There are no direct financial implications resulting from the report.

Legal implications:

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

Report to: Cabinet



Date of Meeting 4 June 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Seaton Coast Protection Scheme. Funding and proceeding prior to external funding being claimable

Report summary:

This report is to update Cabinet and to seek approval to spend up to £673,500 at risk to enable the project to start within the desired time frame before external grant confirmation and payment is received.

The report explains the reasons for the administrative delay in grant confirmation and payment and highlights the risks to the council.

Is the proposed decision in accordance with:

Budget Yes ☐ No ☒

Policy Framework Yes ☒ No ☐

Recommendation:

1. That Cabinet recommend to Council that up to £673,000 of the works budget is spent at risk before external funding can be confirmed and claimed in late summer in order for the scheme to be completed with the required timescale.

Reason for recommendation:

1.To enable the project to proceed. Deferring the project by a year will likely lead to prices increasing further, so it's the last chance to proceed with the current scheme. There is a small chance the scheme can proceed this year without this upfront spend, however the window is small.

Officer: Tom Buxton-Smith tbuxon-smith@eastdevon.gov.uk 01395571630

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☒ Environment - Nature and Climate
- ☒ Environment - Operational
- ☒ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change High Impact

Risk: Medium Risk; Project is well developed, but lacking funding

Links to background information May add link to updated business case when prepared.

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. Background

- 1.1. Seaton Hole Beach Management Plan (BMP) has been developed over many years and the Outline Business Case (OBC) was assured in 2021 by the Environment Agency, securing external funding subject to approval. Since the OBC was assured, the project has been transferred to BCP (Bournemouth Christchurch Poole) Council to run under our South West Flood and Coastal (SWFC) service share agreement. The project is now called the Seaton Hole Coastal Protection Scheme (CPS)
- 1.2. The projects aim is to reduce the rate of erosion on the cliffs at Seaton Hole and reduce risk of cliff falls to beach users.



Figure The 2012 cliff slip at Seaton Hole, East Devon (Source: <https://www.dailymail.co.uk/news/article-3712663/Three-cliff-houses-command-premium-prices-stunning-sea-views-virtually-worthless-huge-landslip-left-brink-100ft-drop.html>)

- 1.3. The project is largely to increase the volume of existing rock armour on the beach at the toe of the cliffs and also upgrade gabion baskets and maintain the existing wall.

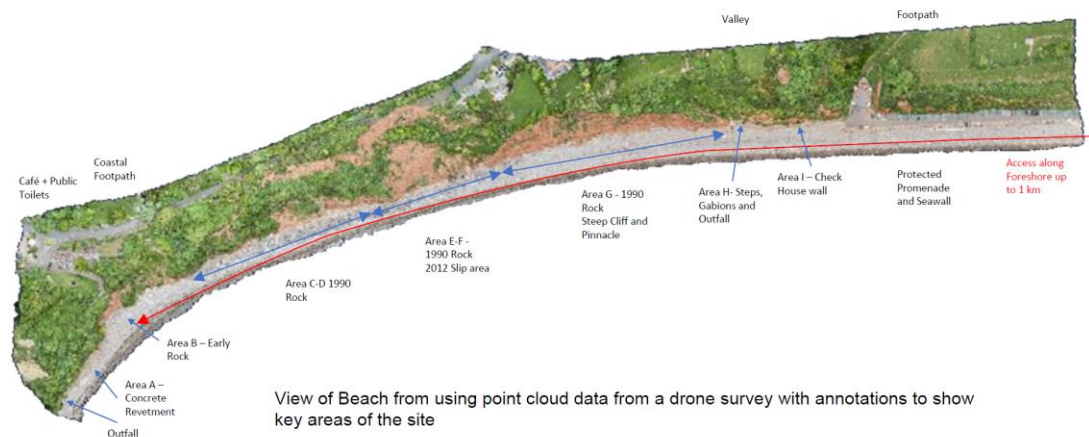


Image 1.3. Overview of the works area.

- 1.4. We have tendered the contract for these works to the open market receiving two compliant bids back, and subject to funding, we will award the winning bidder to complete the works.
- 1.5. The tendered price is above what was allowed for in the business case, so we require additional funding to close the funding gap. (See section 2)
- 1.6. The works require 7000 tonnes of rock to be brought to Seaton. We have enquired about bringing this by road, but due to the road network, a sea only delivery is possible, which has led to the increased scheme cost

2. Programming concern

- 2.1. To enable the contractor to build the works safely, rock needs to be delivered by early September at the latest, or risk poor weather and further costs. To enable this to occur, a rock supply and vessels needs to be secured as soon as possible.
- 2.2. We currently do not have enough funds within the project to allow us to enter a contract to enable rock to be sourced and supply ship secured. We only have approximately £260k available. However, we need £935k available.
- 2.3. To enable us to access the agreed funding from both FDGIA and Local Levy, we need to have completed the (Coastal Protection Act) CPA1 and CPA2 forms, before the Environment Agency can legally transfer funds to our project budget.
- 2.4. We have met all the requirements of the CPA1 and CPA2 forms aside from gaining full planning permission.
- 2.5. Due to delays with the new BNG requirement, planning is unlikely to be granted until Mid July 2025, and possibly later if it needs to go to committee.
- 2.6. Therefore funding administered by the Environment Agency can't be released until Mid July at the earliest, which puts entering contract to enable supply and delivery of rock before mid September extremely unlikely.
- 2.7. This means we would not enter contract with the contractor, and we may need to retender for starting work next summer, however it is likely through inflation, costs would increase, requiring further funding.
- 2.8. We have approached the Environment Agency to explore if there is a way of allowing funding prior to administrative approval, but it is not possible.
- 2.9. Therefore we either need spend £673,500 at risk until external funding is confirmed (July to September 2025) or risk the project being delayed until next year, where more funding challenges may be realised.
- 2.10. We believe the Environment Agency funding rules may change again in the near future, which may make the scheme affordable again to deliver next year, however nothing is confirmed.

3. Financial situation

- 3.1. The total project's cost is £2.227 million.
- 3.2. The updated business case was recently assured by the Environment Agency meaning the project is fully funded (when money is claimable) This money has also been allocated.
- 3.3. The current funding sources are as follows:

Funding	Value	Notes
FDGIA	£1,099,380	Assured and allocated but not administratively approved
Local Levy	£587,712	Assured and allocated but not administratively approved
EDDC and SWFaC	£849,772	Accessible
Seaton Town council	£20,000	Not yet claimed
	£2,556,864	

- 3.4. The project has spent to date approximately £550,000 from the EDDC and SWFaC funding pot.

4. Planning Risk.

- 4.1. We are confident that planning permission will be granted as we have completed a pre-application enquiry, and no major issues were noted. However, it remains a risk to the project if it is not granted once the rock is on order/in delivery.

5. Conclusion.

- 5.1. To ensure the project can make it to site this summer/autumn, we need the council to approve spend of up to £673,500 to cover works costs prior to funding being confirmed and paid. This is at the risk of planning not being granted, this being the remaining requirement to receive funding.
- 5.2. There is a small chance the scheme can proceed with waiting until planning permission is granted, but requires many things to align positively, however we believe this to be unlikely.
- 5.3. We could wait until next year, but likely we will need to find additional funds either internally or externally to cover the likely increased costs.
- 5.4. Therefore, it is recommended that the Council approve up to £673,500 of works against this project, which will be met through external funding if planning permission for the scheme is approved and thereby meeting all grant conditions for eligible funding.

Financial implications:

The financial details are covered in the report. The project has incurred preparations costs in line with the Council approving the overall budget for this scheme, the request here is that the works begin for reasons outlined in the report prior to planning permission being granted and hence meeting all grant conditions necessary. It is believed planning permission will be granted thereby the Council receiving external funding as outlined in the report, there is a small risk described in the report of this not happening in which case the Council will have spent up to £673,500 which will not be recoverable for this project, at this time. The Council will have purchased rock armour that under worst case scenario is likely to have use for in the future.

Legal implications:

Some of the legal implications are covered in the report, any works need to be procured and contracted in accordance with legislation and the Council's Contract Standing Orders.



Report to: Cabinet

Date of Meeting 4 June 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Exemption to Standing Orders – Purchase of Election Booths

Report summary:

This report outlines the reasons that an exemption to standing orders has been approved for the purchase of elections booths.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet note their support for the action taken.

