

Date: 17 July 2012
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To:
Members of the Overview and Scrutiny Committee (Mike Allen, Peter Bowden, Graham Brown, Peter Burrows, Derek Button, David Chapman, Deborah Custance Baker, Vivien Duval Steer, Roger Giles, Tony Howard, Stuart Hughes, John Humphreys, Sheila Kerridge, David Key, John O'Leary, Brenda Taylor, Graham Troman, Tim Wood, Eileen Wragg, Claire Wright, Tom Wright)
Portfolio Holders
Chief Executive; Deputy Chief Executives

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Overview and Scrutiny Committee

Thursday 26 July 2012

6.30pm

Council Chamber, Knowle, Sidmouth

Members of the Council who do not sit on this Committee are welcome to attend as observers.

Members of the public are welcome to attend this meeting.

- There is a period of 15 minutes at the beginning of the meeting to allow members of the public to ask questions.
- In addition, the public may speak on items listed on the agenda. After a report has been introduced, the Chairman (Leader of the Council) will ask if any member of the public wishes to speak and/or ask questions.
- All individual contributions will be limited to a period of 3 minutes – where there is an interest group of objectors or supporters, a spokesperson should be appointed to speak on behalf of the group.
- The Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time.

A hearing loop system will be in operation in the Council Chamber.

Councillors and members of the public are reminded to switch off mobile phones during the meeting. If this is not practical due to particular circumstances, please advise the Chairman in advance of the meeting.

AGENDA

Page/s

1. **Public question time – standard agenda item (15 minutes)**
Members of the public are invited to put questions to the Committee through the Chairman. Councillors also have the opportunity to ask questions of the Leader and/or Portfolio Holders during this time slot whilst giving priority at this part of the agenda to members of the public

	Page/s
2. To confirm the minutes of the meeting of the Overview and Scrutiny Committee held on 7 June 2012.	4 - 8
3. To receive any apologies for absence.	
4. To receive any declarations of interest relating to items on the agenda.	
5. To consider any items which, in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances. (Note: Councillors please notify the Chief Executive in advance of the meeting if you wish to raise a matter under this item, who will then consult the Chairman).	
6. To agree any items to be dealt with after the public (including the press) have been excluded. There are no items that the officers recommend should be dealt with in this way.	
7. Decisions made by the Cabinet called in by Members for scrutiny in accordance with the Overview Procedure Rules under Part 4.5 of the Constitution. There are no items identified.	
8. Update on Post Office pilot scheme <i>Member Champion for Rural Communities, Cllr Ken Potter</i>	Verbal report
With the pilot scheme on the Post Office Local model now complete, Councillor Potter will update the Committee on progress to date.	
9. Office relocation project update <i>Richard Cohen, Deputy Chief Executive</i>	9 - 24
A brief update on the project to date.	
10. Blackdown Hills Community Plan <i>John Golding, Head of Housing</i>	25 - 31
A report to raise awareness and seek endorsement of this Plan.	
11. Portfolio Holder Update – Corporate Business <i>Councillor Ray Bloxham, Portfolio Holder for Corporate Business</i>	Verbal report
Councillor Bloxham will update the Committee on his work and take questions.	
12. Arts and Culture Task and Finish Forum <i>Councillor John O’Leary, Chairman of the Arts and Culture TaFF</i>	To follow
Councillor O’Leary will present to the Committee the final report and recommendations of the Forum.	
13. Forward Plan Members are asked to note the Forward Plan.	32

Members and co-opted members remember!

- You must declare the nature of any disclosable pecuniary interests. [Under the Localism Act 2011, this means the interests of your spouse, or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living as if you are civil partners]. You must also disclose any personal interest.
- You must disclose your interest in an item whenever it becomes apparent that you have an interest in the business being considered.
Make sure you say what your interest is as this has to be included in the minutes. [For example, 'I have a disclosable pecuniary interest because this planning application is made by my husband's employer'.]
- If your interest is a disclosable pecuniary interest you cannot participate in the discussion, cannot vote and must leave the room unless you have obtained a dispensation from the Council's Monitoring Officer or Standards Committee.

Getting to the Meeting – for the benefit of visitors



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From Exeter – 52A, 52B

From Honiton – 52B

From Seaton – 52A

From Ottery St Mary – 379, 387

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For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the
Overview and Scrutiny Committee held
at Knowle, Sidmouth on 7 June 2012

Present:

Councillors:	
Stuart Hughes (Chairman)	Vivien Duval Steer
Mike Allen	Tony Howard
Graham Brown	Sheila Kerridge
Peter Bowden	John O'Leary
Derek Button	Brenda Taylor
Deborah Custance Baker	Graham Troman
	Claire Wright

Officers:
Debbie Meakin – Democratic Services Officer
Mark Williams – Chief Executive

Also Present

Councillors:	
David Cox	Peter Halse
Iain Chubb	Pauline Stott
Alan Dent	Ian Thomas
Paul Diviani	Phil Twiss
Jill Elson	

Apologies:	Committee Members:	Councillors:
	John Humphreys	Martin Gammell
	Peter Burrows	Graham Godbeer
	David Chapman	Stephanie Jones
	Roger Giles	Andrew Moulding
	David Key	
	Tim Wood	
	Eileen Wragg	
	Tom Wright	

The meeting started at 6.30pm and ended at 7.54pm.

*1 **Public Question Time**
There were no questions from the public. The Chairman welcomed Councillor Tony Howard to the Committee. In the absence of Councillor John Humphreys, who had tendered his apologies, the Committee agreed Councillor Graham Troman as Vice Chairman for the meeting.

*2 **Minutes**
The minutes of the meetings of the Overview and Scrutiny Committee held on 26 April 2012 were signed and confirmed as a true record.

*3 **Recording of Meetings**

Debbie Meakin, Democratic Services Officer, presented her preliminary report on the options for recording of Council meetings and looking at recording by others. Council had resolved for the Committee to consider the implications, including cost and control, of allowing the recording of Council meetings.

The Committee viewed a small part of a Devon County Council webcast to see the quality of the product offered by their provider, Public-i. The practicalities and the direct costs of implementing webcasting in the current Council offices were set out in the report; the Committee was reminded of the indirect costs including another officer present at a meeting to switch between cameras.

Devon County Council viewing figures were set out in the report. There had been a decline in viewing figures in recent months.

The report also covered the aspects of recording by others of Council meetings, advising that more work is required to compile a suitable and workable protocol. The report also advised that having a recording made by the Council would help to give individuals the opportunity to view a whole meeting, rather than rely on other content that may have been edited out of context.

The Portfolio Holder for Corporate Services set out his view to the Committee, including:

- Agreed in principal with the operation of recording meetings, looking to aspire to a quality production, such as Prime Minister's Questions in the House of Commons;
- Devon County Council webcasts overall came across as dull and their viewing figures equated to a very small percentage of the County's residents;
- From his experience, the cost of providing webcasting to a good quality could be as much as three times the reported figure from Public-i of 14k – 16k per year;
- The current position of not permitting recording by others was outdated and need to be reviewed, but not to the detriment of meetings. Personal recording items brought in by individuals could potentially disrupt meetings and steps would need to be in place to ensure this doesn't happen;
- Any member of the public has the right not to be recorded – consideration has to be given to compliance to data protection, human rights, libel and defamation issues;
- Social media is common place in use and should not be prevented, but "qualified privilege" must be taken into account;
- Webcasting at a quality level could be considered as part of the relocation project.

The Committee considered the report and the views of the Portfolio Holder, including:

- Public interest is high in specific meetings, such as Development Management, when the Chamber can be full to capacity; webcasting the meeting gives the opportunity for the public to view from home. In response the Portfolio Holder commented that other options, for example providing screens in the Members' Area to cover additional seating at busy DM meetings, could be considered;

***3 Recording of Meetings (continued)**

- A recording of a Council meeting could be beneficial in order for a factual record to be available for standards investigations or to challenge misquoted comments; this use of a recording would be for another purpose as a means of having a record and could be covered much more cheaply than a webcasting option, such as audio recording only;
- Contrasting comments from the Committee, covering both support for a more open and transparent move forward that would have public appetite, and views that the public were not interested and the cost could not be justified against small viewing figures;
- Social media needed to be embraced as a means of engaging the public and enabling better transparency;
- In response to a question about the removal of the signs in the Council suite about prohibiting recording, the Portfolio Holder advised that the legal issues around qualified privilege still needed to be resolved before the signs could be removed.

RESOLVED

1. that the positive benefits of webcasting and indicative cost in the report be noted;
2. that the Committee receive a future report, to look at the audio/visual recording of council meetings, including the use of social media, with a view to reviewing a draft policy to recommend to Council.

***4 Quarterly Monitoring of Performance – Fourth Quarter 2011/12**

The Committee considered the report on the key issues across the Council's services, showing a number of continued improvements. One question was raised which would be researched and reported back to the Committee.

5 Notes from the Communications and Reputation Manager Post Task and Finish Forum

The Committee heard how the Forum had discussed the need for an apprentice role in the Communications Team, in order to deal with the technical aspects of social media whilst learning about the media trade. The Chairman supported this proposed recommendation as of benefit not only to that team, but as an excellent opportunity for a young person to learn and gain experience in growing social media.

The majority of the Committee agreed with the recommendations put forward by the Forum, with one vote against and one abstention.

5 **Notes from the Communications and Reputation Manager Post Task and Finish Forum (continued)**

- RECOMMENDED**
1. that the name of the post be changed to "Communications and Public Affairs Manager" to better reflect the role;
 2. that the job description and person specification be amended to incorporate change management capability, research capability, and the ability to undertake education of officers and Members in communication;
 3. that consideration is given to the addition of an Apprentice to work with the new post and the existing Communications Officer, to specifically cover social media work and other associated duties.

*6 **Broadband update**

The Portfolio Holder for Corporate Services reminded the Committee of the government commitment to having in place super fast broadband for 90% of homes by 2020. They had also committed to 100% by 2020 with at least 2MB speed by 2015 for all homes.

He highlighted the scale of those 10% of homes not having super fast broadband and that many would be in the East Devon area. He had met with the Minister for Culture, Communications and Creative Industries, Ed Vaizey MP along with the two local MPs to discuss the government objectives. He had also met with Devon County Council, who had confirmed that they were working to the 2020 objective, which he hoped indicated that they were tackling the work by dealing with rural areas first, starting work at the outside and working in towards the towns.

As a result of these meetings, he felt that expectations would be better managed.

The government had only one preferred supplier, BT. He was actively looking at wireless networks and how local communities could supply their own broadband – however, if established, BT could force that community group to share the infrastructure.

The Committee discussed the benefits to all aspects of the rural community in having a level of service equal to that of the towns – not just for businesses to operate on a level playing field, but also to serve the community in accessing government services. There was a real danger perceived that not having the digital infrastructure in place disadvantaged a high proportion of the District's population.

The Chairman, on behalf of the Committee, thanked the Portfolio Holder for his continued efforts in pursuing this issue and offered the assistance of the Committee if required for any lobbying purposes.

***7 Forward Plan**

The Committee received an update on the plan. The Chairman had agreed an Arts and Culture Task and Finish Forum. Councillor John O'Leary will chair this. The purpose of this Forum is to review the service with a view to informing the budget process that begins in September for the 2013/14 year.

