

Date: 22 August 2013
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To: The Chairman and Members of the Cabinet
(Councillors Paul Diviani -Leader, Andrew Moulding-
Deputy Leader, Ray Bloxham, Iain Chubb, David Cox,
Jill Elson, Stephanie Jones, Ian Thomas, Phil Twiss
and Tom Wright.)
Other Members of the Council for information
Chief Executive
Deputy Chief Executives
Heads of Service
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Cabinet

Wednesday 4 September 2013 - 5.30 pm
Council Chamber, Knowle Sidmouth

Members of the Council who do not sit on the Cabinet 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.
- The Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time. The Chairman is entitled to interrupt the speaker to ask for their question to be put.
- In addition, the public may speak on items listed on the agenda. After a report has been introduced, the Chairman will ask if any member of the public wishes to speak and/or ask questions.
- All individual contributions will be limited to a maximum 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.

Should anyone have any special needs or require any reasonable adjustments to assist them in making individual contributions, please contact Diana Vernon (contact details at top of page).

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

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

AGENDA Part A

- 1 **Public question time** – standard agenda item (15 minutes)
Members of the public are invited to put questions to the Cabinet through the Chairman (Leader of the Council).

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.

Pages

- 2 To confirm the minutes of the meeting of the Cabinet held on 17 July 2013 as a true record subject to the inclusion of Councillor Ken Potter in the list of Councillors also present. 6-20
- 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: Such circumstances need to be identified in the minutes.
- If you wish to raise a matter under this item, please do so in advance of the meeting by notifying the Chief Executive who will then consult with the Chairman; and
 - If the matter is a key decision, and it has been impracticable to publicise it 28 clear days in advance [in the Forward Plan or otherwise] the Chairman of Overview and Scrutiny has been notified, with the reasons for the urgency being set out on the Council's website ; or
 - If the matter is a key decision and a case of special urgency and cannot reasonably be deferred, the Chairman of Overview and Scrutiny has agreed that the item be considered [or if unable to act, the Chairman of the Council] with the reasons for urgency being set out on the Council's website.
- 6 To agree any items to be dealt with after the public (including the press) have been excluded. There are 2 items which Officers recommend should be dealt with in this way.
- 7 To note the contents of the Forward Plan for Key Decisions for the period 1 September to 31 December 2013. 21-24
- 8 Matters referred to the Cabinet by the Overview and Scrutiny Committee for re-consideration in accordance with the Overview/Scrutiny procedure or budget and Policy Framework Procedure Rules under Part 4 of the Constitution. No items have been put forward.
- 9 To note or take appropriate action in respect of the minutes of the meetings of the Overview and Scrutiny Committee held on: 25-29
11 July 2013 and 25 July 2013 30-33
- 10 To note or take appropriate action in respect of the minutes of the meeting of the Recycling and Refuse Partnership Board held on 18 July 2013. 34-39

Part A Matters for Decision – Key Decisions

11	Cranbrook – Presentation and report on progress up-date	Richard Cohen, Deputy Chief Executive East of Exeter Projects Director New Community Officer	40-47
12	Community Infrastructure Levy – Governance Arrangements Plus Appendix – Task and Finish report	Development Manager	48-60

Part A Matters for Decision

13	Financial monitoring report – Month 4 July 2013	Financial Services Manager	61-66
14	Implementation of 2013 National Joint Council (NJC) Pay Award	Corporate Organisational Development Manager	67-68
15	Exemption from Standing Orders – Strategic Environmental Assessment of Neighbourhood Plans	Planning Policy Manager	69-70
16	Application to designate Uplyme Neighbourhood Area	Senior Planning Officer	71-82
17	Beer Community Land Trust – finance request Plus Appendix	Head of Finance	83-90
18	Performance Monitoring Report until a) June 2013 b) July 2013	Corporate Organisational Development Manager	91-93 94-97

The Month tracking appendices for June and July are attached – other appendices summarising performance are provided as links under Background Papers in the reports

Background Papers – listed within Part A reports with links to the documents on-line.

Private meeting: Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Notice is given of intention to hold this part of the meeting in private as required by the Regulations. The statements of reasons for meeting to be held in private, details of any representations received why the meeting should be open to the public in response to the '28 clear days notice' already posted on the Council's website, and the Council's response to the representations, are set out against each agenda item below. Where it has been impracticable to comply with the private meeting notice procedures, the required agreement has been obtained from the relevant chairman or

vice chairman that the meeting is urgent and cannot reasonably be deferred. Notice of this agreement, if relevant to this meeting, may be viewed on the council's website. The proper officer has excluded from public inspection the reports listed below because in his opinion they relates only to matters during which the meeting is likely to be a private meeting. The Local Government Act 1972 sets out the circumstances in which reports may be considered in private.

The Vice Chairman to move the following:-

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

PART B – Matter for Decision – Key Decision

19	Office Re-location up-date	Reasons for consideration in Part B:	Richard Cohen, Deputy Chief Executive	98-111
		1 Para 3 Schedule 12A – information relating to the financial or business affairs of any particular person (including the authority holding that information)		
		2. The report includes sensitive business and asset management information		

PART B – Matter for Decision

20	Grant of new lease to Exmouth Town Football Club Plus App – site plan	Reasons for consideration in Part B:	Senior Estates Surveyor	112-115
		2 Para 3 Schedule 12A – information relating to the financial or business affairs of any particular person (including the authority holding that information)		
		2. The report includes details of the existing lease and propose new lease arrangements		

Decision making and equality duties

The Council will give due regard under the Equality Act 2010 to the equality impact of its decisions. An appropriate level of analysis of equality issues, assessment of equalities impact and any mitigation and/or monitoring of impact will be addressed in committee reports. Consultation on major policy changes will take place in line with any legal requirements and with what is appropriate and fair for the decisions being taken. Where there is a high or medium equalities impact, Members will be expected to give reasons for decisions which demonstrate they have addressed equality issues.

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



The entrance to the Council Offices is located on Station Road, Sidmouth. **Parking** is limited during normal working hours but normally easily available for evening meetings.

The following **bus service** stops outside the Council Offices on Station Road: **From Exmouth, Budleigh, Otterton and Newton Poppleford – 157**

The following buses all terminate at the Triangle in Sidmouth. From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).

From Exeter – 52A, 52B

From Honiton – 52B

From Seaton – 52A

From Ottery St Mary – 379, 387

Please check your local timetable for times.

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The Committee Suite has a separate entrance to the main building, located at the end of the visitor and Councillor car park. The rooms are at ground level and easily accessible; there is also a toilet for disabled users.

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 Cabinet
held in the Council Chamber, Knowle, Sidmouth
on Wednesday, 17 July 2013

Present:

Councillors:

Paul Diviani (Chairman/Leader)
Andrew Moulding (Vice Chairman)
Iain Chubb
David Cox
Jill Elson
Stephanie Jones
Ian Thomas
Phil Twiss
Tom Wright

**Also
Present:**

Councillors:

David Atkins	Frances Newth
Peter Bowden	Helen Parr
Geoff Chamberlain	Geoff Pook
Maddy Chapman	Ken Potter
Christine Drew	Philip Skinner
Martin Gammell	Pauline Stott
Graham Godbeer	Peter Sullivan
Peter Halse	Brenda Taylor
Steve Hall	Graham Troman
Tony Howard	Chris Wale
Douglas Hull	Tim Wood
Sheila Kerridge	

**Also
present:**

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Denise Lyon, Deputy Chief Executive
Simon Davey, Head of Finance
John Golding, Head of Housing
Karen Jenkins, Corporate Organisational Development Manager
Rachel Pocock, Corporate Legal & Democratic Services Manager
Nigel Harrison, Economic Development Manager
James Harper, Communications Officer
Ian Harrison, Mamhead Slipway Project Manager
Alison Hayard, Principal Regeneration Project Manager
Stephen Pratten, Relocation Manager
Lisa Turner, AONB Planning Officer
Diana Vernon, Democratic Services Manager

Apologies

Councillors
Cabinet Member
Ray Bloxham

Alan Dent
Vivien Duval Steer
Steve Gazzard
Roger Giles
Pat Graham
Stuart Hughes
John O'Leary
Mark Williamson
Eileen Wragg
Steve Wragg

Councillors
Non Cabinet Members
Deborah Custance Baker
Susie Bond
Derek Button
David Chapman

The meeting started at 5.30 pm and ended at 8.05 pm.

In compliance with The Local Authorities (Executive Arrangements) Meetings and Access to Information) (England) Regulations 2012, during consideration of items on the agenda, alternative options were considered by Members when making decisions.

*25 **Public Questions**

Sidmouth Town Councillor Kelvin Dent said that he appreciated that the Council was retaining an open mind in respect of EDDC Office accommodation. He said that should the offices be relocated from Sidmouth, there would be a significant impact on the local economy and believed that 100 jobs would be lost together with £3.6M worth of local contracts and £1M spend in the town. He hoped that the Council would continue to be located in Sidmouth.

Mr M Temple spoke on behalf of the East Devon Alliance. He gave examples of purpose built replacement office accommodation for other Local Authorities where costs had soared and money had been wasted. He believed that staff could be accommodated in the newer part of the Knowle and the historic part sold for residential use. This would achieve savings. He referred to the significant carbon footprint arising from demolition of the Knowle and new build and to the impact that the loss of jobs would have on the Sidmouth economy. He believed that the idea of town hubs would increase costs and that a move to Honiton would increase travel overall. He was also concerned about the loss of recreational space at Knowle which he said should be retained for the benefit of the community.

In response the Leader advised that issues raised would be addressed when the Office Accommodation agenda item was considered later in the meeting.

The Portfolio Holder – Finance referred to the quarterly LED Leisure Management Ltd monitoring meetings which he used to attend when he was a LED Trustee. He said that they had been a useful way of keeping up-to-date with LED activity. He suggested that the minutes of these meetings could be referred to Cabinet or to seek some other way to improve the reporting lines between LED and the Council.

The Chief Executive advised that Councillor Wood who was now a LED Trustee and Chairman of the Overview and Scrutiny Committee was taking an item to his Committee on monitoring arrangements with LED and how these could be improved. Recommendations resulting from this consideration would be reported back to Cabinet. In the meantime it would be helpful for the Portfolio Holder – Finance to attend the quarterly monitoring meetings.

***26 Minutes**

The minutes of the meeting of the Cabinet held on 12 June 2013 were confirmed and signed as a true record.

***27 Declarations of interest**

Councillor/ Officer	Minute number	Type of interest	Nature of interest
Paul Diviani	38	Personal	EDDC representative on Blackdown Hills AONB Joint Advisory Committee

***28 Exclusion of the Public**

RESOLVED: that the classification given to the documents to be submitted to the Cabinet be confirmed. There was one item which Officers recommended should be dealt with in Part B.

***29 Forward Plan**

Members noted the contents of the Forward Plan for Decisions for the period 1 July to 31 October 2013.

***30 Matters referred to the Cabinet**

There were no matters referred to the Cabinet by the Overview and Scrutiny Committee or the Council.

***31 Overview and Scrutiny Committee – 6 June 2013**

Members received and noted the minutes of the meeting of the Overview and Scrutiny Committee held on 6 June 2013.

RESOLVED 1 that the following decisions be noted

Minute 5 the work of the Portfolio Holder – Sustainable Homes and Communities, as presented at the meeting. The powerpoint slides used as part of the presentation had now been circulated to all Members.

Minute 6 the report and improvements to the Planning Enforcement service.

Minute 7 the Council's performance against delivery of the promises/priorities in the Council Plan, key service objectives from Service Plans and Performance Measures for the fourth quarter of 2012/13.

***31 Overview and Scrutiny Committee – 6 June 2013 (continued)**

RESOLVED 2 To note that the following decision was agreed by Cabinet at its meeting on 12 June 2013.

Minute 4 that the Cabinet be asked to delay responding to the proposal for a new National Park (for Dorset and East Devon AONB areas) and allow the Overview and Scrutiny Committee to consider all aspects of the proposal in detail, with the Committee's recommendations being then referred back to Cabinet.

RESOLVED 3 To agree the following recommendation

Minute 6 that Council considers making a representation to Government on the constraints of legislation relating to planning enforcement.

***32 Housing Review Board meeting – 20 June 2013**

Members received and noted the minutes of the meeting of the Housing Review Board held on 20 June 2013.

The Chairman, Councillor Pauline Stott drew Members' attention to the proposal (Minute 10) to purchase a House in Multiple Occupation to meet local need.

The Leader congratulated the work of the Housing Review Board and Housing team and encouraged Members to attend meetings of the Board.

RESOLVED 1 that the following decisions be noted

Minute 7 Housing Review Board forward plan.

Minute 11 The Advantage SW Procurement Club review.

Minute 12 The existence of the Housing Service display boards.

RESOLVED 2 that the following decisions be agreed

Minute 11 that the intention to remain a member of Advantage SW be confirmed.

RESOLVED 3 that the following recommendations be approved

- Minute 8**
- (1) that the HRA outturn position for 2012/13 be agreed;
 - (2) that the level of reserves detailed and the transfer of £1.715m from the HRA Balance in to 'Debt Repayment Volatility Fund' to safeguard the HRA against any fluctuations in the Business Plan be agreed.

***32 Housing Review Board meeting – 20 June 2013 (continued)**

RESOLVED 3 that the following recommendations be approved (continued)

- Minute 9**
- (1) that the changes to the staffing structure of the Property and Asset team be approved,
 - (2) that the proposal to bring in-house the existing work undertaken by a contractor be approved,
 - (3) that the funding required for the additional staff for the Property and Asset team as outlined in the report be approved.