Reason for recommendation:

As per the Council's Contract Standing Orders, Rule 3.2 outlines that where an exemption to standing orders has been granted, and the value of this exemption exceeds £20,001, a report is brought to Cabinet for them to note their support for the action taken.

Officer: Melanie Wellman, Director of Governance

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☒ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; Failure to have sufficient booths for the election would have resulted in significant reputational risk for the Council.

Links to background information N/A

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) In the lead up to the County Council elections, it was identified that the Council had a number of election booths that were in disrepair and needed replacing. This followed a stocktake by Streetscene due to comments from Presiding Officers about the state of some of the older booths. This was mainly due to the age of some of the booths (15years +).
 - (2) Shaws are the main UK election equipment supplier and therefore the requirement to obtain 3 competitive quotes is difficult to comply with. Bearing in mind the urgency of getting the booths for the County elections, there was also not the time to try and find alternative suppliers. Shaws provide quality products which can be relied upon for what is a very high profile event i.e. an election and we need to be able to rely on the equipment being purchased.
 - (3) A waiver of contract standing orders was therefore requested in March 2025. Shaws are not on a framework so it was not possible to procure through a framework agreement. Devon County Council were consulted and they confirmed that a waiver application based on urgency and Shaw being the main supplier of election equipment, was the most sensible approach to take.
 - (4) The total number of booths being purchased was 100 (50 x ordinary booths and 50 x accessible booths) at a total cost of £26,856 (inc VAT).
 - (5) The cost of the booths was met from an existing elections budget, namely an earmarked elections reserve, which will then be replenished by government grant contributions over the next 10 years.
 - (6) It is felt that this direct award provides best value for money. The waiver was approved by the Deputy S151 and Deputy Monitoring Officer. This report therefore makes Cabinet aware of the waiver that was granted.
-

Financial implications:

The financial details are contained within the report with the cost being met from the earmarked reserve.

Legal implications:

Contract standing orders require competitive tenders for a contract of this value. Tenders have not been obtained due to the urgency and due to Shaws being the main supplier of elections equipment. The Directors of Finance and Legal (or their deputies) have authority to grant the waivers subject to a report to Cabinet noting the action taken. *MW 26/05/25*

Report to: Cabinet

Date of Meeting 4 June 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Executive Leadership Team structural review

Report summary:

The Executive Leadership team have been reviewing the current staffing structure to ensure that the authority is fit for purpose and has the capacity and resilience required both in terms of the ongoing plans for transformation and also ensuring the authority is a fit for purpose organisation that is able to appropriately respond to the Government's proposals in relation to devolution and local government reorganisation ("LGR").

The structural requirements outlined in this report should come as no surprise to members as both the Chief Executive and the 2025/26 budget report have already highlighted the fact that we have a gap in staff resources in terms of capacity and skills in some key areas. A new structure has been developed to address this including the introduction of additional posts, this is under the premise that any associated costs will be met within the overall approved establishment budget of the Council. To be achieved mainly by not replacing vacant posts which are off a less priority at the current time than the new posts identified.

In considering where we are on the transformation journey and the implications of the short timescale related to LGR, coupled with a need to prepare and ensure key projects and objectives are delivered there is an immediate need for additional resources over the next two/three years. As this is immediate, and only temporary funding required, a request is being made for an additional budget of £338k to be met from the Transformation Fund.

Finally, as part of the structural review, the out of hours arrangements for the authority have been enhanced, the report addresses funding proposals arising from the changes required to the out of hours arrangements.

Is the proposed decision in accordance with:

Budget Yes ☐ No ☒

Policy Framework Yes ☒ No ☐

Recommendation:

1. That Cabinet note and endorse the proposed structure at Appendix B.
2. That Cabinet recommend to Full Council approval of a £338k budget to be met from the Transformation Fund to support temporary funding requirements as detailed in the report.
3. That Cabinet recommend to Full Council approval of a budget of £75K due to proposed changes to out of hours arrangements.

Reason for recommendation:

It is essential that the Council has the necessary resources to continue the authority's transformation journey, to meet the demands of devolution and the local Government reorganisation agendas whilst ensuring that we have the capacity and resilience to provide quality services to our residents.

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☒ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Medium Impact

[Equalities Impact Assessment](#)

Climate change Low Impact

Risk: Medium Risk; Without the right structure in place there is increased risk to the authority. The proposals in this report address the concerns regarding the current structure of the organisation and therefore mitigates those risks and helps to ensure there are sufficient resources in place to deal with the priorities moving forward.

Links to background information None

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. Background

1.1 The Executive Leadership have been reviewing the current structure of the organisation to ensure there are sufficient resources and that the authority is fit for purpose, has the capacity and resilience required both in terms of the ongoing plans for transformation and also ensuring the authority is a fit for purpose organisation that is able to appropriately respond to the Government's proposals in relation to devolution and local government reorganisation ("LGR"). The proposals in this report have been developed to ensure the authority is as efficient and effective as possible, has appropriate capacity across roles and is fit for purpose. It is also about enabling the authority to ensure that all staff are in the best possible position when transferring to the new unitary(ies) and that East Devon District Council is able to continue to play a lead role, to ensure that our communities are at the very heart of any proposals.

1.2 As Members will be aware, significant improvements has already been made on the transformation journey, in key areas including: -

- a. Entirely restructuring and reviewing the housing service and taking steps towards ensuring the HRA business plan is sustainable moving forward.
- b. Introduction of improved governance throughout the organisation.
- c. A review of the leisure function and work to ensure that leisure services are sustainable moving forward.
- d. Significant improvements to the management and transparency of CIL and S106 planning functions.
- e. Strengthening oversight of the information governance arrangements.
- f. The purchase of a new corporate performance and risk system to ensure greater oversight of the performance and monitoring arrangements.
- g. An officer and member workshop reviewing the service delivery models for recycling and waste.
- h. The delivery vehicle work for the second new community.
- i. The creation of an Executive Leadership team to ensure oversight and support across the organisation.

2. Current Structure

2.1 Attached at Appendix A is a copy of the current management structure. The creation of the Executive Leadership has highlighted gaps in corporate oversight and a need for structural changes. The current structure has significant gaps in the third tier which results in some Directors being drawn into operational matters on an almost daily basis. Projects do not have sufficient corporate oversight, and not all service areas have the right skills or resources in place to maximise income generation. There are also areas where sufficient resilience is not in place and there needs to be more of a focus on income generation, ensuring the Council is in the best possible position to face the financial challenges coming over the next few years.

3. Proposed Structure

3.1 Attached at Appendix B is the proposed new structure, which sees the introduction of:-

- (a) A new corporate programme and strategies role to ensure that we have robust arrangements in relation for the overall management and monitoring of our key corporate projects, programmes and strategies.
- (b) The combining of our performance and people functions under one senior role and a structure that will ensure improved resource in relation to the management of our corporate performance, monitoring and digital inclusion whilst embedding the delivery of the new people strategy.
- (c) The combining of our communications/marketing /events and cultural functions under one senior role to ensure that we are maximising income generation in these areas and that, wherever possible, those services are at least, cost neutral, or at best, generating income for the council.
- (d) Corporate Leads or Assistant Directors (rather than service managers) reporting into Directors to ensure that there is sufficient management capacity at the third tier. This will strengthen the ability of Directors to operate at the strategic level, overseeing the authority transformation journey and focus on planning for the challenges ahead.
- (e) Ensures that we have sufficient resources in all the right areas, appropriate structures and do not have single points of failure.

- (f) Fills gaps in service provision e.g. the lack of a contracts and procurement lawyer to review the significant numbers of contracts that the Council enter into.

3.2 The costs associated with these permanent structure changes will be met within the overall approved establishment budget, in the main met from not filling non-essential vacant posts. As an indication the additional net costs of these changes are in the order of between £152k and £196k depending on the precise grade of any new appointments. As an indication of scale this is equivalent to the non-replacement of between 2.9 FTE to 3.7 FTE posts on a mid-range point salary grade 4.

3.3 In addition to these structure changes, one-off costs are expected in the following areas:

- a. An additional HR Business Partner to support staff and management through the transformation journey and with the many implications leading up to reorganisation.
- b. Additional delivery/project management capacity to be able to move forward key projects to strict timelines. This will include key placemaking and regeneration projects so that they can be progressed in advance of changes to local government structures alongside wider strategic reviews and projects, such as preparation for the second new community and also, to provide clarity and certainty around potential asset devolution, working with Parish and Town Councils.
- c. There will be a need to consider public consultation and engagement, support in delivering business plan proposals to Government, project and team capacity to help design proposed authority structure and service delivery models and the possibility for staff backfill arrangements to free up some staff to work on new proposals.