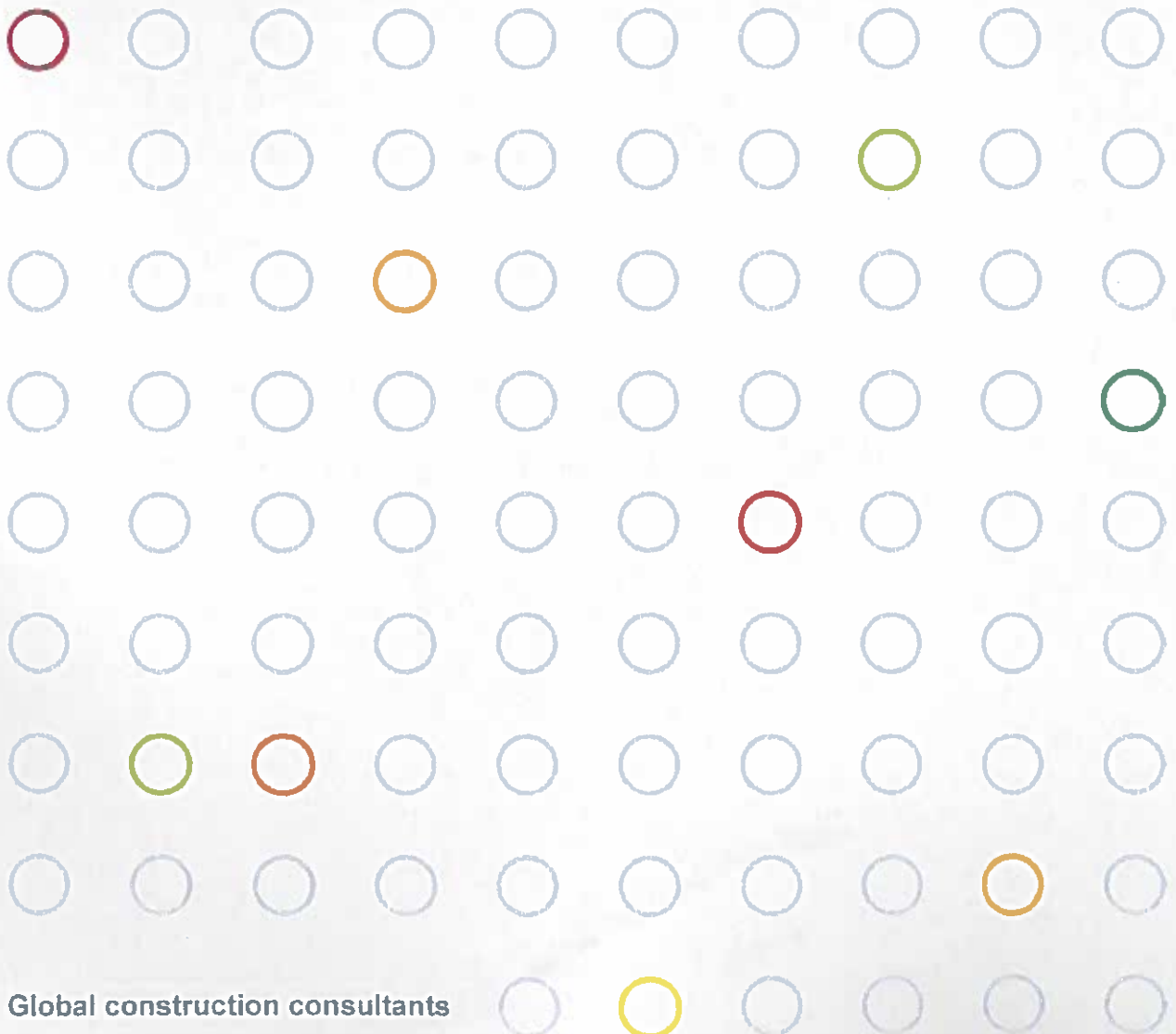
Membership of the Forum will consist of Councillors John O'Leary, Derek Button, Vivien Duval Steer, Douglas Hull, Peter Halse, and Tom Wright.

Chairman Date

EAST DEVON DISTRICT COUNCIL OFFICE RELOCATION PROJECT

Project Report No 2 | 5 July 2012

Prepared for the EDDC Overview and Scrutiny Committee 26 July 2012



1.0 EXECUTIVE SUMMARY

- 1.1 Preparation of the Client's Brief (Employers Requirements) has commenced, being based upon information advised during Stakeholder Consultations, Workshops and ongoing meetings. A questionnaire has been issued to Knowle Senior Staff which should inform on the number for desks required in the new building. This questionnaire has been designed to advise on full time and part time staff requirements together with the need for "set down" facilities
- 1.2 The Outline Planning proposals for the Knowle are currently being prepared. As part of the process Public Consultations are due to be held in Sidmouth on 10, 14 and 17 July.
- 1.3 In respect of this Outline Planning Application there has been ongoing dialogue with the Planning Officer. The submission date of 17 August and determination date of 16 November 2012 continue to be maintained.
- 1.4 The majority of the initial survey information has now been received from the appointed independent Consultants. Whilst some issues have been identified – bats, specimen trees etc – it is considered that these matters can be managed / mitigated and should not prevent development at Knowle or Heathpark.
- 1.5 In the period the Economic Impact Assessment has been commissioned to advise on EDDC's proposed move away from Sidmouth. Amongst other matters, a questionnaire has been issued to Staff to ascertain their local spend associated with their work from Knowle.
- 1.6 Similarly, a Commercial Land Agent has also been appointed to ascertain the value of both Knowle and Heathpark under a number of differing scenarios. This information is a particularly important element of the Financial Viability exercise. It is also anticipated that the Commercial Land Agent will provide professional assistance with any subsequent discussions with Developers.
- 1.7 The issue for the Councils formal Consultancy Agreements for Davis Langdon and Kensington Taylor are awaited, although all the necessary back up information has been finalised and agreed. It is not considered this matter is causing any current issues or problems.
- 1.8 Communications from Members and Members of the Public have continued to be received during the period. A protocol has now been agreed on how responses will be managed and properly coordinated. It is intended that individual replies will be avoided where possible, as the responses will be uploaded on the FAQs section of the Council's Website for general public consumption.
- 1.9 The Programme continues to be regularly reviewed, refined, updated and revised as necessary. The key milestone date for the submission of the Project Viability report remains as 30 November. A copy of Initial Programme Rev F is annexed to this report
- 1.10 Meetings with Officers and Consultants during the period have continued in both a formal and ad hoc format.

2.0 Progress Update Particulars and Key Project Issues

2.1 The main focus in the period since the last Report has been the preparation of the Outline Planning Application for the proposed development of Knowle. This has included;

- the appointed independent Consultants preparing and publishing their survey reports for both Knowle and Heathpark
- Ongoing pre app dialogue with the LPA's Planning Officer
- Preparation for the Public Consultation which is due to be held on 10, 14 and 17 July in several locations within Sidmouth.

2.2 Of the commissioned initial surveys the following have now been received;

- Topographical Survey.
- Arboricultural Survey – including a constraints plan for the Knowle.
- Ecological Impact Assessment / Habitat Survey.
- Ground Conditions / Geo Environmental Desk Study.

2.3 The Arboricultural Survey has advised that;

- In total there are 144 individual trees, with key trees of a public visual amenity value being located in the lower "Arena" field.
- There is a wide range of tree species across the site representing a diverse planting inventory over time. The trees are primarily within the middle –aged through to mature aged classes.
- The structural and physiological condition of the majority of the trees is generally fair to good, though there some poorer quality specimens.
- It is considered that the site can accommodate potentially relatively large areas of construction which are sustainable in arboricultural terms
- Trees identified within the survey as being worthy of retention will form an effective landscape feature in the context of any proposed development.
- Any trees removed need to be compensated by a landscaping scheme which includes large numbers of new trees in mitigation across the site. This in turn will establish a more diverse age class structure reducing the impact of future tree removals as individual specimens reach the end of their safe useful life expectancies

2.4 Discussions between KT and Advanced Arboriculture (author of the tree survey) have occurred and identified the optimum location for the development zones, which will now be used as the basis for the Outline Planning Application.

2.5 The Ecological Survey has established that the Knowle has bat roosts in several parts of the building. Further surveys have been commissioned, which will be incorporated into the Outline Planning Application, to establish details of bat emergence and dawn re entry. Remote bat detectors will also be installed for a short period to confirm numbers within the roosts.

2.6 The only birds found nesting in the Knowle were feral pigeons. There were no signs of any Barn Owls, despite roosting facilities having been previously provided within the building.

- 2.7 Externally in the Knowle grounds and parkland invasive plant species have been identified, namely;
- Cotoneaster,
 - Montbretia
 - Japanese knotweed
 - Common Rhododendron
 - Spanish bluebell
- The relevant department at EDDC has been advised and it is understood that appropriate action is taking place.
- 2.8 In addition, the ecological survey has also identified potential habitats for badgers and bats as well as nesting birds. Further survey information will need to be undertaken to ascertain the details – though it is recommended that this is not carried out until the time of the detailed planning application so as to ensure that the information is current and not historic.
- 2.9 The Geo Desk Study confirmed that there are no significant contamination issues. There could be minor potential spillages in local areas such as the depot and car park. It was also advised that there was a potential risk from radon gas and adverse ground chemical ground conditions to concrete and buried surfaces. This latter matter can be dealt with through geotechnical investigation – which would normally occur at the time of the detailed planning application.
- 2.10 A brief summary of the above initial survey information is annexed to this Report.
- 2.11 Dialogue / pre app discussions with the Planning Officer have continued during the period.
- 2.12 KT have been developing their Outline Planning Proposals, and these form the basis of the posters which will be used for the three Public Consultations in Sidmouth during July. A questionnaire has also been prepared for issued during the Public Consultations which will enable members of the Public to comment on the proposals. Copies for the four posters are annexed to this Report.
- 2.13 Comments received during the Public Consultation will be considered and reviewed with the final drawings for the Outline Planning Application reflecting pertinent matters advised.
- 2.14 An economic impact assessment will accompany the Outline Planning Application for the Knowle. Following the issue of the tender enquiry, the receipt of subsequent tenders and the publication of DL's Tender Report – Peter Brett Ass. have been appointed for this role.
- 2.15 The independent Consultant has prepared a survey which has been distributed to staff and visitors to the Knowle so that spending in local shops and facilities can be better appreciated. It is also understood that the Consultant will be contacting local businesses to gain their views on the proposed move. The final report is due to be returned by 10 August.
- 2.16 During the period the Commercial Land Agent has also been appointed – Thomas Lister. The Consultant is currently working for SSDC at Chard and recently provided services at Cranbrook for the HCA. This role is particularly important since it will advise on the financial value for the Knowle based on a number of scenarios. This information will form the basis of the Viability Report which is due to be delivered by 30 November 2012.
- 2.17 Thomas Lister have also been requested to provide valuations for Heathpark, again based on a number of scenarios.