- Minute 10**
- (1) that it be agreed that this type of accommodation (shared house – House in Multiple Occupation) would be a beneficial addition to the current Council property portfolio, making available another form of accommodation for single people within the district;
 - (2) that the Housing Service ensures that adequate provision is put in place to effectively manage the shared house/HMO and support tenancies, as necessary;
 - (3) that the commuted sum available in Exmouth of £350,000 and up to £100,000 from the Right to Buy receipts be allocated towards the purchase and refitting of a property in Exmouth to provide up to seven units of HMO type accommodation. If property A was no longer available, suitable alternative accommodation would be sought up to the budget available for purchase and refit of £450,000.

RESOLVED 4 that the following recommendations be taken into account when this item is raised later in the agenda (item 20)

- Minute 14**
- that the preferred supplier identified in the report be commissioned to implement and support a new housing management software system.

***33 Arts and Culture Forum – 6 June 2013**

Members noted the minutes of the meeting of the Arts and Culture Forum held on 6 June 2013.

EDDC Office Accommodation – key decision

Richard Cohen, Deputy Chief Executive presented his report on options to address the Council's future accommodation requirements. Since the Development Management Committee (1 March 2013) had refused the application for alternative use of the Knowle site, work had continued on the viability analysis of various options:

- Remaining at the Knowle in a reconfigured form
- Honiton options
- Relocation to Cranbrook
- Other sites in the district

The viability analysis identified that remaining at the Knowle site was not a sustainable option as the 'outdated' offices were not fit for purpose and costly to run. The report included the Council's continued commitment to

- providing fit for purpose and functional office accommodation that placed no extra burden on the East Devon tax-payer, and,
- to maintaining a significant presence in Exmouth.

The option to move would use capital receipts from the sale of the Knowle and, if required, prudential borrowing up to a maximum of £4.8M (the calculated savings on running costs over the 20 years following the move).

Key overall risks within the project were noted by Cabinet together with how these would be managed. The calculations included a 20% contingency. The public speaker had stated that the carbon cost of relocation would take 50 years to recoup. The Deputy Chief Executive challenged this statement. He said that although there would be an inevitable carbon cost, this needed to be balanced over time and the argument was out-weighed by the energy efficiencies of new offices. A more accurate calculation would be 11 years. One of the key drivers for the proposed relocation was the high running costs and essential maintenance required at Knowle. However, the project was not just about the need to save money; it would help facilitate improved, modern, efficient service provision.

The Deputy Chief Executive also advised that the 'new' part of the existing Knowle complex did not have the capacity to accommodate all EDDC staff and so the associated suggestion to sell off the historic part entirely for residential use was not feasible.

The reasons for refusal of the Knowle application considered by the Development Management Committee on 1 March 2013 had been taken into account and it was now proposed to limit potential development on the Knowle site to 3 zones – the lower park and lower car park zones had been removed from the development proposal. This was an important change that addressed local concerns and retained the site's viability as it continued to be attractive to developers. Use of Manstone Depot within the development proposals would meet the development's affordable housing requirement.

The Project Viability report identified key milestones (Gateway Decisions) which would require EDDC approval to progress to the next stage of the project. The timeline for relocation was set out in the report. Alternative sites might come forward during the process and these would be given proper consideration.

EDDC Office Accommodation – key decision (continued)

During debate on the report the following points were made:

- Members welcomed the clear and helpful report and praised Richard Cohen, Deputy Chief Executive and Stephen Pratten, Relocation Manager, for their work. The report had been well presented with clear options and reasoning.
- Moving the discussion to the public domain was welcomed
- The impact of the Office move on Sidmouth would be taken into account
- The move had the potential to create jobs elsewhere in the district
- The carbon cost of the move would be taken seriously but put in perspective
- Many of the offices in Knowle were inadequate for modern business
- It would be better to invest in new purpose built facilities than waste money in trying to maintain out of date, costly office space which was not fit for purpose
- The proposal would preserve parkland at Knowle for the benefit of the local community. The grounds were currently not used much by the public and the proposed transfer to the Sidmouth Town Council could result in their wider enjoyment.
- Reducing the development zones from 5 to 3 was welcomed.
- The process would have been less difficult if the Council had carried out earlier consultations with local residents and stakeholders
- The proposed stages in developing the project and the monitoring that would be in place was helpful and reassuring
- The Knowle was a prestigious building and the parkland was beautiful
- Although the report suggested options to relocate to Honiton and Cranbrook, the Council would retain an open mind and consider other options that may come forward during the process.
- The new offices should be located centrally and use made of local 'hubs'.
- The East Devon Business Centre was a good example of an office base for mobile working. A similar approach could be adopted for the local 'hubs' which could also offer local employment opportunities.
- The Council needed to be able to take advantage of new ways of working and increased use of technology to improve service delivery and achieve efficiencies.

The Leader thanked the Cabinet and other Members present for their valued contribution to the debate. He confirmed that the impact on Sidmouth would be taken into account and that ways ameliorate this would be considered. Jobs would not be lost from the district as a result of the proposed move. He believed that the proposed move from the Knowle was positive and would benefit the whole district.

The vote on the recommendations set out in the report was supported unanimously by the Cabinet.

EDDC Office Accommodation – key decision (continued)

- RECOMMENDED**
- (1) that Council agree that the costs of maintaining, refurbishing or building new offices on the Knowle site are not sustainable and EDDC must therefore look at alternative locations for a new headquarters;
 - (2) that the Deputy Chief Executive – Development, Regeneration and Partnerships be given delegated authority to enter into formal conditional negotiations on the acquisition and/or development of a suitable site for EDDC's new offices;
 - (3) that a future recommendation be made for consideration by Cabinet and determination by Council that EDDC relocate from the Knowle to a new location and premises subject to a satisfactory and financially viable proposition;
 - (4) that further reports be referred to Cabinet and Council, as appropriate, for decisions at future key stages (Gateway Decisions) of the project;
 - (5) that it be confirmed that it remains the Council's objective to hand over ownership of the Knowle Park public space to Sidmouth Town Council as part of its relocation plans.
 - (6) that a further £95,333 (ex VAT) be approved from the Transformation Budget to fund further services necessary to continue the project and secure the most advantageous development agreement;
 - (7) that an ongoing District Wide Stakeholder Group be established to share and discuss relocation progress and issues in terms of Council contact, service delivery and new ways of working;
 - (8) that a New Office Project Executive Group be set up comprising selected Cabinet members, senior officers and Project Manager to oversee project progress;
 - (9) that wider engagement with members be sought through a Leader's Think Tank on Relocation.

REASON

As set out in the Officer report and appendices.

***35 Transport Infrastructure Investment – key decision**

Members considered the report presented by the Economic Development Manager. A consortium of transport authorities led by Somerset County Council (backed by the Heart of the South West Local Enterprise Partnership) was calling for early investment into three single carriageway sections of the A30/A358/A303 corridor between Honiton, Taunton and Amesbury – the link to the M3. The report set out the details of works and costs. Government funding, if agreed, would be a contribution to the scheme with a requirement for local funding.

Members recognised the significant benefits that the proposed improved transport links would achieve for the local economy - the A30/A303 corridor was a crucial link to and from the South West. Currently the road network was unable to cope with the volumes of traffic and lack of service provision along these routes.

The Overview and Scrutiny Committee would be briefed in the autumn on progress and how this strategic initiative would be linked with the Local Enterprise Partnership work and economic and community development.

- RESOLVED**
- (1) that the campaign for phased investment in the A30/A303 corridor promoted by Somerset County Council, the Heart of the South West LEP and other partners be welcomed and endorsed - in particular proposals to make early improvements to the A30/A303 in East Devon;
 - (2) that members of the Overview and Scrutiny Committee be invited to seek early clarification of the role of the Heart of the South West Local Transport Board in relation to the successful delivery of the Council's own planning and development priorities.

REASON To offer a clear demonstration of the Council's commitment to local and strategic infrastructure investment.

***36 Exmouth Regeneration – funding allocation – key decision**

Members considered the joint report of the Development Surveyor and Mamhead Slipway Project Manager in respect of the approved development of the Elizabeth Hall site and the distribution of funds - Section 106 agreement and capital receipt.

The Deputy Chief Executive, Richard Cohen, was able to inform the meeting on funding available as the sale to Premier Inn had been completed. He advised that £1.247M had been paid for the site plus an additional £202K Section 106 monies.

The Portfolio Holder – Strategic Development and Partnerships welcomed the proposal to invest this money in delivering the outstanding Exmouth priority regeneration programme (arising from the Exmouth Masterplan) and particularly the Queen's Drive scheme and to assist in the re-building of the Mamhead Slipway.

In reply to questions, the Deputy Chief Executive advised that the Queen's Drive scheme included a mixture of development opportunities which would be market tested. He also advised that within the Estuaryside project, discussions over possible relocation of the Rugby Club were continuing within what was a complicated process. A number of supermarket chains continued to be interested in the site.

*36

Exmouth Regeneration – funding allocation – (continued)

The Mamhead Slipway Project Manager had consulted with water users and the Exmouth Regeneration Board on the preferred options for the Mamhead Slipway. The preferred option would provide improved facilities to water users but works would take an additional year to be carried out compared with a more straightforward replacement option. The two options remained in consideration. The proposal would be discussed with statutory authorities and partners including Natural England. It was important for plans to include adequate parking for vehicles and trailers.

The replacement options for the slipway were expensive with the likely need to find additional funding sources other than EDDC. Members were keen to see that charging for use of the slipway was actively explored as one among other financing options.. The Portfolio Holder – Environment supported a charging schedule and advised that this would enable a check on users' insurance to be carried out. The Portfolio Holder – Sustainable Homes and Communities thanked Officers and all Councillors who had been involved with the Exmouth Regeneration/Masterplan consultations.

RESOLVED

- (1) that further progress towards the delivery of the Council's longstanding commitment to regeneration in Exmouth be noted;
- (2) that the impending capital receipt from Premier Inn be welcomed, with this capital receipt being committed to the Exmouth Regeneration budget and held in reserve for a minimum period of three years from receipt;
- (3) that the Principal Regeneration Projects Manager be given delegated authority to pursue a delivery strategy for the Queen's Drive project including an allocation of a proportion of the proceeds of the Elizabeth Hall sale towards enhanced public realm and new road alignment;
- (4) that the Principal Regeneration Projects Manager be given delegated authority to pursue a delivery strategy for the Mamhead Slipway project including an allocation of a proportion of the proceeds of the sale of the Elizabeth Hall site towards a new slipway and associated facilities;
- (5) that Members recognise that the Premier Inn capital receipt will fund a proportion but not the totality of priority projects in Exmouth (there currently exists a likely shortfall) and endorse the pursuit of additional funding towards the Queen's Drive and Mamhead Slipway projects. (Such funding possibilities may include Coastal Communities Fund, EU programme, LEP engagement, County Council, contributions and receipts from adjacent developments with Officers also investigating possible fees and charges for use of a completed Mamhead Slipway);

*36 **Exmouth Regeneration – funding allocation – (continued)**

- (6) that the Council acts as the client body for the appointment of contractors and consultants for the Mamhead Slipway development design and build;
- (7) that the Principal Estates Surveyor be given delegated authority to negotiate new 30 year leases respectively with the Exmouth Sea Scouts and Exmouth Sea Cadets on demised land at Camperdown Creek.

REASON To enable the Council to continue the delivery of the Exmouth Masterplan and priority projects.

*37 **Improvements to services – systems thinking update**

Denise Lyon, Deputy Chief Executive presented her report which updated Members on the positive impact of introducing systems thinking principles into the Streetscene Service.

She advised that the process involved firstly understanding the customer demand followed by a redesign of the service to meet that demand as efficiently as possible. Within the Streetscene service there had not been significant preventable demand and the service was well received by the public. However, there was a lot of scope in the processes to reduce bureaucracy and make better use of technology and mobile working.

The Deputy Chief Executive thanked the work of the Streetscene Manager and his teams for the progress made and the Corporate ICT Manager and his teams for their work on infrastructure improvements. The drive was to streamline the service and as a result of the redesign, savings had been achieved.

The report also set out improvements to other Council services (Benefits, Housing and Planning) which had already benefited from redesign. The work helped to progress the Council's Customer Plan and the transformation agenda.

The Sustainable Homes and Communities Portfolio Holder took this opportunity to personally thank the Streetscene Teams who had worked with the Britain in Bloom organisation in particularly difficult weather conditions. Praise for the service was echoed by other Portfolio Holders.

Future reviews would be undertaken in respect of Environment Health and Car Parking.

RESOLVED that the latest successes of the Council's Streetscene Team be noted.

REASON The report was used to keep Members informed on the progress being made in redesigning the Council's services using systems thinking principles.

*38 **Public Consultation – review of the East Devon and Blackdown Hills Area of Natural Beauty (AONB) Management Plans**

Members considered the report presented by Lisa Turner of the Blackdown Hills AONB Team. East Devon District Council was required under Part IV of the Countryside and Rights of Way Act 2000 to produce Management Plans for the East Devon and Blackdown Hills AONBs and review them at intervals of not more than 5 years. East Devon District Council had authorised the AONB Partnerships to carry out this review on its behalf.

Members were advised that targeted and public consultation would take place on both Draft Plans in the summer/autumn 2013. The Plans would then be revised and forwarded for formal consultation with the statutory consultee, Natural England. The Plans would then be presented for adoption by the local authorities and confirmed to Defra by April 2014.

RESOLVED that approval be given to the AONB Partnerships to undertake public consultation on the review of the East Devon and Blackdown Hills AONB Management Plans.

REASON Under Part IV of the Countryside and Rights of Way (CROW) Act 2000 the relevant local authorities are required to review the AONB Management Plans (sometimes referred to as a Management Strategy) for the East Devon and Blackdown Hills AONBs at intervals of not more than 5 years. The review for the 2009 - 14 Plans need to be completed by April 2014.