3.4 In total a proposed budget approval is requested of £338k to be met from the Transformation Fund. Government have indicated there will be funding made available to Councils to help them with some of the aspects listed above, but no allocations or methodology of allocation has been published as yet. Any funding received will be utilised to reduce the sum drawn from the transformation fund.

3.5 More widely, we are expecting confirmation of the multi-year financial settlement from national government, part of the wider Comprehensive Spending Review. This will provide certainty for the next three-year period which aligns with expected LGR timeframes. Whilst the detail of the settlement is not yet known, including potential transitional arrangements, the impact of the business rate reset is likely to be significant. Further work will be progressed in line with the Financial Sustainability Model to determine how a balanced budget can be set over this period.

4. Out of Hours Arrangements

4.1 As part of the 2022 Reward Review it was identified that there was a need to also review the Council's standby and call out arrangements (known as Out of Hours (OOH)), due to varying payment rates and application. A subsequent audit in 2023 recommended a review of policy and rates and that schemes should be kept under periodic review, to include regular reporting of costs.

4.2 It is proposed the new standby rate at East Devon District Council be in line with the NJC rate of £33.63 per session, representing a payment of £235.41 for someone covering a week (Monday-Friday) for all staff except members of the Senior Leadership Team, who will not be eligible to claim (this will be subject to consultation and negotiation with Unison, as detailed below). This will represent an increase in rate for the majority of services currently in receipt of

an out of hours payment. In addition, as part of this work we have established the need for other teams to operate out of hour standby arrangements. Given this there will be increased cost associated with this allowance. Based on one person being on standby from each identified service, 365 days a year the additional cost is anticipated to be in the region of £75,000.

4.3 We are also looking to clarify what can be claimed when called out while on standby. Staff will be eligible to claim overtime in increments of 15 minutes, regardless of weekly contracted hours. Cost associated with this are difficult to predict as call out rates are unpredictable. Costs for 2024/25 were £21K, however four additional teams will be undertaking standby in 2025/26 so costs are likely to increase but not materially. This will be monitored carefully and considered when setting the 2025/26 budget.

4.4 We are currently going through a process of engagement and consultation with our recognised Trade Union, Unison and discussing with relevant staff.

4.5 It is essential we have a consistent and fair allowance scheme in place for staff covering essential out of hours services and these proposals will enable that to be put in place. This will also ensure that we have appropriate resilience and improved out of hours cover.

Financial implications:

The details are laid out in the report. There is request for a budget of £338k to be met from the Transformation Fund to meet costs identified in 5.1 of the report. There is a possibility that part of these costs could be met from Government Funding, but details are unknown at this stage. There is also a request for a supplementary budget of £75k to meet OOH costs identified in section 6 of the report, this will be met from the General Fund Balance.

Legal implications:

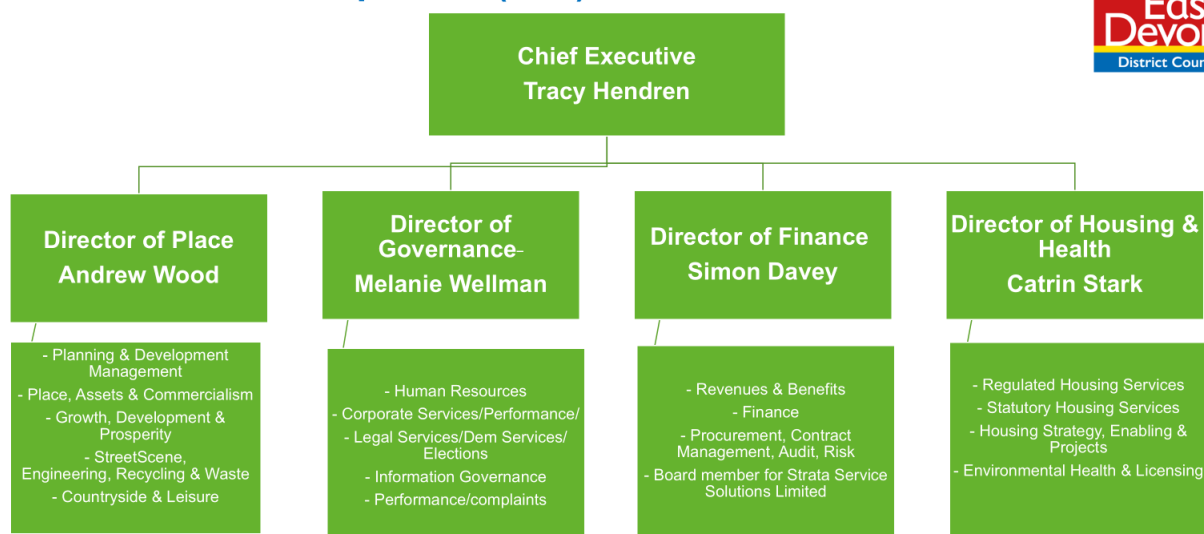
The proposals in this report will be introduced in accordance with relevant employment legislation

HR Implications:

The proposals within this report have organisational wide HR implications. For each area employment legislation will be followed, alongside good employee relation practices to ensure open and transparent communication. Overall changes are positive to ensure a fit for purpose structure, that has capacity and resilience, as well as ensuring consistent and fair remuneration for staff.

Appendix A Current Structure

Executive Leadership Team (ELT) Structure November 2024

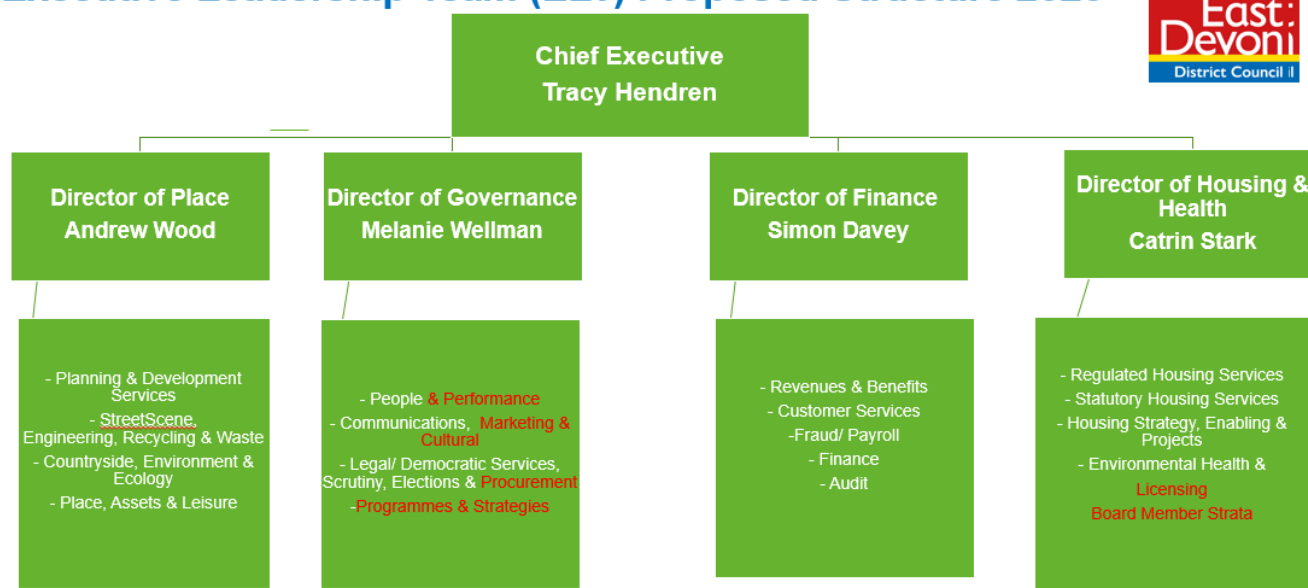


The Chief Executive is the Council's statutory Head of Paid Service

eastdevon.gov.uk [eastdevon](https://www.facebook.com/eastdevon)

Appendix B Proposed Structure

Executive Leadership Team (ELT) Proposed Structure 2025



*The Chief Executive is the Council's statutory Head of Paid Service
Corporate Leads for Human Resources & Communications & Marketing are also members of ELT.*

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Report to: Cabinet

Date of Meeting 4 June 2025

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 end of the fourth 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):

- ☐ Assets and Economy
- ☒ Communications and Democracy
- ☒ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

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 4 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 four 2024/25.

