

## **Council Meeting on 19<sup>th</sup> October 2022**

### **Agenda Item No 8**

#### **Questions by Members to Full Council under Procedure rule 9.2**

##### **Question 1: Procedure Rule 9.2 to the Portfolio Holder for Coast, Country & Environment from Councillor Paul Millar**

On behalf of one of my constituents, what was the total cost to the Council of sending recent mailshots regarding changes to recycling and waste collections of

- a) the advance notice letter,
- b) the detailed letter and
- c) the repeat detailed letter

##### **Answer:**

Our Recycling & Waste team has delivered four previous large scale collection mobilisations and on each of these we have used the three notification stages (advance notice, detailed letter, repeat detailed letter). Each one of these mobilisations has been delivered successfully and we are using the same tried and tested method of resident notification this time.

Large scale mobilisations, in this case over 17,000 properties, cut across a range of community types, socio-economic groups and demographics. Some people need more coaching than others through these kind of changes and the three stage notification is intended to move the behaviours of all the population affected. We need to influence the majority not the minority. Some people will need less information than others and may not require the 'drip feed' that the three stage approach represents but this is not the case for all. Our intention is to keep the change process in people's minds until the changes are bedded in.

As we have gone through the round planning process we have identified a total of 17,887 households that will experience changes to collection schedules as follows:

CATEGORY 1: REFUSE AND RECYCLING CHANGE WITH INTERIM COLLECTION  
TOTAL: 2197 letters

CATEGORY 2: REFUSE AND RECYCLING CHANGE NO INTERIM COLLECTION  
TOTAL: 3375 letters

CATEGORY 3: REFUSE WEEK CHANGE WITH INTERIM COLLECTION  
TOTAL: 5192 letters

CATEGORY 4: REFUSE WEEK CHANGE NO INTERIM COLLECTION  
TOTAL: 7123 letters

TOTAL LETTERS SENT TO HOUSEHOLDS: 17,887

Mobilisations that fail are, in general down to a lack of notification or information. Our 3 step iterative process is to give the best possible chance of the message being noticed, understood and acted upon. The advanced notice is intended as an 'alert' that further information is on its way and residents need to be aware of this. Clearly there is a cost to mailings but this is a small amount compared to the

very significant revenue and capital investments we are making in new vehicles, additional crews, round planning and increasing our Supervisor team to cope with the growth in properties. Putting more effort and cost upstream pays off by increasing the chances of a successful mobilisation of the high cost people and assets downstream or the high costs and reputational issues which can result from poorly communicating a change of this scale. The recycling and waste budget includes provision for resident notifications as we carry these out very regularly on a smaller scale as part of the day to day running of the system.

The inference here from the question raised might be about more cost effective ways of doing this. We could look at using digital technology only for such communications, with the use of the East Devon App. However we would need to consider equality and access to digital communications as part of our digital transformation, requiring a wider council approach and communications programme, embedding such an approach before a large scale mobilisations like ours.

All these things considered, we believe the total cost to the council for the 3 letters to ensure full awareness of the changes at £27,419.34 was necessary.

Feedback from the staff on the ground in Cranbrook/Tithebarn area this week during collections has been very favourable. Our door steeper has been picking random properties throughout the affected streets to give a wider representation, and has spoken to around 200 residents so far and everyone has generally praised the notifications received, understood the changes and the necessity for them and been grateful for someone to be in the area, checking on residents. Of the 200, she has had 4 people who were unaware of the changes (they had not read any of the 3 letters), but their APP was updated to reflect these changes so they followed that. The feedback received is echoed across other collections areas which shows the amount of preparation we have done has been effective.

### **Question 2: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Councillor Paul Millar**

Pursuant to the answer to question 3 of the Full Council meeting on 20th July, have the 50 families he went on record as saying would be in permanent Council accommodation come to pass?

#### **Answer:**

Yes, we have met the commitment to housing 50 more households, and have housed 71 during this period.