East Devon District with other local authorities has authorised East Devon and the Blackdown Hills AONB Partnerships to review the AONB Management Plans on their behalf.

*39 **Application to designate Broadclyst Neighbourhood Area**

Members were advised that the Leader, Ward Member and Chief Executive had met with the Parish Clerk to discuss Broadclyst's application under the Localism Act for designation of its whole Parish as a Neighbourhood Area. As a result of the meeting earlier that afternoon, Members were advised that consideration of the proposal would be deferred to allow further discussion.

RESOLVED that the application to designate Broadclyst Neighbourhood Area be deferred for further discussions.

REASON To facilitate further discussions.

*40

Request for exemption to Contract Standing Orders – Feniton Flood Scheme Consultant

Members considered the joint report of the Senior Engineer (Environment Service) and Streetscene Manager requesting approval of Howick Consultants as consultants to complete Phase 2 of the Feniton Flood Scheme - the design and implementation of the works. Reasons for the exemption to Contract Standing Orders were set out in the report.

Parish Councillor Pete Privet asked for the Council's continued support to progress the scheme to overcome local flooding/drainage problems.

Councillor Peter Bowden, Flood Alleviation Champion spoke of the work involved and the need to achieve the co-operation of Network Rail. He emphasised the importance of working with the local Parish Council and Councillor Tom Wright – Deputy Environment Portfolio Holder.

Councillor Tom Wright advised that the risks to the project had been identified – the possible funding shortfall could not be determined until the contract prices had been submitted.

- RESOLVED**
- (1) that exemption to Contract Standing Orders requirement to seek quotations or invite tenders pursuant to Rule 3.1 be authorised;
 - (2) that the appointment of Howick Consultants to carry out Phase 2 of the Feniton Flood Scheme to deliver the contract and work on site be endorsed.

REASON

Howicks have carried out the report and modelling work and the appraisal to complete Phase 1 of the project.

Negotiations and agreement have to be reached with Wainhomes to install a section of the new pipe before building work starts in order to keep costs down.

The contract value falls below the threshold set out in the Public Contracts Regulations 2006 and therefore the EU procurement procedure does not apply and an exemption can be validly given pursuant to the Council's Contract Standing Orders Rule 3.1.

Reasons for exemption were to ensure timely delivery and avoid unnecessary costs.

***41 Performance Management report May 2013**

Members considered the report of the Corporate Organisational Development Manager setting out performance information for the 2013/14 financial year for May 2013. Members noted that 4 indicators were showing excellent performance:

- Percentage of Planning appeal decisions allowed against the authority's decision to refuse
- Percentage of Council Tax collected
- Percentage of Non-Domestic Rates collected
- Working days lost due to sickness

Only one indicator showed concern, namely:

- Days taken to process Housing Benefit/Council Tax Benefit new claims and change events.

Members noted the reasons for this reduction in performance which included the impact of Welfare Changes.

The Sustainable Homes and Communities Portfolio Holder extended thanks to the Benefits Teams for the proactive work they had carried out. EDDC had achieved the highest Council Tax collection rate in Devon and this was a reflection of the excellent work of the teams.

The Environment Portfolio Holder praised the work of the Countryside volunteers who had put in 188 hours of work on behalf of the team in May.

RESOLVED that the progress and proposed improvement action for performance measures for the 2013/14 financial year for May 2013 be noted.

REASON The monthly monitoring was to highlight performance and help identify any trends. Additional information to support this monitoring was provided on line – SPAR performance indicators and systems thinking measures in key service areas – Streetscene, Housing, Development Management and Revenues and Benefits.

***42 Exclusion of the Public**

RESOLVED that under Section 100(A) (4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public (including the press) be excluded from the meeting as exempt and private information (as set out against each Part B agenda item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

*43 **New housing management software procurement**

The Head of Housing presented his report which set out a strong case for procuring and implementing a new comprehensive housing management software system. It would improve the service and increase efficiencies. The evaluation work had included review of systems used by other organisations. The proposal had been considered and supported by the Housing Review Board at its last meeting. The report also included a recommendation of the preferred supplier.

RESOLVED that Capita be commissioned to implement and support a new housing management software system.

REASON To help the housing service to achieve its service delivery aspirations for the benefit of tenants and other customers.

Chairman Date

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4 month period 1 September 2013 to 31 December 2013

[In addition Key Decisions and other decisions which are proposed to be taken in a private meeting are identified to comply with the Local Authorities (Executive Arrangements)(Meetings and Access to information)(England) Regulations 2012).

A public notice period of 28 clear days is required when a decision making body is to hold a meeting wholly or partly in private This document includes notice of those matters the Council intends, at this stage, should be considered in the private part of the meeting and the reason why. Any written representations that a particular decision should be moved to the public part of the meeting should be sent to the Democratic Services Team [address at the end] as soon as possible.

Key Decision		List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer (Strategic Officer: DL or RC indicated in bold)	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
1	CIL Governance Arrangements		Strategic Development and Partnership Portfolio Holder	Graeme Thompson, Planning Policy Officer (RC)	Cabinet 4 September 2013 Council 9 October 2013	10 October 2013	Part A
2	Information Management Strategy		Corporate Services Portfolio Holder	Corporate ICT Manager (DL)	Information Management Group Cabinet 27 November 2013 Council 4 December 2013	5 December 2013	Part A
3	Playing Field Strategy		Environment Portfolio Holder	Countryside and Leisure Manager (DL)	Cabinet 2 October 2013 Council 9 October 2013	10 October 2013	Part A
4	Business Continuity Plan/Disaster Recovery Plan		Corporate Services Portfolio ~Holder	Deputy Chief Executive (DL)	Cabinet 2 October 2013	10 October 2013	Part A
5	Refresh of Asset Management Plan		Finance Portfolio Holder	Principal Estates Surveyor (RC)	Asset Management Forum 12 September 2013 Cabinet 2 October 2013	10 October 2013	Part A

Key Decision		List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer (Strategic Officer: DL or RC indicated in bold)	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
6	Honiton Community Centre		Economy Portfolio Holder	Deputy Chief Executive (RC)	Cabinet 2 October 2013	10 October 2013	Part B
7	Civil Parking Enforcement Arrangements with DCC		Environment Portfolio Holder	Environmental Health & Parking Services Manager	Cabinet 2 October 2013	10 October 2013	Part A
8	Shared IT Services		Corporate Services Portfolio Holder	Corporate IT Manager	Cabinet 2 October 2013	10 Oct 2013	Part A
9	Reports of Budget Working Party (series of reports)		Finance Portfolio Holder	Head of Finance	Cabinet 2 October 2013	October Council	Part B [if commercially sensitive]
10	European Transition funding		Finance Portfolio Holder	Deputy Chief Executive (RC)	Cabinet 2 October 2013	10 October 2013	Part A
11	Cranbrook update		Portfolio Holder Strategic Development and Partnership	Deputy Chief Executive (RC)	Cabinet 4 September 2013	12 September 2013	Part A
12	Thelma Hulbert Gallery – review of Business Plan		Portfolio Holder Environment	Deputy Chief Executive (DL)	Cabinet 2 October 2013	10 October 2013	Part B (if staff issues under consideration)
13	Viewpoint Survey – Feedback		Corporate Services Portfolio Holder	Corporate Organisational Development Manager	Cabinet 27 November 2013	5 December 2013	Part A

Key Decision		List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer (Strategic Officer: DL or RC indicated in bold)	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
14	Review of Car Parking Services – Summer Trial		Environment Portfolio Holder	Environmental Health and Parking Services Manager	Cabinet 2 October 2013	10 October 2013	Part A
	Other decisions to be taken in Part B	Exmouth Regeneration Action Notes following regular meetings	Portfolio Holder Strategic Development and Partnership	Deputy Chief Executive (RC)	Cabinet meetings following production of Action Notes		Part B [if commercially sensitive]
		Seaton Regeneration Action Notes following regular meetings	Portfolio Holder Economy	Deputy Chief Executive (RC)	Cabinet meetings following production of Action Notes		Part B [if commercially sensitive]

Table showing potential future key decisions which are yet to be included in the current Forward Plan

Future Key Decision		Lead Member	Lead Officer (Strategic Officer: DL or RC indicated in bold)	Consultation and meeting dates (Committees, principal groups and organisations) To be confirmed	Operative Date for decision To be confirmed
1	Integrated waste Strategy for Devon	Environment Portfolio Holder	Head of Environment (DL)	Initial work being undertaken to work towards an outline business case -Dec 2012 at which time options will be initially consider probably reducing to 2 or 3 and a final business case by September 2013 at which time authorities will have to decide whether they go with any or none of the options put forward.	

This plan contains all the key decisions that the Council's Cabinet expects to make during the 4-month period referred to above. The plan is rolled forward every month. Key decisions are defined by law as "**an executive decision** which is likely –

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

In accordance with section 38 of the Local Government Act 2000, up-dated by the Local Authorities (Executive Arrangements)(Meetings and access to Information)(England) Regulations 2012 in determining the meaning of "significant" in (a) and (b) above regard shall be had to any guidance for the time being issued by the Secretary of State in accordance with Section 9Q of the 2000 Act (guidance).. The Cabinet may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of the Constitution and the Regulations. A minute of each key decision is published within 2 days of it having been made. This is available for public inspection on the Council's website <http://www.eastdevon.gov.uk>, and at the Council Offices, Knowle, Sidmouth, Devon. The law and the Council's constitution provide for urgent key decisions to be made without 28 clear days notice of the proposed decisions having been published . A decision notice will be published for these in exactly the same way.

Obtaining documents

Committee reports made available on the Council's website including those in respect of Key Decisions include links to the relevant background documents. If a printed copy of all or part of any report or document included with the report or background document is required please contact Democratic Services.

The members of the Cabinet are as follows: Cllr Paul Diviani (Leader of the Council and Chairman of the Cabinet), Cllr Andrew Moulding (Strategic Development and Partnerships Portfolio Holder), Cllr Ray Bloxham (Corporate Business Portfolio Holder) Cllr Phil Twiss(Corporate Services Portfolio Holder) Cllr Ian Thomas (Economy Portfolio Holder), Cllr Iain Chubb (Environment Portfolio Holder) Cllr David Cox (Finance Portfolio Holder), Cllr Jill Elson (Sustainable Homes and Communities Portfolio Holder), and Deputy Portfolio Holders – Cllr Stephanie Jones (Deputy – Sustainable Homes and Communities) and Cllr Tom Wright (Deputy – Environment) Members of the public who wish to make any representations or comments concerning any of the key decisions referred to in this Forward Plan may do so by writing to the identified Lead Member of the Cabinet (Leader of the Council) c/o the Democratic Services Team, Council Offices, Knowle, Sidmouth, Devon, EX10 8HL. Telephone 01395 517546.

15 August 2013

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the
Overview and Scrutiny Committee held
at Knowle, Sidmouth on 11 July 2013

Present: Tim Wood (Chairman)
Graham Troman (Vice Chairman)

Mike Allen	David Key
Peter Bowden	Frances Newth
David Chapman	John O’Leary
Deborah Custance Baker	Chris Wale
Peter Halse	Claire Wright
Sheila Kerridge	

Officers:

Richard Cohen, Deputy Chief Executive
Simon Davey, Head of Finance
Debbie Meakin, Democratic Services Officer

Also Present

Councillors:

David Cox	Stephanie Jones
Paul Diviani	Andrew Moulding
Christine Drew	Pauline Stott
Tony Howard	Tom Wright

Apologies:

Committee Members:

Maddy Chapman	Ray Bloxham
Vivien Duval Steer	Jill Elson
John Humphreys	Mark Williamson
Eileen Wragg	
Steve Wragg	

The meeting started at 6:30pm and ended 8:17 pm.

***10 Public Question Time**

The Chairman welcomed Councillors to the meeting. There were no public questions.

***11 Minutes**

The minutes of the meeting of the Overview and Scrutiny Committee held on 6 June 2013 were confirmed and signed as a true record.

***12 Declarations of Interest**

None declared.

13 Portfolio Holder up-date – Finance

The Chairman welcomed Councillor David Cox to update the Committee on his Portfolio. The presentation he gave reminded Members of the responsibilities under the portfolio and the budget pressures on the Council over the coming years. He highlighted the following points:

13 **Portfolio Holder up-date – Finance (continued)**

- Government deficit reduction policy
- Risk areas to revenue, including:
 - Local council tax support scheme, which as at the end of June was on target for expenditure.
 - Business Rate retention – now at 40% of the risk with the Council;
 - Universal Credit;
 - New Homes Bonus Scheme;
 - Technical Council Tax reforms – changes to some categories
- Increasing costs to the Council leading to need for further restructuring to the budget for future years;
- Balanced budget for 2013/14
- Work of Budget Working Group, Fees and Charges TaFF, Asset Management Forum and Procurement and Efficiency Group;
- Replacement of Investec
- Peer Review full report still pending
- Reviewed Asset Management Plan due to Cabinet in the autumn
- Property register being populated
- Tenanted non residential property review underway
- Seaton and Exmouth regeneration.