- 2.18 There has been some further interest expressed in the period by Developers for Heathpark. It is anticipated that Thomas Lister will also provide professional advice in this respect to further inform EDDC.
- 2.19 Following the Stakeholder Consultations and the Conditions for success workshop in April and May, the Client Brief identifying the requirements and proposals for the new building is now being prepared. Fundamental is the need to understand particular requirements – particularly the numbers of staff that will need to be accommodated whether on a full or part time basis. This is further complicated since it is known that where viable staff will be permitted to work from Home. In this context a survey has been issued to EDDC Department Heads and Middle Managers.
- 2.20 The preparation of this Clients Brief (Employers Requirements) is complicated and requires ongoing consultation. DL have considered the original timescale, and mindful of the need for ongoing research, have amended the Programme accordingly. It is now anticipated that the costed document will be available during August. This revision of the Programme does not affect the critical path of the Programme with the principal deliverable – The Verification Report continuing to be provided by 30 November 2012.
- 2.21 A copy of the current Programme Rev F is annexed to this Report
- 2.22 Communications with both Council Members and Members of the Public have continued during the period. A protocol for dealing with these communications has now been agreed internally. A member of staff is now almost exclusively dealing with both responses to these communications as well as the press. In general terms formal responses to identified common comments, concerns or queries are uploaded on the relevant FAQ section of the Council's Website for general public awareness.
- 2.23 It is also proposed that nearer to the time of the Knowle Outline Planning Application submission all relevant survey information will also be uploaded onto the Website. It is considered that it is better to upload these documents as a comprehensive series of reports rather than uploading in a piecemeal fashion and thereby allowing for the possibility of unintentional confusion to occur.

3.0 Knowle Progress

- 3.1 Initial Surveys have now been commissioned and final reports and survey information received – see details above. Currently the flood risk assessment and Travel Statement are awaited.
- 3.2 It has been established that the Gothic summerhouse flint rubble and incorporating shell work, is Grade 2 listed.

4.0 Honiton Progress

- 4.1 As with the Knowle, associated initial Surveys have been received during the period.

5.0 Risk Management

- 5.1 Current no Risk Workshops have been carried out for the Project. It is anticipated that a full Risk Review will be undertaken in due course

- 5.2 Pending such, the key risks are currently considered to be matters affecting financial viability of Knowle, including:
- Initial survey findings (bats, asbestos)
 - Public Opposition
 - Judicial review affecting proposed programme
 - Government legislation
 - Market conditions

6.0 Programme and Key Milestones

- 6.1 DL have continued to reviewed programme particulars during the period, as a result the latest iteration, Rev F, of the programme has been published.
- 6.2 This programme identifies the following key milestone dates;
- Completion of Initial Surveys (except Transport Statement Ph 2) – 6 July 2012
 - Receipt of Red Book Valuation of the Knowle 17 August 2012
 - Finalise Employers Requirements – 17 August 2012
 - Economic Impact Assessment – 10 August 2012
 - Submission of Outline Planning Application – 17 August 2012
 - Consideration of Exmouth facilities – 10 August 2012
 - Feeding in of Transport Statement Ph2 – 10 September 2012
 - Outline Planning Award – 16 November 2012
 - Submission of Viability Exercise – 30 November 2012

Architects Report

8.1.0 KNOWLE

- 8.1.1 Kensington Taylor have now completed the Public Communication drawings and boards for the Public Consultation event taking place in Sidmouth on the 10th/14th/17th July.
- 8.1.2 Kensington Taylor are progressing with working on the drawings and preparing planning reports for the Outlining Planning Application on The Knowle, due to be submitted on 17th August.
- 8.1.3 Having now received all the necessary surveys and reports they are able to finalise the plans ready for the outline submission.

8.2.0 HONITON

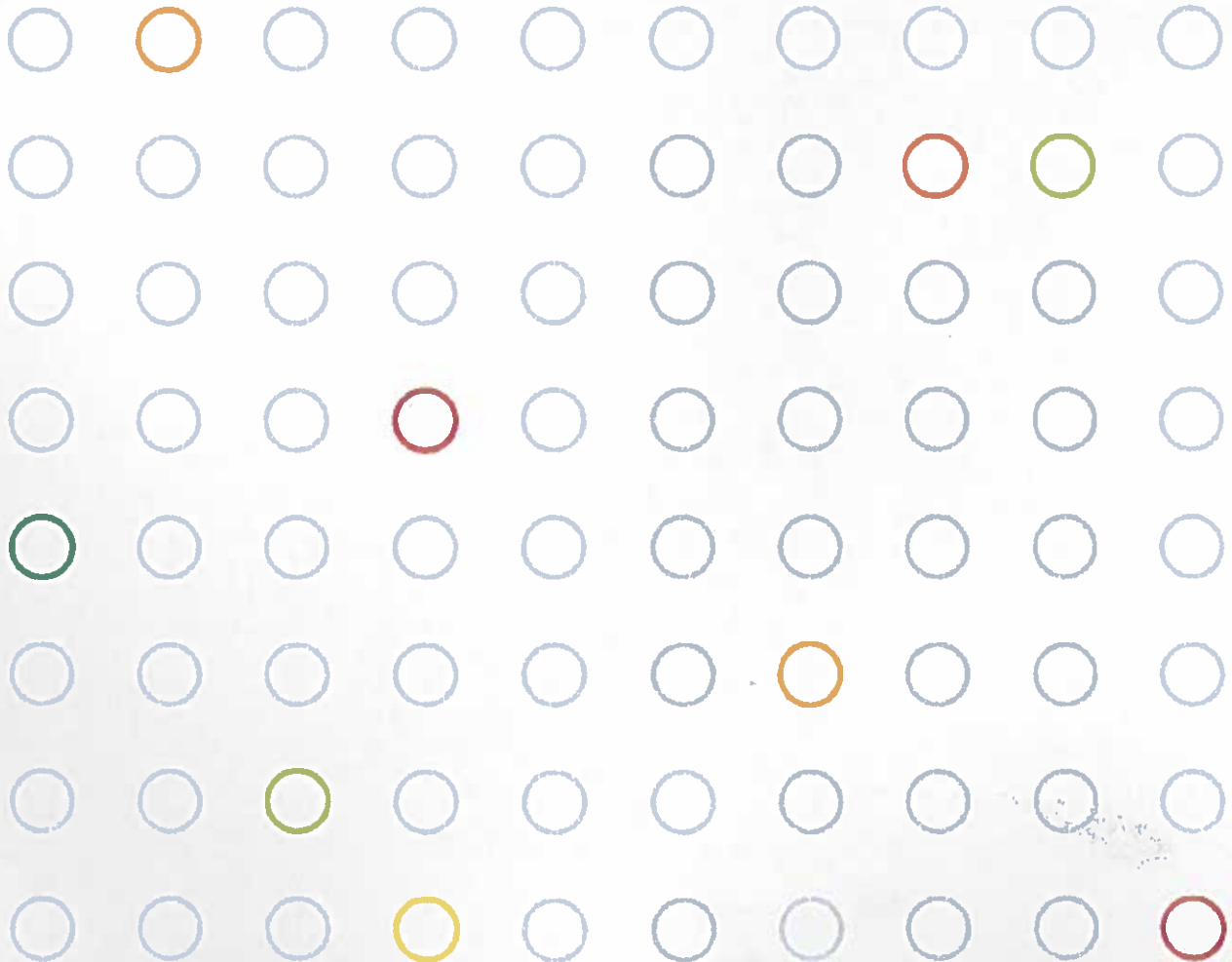
- 8.2.1 Staff number questionnaires have been structured and given to Heads of Service and Managers to complete as to gather the required information to develop the Development brief for the new offices Workshops to be set up with heads of service to initiate new offices space plans.
- 8.2.2 Space planning exercise to be carried out with DEGW at the beginning of August.
- 8.2.3 Expressions of Interest in Heathpark still being carried out and collated.
- 8.2.4 Working together with appointed land agents.

Submitted by:

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EAST DEVON DISTRICT COUNCIL

EXTRACT FROM RECEIVED INITIAL SURVEY INFORMATION

ARBORICULTURAL SURVEY

Survey provided by Advanced Arboriculture 25 June 2012

6.1 General Recommendations

- 6.1.1 It is considered that this site can accommodate potentially relatively large areas of construction which are sustainable in arboricultural terms.
- 6.1.2 The trees that are identified as being worthy of retention will form an effective landscape feature in the context of any proposed development.
- 6.1.3 The loss of trees and vegetation across the site has been carefully considered and is only recommended where it will have a less significant detrimental effect on the overall visual amenity value of the local landscape. It is important to consider the management of the tree stock as a whole on a site such as this, and tree retention must be balanced with the objective of not compromising effective design and efficient land utilisation. Whilst the removal of trees may be considered undesirable in the shorter term, any removals should facilitate the installation of a landscaping scheme which includes large numbers of new trees in mitigation across the site. This would effectively establish a more diverse age class structure, thus reducing the impact of future tree removals as individual specimens reach the end of their safe useful life expectancies.

ECOLOGY REPORT

Extended Phase 1 Habitat Survey prepared by Devon Wildlife Consultants June 2012.

5.1.2 Invasive Species

The following invasive plant species have been identified on site;

- Cotoneaster species, including *Cotoneaster horizontalis*,
- Montbretia
- Japanese knotweed
- Common Rhododendron
- Spanish bluebell

5.1.3 Badgers

In order to assess the level of usage of the site by badgers, it is recommended that a badger survey is undertaken prior to the commencement of any site development works. This survey will involve a thorough search of the entire site for any further signs of badgers including setts, latrines, diggings, paw prints, snuffle holes and tracks. This survey may be undertaken at any time of the year, although it should be noted that if any setts considered active are to be affected by the proposed works a licence will be required before any works are undertaken. Such a licence may allow any setts to be closed if required, although closure would only be permitted between July and November (inclusive).

DL Note – This survey has not been commissioned for the Outline Planning App, as it is considered that it would more appropriately be carried out for the purposes of the detailed Planning Application

5.1.4 Bat Roosts

Many trees throughout the survey area have been identified as having the potential to support Roosting bats. If any mature trees are to be disturbed by removal, pruning or proximity to development activity, an assessment of these trees should be undertaken along with, where appropriate, a dawn re-entry bat survey prior to commencing such works. Where trees are to be retained, no lighting should be positioned on or adjacent to the trees, and the development should be designed so as not to alter the light levels in the immediate vicinity of the trees. If bats are roosting in the trees, an increase in the level of light is likely to disturb the roost. A Protected Species Survey, comprising of an internal inspection of the roof spaces has been undertaken for the Council offices (DWC Report No. 12/1558a) – See below

5.1.5 Bat Flight Lines & Foraging Habitat

A bat activity survey should be undertaken comprising a total of fourteen survey visits, undertaken during April – September/October (two survey visits per month) for bat activity to identify any important commuting routes or foraging habitats. At least one of the surveys should comprise dusk and pre-dawn surveys within one 24 hour period, in accordance with the guidelines of the Bat Conservation Trust (2012).

In order to preserve the potential use of the woodland edge and shrub as bat flight lines it will be important to ensure no lighting is positioned on or adjacent to the vegetation and the development should be designed so as not to alter the light levels in the immediate vicinity of the woodland and shrub features. If security lighting is to be installed on the residential housing following development works, only hooded lights should be utilised. A number of bat species including lesser horseshoe require dark flight corridors and if bats are utilising these habitats an increase in the level of light is likely to constitute a disturbance to them and their habitat.