Many of the projects listed in the plan are now underway and are progressing as planned. Some work has been completed like the completion of consultation on key elements of the local plan and the adoption of the Fraud, Corruption and Compliance Strategy.

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 district design guide. Work in these areas is progressing although not to the original timescale at present.

For projects listed as having variations in their timescales, we have consulted with responsible officers to determine realistic timeframes they are currently working towards. These updated timeframes are noted in the delivery plan. Where appropriate, we aim to agree on amending the timescales to better reflect achievable deadlines.

[Appendix A](#) provides the full delivery plan with the updates from quarter three 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 46 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 28 actions with this status up from 22 last quarter.

Completed: Actions or measures that have been successfully completed. There are 12 actions that have reached this status up from six last quarter.

Concern: Actions or measures with serious problems or significant delays. There are no actions currently marked as concern.

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 16 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 are two measures with this status as this is not currently being recorded.

Review of actions for 2025/26

ELT's view is that they currently feel comfortable with the progress and direction of the delivery plan. Moving forward though 2025/26, the Directors and their management teams have worked

through the Council Plan Delivery plans and the Directorate plans for 2025/26 to review our priorities moving into the new financial year particularly in light of the LGR. They have been focusing on reviewing timeframes for the deliverables and making an assessment on each as to the ongoing feasibility of the work.

This work to review the feasibility of delivering all of the actions and the impact on capacity and LGR moving forward will continue throughout the year.

Forward reporting timetable for information

	Quarter 4 report	Quarter 1 report	Quarter 2 report	Quarter 3 report
End of quarter update request to responsible officers	1 st April to 15 th April	1 st July to 15 th July	1 st October to 15 th October	6 th Jan to 20 th Jan
Report collation	16 th April	15 th July	16 th October	20 th Jan
Report to ELT	29 th April	29 th July	30 th October	4 th Feb
Report submission for Cabinet	6 th May	12 th August	4 th November	11 th Feb
Cabinet	4 th June	3 rd Sept	26 November	4 th March

Financial implications:

No direct financial implication arising from the report.

Legal implications:

No legal implications arising from this report.



Report to: Cabinet

Date of Meeting 4 June 2025

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.
- (2) Due to the progress of the delivery plan actions that Cabinet agree that this is the last dedicated progress report of this delivery plan.

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):

- ☐ Assets and Economy
- ☒ Communications and Democracy
- ☒ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

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 May 2025](#)

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 progress of the peer challenge actions outlined in the delivery plan supporting the recommendations. This is the second review of progress on the actions the last reported to Cabinet in November 2024.

All recommendations are being actively progressed, with several now marked as completed. Of the 33 recommendations, 19 are identified by responsible officers as complete. The remaining 14 recommendations are currently being implemented and can be reported within the quarterly updates of the Council Plan or Directorate Plan and are being incorporated into our ongoing operations. We recommend that this follow-up report be the final dedicated update on the Peer Challenge recommendations, with further progress to be addressed in the quarterly Council Plan and Directorate updates.

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

Financial implications:

There are no direct financial implication arising from the report.

Legal implications:

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

ELT signed off report – 10/04/2025 updated further and sent again to the 13/04/2025 meeting

Report to: Cabinet



Date of Meeting 4 June 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Use of S106 funding to support delivery of affordable housing alongside the Local Authority Housing Fund

Report summary:

The report provides an overview of the Local Authority Housing Fund (LAHF) and sets out a proposal to use £760,497 of S106 monies alongside funding from the LAHF to deliver additional affordable homes for rent in the district.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

1. That Cabinet approve the proposal to use LAHF funding to acquire a minimum of four properties for initial use as temporary accommodation (3 properties) and Afghan refugee resettlement (1 property).
2. That Cabinet approve the use of £760,497 of S106 fundings held from Green Close, Drakes Avenue, Sidford (application number 18/1779/MFUL) alongside LAHF funding to support delivery of new affordable council homes for rent across the district.

Reason for recommendation:

1. Combining S106 funds with the LAHF grant will enable us to deliver a greater number of high quality, energy efficient homes than would be possible using S106 monies in isolation.
2. This proposal will deliver additional good quality council housing for local people.
3. If we do not spend S106 receipts within the required timescale we may have to pay them back to the developer with interest.

Officer: Tim Laurence-Othen, Housing Projects Officer - tlaurance-often@eastdevon.gov.uk

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational

- ☐ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☒ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Medium Impact

Risk: Low Risk; If this proposal is not agreed, it is likely that the LAHF funding set aside for this proposal will need to be returned to central government. There is also a time limit on the S106 funds to be spent. There is a risk that this limit will expire before other proposals can be developed and agreed resulting in these funds being return to the developer unspent.

Links to background information [060923 Cabinet agenda Item 13: Local Authority Housing Fund round 2](#)

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. Background

- 1.1 The Local Authority Housing Fund is a government programme that provides funding to local authorities to primarily support the delivery of resettlement accommodation to Afghan refugees arriving in the UK. The fund also supports local authorities to deliver general needs temporary accommodation to meet local needs.
- 1.2 We have previously successfully bid for funding for round 2 of the LAHF, details of which can be found in the Cabinet report from 6th September 2023 (see link above).
- 1.3 Early in 2024, MHCLG announced the allocation of round 3 of the Local Authority Housing Fund (LAHF), and we submitted a successful application for £683,800 from the fund to refurbish eleven long term or major void properties from within our own housing stock.
- 1.4 Unlike previous rounds of the LAHF, there is no requirement to match fund the allocation in round 3, and we are able to deliver all eleven properties without the need to top up using HRA capital funding or borrow against the HRA.
- 1.5 Out of the eleven properties brought into use with this funding, six will initially be used as resettlement accommodation for Afghan refugees, with the remainder used as general needs temporary accommodation.
- 1.6 As things stand, there will still be over £250k of our LAHF allocation remaining once all works are completed on the eleven properties. It should be noted that this is based on

estimated costs rather than actual costs and includes contingency funding that may not be required.

- 1.7 We have agreed with MHCLG that we would look to acquire two further properties with the remaining funds as we currently have no more existing void properties that meet the funding criteria. These homes would be initially set aside for general needs temporary accommodation.
- 1.8 Whilst we expect there to be sufficient funds remaining within the LAHF grant to cover the purchase of these properties, we have a contingency plan to cover any shortfall, should it occur. This is set out as part of section 3 in this report.
- 1.9 In December 2024, MHCLG invited local authorities to submit an Expression of Interest (EOI) for additional unallocated funds from round 3 of the LAHF, which we submitted in January 2025. MHCLG have now presented us with an offer.
- 1.10 This report sets out our proposal in relation to the additional LAHF funding, including our intention to use S106 monies alongside the grant to maximise the number of affordable homes that can be delivered to meet local needs, whilst meeting the LAHF grant criteria. The report seeks member approval of this proposal, and the use of S106 funds to support it and to deliver additional affordable housing to meet local need.

2. LAHF Additional Funding Criteria and Offer

- 2.1 Allocation of the additional unallocated funds is based on an amount per property depending on the type of property delivered. An additional 10% premium is offered should we acquire new build properties from developers. On top of this, we would also receive £21,000 per property for any additional costs associated with bringing the property up to a lettable standard for temporary accommodation.
- 2.2 There is an expectation that at least one of the properties acquired using this funding should be allocated to resettlement accommodation for Afghan Refugees.
- 2.3 As stated in 1.7 above, we have established that we currently have no more void properties that fit the LAHF funding criteria, so we decided to submit our proposal for the additional funding based on property acquisitions only.
- 2.4 Our submitted proposal was to purchase five properties, four of which would be new build. We aimed to deliver one property for the Afghan Cohort with the remaining four properties set aside for general needs temporary accommodation. These properties would be purchased within the financial year 2025/26 in line with LAHF requirements, using section 106 funding to support the delivery.
- 2.5 MHCLG have considered our proposal alongside those submitted by other local authorities and have now presented us with an offer of £686,000 to deliver **four** properties, three of which would be new build properties. Table 1 below sets out the funding formula and calculations.