Members discussion on areas under this portfolio included:

- Largest sum of waste budget fell to SITA contract which covered the man power and fuel elements that continued to increase, although monitoring of driving patterns continued to help improve efficiency. The contract is due for renewal in 2016. SITA have also obtained a euro patent for converting plastics into diesel fuel;
- Request for further debate at the Committee on the office relocation project. A report was on the agenda for the next Cabinet meeting on 17 July and Members were encouraged to attend to hear and partake in the debate; the Deputy Chief Executive confirmed that he would be happy to attend at the Committee's invitation to update in future as the project progresses;
- The Council had been cautious to only use an element of New Homes Bonus funds to support revenue; the Head of Finance advised the latest possible changes to the bonus arrangements;
- Merits of writing to Government to express concern on continued strain on local authorities to fund services in light of Government decisions on funding;
- Continued work of the Leader in pursuing with the LGA the concerns of continued pressures on local authority budgets

The Head of Finance outlined the work in preparing the budget, predicting the Government announcement on funding – the predicted 9.2% headline cut built into the budget had been announced as 10%; the predicted Council Tax increase of 2% built into the budget had been announced as 1%; and the risk had already been identified for not relying too heavily on the New Homes Bonus, by only using a proportion and setting up some reserve in case the NHB disappears completely. Overall, prudent steps had been taken.

The Chairman indicated that work planned by the Committee should have the option to review major budget areas during the autumn, to assess the expenditure on these areas and the benefits of those services.

13 **Portfolio Holder up-date – Finance (continued)**

RESOLVED: that the Overview and Scrutiny Committee write to Government to express concern about the continued strain on local authorities to fund services in the light of Government decisions on funding;

RECOMMENDATION: that Cabinet consider issuing a press release to outline the extensive work carried out by this Council to raise concern about the continued strain on local authorities to fund services in the light of Government decisions on funding.

14 **Final report of the Community Infrastructure Levy TaFF**

Councillor Graham Troman presented his final report to the Committee. He thanked those Members and officers who had worked over several months in reaching the conclusions set out in the report on a model of governance for CIL.

The TaFF had looked at CIL governance arrangements for other authorities, which varied in the extreme, and felt they had reached a sensible and practical solution.

The CIL charging schedule had already been completed in order to be considered alongside the Local Plan.

Members raised some questions, including:

- Would top-slicing up to the 5% permitted for administration of the CIL be enough to cover the actual cost? With the prediction on the level of funds the CIL may reach, and the experience of other authorities, it was not expected that the top-slicing would be enough to cover administration costs;
- What was the difference in scale between the CIL predicted fund and Section 106 monies collected? Section 106 agreements were individual agreements for specific purposes and the information was not available at the meeting to determine the collective size. These related to larger developments – CIL related to an individual property and gave a fairer approach to obtaining a levy. Development could not attract both CIL and s106 monies;
- Would the levy be able to be collected prior to the development, in order to prevent any developer exploiting a loophole to avoid payment? The CIL charging schedule relates to the phasing of development and securing payment beforehand is unlikely. The CIL system is more rigid, and it would be difficult to avoid payment with the levy in place.

The Deputy Leader commended the Task and Finish Forum for their work in producing the report on what is a complex issue. In response to the covering report outlining concerns on introducing a new committee for CIL governance, the Committee agreed that the operation of an advisory panel to recommend to Cabinet for decision was a sensible option. The CIL TaFF report would go onto Development Management for consideration before going to Cabinet for a decision in September.

- RECOMMENDATION:**
- 1 Note the significant challenges embodied in the new regime for collecting and deploying funds for infrastructure improvements under the CIL and the potential resource implications;
 - 2 Consider the proposed process for committing CIL monies to specific infrastructure improvements in partnership with external organisations;

***14 Final report of the Community Infrastructure Levy TaFF (continued)**

- 3 Consider the merits of a new advisory panel to focus on the consideration of strategic planning and economic development issues in the District and for this to be introduced as part of the next reorganisation of the Council;
- 4 Recognise the need to continue and potentially expand the current participatory budgeting exercise with Parish Councils to help frame local infrastructure priorities.

***15 Scoping of National Parks Proposal**

Members of the Committee had requested that the cabinet report of 12 June on the National Park Proposal for Dorset and East Devon AONB Areas come back to them for debate before a decision was taken by the Council on its stance on the proposal.

Members were reminded that the process of reaching any conclusion on status by Natural England would take several years and therefore any scrutiny on the topic was not designated as a priority.

Suggestions were made by the Committee in refining the draft scope document before them, including:

- Adding into specific areas to explore the impact on age groups, such as the very young and old;
- Consult with Chambers of Commerce in the district; along with AONB officers;
- Source Campaign to Protect Rural England surveys on National Park areas.

Work in compiling research would be done over the coming months with a view to a targeted meeting on the topic in November or January 2014. Councillor Sheila Kerridge volunteered to assist in the research on the impact of tourism of such a proposal.

***16 Forward Plan**

Members noted the forward plan for the Committee. The Chairman outlined work for the Committee during the autumn in taking an earlier and more detailed look at budgets, but the format on how that would be undertaken was still to be finalised.

Requests were made for:

- Lobbying, with a view to having guidelines to follow on the topic. The Democratic Services Officer advised that there may be a cross over with the remit of the Standards Committee on this topic, and would seek clarification and legal advice to report back to the Committee before a decision was taken on adding this to the forward plan;
- Amend the timetabling of reviewing the local plan process to when the Inspector's report is published – this was agreed by the Committee.

*16 **Forward Plan (continued)**

Members were reminded of the Flood Forum on the evening of the 23 July that all were invited to attend.

Members were also reminded that from the next meeting, all Overview and Scrutiny Committee meetings will be recorded on a trial basis. In answer to a question, the Democratic Services Officer outlined the steps to implementing this initiative over the coming months - as agreed with the Portfolio Holder for Corporate Services

Chairman Date

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the
Overview and Scrutiny Committee held
at Knowle, Sidmouth on 25 July 2013

Present: Tim Wood (Chairman)
Graham Troman (Vice Chairman)

Peter Bowden	Roger Giles
David Chapman	Peter Halse
Maddy Chapman	Frances Newth
Deborah Custance Baker	John O’Leary
Vivien Duval Steer	Brenda Taylor
	Chris Wale

Officers:
Simon Davey, Head of Finance
Debbie Meakin, Democratic Services Officer

Also Present **Councillors:**

Ray Bloxham	Peter Sullivan
Paul Diviani	Pauline Stott
Jill Elson	Ian Thomas
Stephanie Jones	Phil Twiss
Andrew Moulding	Tom Wright

Apologies: **Committee Members:**

David Key	David Cox
Sheila Kerridge	Alan Dent
Eileen Wragg	Steve Hall
Steve Wragg	Tony Howard
Claire Wright	

The meeting started at 6:31pm and ended 8:21 pm.

- *17 **Public Question Time**
The Chairman welcomed Councillors to the meeting. There were no public questions.
- *18 **Minutes**
The minutes of the meeting of the Overview and Scrutiny Committee held on 11 July 2013 were confirmed and signed as a true record subject to including the apologies of Councillor Brenda Taylor.

***19 Declarations of Interest**

Councillor/ Officer	Minute number	Type of interest	Nature of interest
Cllr Tim Wood	20	Personal	EDDC representative on LED Leisure joint body
Cllr Peter Sullivan	20	Personal	EDDC representative on LED Leisure joint body
Cllr V Duval Steer	20	Personal	Attends local partnership forum for LED run facilities
Cllr D Chapman	20	Personal	Attends local partnership forum for LED run facilities
Cllr P Stott	20	Personal	Attends local partnership forum for LED run facilities
Cllr R Giles	20	Personal	Chairman local partnership forum for LED run facilities; and Kings School Governor
Cllr J O'Leary	20	Personal	Attends local partnership forum for LED run facilities
Cllr P Bowden	20	Personal	Attends local partnership forum for LED run facilities
Cllr A Moulding	20	Personal	Attends local partnership forum for LED run facilities
Cllr J Elson	20	Personal	Chairman of Finance for Exmouth Community College who work in partnership with LED

20 Provision of Leisure Services

The Chairman welcomed the Chief Executive of LED Leisure Management Limited, Peter Gilpin, to present the responses to the LED Task and Finish Forum recommendations and update the Committee on the success of LED.

Peter Gilpin outlined a number of key points, including:

- History of the LED Trust;
- Building of the required reserve and inward investment into services;
- Subsidy arrangement with EDDC and continued reduction of it;
- Commercial development of LED outside of the District into South Somerset;
- Changes on reporting of monitoring to the Monitoring Group;
- Continued increase in membership and attendance numbers following restructure of membership options available;
- Looking ahead to providing facilities for Cranbrook, investing in improving facilities for those centres that have high demand, and how to further invest when current service level agreement comes up for review.

Members put a number of questions to Peter Gilpin, covering issues including:

- Methods of marketing to reach all age groups and demographics: membership options had been reshaped and a number of initiatives run to cover the demographics of the community, including continued work relating the PULSE referral scheme and bidding to the new Heath Consortium for improving health through preventative schemes that improve fitness and reduce obesity;

20 **Provision of Leisure Services (continued)**

- Looking at ways of improving efficiencies of the existing centres, with examples such as reducing mains water use and utilising solar energy;
- Synthetic turf pitch demand: working with schools to support in bidding for funding ;
- Continued need to invest in facilities premises but awareness of the scale of capital investment required to bring all facilities to a high standard. Priorities needs to be established between EDDC and LED to examine what sources of funding can be used (such as s106, CIL or other funding) and where improvements needed to be made first. Improvements were already underway at Honiton and Exmouth;
- Recognising Exmouth Pavilion as a unique facility in need of some updating. A new experienced manager was now in place and continued review of the events offered took place to maximise the usage of the site;
- Involvement with the design of Cranbrook: in short term, residents of Cranbrook were using neighbouring facilities at Broadclyst, Ottery St Mary and Honiton. Longer term options included provision for the secondary school that could be utilised for the residents but it was felt unlikely that funds would be sufficient to realise a swimming pool facility for the town;
- Dual use issues: sharing facility between school use and providing facilities for other users had a number of issues, including constraints on when facilities could be used, access, and safeguarding children. Operating and property costs needed careful consideration;
- Recognising a gap in facilities at Seaton: recent success in securing swimming pool access to the public at Seaton Primary School but other facilities would benefit the town;
- Considering commercial sponsorship to boost income;
- Praise to LED staff in the service they provide.

RECOMMENDATION: That a joint working group consisting of EDDC Members and representatives of LED Leisure Management be set up to work towards the review of the future contract arrangement with LED due in 2016, with particular focus on:

- a) review and assess the requirements and benefits of leisure provision for the District;
- b) assessment of capital requirements for future years in terms of maintenance and development of existing assets and to establish priorities for expenditure.

*21 **Forward Plan**

The Committee were updated on some changes to their Forward Plan, including the work on budget scrutiny planned for the autumn. The Head of Finance outlined in brief the role of the Budget Working Group and how the Committee has a key role in debating efficiency savings identified during the autumn, as well as to examine the core budget in time to feed into the draft budgets for 2014/15.

*21 **Forward Plan (continued)**

Portfolio Holders and the Finance Team will be giving presentations on their budget, with a focus on discretionary services. This will lead to further meetings of a Budget Scrutiny TaFF in between main committee meetings, to drill down into budget detail. Dates and a request for TaFF participants will be circulated in due course.

Legal advice on the Committee considering the topic of lobbying was that the role belonged to the Standards Committee, and was confirmed by Members on the Committee who also sat on the Standards Committee that the topic was already under discussion at recent meetings.

RESOLVED: That the topic of lobbying be not included in the current forward plan as the Standards Committee (as part of their remit) will deal with the topic; this may be considered again in the future if the Committee deem it necessary to do so.

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the East Devon Recycling and Refuse Partnership Board, held at SITA Greendale Depot, on 18 July 2013

Present: Councillors:
Ian Chubb – Portfolio Holder, Environment (Chairman)
Tom Wright – Deputy Portfolio Holder, Environment (Vice Chairman)
David Cox – Portfolio Holder, Finance

SITA: Rick Aldridge – Senior Contract Manager

Officers Paul Deakin – Waste and Recycling Manager
Steve Joyce – Waste Management Officer
Chris Powell – Corporate ICT Manager
Jon Street – Senior Systems Analyst
Charles Nicolle – Systems Analyst
Alethea Thompson – Democratic Service Officer
Stephanie Lewis – Assistant Democratic Services Officer

Also present Jason Hendy – Cloud 9

Apologies: Councillor Steve Gazzard
Councillor Geoff Pook
Andrew Hancock - StreetScene Manager
Darren Lockett – SITA Regional Manager
Denise Lyon - Deputy Chief Executive Transformation and Systems Thinking

The meeting started 10.00 am and finished at 13.05 pm.

***1 Election of Chairman**

RESOLVED that the Portfolio Holder – Environment, Councillor Iain Chubb be elected as Chairman for the ensuing year.

***2 Appointment of Vice Chairman**

RESOLVED that the Deputy Portfolio Holder – Environment, Councillor Tom Wright be appointed as Vice Chairman for the ensuing year.

***3 Minutes**

The minutes of the Recycling and Refuse Partnership Board meeting held on 25 April 2013 were agreed and signed as a true record.

In response to an update on fly tipping, the Waste and Recycling Manager reported that the REACT Teams are now fully staffed, conducting more proactive work and raising the awareness of this issue throughout the district. (Minute 61 of 25.04.13 refers).

4 Demonstration of Citizen App and In-Cab systems

The ICT Manager and Cloud 9 Representative gave a video demonstration to the Board on the new Citizen App. This App is the first of its kind to be developed and will be integrated with back office systems. The App is finished and is now available to download for free from the Apple store. It is not due to be available on Android for a couple of weeks and has not yet had an official launch.

The different features which will be available for the public include current news and tweets, bin notifications, a report system for issues including overflowing bins and fly tipping, Councillor's information and where the nearest local amenities can be found. The public can enter their personal details (name and address), which allows them to access local information and receive information of when their next bin collections take place. The Board discussed the options of including an optional phone number entry.

Updates to the system can be made manually by administrators without the public having to re-download the app. Many Councils pay for an initial system and have to pay extra costs if they wish to update or upload any more information. EDDC will have full control of the system.