5.1.6 Birds

Tree, scrub and introduced shrub removal works should ideally be undertaken outside of the bird nesting season which is generally considered to be March to August (inclusive), although depending on the species, geographical area and the weather conditions, nesting can extend outside this period. If such works cannot be undertaken outside of the nesting season, a nesting bird check would be required, which should be undertaken by a suitably qualified ecologist immediately prior to the vegetation removal works. Subsequently if any active nest sites are identified these nests should remain undisturbed until all the young have fledged naturally.

The Knowle, Sidmouth, Protected Species Survey of Buildings prepared by Devon Wildlife Consultants June 2012- Abbreviate

5.1.1 Barn Owl

Based on the survey results there are no identified barn owl related constraints.

5.1.2 Bats

It is understood that the Buildings A and B (*the Knowle*) will be demolished and therefore the proposal will represent a disturbance to bat species and the destruction of at least two bat roosts.

Accordingly a European Protected Species License (EPSL) from Natural England is required for the works.

Further Surveys

It is anticipated that planning permission will not be validated until the results of the further surveys have been made available to the Local Authority. It will be a requirement of the EPSL and in line with the Bat Survey Guidelines (2012), that at least two manual dusk emergence surveys and one dawn re-entry survey are undertaken of each building (A & B) during the optimal period for summer bat activity which is May to August, (inclusive). The numbers of surveys required may need to be increased due to complexity of the building.

In addition, a minimum of two automated surveys using remote bat detectors should be undertaken with recordings taking place over a two week period for each survey within the basement of Building A and the loft space of Building A to understand how bats are currently utilising these structures. At least one of the automated surveys should be undertaken between December to February.

These further surveys will be required to confirm any additional species, the type(s) of roost numbers and access points used by roosting bats.

DL Note – Bat Emergence & Dawn Re entry and Remote Bat Detector surveys have been commissioned and reports are due back during the first two weeks of August 2012.

Monitoring & Long-term Security

The roost replacement must be subject to a monitoring programme comprising at least two years of monitoring (depending on the results of the emergence surveys). However it is recommended that longer term annual winter and summer counts are made as part of the Bat Conservation Trust's Bat Monitoring Programme.

Arrangements must be made for securing the long-term integrity and security of the replacement roost either through a Section 106 or by transfer of ownership to a suitable organisation.

No further surveys or mitigation measures are considered necessary for Building C (more modern office buildings at the Knowle)

5.1.3 Breeding Birds

The works should ideally be timed to commence outside of the bird nesting season, which is generally considered to be between March to August (inclusive), although feral pigeon nesting can extend outside this period. Nesting is determined as being from when birds first initiate nest building up until the point when fledglings stop returning to the nest. If works cannot be undertaken outside of the nesting season a bird nesting check would be required, which should be undertaken by a suitably qualified ecologist. Subsequently if any active nest sites are identified these nests, and the immediately surrounding area, should remain undisturbed until all the young have fledged naturally.

PHASE 1 GEO-ENVIRONMENTAL DESK STUDY REPORT

Phase 1 Geo – environmental Desk Study Report by Aecom Environmental 11 June 2011

Project Findings

Current Usage

The site is currently occupied by East Devon District Council office buildings and depot with associated car parking and mature landscaped gardens.

Site Setting and Environs

The site is situated a residential area to the north-east of Sidmouth town centre.

Site Reconnaissance

The reconnaissance identified no significant potential sources of contamination, although limited storage and use of oils and chemicals was identified associated with the depot area.

Site History

The site was occupied by "Knowle Hotel" from earliest mapping (1889) to circa 1969 when it was converted to office use.

Geology

The geology of the site comprises the Sidmouth Mudstone Formation, with the Otter Sandstone Formation indicated in the north-east of the site. No drift deposits are indicated. There is also likely to be Made Ground associated with existing and demolished structures.

Hydrogeology and Hydrology

The underlying aquifer is classified as a generally Secondary B with a Principal Aquifer relating to the Sandstones in the north-east. The nearest watercourse is an unnamed issue 110m to the west.

Project Conclusions

Ground Contamination

No significant contamination issues were identified associated with the site although the potential exists for localised made ground and historical spills relating to the use and storage of oils and chemicals and car parking areas, although this are considered likely to be minor in nature.

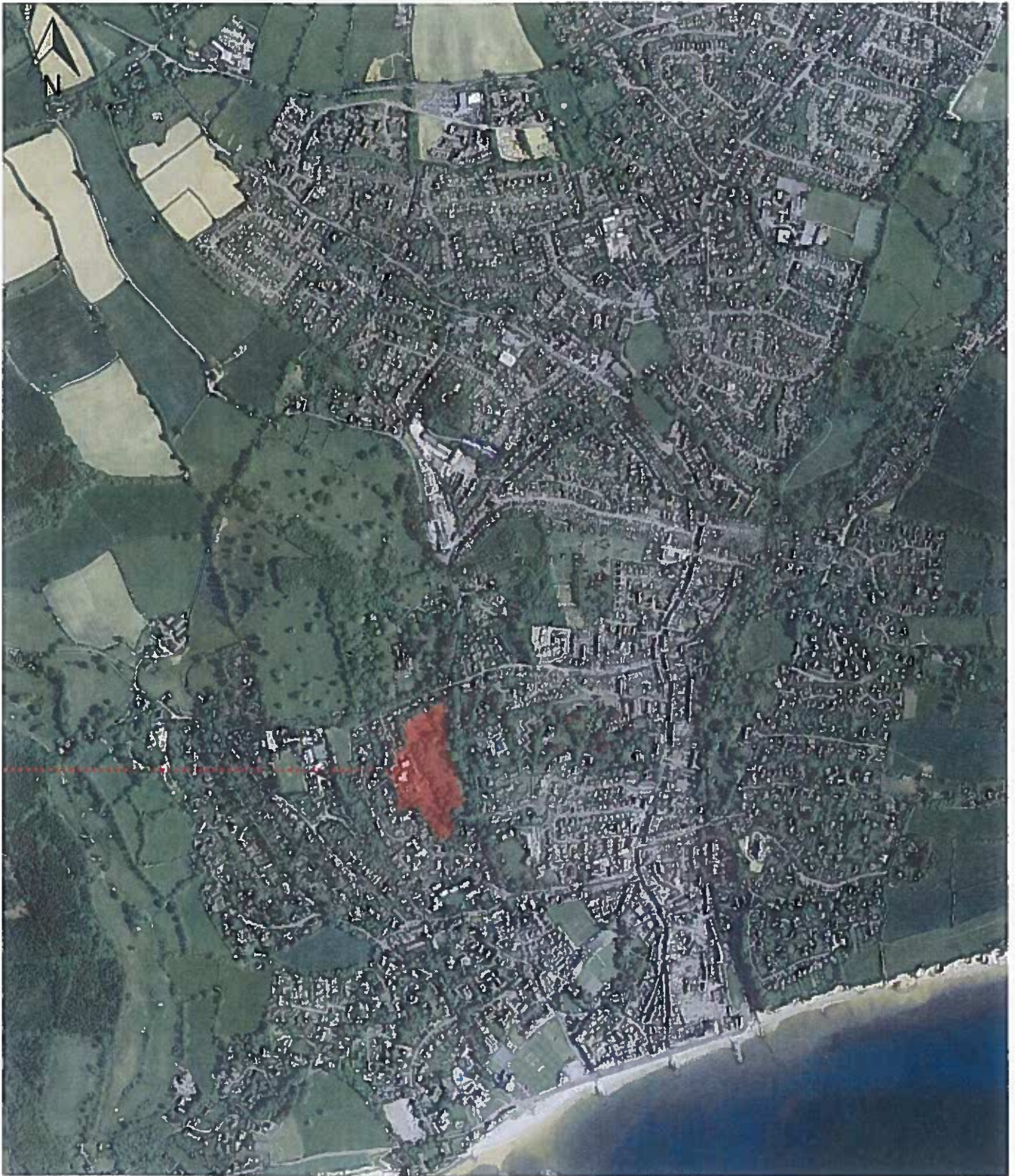
A potential risk from radon gas and adverse ground chemical ground conditions to concrete and buried services was identified.

It is considered that the results of the preliminary assessment suggest an overall low/moderate geoenvironmental risk associated with the site, reduced to low with appropriate mitigation measures.

Further Works

Further investigations are recommended as follows;

- Asbestos "Refurbishment / Demolition Survey" prior to demolition of existing buildings
- Post demolition sampling and screening of shallow soils in sensitive end use areas against human health criteria
- Assessment of soils with respect to aggressive properties to buried structures (BRE SD1)





 Zonal Boundaries



Agenda Item 10

Overview and Scrutiny Committee

26 July 2012

jg



Blackdown Hills Community Plan

Summary

The Blackdown Hills Parishes Network (BHPN) has produced a Blackdown Hills Community Plan. The Plan provides a profile of the area, an analysis of the community issues, a list of priorities and recommendations. This plan is a feature of and consistent with the Localism agenda, and a clear expression of the priorities from a significant part of the district.

Recommendation

To record the aspirations of the Blackdown Hills as set out in their Community Plan and assist in meeting the stated priorities where these are consistent with the District Council's remit and adopted plans.

a) Reasons for Recommendation

To recognise the value of community planning and how this operates through the Localism agenda.

b) Alternative Options

Not to accept or partially accept the findings and recommendations contained in the Blackdown Hills Community Plan.

c) Risk Considerations

Not accepting the Plan recommendations will likely alienate a section of the community.

d) Policy and Budgetary Considerations

Policy considerations are set out in the report. The budgetary implications are not known at this stage.

e) Date for Review of Decision

On review of the Council Plan or in two years whichever is the sooner.

1 Blackdown Hills Community Plan

- 1.1 Several parishes in the Blackdown Hills have grouped together to create a joint community plan for the whole area. The Plan covers areas of East Devon, Mid Devon, Taunton Deane and South Somerset. It includes the East Devon parishes of

Dunkeswell; Sheldon; Luppitt; Upottery; Yarcombe; Membury; Stockland; Cotleigh; Monkton; Combe Raleigh; Dalwood; and parts of All Saints; Chardstock; Awliscombe; Broadhembury; Payhembury; Shute; Widworthy; Offwell; Kilmington; plus small parts of Honiton and Axminster.

- 1.2 The Community Plan is a carefully researched document which:
- Provides a social and economic profile of the area;
 - Identifies what people value about the area and why it is distinctive;
 - Sets out the priority issues facing local people;
 - Sets out locally agreed actions and projects to address these issues.