### **Question 3: Procedure Rule 9.2 to the Portfolio Holder for Democracy & Transparency from Councillor Paul Millar**

Can she ask the Chief Executive to share with Members the specific advice he received from the LGA Head of Safeguarding verbally referred to by him in September Cabinet but not shared with Members in terms of its contents?

#### **Answer:**

Please refer to the Chief Executive's report to Council and recommendation 4 therein which Council deferred.

**Question 4: Procedure Rule 9.2 to the Portfolio Holder for Council & Corporate Coordination from Councillor Paul Millar**

Why did he not hire an external consultant to speed up the work of the staff pay review which has inhibited the Council's ability to attract and retain officers and respond adequately to the community's needs?

**Answer:**

The Council did hire external consultants.

**Question 5: Procedure Rule 9.2 to the Portfolio Holder for Council & Corporate Coordination from Councillor Paul Millar**

When will the Senior Management Review finally commence?

**Answer:**

Our current priority is to complete the reward review and then assess whether it has been effective in addressing our recruitment and retention crisis. We will then assess the issue of senior management resources along with our other resource requirements.

**Question 6: Procedure Rule 9.2 to the Chair of Council from Councillor Paul Millar**

With reference to the meeting of, is he committed to the notion of minutes being 'true and accurate', and if so why has he taken no action to speedily advise the correction of the false and inaccurate minutes regarding the vote on item 86c of the Full Council meeting of Wednesday 22 April 2022?

**Answer:**

Yes. There was some confusion during the meeting around exactly what was being considered but the proposer (Cllr Bailey) provided wording she considered appropriate the day after the meeting which was included in the minutes. The minutes were agreed as a true record by the Members at the physical meeting of Annual Council on 19<sup>th</sup> May. Members, if they didn't agree with it, had the opportunity to correct the minutes at that 19<sup>th</sup> May meeting.

**Question 7: Procedure Rule 9.2 to the Portfolio Holder for Democracy & Transparency from Councillor Paul Millar**

What is the estimated total cost to the taxpayer of the Newton Poppleford and Harpford by-election as called by the Conservative Group Leader?

**Answer:**

The Returning Officer has confirmed that the by-election will be contested by 3 candidates; Independent, Conservative and Labour. At this stage the estimated total cost will depend on whether the cost of hall hire has increased and also how many voters elect to vote by post (noting that postal costs have increased).

**Question 8: Procedure Rule 9.2 to the Portfolio Holder for Council & Corporate Coordination from Councillor Jess Bailey**

On 3rd October 2022 myself and five other councillors were asked by an EDDC officer to respond to a Freedom of Information request in relation to the Verita investigation into disgraced former Conservative councillor John Humphreys. I subsequently learned that the Fol request was not lawful because it had been submitted anonymously. Would the portfolioholder for Corporate Services please advise what procedures are in place to ensure that such communications are valid, before asking councillors or council officers to respond?

**Answer:**

This Council has a commitment to openness and transparency. There should be no issue providing information even to an anonymous requester. However, if, as a consequence of this, the Council wishes to take this opportunity to invite the use of every technical reason not to provide information, which will no doubt cause reputational damage, then that is an option available to it.

**Question 9: Procedure Rule 9.2 to the Portfolio Holder for Council & Corporate Coordination from Councillor Jess Bailey**

I understand that there is currently only one tree officer in post, following the departure of other tree officers. Could the Portfolio Holder for Corporate Services advise the reasons for the departure of tree officers; what is being done to ensure a full complement of tree officers; and the impact of the severely reduced number of tree officers on the vitally important requirement to protect trees and hedgerows in East Devon including the woodland village of West Hill.