The Board was informed that 20% of visits to the council website are made via mobile phones – this system will focus more on delivering remote ICT access rather than standard computer access. The system will be able to track the amount of users who access the app and will break down the information to show how many are using each service.

The second version of the app will allow staff to access internal report forms, which will be accessed and used by staff only. Planning facilities will soon be made available once all aspects have been completed. This will include viewing applications whilst making the experience as simple and clear as possible.

The Board discussed the different possibilities of launching the new app. The Board agreed that a soft launch would be more appropriate – informing Councillors and staff only at this point. The Board acknowledged the importance of ensuring a good marketing strategy was in place to maximise publicity; including advertising on council vehicles.

The Board agreed that the text font of the council tweets needed to be darker as it was hard to read against the white background.

- RECOMMENDED**
1. that the ICT Manager produce a soft launch strategy for the new Citizen App, including a timeline, and send out to the Board.
 2. that the ICT Systems Analyst darkens the font of the council tweets to make it easier to read

***5 Otter Rotters**

The Waste and Recycling Manager informed the Board that rounds had commenced in Budleigh and Cranbrook and the search for a location for the compost operation was ongoing. The group is currently in discussion with the County Council and the Environment Agency about the use of the shortly to be redundant Household Waste Recycling Centre at the Bowd Sidmouth once the new site is complete. There have been talks with a Community Group regarding possible shared facilities.

***6 Statistical information**

The Board considered a report presented by the Waste and Recycling Manager, setting out statistical and operational data on missed collections, finance and SITA key performance indicators.

There had been a continued reduction in the amount of calls received by the Customer Service Centre. However there had been an increase in contractor complaints.

The Board noted that there had been an increase in the number of missed assisted collections, which totaled 50% in June. The Waste and Recycling Manager explained that the assisted bin collection list had been compared with the current council tax list to remove those occupants who were deceased or have changed address. Crews will also report those individuals who they do not feel require assisted bin collections. Overall, the number of assisted collections had reduced significantly during the contract.

The SITA Contract Manager explained the fuel usage variations and outlined the fuel checker system, which helped to identify economical driving. It was noted that this was an incredibly useful management tool.

***7 Update on proposals for an integrated Devon waste service**

The Waste and Recycling Manager gave the Board an update on the proposals to consider an integrated Devon wide waste service. There were two groups; a Member group and an officer group.

An outline business case had been drawn up for closer integrated working across waste management in Devon. In order to progress with the project a further detailed business case would be required, which may cost in the region of £120,000-£150,000. The outline business case was discussed by the Member Group and they requested Devon Authorities Waste Reduction and Recycling Committee (DAWRRC) to provide funding for an appraisal report to be carried out to look at the value of producing a detailed business case and this was agreed by DAWRRC in June.

Three consultants were asked to submit bids to produce an appraisal report with a maximum budget of £20,000. Presentations had been received and one of the consultants appointed. An interim report would be considered by the Member Board in October, with a full report made available in November/December 2013. A decision would then be made whether to go ahead with the Integrated Devon service. The Waste and Recycling Manager outlined the likely options for an integrated Devon service.

8 Information to householders regarding collection day changes 2013/2014/2015

At the previous meeting the Board had discussed the high cost of sending information to all households about the day changes to collections over the Christmas and New Year period.

The Waste and Recycling Manager had suggested that A5 'hangers' be produced to go on bin handles. These would be placed there by SITA operatives on the last residual waste collection weeks in November. It would contain the same information as given in the past but would also cover the information for the whole year rather than sending a notice with the Council Tax information. The estimated cost of producing and distributing the hangers was approximately 10p per property.

The Waste and Recycling Manager explained to the Board that £20,000 was spent last year on sending information to householders regarding changes to collections. It was proposed that a new leaflet was produced which detailed all the necessary information.

The Board discussed the options of a 2 sided leaflet which cost approximately £5,000 to produce or a 4 sided leaflet which cost approximately £9,000 to produce. It was suggested that private advertising could be made available on the 4 sided leaflets in order to cut down costs.

RECOMMENDED that a 4 sided leaflet be produced and sent to households, providing simple collection date information, with the option to include private advertising to reduce costs.

***9 Waste electrical and electronic equipment (WEEE) kerbside collections**

The Board had previously considered what options may be available for the collection of WEEE and some investigations have now taken place. It was noted that Bath and North East Somerset Council have started a kerbside collection which has proved successful in collecting small WEEE. The system they have introduced is that householders place in a standard carrier bag alongside their kerbside recycling box any small electrical items which are then collected by the recycling collection vehicle in a cage hung under the bodywork.

Items which could be taken include phones, mobile phones, remote controls, radios, VCRs, digiboxes, speakers, hi-fi units, electronic toys, hairdryers, hair straighteners, electric toothbrushes, hair trimmers, shavers, hair curlers, facial saunas, power showers, kettles, toasters, irons, blenders, sandwich toasters, coffee machines, whisks, bread makers, electric scales, smoothie makers, lamps, drills, power tools, jigsaws, sanders, and angle grinders.

Large items which do not fit inside an average sized plastic carrier bag and would not be taken include TVs and PC monitors, large printers, fridges and freezers, washing machines, cookers, microwave ovens, and lawn mowers.

***9 Waste electrical and electronic equipment (WEEE) kerbside collections (cont'd)**

The Waste and Recycling Manager informed the Board that he had discussed with SITA about the collection, bulking up at the Greendale depot with a Plymouth based company, about collecting bulked up items and reprocessing the small electrical items. The Plymouth based company would then charge transport costs for the items to be taken back to their depot. The Board considered the possibility of SITA transporting the items to Plymouth to save on costs and the SITA Contract Manager agreed to look into this. It was noted that the only additional cost of kerbside collections of WEEE items would be the transport cost of taking the items to Plymouth.

It was noted that Recolight boxes for redundant low energy light bulbs were available in most of the towns throughout the district. The bulbs would be collected and bulked up at the SITA depot.

RESOLVED that the Waste and Recycling Manager circulate further information to the Recycling and Refuse Partnership Board regarding the costs associated with collecting and transporting WEEE items.

***10 Changes in Performance – Recycling and Waste 2012/13**

The Waste and Recycling Manager informed the Board that recycling rates had dropped whilst waste collections had increased. It is believed the increase in waste collections is due to the new homes at Cranbrook; however it is unclear exactly why recycling rates have dropped.

It was thought that the main reasons for the reduction in recycling rates were:

- Economic downturn.
- Use of the internet.
- Light weighting of materials used in publications, bottles, and jars.

The Waste and Recycling Manager aims to raise the awareness of recycling by advertising on the side of council vehicles. Options included more proactive work by Waste Management Officers in low performing areas, road shows, and it was suggested that a reduction in the size of waste bins to encourage people to recycle more. Sita's Contract Manager said many households at present only put their recycling boxes out fortnightly with their rubbish bins. It was important to get the message to the public to recycle every week.

***11 Update from SITA**

The Contract Manager informed the Board that a pay increase for SITA operatives of 1.5% had been accepted from Unite.

A new vehicle repair workshop is now up and running at Greendale and staff have been recruited. The new workshop is a separate entity from this contract and is also serving the Household Waste Recycling Centre vehicles. Vehicles will now be diverted to this workshop for repairs and servicing which should reduce current running costs.

***11 Update from SITA (cont'd)**

It was noted that a representative from the new Avonmouth plant had been invited to attend a meeting of the Board. This was not possible at present due to work commitments, but the Plant Manager would consider attending a Recycling and Refuse Partnership Board meeting later in the year.

***12 Any other business**

Side Waste

The Waste and Recycling Manager informed the Board that side waste had considerably reduced and therefore felt it was counterproductive to send out letters to households on the first instance of producing side waste. Currently 140 letters are sent out each month; and the Waste and Recycling Manager proposed that instead of sending out the first letter, crews record it, attach a sticker with the Council's contact details to the uncollected side waste, and a second letter is sent out to households with all the relevant information.

RESOLVED

that the Waste Management Officers record the first instance of side waste and sends out only second letters to households with relevant information.

***13 Next meeting**

RESOLVED

that the next meeting of the Recycling and Refuse Partnership Board be held on Wednesday 23 October 2013, at 10am in the Committee Room.

Chairman

Date

Agenda Item 11



Cabinet

4 September 2013

RC, ADW, WR

Cranbrook – Progress Report

Summary

Report on progress to date at Cranbrook as measured against the various planning targets set in the Section 106 Agreement for Cranbrook and the Outline Planning Application for the first 2,900 homes.

Recommendation

- To note the range of progress underway in Cranbrook.

a) Reasons for Recommendation

None required. Report for information.

b) Alternative Options

None required. Report for information.

c) Risk Considerations

Various risks associated with individual projects, timelines and asset acquisition for Cranbrook. No risks specific to this report.

d) Policy and Budgetary Considerations

None required. Report for information...

e) Date for Review of Decision

Further reports relating to Cranbrook for information and/or decision will come forward in future.

1 Reason for Report

- 1.1 At the Cabinet Meeting of 3 April 2013, Agenda item 13 (Cranbrook Governance Review) set out a timetable for the review of parish boundaries and governance arrangements at Cranbrook. Agenda item 14 (Development of the Cranbrook New Community) sought to update members on the resourcing implications of Cranbrook specifically for EDDC. As Cranbrook has moved from planning to development the arrival of infrastructure and physical assets must be managed. The April Cabinet agreed the creation of a Cranbrook Assets and Services Group. The first meeting of the group was held on 20 June 2013. It is chaired by the Deputy Chief Executive – Development Regeneration and Partnerships and will ultimately be serviced by the Project Manager for Cranbrook – this two year post was advertised in May 2013 and is funded by the Department for Communities and Local Government. The new Project Manager is expected to be in post by October 2013. This group will specifically manage the process of transfers of assets and liabilities that have implications for EDDC and make sure all EDDC service providers are fully aware of the emerging demands that will be placed by the new community.

- 1.2 Following the meeting of Cabinet held on 3 April, EDDC's Deputy Chief Executive requested that a more detailed report on progress be provided to members. This report has been prepared by Cranbrook's New Community Officer to outline the milestones reached since detailed planning approval was granted in April 2011 for the first 1,100 homes at Phase 1 of Cranbrook.
- 1.3 The New Community Officer also commenced his post in April 2011 and has since dealt with various aspects of planning and implementation including compliance associated with the Section 106 Agreement, inputting into CIL negotiations re Cranbrook, discharging decision notices for approximately 130 planning conditions and negotiations associated with (to date) the 33 subsequent planning applications for the detailed design and layout of development parcels including:
- First primary school (since built and occupied);
 - Second primary school & secondary school (Granted planning permission in March 2013);
 - Railway Station (Granted planning permission in July 2012);
 - Railway Station Flood Compensation (Granted permission in July 2012);
 - Revised planning application for circa 300 homes at Parcel Group 1 (Taylor Wimpey) plus subsequent non material minor amendments;
 - Revised planning application for 153 houses at Parcel 6 (Persimmon);
 - 3 x Planning applications for revised house types within various street blocks at Parcels 3 and 4 (Persimmon);
 - Country Park Stage 1 Planning Application (Current Application);
 - Design and Layout for the first neighbourhood shops;
 - Extension to Main Local Route into Phase 2 area (Current Application);
 - Amendments to Multi-Purpose Building, detailed layout of Younghayes Place and associated deed of variation to Section 106 Agreement; and
 - Outline and Reserved Matters Planning Application for Wainhomes plus associated Section 106 Agreement.

2 Background to Cranbrook

- 2.1 The vision for Cranbrook is for it to be a sustainable, vibrant and attractive town which combines the rich urban fabric of a historic Devon service centre or market town whilst meeting the needs of 21st Century lifestyles. The critical intention is for Cranbrook to develop as a new community. Whilst there is no rule book for how to set about achieving this, it implies consideration of issues well beyond just physical appearance if the creation of a sustainable and functioning community is to be nurtured.
- 2.2 This is a theme that has been carefully considered throughout the planning stages for Cranbrook and is reflected in the section 106 agreement accompanying the planning permission for the first 2,900 homes. This took 5 years to conclude and covers over 20 topic areas including the following:
- Affordable housing
 - Play areas and open spaces
 - Sports pitches
 - Country park and resource centre
 - Off site highway landscaping
 - Drainage
 - Public conveniences
 - Street furniture

- Youth centre land
- Permanent library and town council offices
- Police station and ambulance
- Health and well being complex
- Place or worship land and church worker accommodation
- Multi-purpose building

2.3 Enabling works to allow access commenced in June 2011 and the foundations for the first homes commenced in September 2011. This report sets out progress towards achieving the infrastructure and resources set out in the Section 106 Agreement. It identifies some of the main planning permissions granted and identifies planning applications that have recently been lodged together with forthcoming planning applications that are likely to be received in 2013.

3 Progress to date

Home building rates

3.1 Home building rates have been in line with phasing rates currently anticipated within the Section 106 agreement. The first occupation was in July 2012 and since then there has been a steady flow of people taking residence at Cranbrook. As at 30 June 2013, works had completed or commenced on 613 houses. As at 1 August 2013, 255 homes at Cranbrook were occupied. Assuming a conservative occupancy of 2.2 persons per dwelling there are nearly 600 residents already living at Cranbrook.

3.2 In Autumn 2012 the DCLG announced that Cranbrook would benefit from £20million of re-payable grant funding. This will lead to accelerated housing completion rates at Cranbrook and is likely to mean that annual completion rates of around 500 per annum are likely to be achieved with the next 12 months.