A copy of the full Plan is available on the Blackdown Hills AONB website using the community tab and under parishes - <http://www.blackdownhillsaonb.org.uk>

- 1.3 The Blackdown Hills communities wanted a cohesive voice for a group of rural parishes and feel that the Plan is a good way of expressing the community's views on a range of social, economic, and environmental issues affecting them.
- 1.4 The purpose of the Plan is not to repeat or distil County or District plans and policies or individual parish plans, but to focus on those things that are particular to the Blackdown Hills and important to local communities, where working collectively would be beneficial. I have included as annex 1 an explanation of Community Plans using the Community Council of Devon's guidance.
- 1.5 Issues identified in the Plan in order of priority are:
- Traffic and transport
 - Housing / built environment
 - Community Services
 - Living Environment
 - Technology and Communications
 - Parish plan
 - Economy
 - Community safety
 - Health and Social Care

- 1.6 Specific Issues of relevance to East Devon parishes include:
- HGV traffic through parish (Dunkeswell)
 - Inadequacy of public transport and safer roads (All Saints; Dunkeswell; Monkton; Shute; Upottery)
 - Lack of affordable housing (Broadhembury; Dunkeswell; Luppitt; Monkton; Shute; Upottery)
 - Local economy (Membury; Monkton)
 - Road Maintenance (Broadhembury; Luppitt; Membury)
 - Maintain rural character (Broadhembury; Membury)
 - Broadband (Luppitt; Monkton).

2. Plan Recommendations

- 2.1 In order to raise the profile of the Network and the Community Plan, maintain momentum, ensure inclusivity and cohesion of this project across all the four Blackdowns Districts/Boroughs, we have been asked for three things:

- I. Endorsement and support of the recommendations of the Blackdown Hills Community Plan – is it possible to include a formal acknowledgment through the agenda of the next District/Borough council meeting.
- II. That wherever possible, the Blackdown Hills Community Plan is taken into account for planning purposes at relevant committees.
- III. Assistance to access financial support where possible. The BHPN has a modest bank balance, derived from Devon County Councillors, and contributions from some Somerset and Devon parish precepts. The highest priority recommendations set out in the Plan are to be implemented using these funds, the first being the development of a 'Blackdowns Online' website to provide a central information focus for the Network and the Blackdowns Community as well as attract visitor interest. In addition a Community Transport action group and a Planning Action group are being set up to address common issues identified across the Blackdown Hills.

2.2 There are a series of short, medium and long term recommendations contained in the Plan that I have reproduced below:

Short Term

- **Appoint steering group to oversee activities, regular rotation of members essential to ensure full engagement.**
- **Secure funding to maintain momentum.**
- **Investigate opportunities for working with AONB and achieving effective community plan development.**
- **Raise profile of Plan development**
 - **Improved Communications:** Undertake a full survey of information dissemination mechanisms, current uptake and reach, investigate opportunities for a 'Blackdowns Online' website to develop an identity, link existing sites.
- **Engage with groups from the community willing to commence work on the following areas:**
 - **Planning – with a view to the long term - engage with a group willing to learn through development of the Localism Bill what devolved responsibilities will be available, share best practice and engage with planning authorities. Gather evidence of inconsistency of planning decisions to enable effective engagement for future decisions where appropriate.**
 - **Public transport opportunities – better dissemination of information about what is already available, survey of uptake of community led schemes, assess opportunities to widen these schemes or emulate in different areas of the Blackdown Hills.**
 - **Winter roads planning group – establish a group or groups to undertake a survey in the parishes of self help opportunities to enable gritting and salting of important, yet untreated roads in the Blackdowns. This would build on a comprehensive report prepared for Devon County Councils**

(DCC) Environment, Economy and Culture Scrutiny Committee in 2010, which contains a comprehensive assessment of the state of road network throughout the County¹ and makes recommendations for community actions to maintain the network.

Medium Term

- **Develop the Public Transport and Winter Roads planning groups to align with DCC's newly developed arrangements with South West Highways, intended to create flexibility of working practices by enabling information sharing between parishes and the highway authority to ensure effective maintenance visits, and work with the equivalent in Somerset.**
 - **Widen remit of Public transport group to include transport and highways input and view to long term achievement of reduced speed limits and less HGV traffic, allowing safer recreational access in key locations.**
- **Extend the Communications group remit to investigate opportunities to enable access to broadband for all, better mobile signal etc – many examples to draw on. The timing for this is appropriate in the light of recent moves to improve access to high speed broadband throughout Somerset and Devon.**
- **Seek to influence planning decisions from a firm knowledge base.**
- **Steering group to maintain overview and direction focus as issues are dealt with or new ones arise.**
 - **Particular attention essential for those areas not currently of concern to Blackdown Hills community although at risk of short to medium term change in delivery, e.g. Health and Social Care, Education provision, Sustainability (discuss with Transition group) and Environment.**

Long Term

- **A functional, joined up community that speaks for itself with knowledge and the trust of corresponding local authorities.**

3. Summary

- 3.1 The Blackdown Hills covers a significant part of the East Devon geography with some 20 parishes wholly (11) or partly (9) within the boundary. Many of the recommendations do not directly affect EDDC responsibilities or services. However, it seems appropriate for the Council to formally acknowledge the plan and to support community initiatives which arise out of the plan when appropriate.
- 3.2 Perhaps one of the most relevant issues to East Devon District Council is that the parishes of the Blackdown Hills wish to work more proactively with LA planning services, to have a better understanding of planning issues and the opportunities for more local determination through the Localism Act, and to work towards developing the Local Plan.
- 3.3 Other issues where we have adopted policies and commitments consistent with the Blackdown Hills Community Plan include providing rural affordable housing; rural Broadband; community safety; economic development and the rural economy; and protecting the character of our rural areas.

- 3.4 There is much in the Plan that we would support as a Council. We should welcome the work undertaken by the parishes and show our support for the many priorities that we share with our communities.

Legal Implications

.There are no legal implications that require comment at this time.

Financial Implications

There is no specific funding earmarked for supporting this project. Officer time spent supporting the plan will need to be set against other priorities.

Consultation on Reports to the Cabinet

None.

Background Papers

- Blackdown Hills Community Plan
- Community Council of Devon website and publications.

John Golding
Head of Housing

Overview and Scrutiny Committee
26 July 2012

Annex 1

COMMUNITY PLANS

The Community Council of Devon advise that a Community Plan is produced by and for the community – No one is better positioned to understand the needs, issues and aspirations of a local community than the people who are part of it. A Community Led Plan puts the community in the driving seat.

A shared vision for the whole community – A Community Led Plan results in a vision for the local area that can benefit everyone and includes an Action Plan to achieve it.

A chance for everyone to have their say – A Community Led Plan is for everyone who has an interest in, and connection with the local community. It is not just for the people that live in the local area, but for anyone who works, or studies there, owns businesses locally and so on. Only by including everyone will the Plan have the backing of the community, gain acceptance with Local Authorities and partners, and achieve the actions that the community set out to achieve.

About place – We are all different, but what we share in common is the community we live in. Community Led Plans take this as a starting point for building community spirit and establishing actions that have the opportunity to benefit everyone.

Grounded in thorough research produced by the community – A Community Led Plan is unique in that it is the community who designs and undertakes the research in the needs

and aspirations of their community. This evidence is essential for demonstrating the changes needed to improve the local area.

Forward looking – A Community Led Plan is not just about the here and now, but a vision for what the community should be like in the future.

SMART – Actions proposed should be SMART (Specific, Measurable, Achievable, Realistic and Timed).

About the communities taking action themselves – Many actions needed to improve the local area can be undertaken by the community. Evidence from the East of England has shown that communities were able to implement 47% of the actions proposed.

Making links with organisations that can help you – A Community Led Plan allows the community to lever support of the Parish/Town Council, Local Authorities and other service providers, to make sure that the actions you propose for your area can be turned into reality. Better still; the evidence that is generated can be used to inform the policies and strategies for the locality.

A long-term endeavour – A Community Led Plan typically takes between 12 – 18 months to complete. It is recommended that a review of the plan is undertaken every 5 years to make sure it is up-to-date and still relevant.

Part of a national movement – Community Led Plans are being produced all Over the UK and are part of a national movement that aims to empower communities and revitalise democracy.

A Community Led Plan is not...

Something that is done to a community – There are many other methods used to 'consult' or 'engage' communities. These have often involved local authorities going into communities and asking residents to comment on pre-conceived proposals for an area. However, these rarely provide the opportunity for communities to take forward their own issues which are important to them. A Community Led Plan sets its own agenda.

A one-off event – Often consultations are 'one off' events, in which communities are asked for their views about local development and then rarely hear anything more about it. A Community Led Plan is an ongoing project for the local area in which the community itself takes responsibility for making sure change happens.

A 'wish list' - A Community Led Plan is not about producing a 'wish list' of actions that appear out of nowhere and never get acted upon. CCD can provide you with ideas for undertaking thorough research into the needs and aspirations of your community to ensure that you produce an Action Plan that is likely to affect change.

Just a spatial planning document – Community Led Plans do not just focus on spatial planning relate issues. They should be comprehensive in their coverage of all aspects of community life.

A members only club – Sometimes community projects can get hijacked by a few people that wish to pursue their own personal agenda. The value of a Community Led Plan is that it provides a forum in which everyone can come together, express their views and make recommendations for the future.

Local Authorities

The majority of your community's services are managed by Local Authorities. Recent legislation has stressed the need for Local Authorities to actively listen to the communities they serve, to understand how policies and services can be best tailored to local needs. As of April 2009, Local Authorities have a duty to provide residents with information about what they already do, consult when important decisions need to be made and involve communities in the development of policies and strategies in your area.

Many Local Authorities have already adopted Community Led Planning as their strategy for ensuring the meaningful involvement of communities. In some cases, the Local Authority will provide communities with a protocol or quality standards which explain how they will support, respond and use Community Led Plans.

The Local Authority can support a Community Led Plan by:

- Providing information about the strategies, policies and programmes which affect the community.
- Signpost communities to pre-existing evidence about their community, such as census statistics, results of previous surveys etc
- Offer funding to support the production of the plan
- Provide communities with support and guidance about the actions that the community is considering about how these can be best implemented.
- Endorse the actions contained within the Plan and integrate these into the relevant policies and strategies that concern a particular community.
- Support communities to implement some of the actions contained within their plan.

It is important that a Community Led Plan links in with strategic plans used by Local Authorities to make sure that the actions proposed are taken seriously and provided with the support necessary to make them happen.

I understand that the communities of All Saints, Aylesbeare, Colyton, Farringdon, Honiton, Luppitt, Luppitt Questionnaire, Membury, Musbury, Seaton, Stockland, Talaton, Uplyme, Wimble, Widworthy, Yarcombe have all produced a Community Plan.