Table 1: How funding offer is calculated

MHCLG Offer for 4 properties	Standard grant level	Premium grant level (for new build)	Additional funding for property	Total
Funding level Per property	£140,000.00	£154,000.00	£21,000.00	
No. properties where funding applies	1	3	4	
Funding received	£140,000.00	£462,000.00	£84,000.00	£686,000.00

- 2.6 Of the four properties delivered, three would be allocated as general needs temporary accommodation, with one set aside to provide resettlement accommodation for Afghan refugees.
- 2.7 Under the terms of the agreement with MHCLG, all four properties should be delivered before 31st March 2026.
- 2.8 Once the need for resettlement and temporary accommodation has been fulfilled, these properties will revert to general needs council housing for allocation in line with the Devon Home Choice policy.

3. Match funding with S106 funding

- 3.1 The level of funding offered from MHCLG is insufficient to acquire new build properties from the open market, meaning that additional funding is required. We are proposing to use Section 106 funds for this purpose. This is because the LAHF fund does not allow us to use Right to Buy receipts as match funding. Given the projected additional expenditure required in relation to the maintenance and improvement of our existing housing stock, it is not felt that further borrowing against the HRA for this proposal is appropriate either.
- 3.2 We have raised this proposition with the Assistant Director for Planning Strategy and Development and have been assisted by the council's S106 officer. We are currently holding £1.94m in S106 monies for affordable housing. Within the £1.94m there is £760,497 held from Green Close, Drakes Avenue, Sidford (application number 18/1779/MFUL) that could be used as match funding, and which needs spending in the next 2 years.
- 3.3 Unlike some other agreements, the S106 associated with Green Close, Sidford does not require the funds to be spent in that parish alone or even in East Devon. The S106 stipulates that the money should be spent on 'social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market and as defined in NPPF March 2012 or any such successor national planning policy'. This is important as our main areas of need for temporary accommodation are around Exmouth and Honiton.
- 3.4 In addition, there is the issue of timescales for spending the S106 funds. Under the agreement for Green Close, the S106 money needs to be spent or committed to be spent within 5 years of receipt otherwise it would be returned to the developer with interest. The 5-year period started in February 2022, meaning that funds need to be spent by 2027 or a commitment made to spend them on a specific proposal.

- 3.5 We will look to maximise the number of properties we can deliver using the combined total of LAHF and S106 funding set out in this report. As a result, it is likely that we will purchase more than the four properties required as part of the additional funding as well as covering any shortfall that could arise as set out in 1.8 above. Any additional properties over and above this would be added to our council housing stock for social or affordable rent.
- 3.6 We have consulted with the 3 ward members for Sidmouth/Sidford. Cllr Stuart Hughes has responded to confirm his support for releasing the S106 monies. No comments were received from the other 2 ward members.

4. Risks and issues

- 4.1 Under the terms of the agreement with MHCLG, we would be required to deliver 1 property for refugee resettlement. The S106 funds may not be eligible for properties bought for this purpose as it is not serving a local need, although the property would still fall under the definition of affordable housing.
- 4.2 There are mechanisms within the LAHF agreement that would allow us to “swap out” properties if it speeds up delivery. This means that we could use an existing council property to meet the need of the LAHF and then move the LAHF funded acquisition into general needs stock. We could use this approach to ensure that any properties purchased would meet local need.
- 4.3 As highlighted in paragraph 3.4 above, there is a time limit to spend the S106 contribution from Green Close or have a commitment to spend it.
- 4.4 Using this money in tandem with the LAHF funding would enable us to deliver more affordable properties than would be possible using the S106 funding alone.

Financial implications:

Up to £760,497 of S106 money may be spent as a result of this work. This proposal does not require any Housing Revenue Account (HRA) funds or the requirement to borrow against the HRA.

Legal implications:

There will be a resource requirement in terms of the legal work to purchase the properties and the potential for SDLT to be payable. The impact of the Right to Buy legislation in terms of general needs housing will also need to be taken into account.

Report to: Cabinet

Date of Meeting 4 June 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Contract standing orders exemption Global City Futures – Production of Recycling & Waste final business case

Report summary:

To support the delivery of the updated business case to allow a final decision on the future service delivery model for provision of recycling & waste collection services it is proposed to appoint Global City Futures. They have completed our Outline Business Case and understand our service and the review work undertaken to date.

In order to deliver the final business case without delay, and by the date set in July for a further extraordinary Cabinet, we need to continue to engage Global City Futures. Failure to do so will risk delivery of this critical project.

To maintain the planned implementation timeline for the LATCo it is important that we continue to move forward at pace, and therefore cannot afford any delays associated with a new procurement or on boarding of a different consultant. It is considered beneficial to make a direct appointment of GCF for this work, rather than go out through a tender process which will delay progress and risk us a) not delivering the business case in time to allow enough implementation time and b) potentially appointing professional advisors without the optimum level of experience.

This exemption is to continue that engagement and for delivery of the final business case, GCF's proposal for these works is due to cost £23k.

It is requested that this appointment is made as an exemption to Contract Standing Orders. The approval form has been provided as attached. The request will be within budget framework, since Council have approved the implementation and mobilisation fund detailed in the 17 Feb Cabinet report.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

It is recommended that Cabinet:

1. Note the Request for Exemption to Standing Orders Report attached in respect of the appointment of Global City Futures, for the production of the final business case referenced in the 17 Feb Extraordinary Cabinet report and debate. The budget for which was approved at Council 26 Feb.

Reason for recommendation:

To produce the required business case and additional information for final decision on future delivery model within the necessary timescale.

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☒ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☒ Environment - Nature and Climate
- ☒ Environment - Operational
- ☒ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Medium Impact

Risk: Low Risk;

Links to background information

[Global City Futures exemption form](#)

Link to [Council Plan](#)

Priorities (check which apply)

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

Financial implications:

The financial details are contained in the report with the cost being met from the Council's transformation reserve as approved by Council SD. General concern on number of exemptions being granted by Council - reminder to SLT -

Legal implications:

Members have the ability to approve a waiver of contract standing orders subject to being satisfied that best value is being achieved. As the value of the proposed contract is below EU procurement thresholds an exemption can be validly relied upon. The reason for using the exemption in this case appears justified. MW



.Report to: Cabinet

Date of Meeting 4 June 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Planning and Infrastructure Bill Update

Report summary:

The Planning and Infrastructure Bill was introduced to parliament on the 11th March 2025 and includes a number of provisions that will impact on the delivery of the planning service and its work moving forwards. Many of these measures have been the subject of working papers or previous consultations that the Council has responded to in the past as appropriate. This paper seeks to update Members on the proposals placed before parliament and their potential implications for Members to consider.

This report was considered by Strategic Planning Committee on the 19th May 2025 with the provisions of the bill and the implications to the Council noted.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Members note the provisions of the Planning and Infrastructure Bill and their potential implications for the delivery of the planning service and strategic planning.

Reason for recommendation:

To ensure that Members are aware of potential changes to the planning system.

Officer: Ed Freeman – Assistant Director Planning Strategy and Development Management

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☒ Environment - Nature and Climate
- ☐ Environment - Operational
- ☒ Finance
- ☒ Place, Infrastructure and Strategic Planning
- ☒ Sustainable Homes and Communities

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

The Planning and Infrastructure Bill was introduced to Parliament on the 11th March 2025. This report seeks to summarise the key points and start to consider the potential implications for the Council.

PLANNING COMMITTEES

A national scheme of delegation is proposed that would set out the types of planning applications that can be determined under delegated powers by planning officers and which should be considered by Planning Committee. Regulations are needed to set out the details of this but a working paper published in December set out that the intention was to fast track development. The paper set out options which included:

- All applications that are deemed to comply with the development plan would be delegated to officers;
- A default delegation to officers other than exceptions such as when approval is recommended for a development which is contrary to the development plan or the application is made by the authority itself;
- A default delegation to officers other than major schemes not on allocated sites; allocated sites where the scheme departs from the local or neighbourhood plan; or schemes which have been subject to a specified number of objections.

It made it clear that these options are not mutually exclusive and they were open to consider a hybrid approach. A full consultation on how this would work is expected. In the meantime, the bill would put in place the legislation to enable government to impose a national scheme of delegation and publish regulations to enact it.

It is proposed to give the secretary of state the power to make regulations setting out the size and composition of planning committees. The Bills explanatory notes suggest that government consider that smaller planning committees are favoured as they lead to more effective debates and decision making.