3.3 It is anticipated that by 2026, 6,000 new homes and associated town centre and other facilities will have been built. Assuming an occupancy rate of 2.2 persons per dwelling this is likely to mean that Cranbrook's population will reach approximately 13,000 people – similar to Honiton by 2026. These 6,000 new homes are anticipated to come forward as a consequence of the following:

- Outline planning application 03/P1900 granted in October 2010 for the first 2,900
- A Full Planning application for 600 homes (submitted on 2 August 2013 and, at the time of writing, being checked for validation)
- The 'East and West Expansion Areas' – allocated for approximately 2,500 homes in the emerging Submission East Devon Local Plan 2006-2026.

Community Infrastructure

Schools

3.4 St Martin's Primary School – St Martin's gained planning consent in July 2011 and was opened in September 2012. The head teacher of St Martin's has confirmed that there will be approximately 160 children on the school's roll in September 2013. St Martin's is the first of two primary schools planned within the first tranche of development (2,900 homes). The school has a maximum capacity for 420 pupils.

- 3.5 Detailed planning consent was granted in March 2013 for the Education Campus within the Phase 2 area of Cranbrook. This campus is likely to be run by an Academy and will consist of a secondary school and a second primary school to serve Cranbrook. The ultimate capacity of the secondary school will be for circa 1,000 pupils and the capacity of the second primary school will be 420. Work on the campus is due to start this Autumn 2013 and it is intended to be completed by September 2015.
- 3.6 It is anticipated that at least one further primary school will be required to meet the education demands generated by the east and western expansion areas 2,501st to 6,000th home. Detailed infrastructure negotiations have not yet taken place between EDNCPs, DCC and EDDC in this regard.

Younghayes Centre

- 3.7 The Younghayes Centre is complete and due to be transferred to East Devon District Council. At the time of writing this report (2 August 2013), final detail on the Project Agreement for the adjoining Younghayes Place was being agreed between EDDC's Estates team and the developers. It anticipated that this building will have been transferred by September 2013. Lease discussions are taking place with the Exeter and East Devon Growth Point team, the Police, a Pharmacist and the East Devon Volunteer Support Agency as likely future tenants. The building will accommodate the Cranbrook Community Development Worker. The building also has a large hall and kitchen facility for community hire as well as space for other uses such as a GP practice.
- 3.8 The NHS is currently re-tendering for expressions of interest in the rental of the Surgery by a GP Practice. EDDC's Chief Executive, Sovereign Homes and Devon and Cornwall Housing Partnership (the two 'Housing Associations' active at Cranbrook) plus Broadclyst Parish Council have written to the NHS to express the growing need for the GP surgery and to urge the NHS to expedite this process.

Younghayes Place

- 3.9 Reserved matters for the laying out of Younghayes Place was granted in December 2012. This is one of the first 'town squares' in Cranbrook and was identified in the Strategic Design Guidance for Cranbrook to be a predominantly hard surfaced space to serve as a parking area for the Neighbourhood Centre and community meeting space for occasional markets and outdoor community events. The square is currently being built and will be transferred to EDDC together with the Younghayes Centre. A car parking strategy will be agreed between EDDC and the EDNCPs to determine how this space will be managed for the use of customers of the shops, visitors to the Younghayes Centre and general users of the Neighbourhood Centre. Ten dedicated car parking spaces plus a small rear car park will also specifically serve the Younghayes Centre. The Neighbourhood centre will also benefit from circa 30 on street car parking spaces, circa 28 cycle parking spaces, bus stops in immediate vicinity and a railway station within 400 metres.

Neighbourhood Shops

- 3.10 A Reserved Matters planning application has been submitted for the laying out of on street car parking spaces, a small neighbourhood supermarket, five small retail units and fourteen flats above. This is currently being considered and, with the exception of the Place of Worship Land will be one of the last development parcels left to be consented within Phase 1 of Cranbrook.

Country Park

- 3.11 A Reserved Matters planning application has been submitted for the laying out of Stage 1 of the Country Park at Cranbrook. EDDC has provided detailed comments back to the Applicant and is awaiting revised plans. EDDC has also received a draft Country Park Management Plan. Feedback on this will be provided once revised plans for the layout of the Country Park are received. Subject to planning consent – the Consortium wish to commence the laying out of the country park in Autumn 2013. At this moment the details submitted within the planning applications and draft management plan are not satisfactory.

Railway Station

- 3.12 Reserved Matters planning consents were granted for the detailed design of the railway station for Cranbrook in 2012. It is expected that the railway station will be completed in 2014, ready to provide services into Exeter from Cranbrook in 2015.

Phase 2 Infrastructure

- 3.13 A Reserved Matters planning application has been submitted for the laying out of the extension of the 'Main Local Route' to connect Phase 1 of Cranbrook with Phase 2 and link the Phase 1 area with the planned town centre area and Education Campus. The application includes strategic drainage infrastructure and additional drainage basins to the east of the Rockbeare Stream. EDDC has provided detailed comments back to the Applicant and is awaiting revised plans.

Town Centre – Phase 2

- 3.14 Since workshops were held in Autumn 2012, EDDC has worked closely with the EDNCPs in order to establish a set of design codes to guide the development of the town centre area. It is hoped that the Town Centre Design Code will be approved this Autumn and be used to subsequently guide decision on future reserved matters planning applications for the town centre of Cranbrook. EDDC do not anticipate submission of detailed planning applications in the town centre area until late 2013 or early 2014. Cranbrook town centre is one of the relocation options that will be considered as part of EDDC's office relocation review.

Community Development

Community Development Worker

- 3.15 Corena Ward, Cranbrook's Community Development Worker was appointed to post in March 2013. Corena is managed by the East Devon Volunteer Services Agency and her post is funded under the Section 106 for Cranbrook. Corena has made good progress in her role but will particularly benefit from a permanent on-site presence when the Younghayes Centre is opened. Her role incorporates:
1. Acting as 'quasi parish clerk' in advance of the town council being established.- including liaising with Parish Clerks from surrounding villages, helping residents get access to planning application consultations, helping promote understanding of the Parish Boundary Review process
 2. Fostering community engagement – including helping residents get access to potential funding for community events .
 3. Liaising between EDDC, EDNCPs, DCC and other partners on behalf of residents to voice concerns and other issues

Minister for Cranbrook and Church Worker Accommodation

- 3.15 A house at Parcel 3 will shortly be formally transferred to EDDC as a residence to accommodate Mark Gilborson – the Minister for Cranbrook. The EDNCPs are required to do this under the Section 106 for Cranbrook. Mark has been in residence since December 2012 and has been appointed in his role by Churches Together Devon through the Dioceses of Exeter. Mark has been very active in the community.

Residents' Forum

- 3.16 A Residents' Forum has been established for Cranbrook and has an active membership. The Forum has set up a series of sub groups and many of the terms of reference of these groups overlap with aspects of the Section 106 Agreement for Cranbrook such as Transfer of Assets (thinking ahead to a town Council being established), planning (commenting on planning applications) etc. A positive dialogue has been established between EDDC officers and the Forum.
- 3.17 The Minister for Housing (Mark Prisk MP) has made several public announcements and references in Parliament and has held up Cranbrook and the role of the Cranbrook Minister as an example of best practice nationally in terms of delivering people and services in communities in addition to physical infrastructure.
- 3.18 Anecdotal evidence from the Community Development Worker and the Minister for Cranbrook suggests that the overwhelming majority of the first residents that have settled in Cranbrook are from the East Devon or Exeter areas. This would suggest that the nominations process for Housing Association properties is working as per the Section 106 Agreement for Cranbrook. The Agreement gives first priority to local residents in housing need with 65% of nominations being offered to East Devon residents and 35% being offered to Exeter residents. The Cranbrook Residents Forum in communication with the Community Development Worker has prepared a questionnaire for residents. The questionnaire asks basic demographic questions about age, number of people in the household, household tenure, health needs etc... It is hoped that the questionnaire will be circulated shortly and an initial demographic profile of the first residents can be established.

Cranbrook Communications

Media Coverage

- 3.19 Media coverage of Cranbrook has largely been positive in recent months. The local papers have bought into the concept of something new and want to report on it rather than criticise it.
- 3.20 The Express and Echo have been running a Cranbrook supplement paper, they have issued two editions so far and are planning a third. The supplement has included a pull out section of the paper featuring stories supplied by East Devon District Council, the Growth Point, and other partners, including interviews with residents, the Head Teacher and the Reverend.
- 3.21 As identified previously, the Housing Minister Mark Prisk MP may wish to visit again in the future, generating more widespread coverage. The Growth Point Team are exploring other ways to maximise on this type of coverage.

- 3.22 The Growth Point team recently set up a communications group with all the PR officers from the various developments of the Growth Point. The first meeting was well attended with representatives from E.on, Persimmon, Flybe, St Modwen, Eagle One, the HCA, as well as the local authorities. The group talked at length about how they could raise the profile of the Growth Point and Cranbrook to a national level and have now set up a sub group who will take the generated ideas forward.

Social Media

- 3.23 Cranbrook is fast establishing itself as a modern new town with over 300 residents now signed up to the “Belonging to Cranbrook” facebook page, they are using it as a great tool for communication, interaction, sharing and general chit chat.
- 3.24 It is a wonderful insight into the people who have moved into the community and what sort of people they are. There is a wonderful sense of togetherness on the facebook page.
- 3.25 This page is also proving to be a great source of information about problems and issues the residents are having, as well as a good place for the Growth Point and EDDC to share information with the residents. On the back of this the Growth Point now have a facebook page and approaching 100 followers some of whom the Growth Point has had direct interaction with and answered their questions.

Ongoing PR

- 3.26 Despite the success with social media it is also important that the Growth Point continues the use of more traditional forms of communication:
- 1) Talking with Corena Ward about a community newsletter for Cranbrook, and how the Growth Point can assist by providing a visual timeless to help manage residents expectations
 - 2) An updated Growth Point leaflet is now available, this has been made available to residents via the internet and in the show homes: see link below.
 - 3) Upcoming PR events include the bypass opening and turf cutting for the education campus at Cranbrook
 - 4) The latest Growth Point newsletter is also now available via the link below.

Recently Issued News Items

- 3.27 A variety of news items have been issued in the last few months, all of them can be found in the newsletter:
- 1) Bus Service at Cranbrook
 - 2) Consultation and result for new play area at Cranbrook
 - 3) The New Parish of Cranbrook
 - 4) Growth Point Host South Korean Visitors at Cranbrook

Tours and Visits

- 3.28 Ensuring good communication with local parishes has also been a priority and a tour was held at the end of June, where the local parishes and interested parties were given a tour of the sites and met some of the developers face to face. This is vitally important for ongoing good relationships between Cranbrook, EDDC and the existing residents in the area to prevent speculation and rumour.

4 Conclusion

- 4.1 Cranbrook is rapidly growing. Growth is in accordance with the milestones established through the main Outline Planning Consent for the first tranche of housing and key infrastructure is being brought forward in a timely manner to support the growing community.
- 4.2 The Growth of Cranbrook is not just supported by substantial investment in infrastructure and community facilities – there is evidence that the early residents of Cranbrook are setting up their own structures of governance and working with people who are specifically employed to promote community development – such as Corena Ward – the Community Development Worker for Cranbrook.
- 4.2 If members have any further queries on phasing and progress at Cranbrook, they are welcome to contact Bill Richardson, New Community Officer.

Legal Implications

N/A – For information.

Financial Implications

N/A – For information.

Consultation on Reports to the Executive

None.

Background Papers

- Cranbrook video: <http://www.eastdevon.gov.uk/cranbrookvideos>
- Cranbrook Section 106 Agreement and Outline Planning Application: Section 106 Agreement for Cranbrook: <http://www.eastdevon.gov.uk/cranbrook> and <http://planningapps.eastdevon.gov.uk/Planning/lq/GFPlanningDocuments.page;jsessionid=E02F29A6E0915D34E7035CF0477B38D3>
- List of Reserved Matters Planning Applications and associated documents: <http://planning.eastdevon.gov.uk/online-applications/pagedSearchResults.do?action=page&searchCriteria.page=1>
- Growth Point Communication – Summer newsletter: <http://tinyurl.com/l9o8npg>
- Growth Point facebook page: [facebook.com/eedgrowthpoint](https://www.facebook.com/eedgrowthpoint)

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Cabinet
4 September 2013

Agenda Item 12

Cabinet

4 September 2013

EF



Community Infrastructure Levy Task and Finish Forum Final Report

Covering report

The CIL TaFF, under the instruction of the Overview and Scrutiny Committee, started back in May 2012 with the task of exploring the community infrastructure levy governance, including the process of applying criteria and committing money collected from the levy to specific infrastructure improvements. Setting the actual charging rates was outside of the scope of the TaFF.

The TaFF met on seven occasions and considered a wide variety of issues associated with governing the deployment of revenues raised through the CIL. The final report can be read here: <http://www.eastdevon.gov.uk/ciltaffreport0713.pdf>

The Overview and Scrutiny Committee refined the recommendations in the report as follows:

- RECOMMENDATION:**
- 1 Note the significant challenges embodied in the new regime for collecting and deploying funds for infrastructure improvements under the CIL and the potential resource implications;
 - 2 Consider the proposed process for committing CIL monies to specific infrastructure improvements in partnership with external organisations;
 - 3 Consider the merits of a new advisory panel to focus on the consideration of strategic planning and economic development issues in the District and for this to be introduced as part of the next reorganisation of the Council;
 - 4 Recognise the need to continue and potentially expand the current participatory budgeting exercise with Parish Councils to help frame local infrastructure priorities.

Development Management Committee considered the revised recommendations on 20 August 2013.

Recommendation

To consider the recommendations set out above including any further comment from the Development Management Committee at their meeting on 20 August 2013.