Forward Plan for Overview and Scrutiny Committee

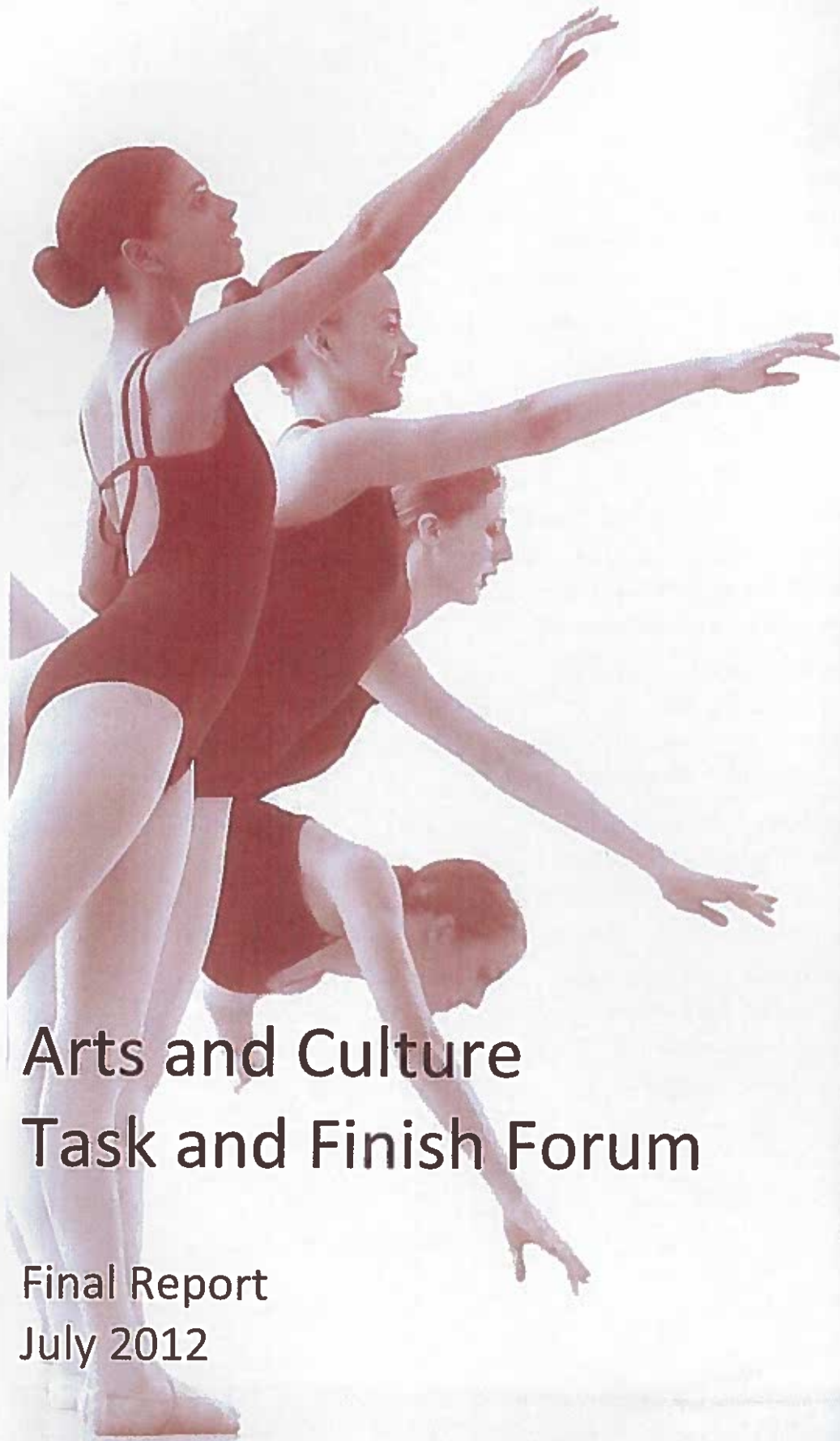
Month	Topic
30 August 2012	Cancelled
27 September 2012	Presentation on Rolle College proposals NHS Devon Presentation (may move to 25 October) Report back from Vitality of High Streets and Town Centres Task and Finish Forum Update on implementation of Ward Member satisfaction with Planning TaFF Update on Planning Enforcement Quarterly Monitoring of Performance – 1 st Qtr 2012/13
25 October 2012	NHS Devon Presentation (if not on 27 September) Youth service provision (tbc)
22 November 2012	Quarterly Monitoring of Performance – 2 nd Qtr 2012/13
3 January 2013	
16 January 2013	Special Budget meeting (all day)
24 January 2013	
28 February 2013	Quarterly Monitoring of Performance – 3 rd Qtr 2012/13
28 March 2013	
25 April 2013	

Topics for scoping and allocation to the Forward Plan:

- Updates from each Portfolio Holder
- Shortage of housing for elderly in rural communities
- Reviewing the general terms of reference for working parties and task and finish forums, including consideration to formalising some officer meetings and criteria to apply.

Task and Finish Forums Update

- Community Infrastructure Levy – Next meeting 4 September 2012
- Vitality of High Streets and Town Centres – additional meeting on 31 July 2012 at 5pm
- HRB TaFFs continue.



Arts and Culture Task and Finish Forum

Final Report
July 2012



Overview and Scrutiny Committee

Preface



Councillor John O'Leary

Chairman of the Arts and Culture Task and Finish Forum

Members: Vivien Duval Steer, Peter Halse, Douglas Hull, Tom Wright

My thanks are due to my fellow Members who have greatly assisted me in collecting the evidence of the cultural offering in East Devon. In particular, I am especially grateful to Charlie Plowden and Debbie Meakin, the Officers who have helped me prepare this report in such a relatively short time scale.

It was heartening to discover that our Thelma Hulbert Gallery is held in such high esteem by the Arts Council who consider it on a par with the Tate and Hayward Galleries and have promised resource and project finance to enable the Gallery to decrease its dependence on our subsidy and put it on a sound financial footing.

It will, as a consequence, allow us to rebalance our funding throughout the rest of the District. I am confident that with their help, we will reach out to more residents and enhance our visitor offering even more than the recently acclaimed Visit Britain Award presented to the Gallery by our Tiverton & Honiton MP, Mr Neil Parrish.

On a wider front, we would like to continue to support the Manor Pavilion for its sterling work towards the tourism offer and our community players. "Villages in Action" takes a varied programme of cultural events to far flung places. We need to explore how we can help the Jurassic Coast have a more meaningful relationship with East Devon.

To enable much of this to happen, a key recommendation from the panel is to reappoint our part-time Arts Development Officer to oversee the managerial and delivery aspects of our overall arts and culture programme. This will enable a modernisation of our programme and ensure it is fit for purpose going forward.

John O'Leary

July 2012

Recommendations

The Forum recommends that the Council recognises the economic benefit of cultural activities to the District, and specifically recommends the following, based on their interviews, findings and consultation;

- (1a) that the Manor Pavilion Theatre Manager be congratulated for his drive and enthusiasm in turning around the financial performance of the venue so that it has now become a highly successful Theatre that the Council is proud to support;
- (1b) that the Council recognises that management support for the Manor Pavilion Theatre may be better met by a trust mechanism in the future and that this option be explored;
- (2a) that the Council strengthens its association with the Jurassic Coast through targeted support of its arts based programme that could provide significant benefits for local communities along the East Devon coastline;
- (2b) that the Council, through the relevant Ward Members, help promote the work of the World Heritage Site Team in attracting people to become Jurassic Coast Ambassadors in each coastal parish;
- (3a) that Villages in Action be congratulated for its excellent work within the District's rural communities by bringing a diverse range of performance art into these communities, in many cases ensuring the continued viability of village halls;
- (3b) the continued support of the Council for Villages in Action is crucial and that an increase in Council support from £10,000 to £15,000 for 2013/14 be agreed to meet the growing demand for the work that the organisation delivers in East Devon;
- (4a) that the Thelma Hulbert Gallery Curator be congratulated on the high quality of exhibitions that enable residents and visitors to East Devon have the opportunity to experience contemporary art from regionally and nationally acclaimed artists ;
- (4b) that the Gallery be retained in the current location for the present time, with a priority to review and change the current internal layout, and reduce outside plant screening and improve visibility, to maximise income opportunities;
- (4c) that the Council is made aware of the report of the SW Audit Partnership and the difficulties facing the Gallery in meeting the income targets set by its Feasibility Study 2009 and the current financial costs of supporting the Gallery;
- (4d) that the Gallery implements the SWAP recommendations and be given a three year timeline to improve its business, marketing and income performance reducing the amount of Council subsidy by 10% each year;

- (5) that the governance roles of the Thelma Hulbert Gallery Advisory Group and Manor Pavilion Theatre Advisory Group be reviewed as recommended by the SWAP report to become Management Groups, with changes made to the membership of each to obtain the necessary skill sets of business, funding and marketing to drive both Council assets forward; to be operational by February 2013;
- (6) that the Council encourages greater engagement of Honiton Town Council with the Thelma Hulbert Gallery, and allocates representation of Honiton Town Council on the reformed THG Management Group;
- (7) that the Council sets up an Arts & Culture Forum that meets quarterly and reports regularly to Overview and Scrutiny and Cabinet on all arts based activities supported by East Devon DC, its membership being made up of District Councillors, Funding Partners and two independents sought by advertisement; to be set up by February 2013 to plan for the next financial year;
- (8) that the currently vacant Arts Development Officer post be advertised, extending the role to include partnership working with the World Heritage Site and its arts programme; and assist in implementing operational changes outlined by the SWAP report for the THG; and reports directly to the Arts and Culture Forum;
- (9) that an Arts Directory be reinstated in an online format, populated from information on the District's arts, sports and culture scene through existing channels, local Ward Member knowledge, and from contacting Town and Parish Councils.

Review Approach

How does the review relate to the Council Plan?

The Council Plan states that the Council wants to encourage cultural and leisure activities that cater for different age ranges and interests. It also states that our Towns and Parishes, as well as local community schools and voluntary organisations, are all partners in helping deliver community events and celebrations that promote East Devon at its best.

A specific objective detailed in the Plan is to secure the future of the Thelma Hulbert Gallery by finding ways to generate more income and exploring whether it is possible to achieve trust status.

Scope of the review

Scoping is purely a term to define how the review is to be undertaken. The Forum agreed the scope at their first meeting, making clear what was included; but also just as crucially, what was not. The agreed scope of the review is set out below:

Broad topic area:	Arts and Culture
Specific areas to explore within topic area:	<p>Evaluate the arts and culture financial provision by the District Council, looking at:</p> <ul style="list-style-type: none"> • Villages in Action • Arts Development Post • Thelma Hulbert Gallery • Manor Pavilion <p>Consider alternative ways of providing arts and culture</p>
Areas NOT covered by the review:	Increasing the budget for arts and culture
Desired outcomes of the review:	Build on the existing pedigree of arts and culture in the District to define the Council's commitment, both financially and in support, for the benefit of residents, businesses of and visitors to the District
Who should be consulted to obtain evidence (e.g. Ward Member, officers, stakeholders)	<p>Ward Members</p> <p>Arts Council</p> <p>Youth Champion</p> <p>Town and Parish Councils</p>
What evidence already exists (consultation, good practice examples)	Existing subsidised galleries elsewhere nationally for good practice examples

What experts are needed to help with the review:	<p>Gallery Curator Theatre Manager Jurassic Coast Creative Coast Officer Villages in Action co-ordinator South West Audit Partnership</p>
What other resources are needed:	<p>Democratic Services to service meetings</p>
Timescale including start date:	<p>To complete by end July to feed recommendations into OS and Cabinet and the draft budget process</p> <p>Meetings set for:</p> <p>15 June; 22 June; 6 July; 13 July; 20 July 2012</p>
Who are the recommendations being reported to:	<p>Overview and Scrutiny Committee 26 July 2012; Cabinet 5 September 2012</p>

Evidence sources

The Forum took into account contributions from:

- House Manager of the Manor Pavilion, Sidmouth
- Gallery Curator, Thelma Hulbert Gallery, Honiton
- Sam Rose, World Heritage Site Team Leader
- Roger Werner, Villages in Action Co-ordinator
- John Micklethwaite, Consultant
- South West Audit Partnership
- Arts Council

Findings

Budget provision for Arts and Culture

The current 2012/13 budget provision arts and culture is as follows:

- Thelma Hulbert Gallery - £115,330
- Villages in Action - £10,000
- Manor Pavilion Theatre - £48,970
- Arts Development Section - £43,600

There are numerous events and festivals organised by community groups and town and parish councils that enrich the lives of both residents and visitors which are not financially supported by the Council. Such events also boost the local economy.