Members sitting on Planning Committee would have to undertake mandatory training and gain a certificate of training before considering any applications. The explanatory notes say that it, “aims to create consistency in training and ensure that key areas of law that are relevant to a planning committee’s decision-making functions are understood to an adequate standard”. The government highlights the high number of decisions made by planning committees against officer recommendations nationally that are overturned on appeal. The Council would need to ensure that all members of the committee successfully completed the training and publish a list of those who

had been trained on the website. Any members who have not received the training would be prohibited from taking part in decision making in planning committee.

A response to the working paper was submitted under delegated powers and is appended to this report for information.

Implications for EDDC

As a result of these changes the Council may need to amend its own constitution to align with any national scheme of delegation, amend its processes accordingly and ensure that Members of Planning Committee are trained in accordance with the new requirements. It is likely that it would also lead to a reduced number of members sitting on planning committee.

PLANNING APPLICATION FEE SETTING

Provision is made for local fee setting on planning application fees. This was consulted on as part of the new NPPF consultation last year and made it clear that this would work on a cost recovery basis. There were however views sought on whether this should simply be the costs associated with processing a planning application or whether authorities would be able to recover the costs of plan making and enforcement work. The government response indicates that it would only relate to the costs of determining planning applications stating that "It is not proposed that planning fees are increased beyond cost-recovery of the planning applications (development management) service to fund wider planning services at this time. However, the government will continue to investigate ways to better resource other areas of planning, such as statutory consultees, to enhance the resilience of the planning system".

The government indicated as part of the consultation that they would set a baseline fee rate to act as a default with local authorities having the option of setting their own fees. Respondents raised concerns about the work involved in setting local fees and potential variations that may then arise between authorities. Regulations will need to be issued to set out the requirements that LPAs must meet to set planning fees or charges, however it is clear that income from planning application fees would be ring fenced for the delivery of development management services. The secretary of state would retain a power to intervene if the charges were disproportionately high or low.

Implications for EDDC

These provisions would allow the council to recover the cost of its development management service through local fee setting which would reduce the burden placed on the Council's overall budget since current fees do not come close to covering the cost of the service. However, it is considered that there would be significant resource implications in accurately calculating these fees on a cost recovery basis. It would be necessary to undertake large scale time recording over a significant period of time in order to set accurate fees for all of the different types of applications. The time taken and resources needed can vary substantially between different application types and different applications of the same type depending on the proposals and the issues raised as well as the level of controversy and the decision making route. Calculating an accurate fee would be challenging and time consuming. The benefits of doing this would need to be weighed against those of any revised national baseline fees set by government which in themselves may help to address the shortfall in income versus cost.

STRATEGIC PLANNING

The bill would reintroduce strategic planning at a regional/sub-regional level through requiring combined authorities and combined county authorities whether mayoral or non-mayoral to produce a spatial development strategy (SDS). This would form part of the development plan for the area with local plans needing to be in general conformity with the SDS.

The SDS would include:

- Policies that are of strategic importance in relation to the development and use of land in the area;
- Set out infrastructure needed to support or enable the delivery of development, address climate change or address the economic, social or environmental well being of the area;
- Not allocate specific sites but would set housing numbers and the distribution of housing including affordable housing across the strategic authority area;
- Need to ensure that the “use and development of land in the strategy area contribute to the mitigation of, and adaptation to, climate change”;
- Need to be consistent with national planning policy.

Plans would be consulted on and examined by a government appointed examiner.

Implications for EDDC

As things stand responsibility for producing the SDS would rest with the Devon and Torbay Combined County Authority and so this represents a potential loss of control to this authority. It is hoped that the district councils would be engaged in this work and so this would be likely to have resource implications but it is not possible to estimate what this would be at this stage.

NATURE RECOVERY

The Bill enables the formation of a Nature Restoration Fund (NRF), to enable a more strategic approach to habitat mitigation. It would enable Natural England to produce Environmental Delivery Plans (EDPs), that set out strategic mitigations to address the impact that development has on a protected site or species. Where an EDP exists, the developer would no longer have to undertake their own assessments, or deliver project-specific interventions, for issues addressed by the EDP but could instead pay a contribution to the NRF.

The government states this approach “will facilitate a more strategic approach to the discharge of environmental obligations and result in improved environmental outcomes being delivered more efficiently. By reducing delays to development, this new approach may also facilitate faster delivery of housing across England”.

This proposal was included in a working paper published earlier this year to which officers wrote advising of the joint mitigation strategy for the Exe Estuary and Pebblebed Heaths and how the strategic mitigation and developer contributions approach has been successful at a local level. The response expressed concerns about resourcing this at a national level and the need for this to be done on a habitat or landscape scale. A copy of this response is attached to this report.

Implications for EDDC

This proposal would potentially see control of strategic habitat mitigation pass to Natural England or a similar body and so this could lead to a loss of control and work involved in administering the current arrangements. It is not however clear at this stage whether the new approach would take on existing strategic mitigation approaches or just new strategies. It is also not clear what the timescales for implementation would be. The lack of certainty at this stage makes it difficult to understand the implications for EDDC at this time.

COMPULSORY PURCHASE

The bill seeks to streamline the process for compulsory purchase orders to be made and extend existing powers to remove 'hope value' arising from planning permissions. It would extend the existing powers to remove 'hope value' so that these include where a town/parish council and community councils are using CPO powers to deliver affordable or social housing provision.

The proposed changes to CPOs add to changes in the 2022 Levelling Up and Regeneration Act (LURA) allowing land to be acquired more cheaply in certain circumstances. The LURA had introduced a power which allowed acquiring authorities to remove "hope value" from the price of a CPO, providing it is in the public interest. Such circumstances include where land is acquired to deliver a school, hospital, affordable housing or other community benefit. The Planning and Infrastructure Bill extends this to CPO's for the benefit of town/parish councils and community councils. This is designed to improve the viability of such schemes.

The bill also proposes changes to the system for making and confirming CPO's to modernise the process and enable acquiring authorities more powers to modify and confirm CPO's in certain circumstances and to take control of land more quickly.

Implications for EDDC

The changes to 'hope value' provisions could be beneficial in certain circumstances although the changes in the LURA were more directly relevant. A streamlining of the process could also be beneficial in the event that the Council were to proceed with CPO's in the future.

DEVELOPMENT CORPORATIONS

The bill seeks to make it easier to deliver large scale new communities through development corporations by creating a clearer and more flexible framework for development corporations.

The Bill says it will:

- "Enable greater flexibility for development corporations in terms of the variety, extent and types of the geographical areas over which they can operate.
- Ensure development corporations have due regard to sustainable development and climate change mitigation and adaptation.
- Update and standardise the types of infrastructure development corporations can deliver, including heat networks.
- Improve collaboration between development corporations and local transport authorities, through a new duty to cooperate, which will ensure that new towns are seamlessly integrated into the wider spatial plan for the area. Where appropriate, the Bill will ensure that development corporations are able to exercise transport planning functions to achieve this goal".

Implications for EDDC

In the event that the Council were to seek to form a development corporation in the future, as is being considered in relation to the second new community, then these changes could be beneficial to the resulting development corporation. Consultants are currently producing a report considering the pros and cons of different delivery models for the new community which will be presented to Members at a future meeting.

Financial implications:

There are no direct financial implications identified at this time. The report is to ensure that Members are aware of potential changes to the planning system. However, as more detail is received there may be changes to fee collection. There is a lot of development work to be done, and we will work closely with the service to understand further financial implications.
(AB/14/03/2025)

Legal implications:

The legal implications are covered in this report (002533/17 March 2025/DH).

Appendix 1 – Response to Working Paper on National Scheme of Delegation

Proposals include:

- a. a national scheme of delegation – bringing clarity and consistency to everyone about which applications get decided by officers and which by committees;
- b. dedicated committees for strategic development – allowing a dedicated and small group of councillors to dedicate energy to the most significant projects; and
- c. training for committee members – requiring that councillors undertake appropriate training before they can form part of a planning committee.

[Planning Reform Working Paper: Planning Committees - GOV.UK](#)

As discussed proposed response for comment is as follows:

a. Do you think this package of reforms would help to improve decision making by planning committees?

It is agreed that it is important that planning committees focus on decisions that are strategically significant and do not debate small scale household and other minor developments. These should be delegated in all circumstances.

It is also important that the committee is not revisiting matters that have already been resolved through the plan making process. However, compliance with the local plan is often a subjective judgement in itself and is not straight forward so relying on this to determine if an application is delegated leaves a lot of scope for disagreement and criticism.