**Answer:**

We have made extensive efforts to recruit qualified Arboricultural Officers, advertising three times over the last 18 months and failing to appoint due to a shortage of qualified staff, relocation costs and our remuneration package. As a consequence following the most recent recruitment process this summer we have recruited a Tree Technician and more recently successfully appointed a Tree Officer, initially part-time, then full time in the new year. The acute shortage nationwide of suitably qualified and experienced Arboriculturalists remains a challenge and is one of those "identified professions" we are struggling to fill. There remains Tree Officer vacancy in the team. We will continue our attempts to fill all post as we recognise the importance of protecting the districts outstanding treestock. It goes without saying that our Arboricultural Team Manager has been doing an amazing job keeping the service running with support from external contractors to ensure that we are able to fulfil our most urgent and priority tree works but as a consequence of this situation we have not been able to respond to every request or inquiry from local residents or parish councils to come out and visit when requested. This will remain the case for a while until we can resolve the capacity and recruitment issues we are facing.

**Question 10: Procedure Rule 9.2 to the Leader of the Council from Councillor Jess Bailey**

Please can the Leader advise what progress has been made in advancing the Tree Strategy following my notice of motion dated 27th July 2021 and how this strategy will be used to inform the emerging new local plan.

**Answer:**

We are jointly funding a Devon Tree Strategy working with DCC and the Woodland Trust. The work has been scoped and about to be tendered. Once this has been produced we have funding available to commission an East Devon specific piece of work, which will logically follow on from the Devon Tree Strategy. Our District Ecologist has created a draft tree policy for the new local plan, which outlines our desires and policy needs, based on other policies across the country and the Tree Strategy Plan on a Page and 20 point plan documents produced by the Strategic Lead. This only constitutes a list of "wants" in the current draft, rather than full drafted policies. Planning colleagues think this is fine for the moment, as the Plan work will be iterative for a while.

**Question 11: Procedure Rule 9.2 to the Leader of the Council from Councillor Jess Bailey**

The de regularisation of planning controls and reduction in environmental protection appear to be pre conditions to the creation of Investment Zones. I, like many others, am very concerned that Investment Zones represent an unprecedented attack on nature. Please can the Leader advise what discussions have taken place formally or informally about a possible Investment Zone in our district.

**Answer:**

The Investment Zone concept was announced by government on the 24<sup>th</sup> September with a subsequent deadline for expressions of interest, to be led by the upper tier local authority, to be submitted by the 14<sup>th</sup> October. Investment zones were discussed at a Team Devon meeting on the 5<sup>th</sup> October and we have subsequently engaged with the County Council to feed in to proposals for a Devon Investment Zone. This includes sites in Exeter, Teignbridge, Torridge and North Devon. For East Devon we have put forward the four sites that are the subject of the current Enterprise Zone designation, the Airport and the Cranbrook expansion areas. The proposals were submitted by the deadline.

The Investment Zones concept includes the potential to access powerful financial incentives and mechanisms that would make a meaningful difference to how we can deliver new homes and jobs in the West End of the District as well as to support the recovery of the Airport from the impacts of the pandemic. But as the issues raised by Cllr Bickley at the October Cabinet meeting ably highlight, our commitment is to the delivery of sustainable development, not to promote economic growth at the expense of the environment.

The Investment Zone guidance does reference a new, faster and more streamlined consent to grant planning permission. But this is for developments that are in the early stages of planning and that are not expected to have planning permission by the 30<sup>th</sup> September 2023. In assessing which sites to put forward for the Devon Investment Zone we have been careful to only consider those that are at a sufficiently advanced stage, for example with an extant permission or the subject of a live planning application, such that this regime should not apply. We will of course keep this position under review if the expression of interest is accepted and the proposals proceed to the next stage.

**Question 12: Procedure Rule 9.2 to the Leader of the Council from Councillor Megan Armstrong**

Please can the Leader arrange for the Chief Executive to circulate to Members the instructions to Peter Oldham QC, regarding the investigation into former councillor, John Humphreys?

**Answer:**

The issue of whether it is or is not appropriate to release this advice does not sit with me but with the officer concerned. However, I am advised that the independent consultants, Verita, have been provided with the document/s concerned as they make a beginning to their investigation. As this proceeds, Verita may advise that they should be included in their findings and into the public domain.