Promotion of existing arts and culture not financially supported by the Council

Each Member of the Forum can cite a number of examples from their local Ward of groups, events and festivals that operate each year, giving a diverse array of options for both residents and visitors. Whilst these are not financially supported by the Council, the Forum recognised that the Council had a role to support the range of arts and culture available by other means.

The Arts Directory has, in recent years, been drawn up to include such groups and events.

The Arts Directory provides contact details and a brief description of a variety of amateur cultural leisure time groups operating privately and independently from the Council. These groups are often run by volunteers and enthusiasts, who rely on member subscriptions for funding, and use the Directory free of charge to attract new members and advertise events. However the 2011/12 edition has been put on hold awaiting the outcomes from the Arts & Culture Review TAFF, the cost of its production is circa £1,800. The Forum recommends that the directory is reinstated as an online directory that can then be kept updated easily and avoid print costs of a paper directory.

Devon County Council produces an online Community Directory for the whole of the county which features the same content as the East Devon Arts Directory and a great deal more. It is free to both the public and arts groups, easy to navigate and has the advantage that users can add or update their own details free of charge. This approach is perhaps the future direction for any decision on resurrecting the East Devon version.

Manor Pavilion

It was clear to the Forum how the Pavilion had been transformed in a relatively short period of time by the introduction of a theatre Manager. Running costs have been cut from £80K to £15K by a wide range of changes, including the bar, ticket sales, and lettings and hire charges. In the current economic climate, the Pavilion is a more attractive option to promoters who would normally hire a larger venue – which has led to a wider range of shows. This, alongside the improvements to how the venue operates, has led to a boost in ticket sales.

Areas for continued improvement already recognised by the House Manager are to be implemented over the next year such as increasing the box office space, the renegotiation of the Summer Season contract and improving some of the ICT infrastructure. This will help the Theatre continue to increase its revenue potential and also make it more responsive to social media needs such as facebook and twitter.

Forum Members were made aware of the recent work undertaken by a Consultant to carry out an independent business assessment of the theatre. The report was circulated to Forum Members and it identifies areas of investment in the building infrastructure itself, the need to have additional staff to support the Theatre Manager and a possible sharing of IT systems with LED if they will deliver a cost saving. The Forum was made aware that East Devon DC Officers were already investigating some of these areas with the Theatre Manager.

The Forum congratulate Graham Whitlock, House Manager, and his team for their success not only in reducing the running costs of the Pavilion, but also their dedicated work in providing a professional and enjoyable experience to the patrons. The Forum also identified that the Theatre Manager's proven business expertise should be used where appropriate with other EDDC assets to help provide advice and guidance. The success of the Theatre should also be more widely celebrated by the Council and seen as a critical part of EDDC's commitment to the support of the arts.

Villages in Action

The Villages in Action (VIA) organisation facilitates a huge variety of shows and performances, mainly for rural communities. The benefits are many: they attract a wide audience, and are easily accessible to the local community at a reasonable price. The calibre of performers used also ensured the quality of the performers and as a result, the VIA performances have an excellent and well known reputation. Performances add to community cohesion and the continued viability of village halls.

VIA is funded by five District Councils and Devon County Council, along with other funding that they regularly seek or help local communities to secure, including from the Arts Council. VIA offers extremely good value for money. They provide a vast number of performances, co-ordinated by one full-time and two part-time posts. The value to the community is not only for the social aspect, but financial benefit to the village halls in retaining a percentage of the ticket

sales and other revenue from holding the event. Bringing a boost to village hall income has also, in some areas, been the catalyst to more community events.

VIA has existing links with the World Heritage Site Team and the Forum are keen to see this continue. Demand for events indicates that performances in the area could be doubled if funding levels are increased. The Forum found that the level of funding from the Council to VIA had remained static at £10,000 per year since 2005. In light of demand, the Forum felt that an increase in this amount would provide a large increase in performances across the District.

Thelma Hulbert Gallery

With approximately 75% of the Arts and Culture budget, the Gallery came under close scrutiny by the Forum. The Forum was impressed with the high quality of exhibitions provided and many of the Forum Members were already aware of this element of the Gallery. What surprised many Members was the quality and extent of the outreach work with all sectors of the community, including young people and the elderly.

The Forum considered the three elements of the Gallery: the exhibitions, outreach work, and commercial potential of the shop and cafe.

The exhibitions cover a mix of international, high profile, local and emerging artists. The Arts Council clearly support the high calibre of exhibitions provided by the Gallery and spoke highly of the work of the Curator in securing highly respected artists – describing the Gallery as “a taste of the Tate”. There have been a number of national press articles that refer to the Gallery and the Forum congratulated the gallery team on their recent English Tourist Board’s Rose Mark from Visit England.

The outreach work impressed the Forum. Strong links have been made with Engage, the National Association for Gallery Education and funding from them used to set up the Masterpiece youth group. The “Learning Room” provides an excellent space of adequate size to accommodate a class of school children to work with an artist. Local schools had used the facility, as well as learning disability groups. Space outside the gallery is also used for outdoor activities.

The shop provides a mixed range of pieces of artwork for sale and the small cafe offers drinks. The forum considered the options for maximising the commercial element of the gallery by having a range of goods that varied in price – less “big ticket” items and more affordable art. The location of the shop and cafe could also be moved to the front of the building to maximise the kerb appeal of the venue.

The Forum also considered the costs and location of the gallery.

The main cost to the Council of the gallery was in staffing costs. The Arts Council felt that this cost was relatively low in comparison to the volume and quality of the exhibitions and

outreach work. Three staff make up the Gallery team, two being part-time. The Gallery also benefits from the work of volunteers.

Funding is regularly sought by the Gallery team but can be restricted because it is a Council Asset – other funding streams may be possible if the Gallery had a charity status. The Arts Council confirmed to the Forum that they were not able to fund direct staffing costs; however they funded specific projects which may have an element of staff cost included within that project. The Arts Council also confirmed to the Forum that they could provide assistance in the promotion of the Gallery.

The remaining cost of the Gallery as it stands needs review, in particular in the recharge for ICT provision. The Forum also felt that serious consideration needed to be given to changing to a self-financing model where the funding from EDDC is gradually reduced over a period of years. A charity status would also benefit the Gallery in being able to attract funding from other bodies that it cannot currently bid for.

The building itself was felt by the Forum to be part of the charm – a welcoming, attractive space that, with some realignment of internal space, could maximise the shop space and exhibition areas. The outside of the building would benefit from removal of hedging and shrubbery to reveal the building to the road and the nearby short stay car park. The gallery is also equipped with the required security and environmental condition controls that are frequently requested by international artists when securing a venue for exhibition.

The Forum did not consider that moving the gallery to another venue elsewhere in the District would necessarily increase visitor numbers – this had to be achieved by better promotion.

Better signage to the Gallery, and promotion by displaying exhibits in empty shops in Honiton, would also help to raise awareness of the Gallery for residents and visitors to the town.

The South West Audit Partnership had audited the Gallery as part of the Forum's investigation. A summary report of their findings can be found in Appendix A. In summary, their findings on the Gallery were:

- The Gallery has not achieved the expected attendance and income figures projected in their business plan.
- Financial projections need revising and income opportunities including sponsorship are too optimistic.
- The THG business plan is based upon completion of the approved capital project to develop the gallery. Only 1 out of the 3 phases has been completed to date – the gallery space may not be maximising income opportunities in its current layout and utilisation. The business plan needs revising.
- Roles and responsibilities of the Thelma Hulbert Gallery Advisory Forum were not defined and feedback from both officers and members would suggest that the roles of the group need to be clarified.
- There were a number of operational control weaknesses that were identified in the recent 'draft' audit report on Arts and Culture that relate to the THG Business plan and 'day to day' activities.

Management control over Arts and Culture provision

There is still a budget provision for the post of Arts Development Officer. The Forum considered how this post could be best put to use to closely monitor the performance of the existing assets of the Thelma Hulbert Gallery and the Manor Pavilion. An officer link was also needed with VIA and the World Heritage Site team.

The budget provision needs reviewing to assess if it would be a better use of the resource (currently set as a part-time post of two days per week) to create a post covering more days for a lower grade.

The Forum also discussed the effectiveness of the existing Advisory groups that existed for the Gallery and the Manor Pavilion. There was no arrangement in place to ensure that the planned culture programme for both venues was monitored or assessed to ensure it meets with the Council Plan. The Forum agreed that the existing Advisory groups needed to change and become Management groups. They also agreed that a new Arts and Culture Forum, meeting quarterly to monitor the provision of arts and culture, would be the best option. This Forum can regularly report to Overview and Scrutiny Committee and/or Cabinet as required. A suggested revised remit of the THG Management Group is attached as appendix B.

World Heritage Coast

A Jurassic Coast Arts Strategy began in 2006 and continues to expand, at present in the form of Creative Coast 2012, delivered by the World Heritage Site Team (WHS). This covers four strands:

- Events
- Arts Projects
- Strategy review on arts and links with other protected landscapes
- Advocacy in sharing case studies

The Forum heard about many projects that have taken place. The WHS Team are not an arts organisation, but do support projects that link the creative industry with the preservation of the World Heritage Coast. They act as a facilitator and link up communities with, for creative projects, high quality artists. The WHS team has limited resources but could provide further support if further funding was provided.

Their aim is to engage people into learning about the WHS and its interpretation. This leads to better long term conservation of the natural environment, and strengthen the value in the local environment for a wide audience.

Mike Green spoke to the Forum about his role as a Jurassic Coast Ambassador. He was working with the WHS Team and others to secure ambassadors at each town and parish along the Jurassic Coast. These would act as liaisons and promoters of the WHS, looking to engage businesses and volunteers for projects.

The Forum is keen to strengthen links with the WHS Team and to help promote the search for Jurassic Coast Ambassadors along the coastline of the District.

Acknowledgements

The Panel: Councillors John O'Leary (Chairman), Vivien Duval Steer, Peter Halse, Douglas Hull and Tom Wright

The Panel would like to thank:

Sam Rose, World Heritage Site Leader

Mike Green, Jurassic Coast Ambassador

Graham Whitlock, Theatre Manager of Manor Pavilion, Sidmouth

Angela Blackwell, Curator of the Thelma Hulbert Gallery, Honiton

Andrea Wood, Gallery Development Manager, Thelma Hulbert Gallery, Honiton

Raj Patel, Relationship Manager, Regional Planning of the Arts Council

Ceri Johnson, Relationship Manager, Visual Arts of the Arts Council

Roger Werner, Villages in Action Co-ordinator

John Micklethwaite, Consultant

David Hodgson, Moya Moore and Andrew Ellins of the South West Audit Partnership

Simon Davey, Head of Finance

Charlie Plowden, Countryside and Leisure Manager

Debbie Meakin, Democratic Services Officer

Audit Summary Report.