In terms of options 2 & 3 the list of matters that would not be delegated includes matters that we currently successfully determine under delegated powers. For example, the list includes sites that are subject to an EIA or which is likely to have a significant impact on a habitats site but such applications will only be unacceptable where the impacts are not to be acceptably mitigated. It would only make sense for such decisions to be made by committee where the proposal does not intend to adequately mitigate the impacts on the environment and it is still recommended for approval.

b. Do you have views on which of the options we have set out in regards to national schemes of delegation would be most effective? Are there any aspects which could be improved?

In terms of options 1 and 2 compliance with the development plan is inevitably a subjective judgement and not something that can necessarily be agreed between the LPA and the applicant. Whether the development is in accordance with the development plan could be agreed with the chair of the committee or portfolio holder but even this is open to lobbying or being politically influenced. These options would not give the transparency and certainty that is sought. Option 3 is similar to many current local level schemes of delegation and so would not achieve the intended outcomes.

c. We could take a hybrid approach to any of the options listed. Do you think, for instance, we should introduce a size threshold for applications to go to committees, or delegate all reserved matters applications?

It is considered that the simplest way of defining developments that should be delegated is simply through the scale of development and stating categories of development that must be delegated. It is considered that all 'other' category developments should be delegated and some of the less controversial 'minor' category developments should be delegated along with all reserved matters. The rest should be left to local discretion as they will rarely be a waste of the committee's time if they are debated by a committee.

d. Are there advantages in giving further consideration to a model based on objections?

The problem with this model is that some relatively minor applications can raise a high number of objections due to local campaigning by those affected. Equally an approach based on the number of objections received does not address the eventuality that many may not relate to planning matters and may actually be irrelevant. For example, we have controversial applications to replace public toilet blocks within the district at the moment where the objections relate to the intention to charge for the new toilets rather than any material planning consideration. It is also the case that some strategically significant developments raise few objections but would benefit from the wider input of a committee.

e. Do you agree that targeted planning committees for strategic development could facilitate better decision making?

Yes – The greater diversity of knowledge and views targeted to strategic developments through a dedicated committee would facilitate better decision making but such applications are often some of the least controversial. In East Devon we have Cranbrook new town and many of the strategic developments here are relatively uncontroversial and accord with the development plan and so there may be no need for them to be considered by the committee. As a result, there is less need for political oversight in decision making on these applications.

f. Do you have a view on the size of these targeted committees?

Agree in principle with keeping them quite small but committees of only 3 – 5 Members run the risk of them not being chorate at meetings and so it is considered that at least 5 to 7 Members are needed.

g. How should we define strategic developments?

This would need to be defined by the scale of the overall development rather than individual proposals. Cranbrook new town will be around 8,000 homes but individual parcels can be as little as a few hundred homes and key developments such as a community building or neighbourhood centre may be quite small in area but of key importance to placemaking and so significant to the overall delivery of the development. These kinds of developments need to be considered as strategic even though they may not be classed as such on any size measure alone.

h. Do you think the approach to mandatory training is the right one?

It is essential that Members are suitably trained before sitting on a planning committee and the proposed approach of formalising this with a nationally procured training programme with certification would help to deliver this and formalise it. It would ensure that the appropriate training is delivered to all members sitting on planning committee equally which would give certainty to applicants. There are however local level issues that can be specific to areas where there are National Landscapes etc that may also require some more locally specific training to take account of local circumstances.

Appendix 2 – Response to Working Paper on Development and Nature Recovery

We are writing to provide a response on behalf of East Devon District Council to the Government's consultation on Planning Reform Working Paper: Development and Nature Recovery.

East Devon – delivering Development and Nature Recovery

East Devon has an outstanding environment. Approximately two thirds of the district are designated as a National Landscape, there are seven international wildlife sites, important statutory and non-statutory designated wildlife sites, and is home to rare habitats and species. As such, there are several environmental regulatory challenges to comply with to facilitate development within the district.

East Devon is also a high growth District with the population increasing at a rate that is more than twice the national average. Effective joint working under a regional, strategic approach to Habitats Regulations mitigation with Exeter and Teignbridge Councils over the past decade has supported the delivery of major new developments whilst protecting and enhancing internationally protected habitats, increasing biodiversity and improving access to greenspace through provision of Suitable Alternative Natural Green Space (SANGs).

A major growth corridor extending eastwards from Exeter has been under development since 2010. This includes the freestanding new town of Cranbrook and an Enterprise Zone designation covering four commercial sites including Exeter Science Park. Overall nearly 6,000 homes and over 1 million square feet of commercial space has been delivered to date. Ultimately we expect to deliver 12,000 each of new homes and jobs as part of the current programme.

We are currently in the process of reviewing our Local Plan which will roll planning horizons forward to 2042. The key strategic proposal contained within this is to bring forward a second new town of up to 10,000 homes, with 2,500 delivered in the next plan period. By 2030 we will be in the unusual position of having two new towns under development concurrently.

This growth is supported by the South East Devon European Site Mitigation Strategy (SEDESMS) (in partnership with Exeter City, Teignbridge District Councils, Natural England, Pebblebed Heaths Conservation Trust, RSPB and Devon Wildlife Trust – see case study 1), which provides a single strategic assessment and delivery plan for the SE Devon European Sites (funded through planning contributions and CIL), and through the effective use of planning tools (such as the Cranbrook Masterplan DPD) to deliver high-quality sustainable development. Together these measures supporting the delivery of 30,000 homes and 150 Ha of SANGs: increasing substantially over the next local plan period to unlock another 30,000 homes and 300 Ha of SANGs across the three authorities.

In addition to the large growth areas in the 'West End' of the district, development in other areas is also subject to varying environmental regulations and tools to support sustainable growth. The Beer Quarry and Caves Special Area of Conservation (SAC) Habitats Regulation Assessment (HRA) Guidance (October 2022) provides a clear framework for developers and planners to assess and facilitate plans and projects within defined consultation zones based on rigorous scientific survey work. These guidelines are further supported by industry best practice and regional guidance to ensure that development can be accommodated while being regulatory compliant.

More recent and emerging environmental issues include nutrient neutrality applicable in the River Axe catchment (also encompassing Somerset and Dorset). East Devon successfully obtained funding in the Local Nutrient Mitigation Fund Round 2 to develop a nutrient mitigation scheme to discharge environmental obligations within the existing environmental regulatory framework in a strategic manner.

Other emerging issues being addressed within the district include consideration of air pollution impacts and water consumption.

General Comments

We understand and support the potential for a strategic approach to nature recovery that unlocks sustainable development. This can provide the potential to drive nature recovery at the scale necessary to have meaningful impact, providing additionality including multi-functional Green Infrastructure with wider environmental and health and wellbeing benefits.

To the east of Exeter the Clyst Valley Regional Park (CVRP see case study 2) provides a connected green infrastructure network which links existing villages, Cranbrook and the second new town, as well as providing a green buffer on the eastern edge of Exeter. In the CVRP 4,000 hectares are prioritised as a focus for the delivery of ecosystem services and active travel – supporting and mitigating the significant economic and residential growth in the surrounding area. There is a clear opportunity for a strategic approach to be taken to focus investment in this area to accelerate the objectives of the CVRP and accelerate development across the sub-region.

It should be recognised that there are several established mechanisms for delivering sustainable development in line with existing environmental regulations. It should be considered that the working paper premise that legislative change is required to delivery strategic mitigation schemes to satisfy environmental obligations is at odds with existing successful strategic schemes, e.g., SEDESMS, and considering other schemes are being implemented across the country under the current regulations, e.g., nutrient neutrality, great crested newt district level licensing (DLL).

Other existing frameworks and guidance (non-exhaustive list) to ensure regulatory compliance include professional survey guidelines, supplementary planning documents, British Standards Institutes, professional membership bodies, e.g., Chartered Institute of Ecology and Environmental Management (CIEEM), Landscape Institute (LI), .GOV standing advice, Green Infrastructure Framework, protected species licencing (Low Impact Licence, Eared Recognition) etc.

The delay of development projects due to the requirements of environmental obligations, such as seasonal ecological surveys, can often be attributed due to poor program management and not embedding consideration of environmental obligations at the feasibility/design stage. When considered early, the mitigation hierarchy can be used to minimise risks, costs, and perceived delays. A joined-up strategic approach to understanding the ecological baseline (and other constraints) of key development areas could help to accelerate delivery, along with appropriate masterplanning and planning tools (such as the DPD prepared for Cranbrook, and emerging masterplan for our second new community).