A further report will be referred to a future Cabinet meeting to address CIL governance issues.

a) Reasons for Recommendation

To ensure that the recommendations of the TaFF can be properly considered.

b) Alternative Options

Of particular note is the third recommendation which asks Cabinet to consider the merit of a new panel to focus on the consideration of strategic planning and economic development issues. Members will need to carefully consider this recommendation and how any such panel would sit alongside the role of the Development Management Committee which is otherwise responsible for progressing the implementation of the CIL and for planning decisions more generally. Formal decision making on the deployment of the monies would continue to rest with Cabinet.

c) Risk Considerations

The deployment of the CIL monies will not be without risk including ensuring that projects are delivered in a cost effective manner and the 'meaningful proportion' of the monies that will go to parish and town councils are accounted for. This reinforces the need for robust governance arrangements to be put in place alongside the introduction of the CIL charging regime.

d) Policy and Budgetary Considerations

The CIL Charging Schedule will set out the charging rates for different types of development and this will determine the quantum of funds that are secured.

Legal Implications

The legal/organisational work on introducing governance arrangements should be progressed in parallel with CIL going through examination/implementation. Any governance arrangements need to flow from the CIL regulations themselves which are updated regularly.

The report correctly identifies that responsibility for deciding on the mechanisms to deliver CIL will lie with Cabinet. This is a result of the local government legal framework. The involvement of Development Management Committee is possible as a consultee. A memorandum of understanding as to how this authority is to work with partners, including parish councils, may also be worth exploring to support governance, as considerable day to day work an officer level will obviously be needed to deliver infrastructure.

An advisory panel specifically to focus on deployment of the CIL would bring additional time cost/administrative implications and members will need to consider whether there will be the volume of business to justify this, or whether it could be incorporated within existing Cabinet agendas or through an additional meeting as and when required.

While the TAFF report has helpfully concentrated on delivery mechanisms for infrastructure, there is also a significant administrative/governance challenge in the efficient charging, billing, collection and giving of reliefs/exemptions in relation to CIL.

Financial Implications

This report covers recommendations regarding the principles of how CIL governance may be considered; there is however a significant amount of officer time required to make this work in practice from considering the detailed presentation of schemes for consideration for CIL funding, exploring the reality of delivering each scheme, the consideration of other funding streams and determining the prioritisation process that members can adopt and use.

Details need to be considered on how to resource this work and determine if additional expertise and staff resources will be required. This work will be on top of the day to day administration of the scheme. Once principles of Governance have been agreed by Members then the next stage will be to work up how they will work in practice, cost involved and to compare this with the administration sum that can be obtained from CIL. It is suggested a further report is required dealing with these points

Ed Freeman efreeman@eastdevon.gov.uk
Development Manager

Cabinet
4 September 2013



Community Infrastructure Levy Task and Finish Forum

Final Report
April 2013

Preface



Councillor Graham Troman

Chairman of the Community Infrastructure Levy Task and Finish Forum

Members: Mike Allen; Peter Bowden; Mike Howe; Sheila Kerridge; Tim Wood

This Task and Finish Forum has taken several months with many procedural requirements to consider, whilst waiting for government guidelines published in December 2012.

The broad topic area to explore included the community infrastructure levy governance to the process of applying criteria and committing money collected from the levy to specific infrastructure improvements.

The introduction of CIL is identified for a number of reasons to include the funding gap left by the withdrawal of central government grants and other funding sources, to ensure costs of infrastructure are shared equally between small and large developments.

CIL will sit alongside the Local Plan and is anticipated to bring in around £32million over the plan period (up to 2026). The overall cost of infrastructure in the district is approximately £235 million; the shortfall will be met by other funding sources.

Consultation on the charging schedule will be agreed by the Development Management Committee after final adjustments.

The CIL TaFF examined the governance structures that exist with varying degrees outside of the Council, resulting in a high consensus of all Members of the TaFF that the proposed governance process set out in the final report be considered.

Graham Troman

April 2013

Recommendations

The Forum recommends the following, based on their interviews, findings and consultation;

- (1) **Note the significant challenges embodied in the new regime for collecting and deploying funds for infrastructure improvements under the CIL and the potential resource implications;**
- (2) **Consider the proposed process for committing CIL monies to specific infrastructure improvements in partnership with external organisations;**
- (3) **Ask the Cabinet to consider the merits of a new committee to focus on the consideration of strategic planning and economic development issues in the District and for this to be introduced as part of the next reorganisation of the Council;**
- (4) **Recognise the need to continue and potentially expand the current participatory budgeting exercise with Parish Councils to help frame local infrastructure priorities.**

Review Approach

How does the review relate to the Council Plan?

It states in the Council Plan, under “Living in this Outstanding Place”, that by 2013 the Council will have an adopted Local Plan and Community Infrastructure Levy Charging Schedule in place to manage, and draw benefit from, new housing and commercial development over the next fifteen years.

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:	Community Infrastructure Levy governance
Specific area to explore within topic area:	The process of applying criteria and committing money collected from the Levy to specific infrastructure improvements; Consideration of ability of town and parish councils to be equipped to manage funds if successful in meeting criteria
Areas NOT covered by the review:	New Homes Bonus Business Rates level Individual infrastructure projects and their merits in detail Specific Section 106 agreements
Desired outcomes of the review:	To outline the principles of the governance arrangements required to deal with the Levy fund Increase awareness of the change from Section 106 agreements and their immediate vicinity nature to the Community Infrastructure Levy concept of funds being used across the District
Who should be consulted for evidence	Stakeholders list: Devon County Council Exeter City Council Town and Parish Councils
What evidence already exists (consultation, good practice examples)	Existing CIL arrangements elsewhere nationally

What experts are needed to help with the review:	Andy Wood Simon Davey Matt Dickins Exeter City Council – CIL at a more advanced stage County Council contact
What other resources are needed:	Democratic Services to service meetings
Timescale including start date:	Start May 2012 to coincide with legislation on town/parish percentage of Levy; over four to six meetings as required.
Who are the recommendations being reported to:	Overview and Scrutiny Committee

Evidence sources

Legislation and guidance

Planning Act 2008

Localism Act 2011

Community Infrastructure Levy Regulations 2010 (as amended 2011 and 2012 and draft amendments 2013).

Community Infrastructure Levy Guidance 2012

Other authority CIL arrangements

The Forum considered other CIL governance structures that were being introduced in other Local Authority areas. This included Plymouth, Taunton Deane, Bristol, Huntingdonshire, East Cambridgeshire and Colchester. Indicative diagrams showing the potential governance arrangements in the above authorities are attached in appendix one. These were produced following discussions with relevant authority officers or consulting documents on relevant websites and are an officer's interpretation of the governance arrangements in each authority.

Findings

Background

Central Government is encouraging the introduction of the CIL for the following reasons;

- a) Delivers additional funding;
- b) Provides developers with more certainty upfront;
- c) Ensures greater transparency for local people;
- d) Enables a greater share of the levy raised in a parish to be spent in that parish;
- e) Gives greater freedom and flexibility to set your own priorities.

Nationally over 75% of Councils are now working towards its introduction. Specific limits on the ability to collect and 'pool' contributions from more than five individual section 106 agreements are due to come in to force in April 2014.

A key difference between the current s.106 regime and the CIL is that there will no longer a direct 'umbilical' link, enshrined in a bespoke legal agreement, between a financial contribution received from a development and the delivery of a specific piece of infrastructure. Rather monies will be collected in to a general fund which then needs to be deployed against a set of strategic infrastructure improvements set out in what is known as the '123 List' (from Regulation 123 of the CIL Regulations). Clearly this will involve some form of prioritisation but the CIL Regulations do not cover governance arrangements. There is complete discretion to put in place whatever structures and procedures as are appropriate to the locality in question to ensure that funds are deployed effectively and efficiently.

During the course of the meetings of the TaFF the Government defined what it meant by the 'meaningful proportion' of CIL monies that will go directly to the Parish/Town Council in whose area the development takes place. 15% of CIL revenues go direct to the Parish/Town Council where there is no Neighbourhood Plan in place, subject to a limit of £100 per existing Council Tax household in that parish. This rises to 25% with no cap where there is a neighbourhood plan in place. This is likely to have a significant bearing on the final governance arrangements. The draft 2013 CIL amendment regulations state that meaningful proportions should be transferred to Parish Councils on the 28th April and 28th October each year unless an alternative arrangement has been made locally.

Principles

There was some debate as to whether the forthcoming introduction of the CIL represented an evolution or revolution in relation to how infrastructure improvements are funded and delivered in the District. A set of principles were agreed at an early stage to help guide the development of appropriate governance arrangements;

Plan-led - utilising the Local Plan and accompanying Infrastructure Delivery Plan as the guiding framework for investment

Priority driven - ensuring an appropriate balance between strategic (e.g. transport schemes) and place making infrastructure (such as a new swimming pool) and meeting community aspirations

Time focused – ensuring that the right infrastructure can be provided at the right time and that the necessary design work is undertaken and other barriers to delivery are addressed

Forward looking - providing a clear mechanism for saving up for 'big ticket' infrastructure items

Cost effective – challenging procurement processes to ensure that the most cost effective solutions are found

Leverage – influencing the deployment of other capital programmes so as to maximise overall investment

Additionality – ensuring that funding from the Levy does not simply become a substitute for a different source of funding

Politically balanced – in terms of where funds are collected and spent

The TaFF considered the work that is being undertaken to produce the Infrastructure Delivery Plan alongside the Local Plan. This will clearly be a seminal document in helping to guide the deployment of CIL funds. Initial estimates suggest that the total infrastructure bill to support the delivery of the Local Plan will be in region of £200m. This is set against a potential CIL revenue of around £30m over the life time of the Plan. This graphically illustrates the potential for competing demands and the need for robust governance arrangements.

With greater flexibility there is increased scope for the District Council to influence the investment plans of external partners. Hence leverage and additionality were seen as important principles. It was also recognised that with the potential for funds to be collected at one end of the District and spent at the other the process would need to be politically balanced if at all possible.

Examples from other areas

The TaFF considered CIL governance structures that were being introduced in other Local Authority areas. This included Plymouth, Taunton Deane and East Cambridgeshire and they had varying degrees of engagement with Members and other key stakeholders. The full set is reproduced at Appendix A.

In terms of governance models being introduced locally, a key choice was whether to have a joint board with County Council as is being introduced in Mid Devon. The TaFF heard from an officer of the County Council who explained how this was intended to work. Whilst the merit of this approach was clear, the appetite was for a less formal structure with the County Council. The structure that found most favour is that from East Cambridgeshire District Council and the proposed governance process is modelled on this.

Proposed Process

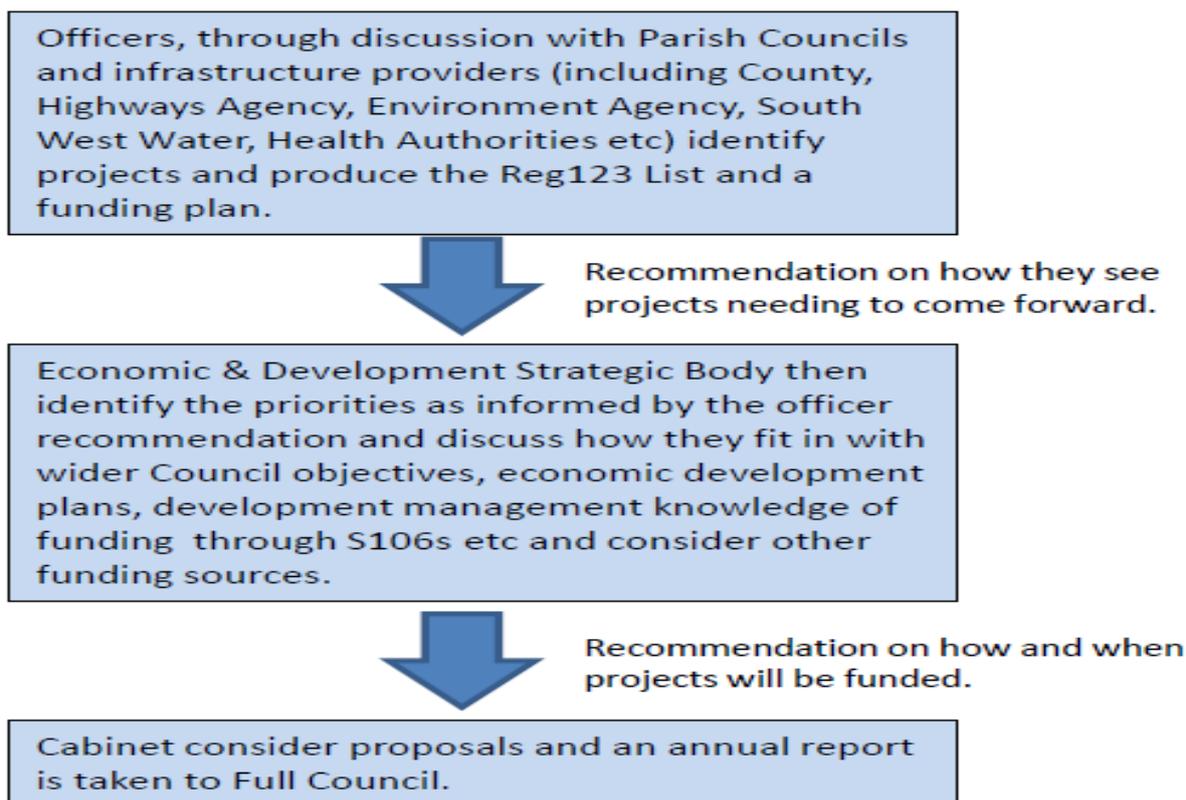
The introduction of the CIL represents a significant shift in the role of the Council in enabling the delivery of critical infrastructure in the District. This is likely to involve a commissioning based approach. A key issue is how investment decisions will be taken. This will necessarily involve a process of prioritisation set out against the framework provided by the Local Plan and accompanying Infrastructure Delivery Plan.