SWAP

SOUTH WEST AUDIT PARTNERSHIP

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Issued to: Members of the Task and Finish Forum.

Working in partnership with



Date of Report: 11th July 2012

Issued by: Andrew Ellins
Audit Manager

David Hodgson
Auditor

Arts & Culture

Introduction

The Council are in the process of reviewing Arts and Culture through a Task and Finish Forum (TAFF) to determine the future budget requirements and the overall strategy for Arts and Development. This report by Internal Audit (SWAP) is designed to assist TAFF members by providing an independent assessment of key changes in the Service over recent years, particularly in respect of the Thelma Hulbert Gallery and a summary of findings from the recent 2012-13 audit on Arts and Culture, particularly where the recommendations could be addressed as part of the TAFF.

BackgroundArts and Development Plan

The Council has an Arts and Development Service Plan which has been in place from 2009 to 2012 and currently falls within the Environment Directorate. One of the Council's main aims and objectives is 'living in an outstanding place' and the provision of Arts and Cultural services contributes towards this. Arts projects can also help to attract visitors and holiday makers to East Devon.

Approximately 75% of the budget allocated for Arts Development is spent on the overall running of the Thelma Hulbert Gallery based in Honiton. The approximate net budget requirement for 2012/13 is £115k. There are additional budgets for Arts Development which total £44k and for contributions towards 'villages in action' worth £10k. These budgets used to be managed by the former Arts Development Officer.

There is no statutory requirement for the Council to provide or fund Arts and Culture projects and other District Councils provide varying levels of arts funding and few appear to operate galleries.

The Thelma Hulbert Gallery (THG)

The gallery is located in Elmfield House, and is a Grade 2 listed Georgian house located in Dowell Street, Honiton and was purchased by the Council in 1996. The gallery has since been the subject of two feasibility studies to review and decide upon the short and longer term objectives of the gallery. Both were completed by independent advisers contracted by the Council.

The first was completed in 1997 and the gallery originally occupied only the first floor of the building and provided limited facilities. The second study was completed in September 2008 and was commissioned to support the proposed expansion of the gallery. The Arts and Development Officer succeeded in getting funding from East Devon District Council and the Arts Council to pay for a capital project that enabled the expansion of the gallery to two floors.

The capital project proposal suggested the expansion of the gallery would be completed within three phases over a 5 year period. Currently the THG have only completed the first phase; this has provided THG with the use of two floors enabling a room for exhibitions and space to run a small shop and cafe on the 1st floor.

THG Business Plan/model

The THG has created a business plan from the resulting Feasibility studies and has a revised mission statement which is; *'To support and promote contemporary art and craft and engage a wide range of audiences in East Devon and the South West'*.

Currently the main aims of the THG according to the current business plan are:

1. Be an asset to the region, making a contribution to the social, cultural, educational, and recreational experiences of the local and wider communities
2. To originate and show an innovative and high quality programme of contemporary art and craft of local, national and international significance
3. To support and promote contemporary artists living and working in the South West
4. To develop and deliver a strong art-based learning programme for diverse groups and individuals
5. To curate and facilitate integrated exhibition and learning programmes
6. To achieve and maintain a sound financial base for the organisation

The business plan lists the following as it's targeted audience (these are not weighted);

- School children and young people
- Arts students and arts tutors
- Families and older people
- Artists and makers
- Art lovers and art buyers
- Tourists and visitors to Honiton
- People who work locally
- We also want to attract people who haven't come before

The THG's core function is to provide high quality exhibitions for both local/national professional artists. However the THG also provides additional services that include;

- Artist led residencies
- Curator led tours
- Talks and visits to other local bodies including Schools and Community groups
- A Learning resource room for schools and families
- 'Artist led' workshops for schools and families
- Cafe and Shop facility
- Use of room hire for Community groups

In addition the THG provide facilities and resources for an Art Youth Group called 'Masterpieces' and currently has 20 active volunteers working for the gallery at different times of the year.

THG Management Structure & Governance Arrangements

The THG is managed by the Curator who has taken on the responsibility of Gallery Manager. As part of her role, she is required to maintain the security of the building and also is required to manage two members of staff and the active volunteers. She is supported by a part time Gallery Development Manager and also an Administrator.

The Curator used to report directly to the former Arts Development Officer but now is required to report to the Countryside and Leisure Manager who took budgetary control of the THG and wider Arts programme in 2011 from the outgoing Corporate Director for Communities and the Arts Development Officer.

There is an advisory forum for the THG which mainly comprises of Committee members, staff, and volunteers. The group meet on a half yearly basis. The aims of the advisory group, and its roles and responsibilities are not currently documented.

THG visitor numbers

Visitor numbers were approximately 4000 prior to the expansion of the gallery. The THG were projecting audience figures of 14,000 in 2011/12 according to the 2nd feasibility study. The actual number for 2011/12 was approximately 6,000.

Honiton visitor numbers

The Honiton Tourist Information Centre provided the following visitor figures over the last 3 years;

2009 - 15,616 visitors

2010 - 14,082 visitors

2011 - 13,962 visitors

THG – Achievements

The gallery do not have performance indicators to measure their performance therefore it was difficult to evaluate in the audit the extent to which the gallery was achieving its main objectives set within the agreed business plan. The gallery management felt that the business plan's main objectives (see 1-6 listed above) are being delivered with the exception of objective no 6 – 'To achieve and maintain a sound financial base for the organisation.'

In June 2012 the THG were awarded the 'Quality Rose Marque' by Visit England (National Tourist Board). This is an accreditation scheme and demonstrates that as a visitor attraction the gallery meets the set standards. This award could assist the gallery as a marketing tool to increase visitor numbers in future.

In 2010 the gallery was selected as a case study in a publication entitled 'Inspiring Education in Galleries' due to the gallery's work with young people.

The gallery makes good use of 'volunteering' and this has been recognised by the Council as a significant achievement in helping the gallery meet its objectives whilst saving the gallery approximately £34k a year in staff costs.

THG Finances

The THG is currently being financially supported by East Devon District Council which includes all running costs and staff salaries and this is circa £115k a year.

The THG do receive grant money from the Arts Council and other bodies, however these grants are not designed to contribute towards the running costs of the gallery. Corporate sponsorship has been obtained but, partially due to the status of the gallery, over 3 years this has only raised about £900.

Both feasibility studies suggest that the gallery should consider changing to a 'self funding' model and towards 'charity' status. This may enable the THG further opportunities to be able to apply for more grant funding and corporate sponsorship in the future. Due to the financial climate and current review of the Arts and Development Strategy this has yet to be considered as an option.

The THG has sought to identify various sources of additional income streams to help meet the costs of running the gallery. At present, gallery income is only expected to raise an additional 13k and it is unlikely that the gallery will be able to raise more income through using their current business plan/model.

Summary of audit findings to support the Arts and Culture TAFF review.

Arts and Culture budget and strategy.

- The Arts and Development plan is out of date and it has not been verified whether it is in-line with the Council's key objectives and where Arts best fits strategically within the Council (currently now under Environment).
- There are currently no Governance arrangements in place to monitor other Arts projects outside of the THG Advisory forum.
- Resource levels need reviewing, particularly the responsibilities of the vacant Arts Development Officer post.
- There has been no recent review of Arts projects which are currently funded by the Council and there is currently no set procedure to review these.
- The use of partnership working needs incorporating in the business plan.
- The expectations and desires of the Public have not been clearly gauged.
- Performance measures and targets are required.

Thelma Hulbert Gallery (THG)

- The Thelma Hulbert Gallery (THG) has not achieved the expected attendance and income figures projected in their business plan.
- Financial projections need revising and income opportunities including sponsorship are too optimistic.
- The THG business plan is based upon completion of the approved capital project to develop the gallery. Only 1 out of the 3 phases has been completed to date – the gallery space may not be maximising income opportunities in its current layout and utilisation. The business plan needs revising.
- Roles and responsibilities of the Thelma Hulbert Gallery Advisory Forum were not defined and feedback from both officers and members would suggest that the roles of the group need to be clarified.
- There were a number of operational control weaknesses that were identified in the recent 'draft' audit report on Arts and Culture that relate to the THG Business plan and 'day to day' activities.

Draft Remit for Thelma Hulbert Gallery Management Group (THG MG)

Key Aims

The principle aims of the THG MG are to;

- Promote the THG and the exhibitions to all the relevant organisations.
- Co-ordinate work towards a vision for the THG via the implementation of the Business Plan.
- Review and monitor progress of the Business Plan and its objectives.
- Consider debate and recommend courses of action on the main issues relating to the THG.
- Monitor , review and evaluate the financial performance of the THG.

This will be achieved through:

- agreeing and reviewing the Business Plan and Delivery Programmes
- monitoring the success and achievements of the THG Team
- commissioning specialist assistance if necessary (eg fundraising, marketing etc)
- ensuring the THG MG is representative of the interests across the arts & culture
- advising the THG Team on the level of resources necessary for effective Gallery management
- dissemination of information through the Arts & Culture Forum and other mechanisms
- the exchange of information and ideas
- promotion and championing of the aims of the THG

Operation

1. The THG Management Group (THG MG) will meet four times a year, although additional meetings may be arranged to progress specific programmes/work.
2. The Chairman will be elected on a two yearly basis in order to provide some stability to the MG. This can be reviewed at any time by the THG MG.
3. East Devon District Council will hold the Chairman for the first two years (from 2013-2015).
4. After the first two years (i.e. in 2015) the position of Chairman will be open to the wider MG.
5. Nominations and new appointments will be made for the position of Chairman at the summer meeting of the THG MG.
6. Membership of the THG MG will be approved by MG annually in March and reviewed following any changes in MG composition or roles.

7. The secretariat for all of the above listed groups will be the THG Team with support from EDDC as required.
8. The THG MG will be considered quorate when X voting members are present.
9. Representatives will be expected to attend all meetings or to send a suitable replacement with prior notice.
10. If a representative (or their replacement) fails to attend three Partnership meetings within the year without adequate explanation, their eligibility to represent the MG may be terminated.
11. Meetings will be open to press and public with opportunities for the items to be brought in by the public for part of the meeting with prior notice.
12. Suggested agenda items and questions should be presented 2 weeks before any meeting.
13. Press and publicity should be -authorised by the Chairman where quotes are being made from these positions
14. New Members may be adopted onto the MG with the agreement of the THG MG.
15. Unless requested by the THG MG or recommended by the Countryside & Leisure Manager, these terms of understanding will be reviewed in 2014/15.

Structure of the Partnership

The THG MG lies within the overall Management structure as the key advisory partner body.

The MG links the THG Team, EDDC, Honiton TC and External Partners (such as Arts Council for England) and approves recommendations from and delegates to these. It also oversees the delivery of the THG Business Plan.

ARTS & CULTURE GOVERNANCE 'ORGANOGRAM'