In addition, planning authorities and statutory conservation bodies, e.g., Natural England, are often under resourced and having to deal with significant amounts of technical information and emerging requirements such as Biodiversity Net Gain (BNG) with often limited clear guidance on the application. With additional resourcing, training, and guidance, many perceived delays could be reduced without wholesale legislative reform.

Key to any nature recovery proposals is an understanding of baseline conditions through detailed desk studies and individual site surveys by professional ecologists to understand constraints and opportunities. The development of technology can aid and enhance decision making, such as remote sensing, artificial intelligence (AI), and Open Data but these measures cannot replace on the ground surveys and rigorous scientific method.

It is accepted that certain environmental obligations could be better addressed at a strategic scale, e.g., waterbody catchments, such as diffuse pollution and recreational impacts, administered by a strategic delivery body. However, it should also be recognised that this will not be applicable for every environmental issue and given an interdependence of wildlife and complex systems, a hybrid approach built on existing good practice is required. Often local wildlife sites, priority habitats, and species populations are small in scale in a fragmented environment. The loss of these localised important features should not be at the expense of accelerated development. They form the building blocks and genetic diversity required to maintain ecosystems.

To contribute towards meaningful nature recovery would require genuine enhancement measures that would reverse the decline and/or contribute towards the long-term restoration and

enhancement of designated sites. Until the implementation of statutory Biodiversity Net Gain (BNG), there has been no legislative approach to deliver environmental enhancements. In accordance with Lawton principles, any proposed measures should contribute towards 'bigger, better, more joined-up'. This cannot happen in isolation and requires strong regulatory and enforcement, monitoring, adaptive management, and long-term certainty for all stakeholders. Local Nature Recovery Schemes and the proposed Land Use Framework, currently under consultation, create the opportunity to identify strategic nature recovery areas at scale.

The proposed working paper provides examples of how strategic schemes could create a 'win-win' of development and nature recovery, for example referencing nutrient neutrality. It should be noted that nutrient neutrality, and other strategic schemes such as Suitable Alternative natural Greenspace (SANGs) are mitigatory measures to off-set development impacts. In the case of nutrient neutrality, designated sites are usually in an Unfavourable Declining status so although development may not result in an increase in environmental impacts, the effect is not contributing towards site restoration, rather than maintaining the status quo.

Issues affecting habitat sites, such as nutrient neutrality, can be attributed to failure of applying Habitats Directive 6(1) and 6(2) duties to ensure habitat sites are monitored and impacts to those sites are addressed before they fall into failing condition. A strategic approach should address this and ensure that habitat sites have sufficient headroom to accommodate environmental impacts from development plans and projects.

We note that the Habitats Regulations/Directive have been rigorously reviewed on three separate occasions and been found to be effective and fit for purpose on each occasion (The 2012 Defra review of the Habitats Regulations (Spelman Review), the Government Red Tape Initiative of 2018, and the EU's REFIT review of the Nature Directives in 2016).

Some other key tenants that must be retained in any strategic decision-making frameworks include the strict application of the mitigation hierarchy, protection and acknowledgement of irreplaceable habitats, e.g., ancient woodlands, and key environmental principles including the polluter pays, precautionary principle, and ensuring any legislative or regulatory changes do not weaken but enhance environmental protection.

The UK is one of the most nature depleted countries in the world. Climate and nature are intricately linked and nature-based solutions, such as natural flood management, use of trees for urban cooling, and multifunctional accessible green space will be key mechanisms to deliver sustainable growth and should be integrated with the strategic approach to nature recovery.

It is essential that the proposed Delivery Bodies are able to operate at appropriate scale (potentially at Strategic Authority level, supported by Natural England nationally) to ensure the delivery of strategic interventions whilst supporting local delivery that delivers best outcomes and supports and engages with communities. As we note in our introduction, existing Delivery Bodies such as the SE Devon Habitat Regulations Partnership and Wild East Devon (East Devon District Council's Countryside Team) are already delivering strategic mitigation and nature recovery whilst unlocking development and providing community and health and wellbeing benefits. These bodies have significant expertise and local knowledge and offer the opportunity to continue to deliver these services within the context of larger delivery bodies, either directly or in partnership, and to share knowledge and best practice.

There is a need to ensure that learning from existing successful strategies, such as SEDESMS, and other existing successful nature recovery models that support development are retained and supported within new delivery mechanisms

Responses to Consultation Questions

a) Do you consider this approach would be likely to provide tangible improvements to the developer experience while supporting nature recovery?

Yes – our existing approach to mitigation is proof that carefully focused, strategic delivery removes perceived obstacles to growth and provides opportunities to unlock funding and land at scale, focused on the areas which offer best prospects for strategic mitigation, nature recovery and wider

benefits. However, it is critical to recognise the importance of timing and the need to deliver mitigation in advance of impact. Otherwise, conservation features which require protection will be lost or degraded before measures are in place.

For example the Clyst Valley Regional Park is a 400Ha landscape which follows the River Clyst from the Exe Estuary to Broadclyst, Whimble and the Killerton Estate which is managed by the National Trust. An appropriately funded strategic nature recovery scheme could link the Exe Estuary SPA/SAC to the Killerton Landscape Recovery Scheme and deliver cross-cutting environmental, economic and nature recovery benefits that would mitigate the impact of residential development and existing developed areas through habitat creation, carbon capture, water quality improvement, and enhanced active transport connections (supporting the Exeter and East Devon Enterprise Zone and Tourism/Leisure destinations).

Notwithstanding the above it is important to understand how the proposals would work in practice.

b) Which environmental obligations do you feel are most suited to this proposed model, and at what geographic scale?

It is our view that nature recovery is best delivered at the appropriate landscape scale (e.g. catchment area) and within the framework of LNRs. Existing mechanisms such as the existing Habitat Regulations mitigation strategy (on site and off site obligations), BNG, Woodland Grants, Nutrient Neutrality & Air-Quality mitigation could all combine to support this approach. Consideration of other approaches such as carbon credits could provide additionality.

The opportunity to identify and support cross-cutting benefits – carbon capture, woodland creation, health and wellbeing, active transport, community cohesion and partnership working should be taken.

c) How if at all could the process of developing a Delivery Plan be improved to ensure confidence that they will deliver the necessary outcomes for nature?

The Delivery Plan should align with the LNRs and integrate existing strategies (such as the SEDESMS). It is important to ensure that Delivery Plan incorporates Management, Monitoring and Review, and draws together existing evidence/monitoring bases, identifying where gaps exist, or updates are required. This must also ensure a clear understanding of required outputs and timeframes, independent review cycles/scrutiny.

d) Are there any additional specific safeguards you would want to see to ensure environmental protections and / or a streamlined developer experience?

Where existing, successful strategies and recovery programmes have been established, these should continue to operate as normal during any reorganisation. Funding sources need to be identified, profiled, and secured to enable long term planning and certainty of delivery in perpetuity.

There needs to be clarity in terms of clear remits for authorities and Delivery Bodies. If planning authorities will no longer be considered competent authorities according to the Habitats Regulations, legislative and policy changes will be required to confirm this position.

e) Do you support a continued role for third parties such as habitat banks and land managers in supplying nature services as part of Delivery Plans?

Yes – and there is a need to work with existing partners who are delivering nature recovery and mitigation at a local/regional level.

f) How could we use new tools like Environmental Outcomes Reports to support this model?

No comment

g) Are there any other matters that you think we should be aware of if these proposals were to be taken forward, in particular to ensure they provide benefits for development and the environment as early as possible?

LNRS, Natural England Green Infrastructure Framework and the emerging Land Use Framework need to inform the approach and be integrated with development proposals (such as the masterplans for Cranbrook and East Devon's second new community). The Delivery Strategy should be forward funded to ensure that mitigation is in place before developmental impacts are created – and to ensure that cross-cutting benefits of multi-functional Green Infrastructure are realised.

Decision-making should prioritise the precautionary principle to prevent irreversible damage when evidence is incomplete or uncertain. The mitigation hierarchy must be strictly followed to minimise harm before considering compensatory measures. Mitigation efforts should take place within the same catchment or location as the impact.

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of the Local Government Act 1972.

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