It was recognised that a critical question that will need to be answered is what do we need to unlock and with which partners? This is set within the wider challenge to provide the right framework and structure to produce the right outcomes. This implies some form of business planning exercise which ensures that the best possible use is made of limited resources, for example in terms of ensuring that the opportunity to utilise external sources of funding is maximised.

This in many ways goes to the heart of responding strategically to the new local government financial landscape - where investment decisions are taken in the light of their ability to secure subsequent financial benefits, such as through increased house building or provision of employment space. As such it was recognised this framework needs to be wider than purely considering the deployment of CIL funds.

It was felt that Cabinet should be asked to review how the consideration of strategic planning and economic development issues can best be integrated in to the formal committee structure of the Council. This can then be incorporated in to the next reorganisation of the Council, potentially as a 'sister' committee to Development Management. This forms the basis for the third recommendation of this paper.

Overall it was considered that the following process would be an appropriate response to managing the deployment of the funds, respecting the fact that officers advise and members decide and allowing for engagement with external partners:



Whilst this was not the subject of detailed consideration by the TaFF, it was recognised that both the collection and deployment of CIL monies would present a resource challenge. The CIL Regulations allow for up to 5% of CIL revenues to be top sliced to help meet administration costs. It will be important to ensure that the precise requirements, both in terms of collection and deployment, are worked through and the necessary resources put in place at an early stage to support the successful introduction of the CIL. This is touched upon in the first recommendation of this paper.

Conclusions

The CIL TaFF has provided a useful forum for examining the governance challenges facing the Council in terms of managing the deployment of the funds associated with the introduction of the CIL. Different potential structures exist with varying degrees of engagement with Members and stakeholders from outside of the Council. The precise structure will need to fit the District and be sufficiently robust to manage significant competing priorities.

The TaFF meetings concluded in a high degree of consensus about the proposed process for managing the deployment of the funds as set out above. This also recognised that there was a wider corporate issue facing the Council in terms of how best to integrate consideration of strategic planning and economic development issues in to the committee structure. It is recommended that this is considered by Cabinet as part of the next reorganisation of the Council.

The confirmation of the ‘meaningful proportion’ of the CIL monies that will go direct to town and parish councils has a very significant overall bearing on how CIL monies will be collected and deployed in the District. This is likely to require an extension of the existing participatory budgeting process with Parish and Town Councils to facilitate close liaison around infrastructure priorities and new monitoring and accounting processes to be put in place, particularly as this may in limited instances involve sums exceeding £0.5m. This forms the basis of the fourth recommendation of this paper which will need to operate alongside clear accounting procedures.

Acknowledgements

The Panel would like to thank:

Cllr Andrew Moulding

Cllr Vivien Duval-Steer

Cllr Martin Gammell

Cllr Graham Godbeer

Simon Davey

Ross Sutherland

Andy Wood

Graeme Thompson

Matt Dickins

Sulina Tallack

Lin Cousins, 3 Dragons

Joe Keech, Devon County Council

Simon Niles, Devon County Council

Agenda Item 13

Cabinet

4 Sept 2013

LG



Financial Monitoring Report 2013/14 – Month 4 July 2013

Summary

This report gives a summary of the Council's overall financial position for 2013/14 at the end of month four (31 July 2013).

Current monitoring indicates that:

- The General Fund Balance is being maintained at or above the adopted level.
- The Housing Revenue Account Balance will be maintained at or above the adopted level.
- There is a sufficient Capital Reserve to balance this year's capital programme. It is estimated that £2.412m will be available in the Reserve to support the programme from 2014/15 onwards.

Recommendation

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

a) Reasons for Recommendation

The report updates Members on the overall financial position of the Authority following the end of each month and includes recommendations where corrective action is required for the remainder of the financial year.

b) Alternative Options

To disagree with the recommended actions proposed.

c) Risk Considerations

Current monitoring indicates that the Council's balances and reserves are being maintained at or above the adopted levels.

In compiling this report we have looked at all large, high risk and volatile budget areas. Predicted spending patterns have been linked to operational activity and all material budgets have been subject to thorough risk assessments by operational managers

and finance staff. Any continuing variances in spending patterns will then be considered as part of the medium term financial strategy.

d) Policy and Budgetary Considerations

This report highlights all budgetary variances and then comments on the level and adequacy of Reserves.

e) Date for Review of Decision

Updated positions are to be presented at future meetings of the Cabinet.

Financial Monitoring Report 2013/14 – To Month Four July

1. Introduction

1.1 The purpose of this monitoring report is to update members of the Cabinet on the overall financial position of the Authority following the end of month four.

2. General Fund Position as at Month Four.

2.1 Investment Income is currently tracking just above our benchmark 7 day LIBID (London Interbank Bid) rate, although returns are still disappointing.

The Bank of England has issued forward guidance on interest rate changes and quantitative easing linking them to employment rates. We expect interest rates to stay the same low level for the next three years.

2.2 The following table shows the original budget set for the year and a total of the Supplementary estimates approved to date. In year variances identified which are likely to affect the outturn for the year are detailed below:

	£000
Original Budget Requirement (set 20/02/13)	11,826
Supplementary estimates:	
Flu vaccinations (General Fund Balance funding)	3
Essential maintenance identified outside of Planned Maintenance schedule: Beach huts, Exmouth Tennis Centre, Sidmouth Pool and Industrial sites (Asset Maintenance Reserve funding)	65
IT Mobile working approved in 2013/14 Capital programme now reclassified as Revenue(Capital Reserve funding)	73
Support for affordable Housing reclassified as Revenue (Capital Reserve funding)	50
Revenue projects as per Outturn 2012/13 (Revenue Reserve funding from 2012/13 underspends as approved by Cabinet at 2012/13Outturn)	770
Month 4 predicted net over/(under) spend to Year End detailed below	(91)
Predicted Budget Outturn	12,696

A summary of the predicted over and under spends to the year end are shown below:



Predicted over / (under) spends to Year End	Variation in Month 4 £000	Predicted Outturn Variation £000
Environment Portfolio		
Car park income (*awaiting confirmation of expected improvement in outturn income)	(20)	(20)*
Environment StreetScene Portfolio		
Refuse and Recycling contract - SITA staff savings	(40)	(40)
Play equipment – to be used (with additional £37k in Earmarked Reserves) to fund Honiton Skate park refit capital project	(68)	0
Finance Portfolio		
Reduction in need for business rate relief due to new legislation	0	(31)
Strategic Development & Partnerships Portfolio		
Planning fees	(126)	0
Predicted Outturn Total Variations		(91)

2.3 These variations will have the following overall effect on the Council's General Fund Balance:

2.4

	£000
General Fund Balance 01/04/13	(3,810)
Less: Planned use of general fund balance	210
Available General fund balance 2013/14	(3,600)
Supplementary Estimates to date	3
Predicted net over / (under) spend to year end	(91)
Predicted General Fund Balance 31/03/14	(3,688)

The Council has an accepted adopted range for the General Fund Balance to be within the range of £2.8m to £3.6m. Therefore the predicted balance of £3.688m is £0.088m above the Council's maximum adopted level for the General Fund Balance of £3.6m. However, this is a predicted year end position and no decision is required on this surplus until final position is known.

2.5 An analysis of the main income streams is shown below:

	Annual Budget £000	Variation at Month 4 £000	Predicted Outturn Variation £000
Car Park income	(3,524)	(20)	(20)
Planning fees	(1,234)	(126)	0
Building Control fees	(516)	0	0
Local Land Charges	(216)	0	0

2.6 Summary of Other Reserves:

	Balance B/f 2013/14 £000	Spend to date £000	Income to date £000	Estimated additional Spend/(Income) £000	Predicted Balance C/f to 2014/15 £000
Asset Maintenance Reserve	(1,244)	0		200 ⁽¹⁾	(1,044)
Asset Management Plan Reserve	(160)	24		49	(87)
Transformation Reserve	(1,139)	75		175 ⁽²⁾	(889)

(1) Includes the £65k for essential asset maintenance

(2) Includes additional £95k was approved for the relocation project at Cabinet 17/7/13 and £46k. (Agenda item 19)

3. **Housing Revenue Account Position up to Month 4.**

3.1 A summary of the predicted over and under spends to the year end is shown below.

	Variation at Month 4 £000	Predicted Outturn Variation £000
Higher property insurance premiums	31	31
Responsive Maintenance – settlement of disputed Connaught invoices	60	60
Responsive Maintenance – higher than expected demand	140	140
Total variations	231	231

The following table shows the original budget surplus for the year and the total variations as identified above, which are likely to affect the budget to give a revised budget surplus for the year.

	£000
Original Budget surplus	(1,696)
Month 4 predicted net (under)/overspend to year end	231
Predicted Budget Surplus	(1,465)

3.2 The variations identified above will have the following effect on the Housing Revenue Account Balance:

	£000
Housing Revenue Account Balance (01/04/13)	(2,970)
Predicted budget requirement as above	(1,465)
Predicted HRA Balance (31/03/14)	(4,435)

The recommended level for the HRA balance has been agreed at £2.1m (£500 per property). The current balance is well above the recommended level and will be used for further investment in the housing stock, to offset any adverse effects of Welfare Reform and to ensure sufficient funds are available to make the first repayment of principal on the self-financing loans due in 2014/15. In addition there is £1.710m held in a separate reserve.

4. Capital Programme Position up to Month 4.

- 4.1 The following tables currently estimate the total required from the Capital Reserve as £0.060m.

Capital Reserve	£000
Brought forward balance 1 April 2013	(2,595)
Reserves moved to revenue funding	123
Month 1 - 4 amendments	60
Balance carried forward to 2014/15	(2,412)

Reduction on use of the Capital Reserve for funding compared to outturn is due to additional capital receipts.

- 4.2 Capital Programme and financing:

	£000	£000
Net Capital Programme Budget (Council 20/02/13)		3,690
2012/13 scheme costs slipped into 2013/14 (as agreed by Cabinet in the Outturn report in June 2013)	3,385	
Revised 2013/14 budget		7,075
Budget variations to date (a)		3,944
Predicted Budget Requirement		11,019

Financed by:		
In Year Usable Capital Receipts (includes Drill Hall £100k)	(1,883)	
PWLB Loan – Seaton workshops	(770)	
S.106 funding	(850)	
DCLG Grant Growth Point	(1,285)	
DCLG Grant Heat & Light	(2,301)	
Other Capital Grants	(416)	
Capital Project Reserves	(46)	
General Fund Revenue contribution	(7)	
HRA Contribution	(819)	
New Homes Bonus	(734)	
Tesco receipt reserve	(1,848)	
Predicted Capital Reserve requirement	(60)	
Total Funding		(11,019)

Note (a) Month 4 Capital Programme Variations	£000
Mobile working – project reclassified as revenue	(73)
Support for affordable housing – project reclassified as revenue	(50)
Honiton Community Centre (Cabinet 12/6/13) - possibly offset by additional funding	130
Growth point – balance of grant funding	1,285
Combined heat & light plant – balance of grant funding	2,202
Purchase of house of multiple occupation Exmouth (HRB 20/6/13)	450
Total Month 4 Capital Programme Variations	3,944

Legal Implications

No legal implications have been identified

Financial Implications

Details are contained within the report.

Consultation on Reports to the Cabinet

Not applicable

Background Papers

Laurelie Gifford (Financial Services Manager) Ext 2613
Mandy White (Accountant) Ext 2357

Agenda Item 14

Cabinet

4 September 2013

KJ



Implementation of 2013 NJC pay award

Summary

There has been a successful conclusion to the 2013/14 pay negotiations with the unions accepting a 1% pay increase. This is the first cost of living rise following a 3 year pay freeze. The Council has already implemented the 2013 NJC pay award as negotiated nationally for relevant grades. No formal offer was made to Chief Officers on the basis that this should be a local decision. A similar 1% rise has been budgeted for and this report seeks Cabinet approval to implement a 1% pay rise for Chief Officer posts.

Recommendation

That Chief Officer pay be increased in line with the 2013 NJC pay award as per the approved budget with effect from 1 April 2013.

a) Reasons for Recommendation

These proposals ensure that there is a consistent approach to pay reviews within the Strategic Management Team.

b) Alternative Options

Not to review Chief Officer pay.

c) Risk Considerations

Risks relate to consistency of approach within the organisation

d) Policy and Budgetary Considerations

This figure has been included in the budget preparation for 2013/14.

Within East Devon District Council, the following posts are noted as Chief Officers for the purposes of terms and conditions:

Chief Executive
Head of Finance (Section 151 Officer)
Deputy Chief Executives x 2 (Monitoring Officer)

Legal Implications

The proposed 1% increase in Chief Officer pay is a matter of discretion for Cabinet.

Financial Implications

Name	Linked to CEO NJC conditions in Contract?	Entitled to NJC award in contract?	Salary	1% Increase	Arrears April - June)	New Salary for 2013/14	
Chief Executive	N/A	YES for CEO's	£121,000.00	£1,210.00	£302.50	£122,210	
Deputy Chief Executive	YES	NO	£85,248.00	£852.48	£213.12	£86,100	
Deputy Chief Executive	YES	NO	£69,120.00	£691.20	£172.80	£69,811	30 hrs per wk
Head of Finance	YES	NO	£61,731.00	£617.31	£154.33	£62,348	
			£337,099.00	£3,370.99	£842.75	£340,469.99	

These salary figures with the 1% increase are already in the budget for 2013/14.

The arrears shown in the table above will be included in the 1% increase and are not extra payments.

Consultation on Reports to the Executive

-

Karen Jenkins kjenkins@eastdevon.gov.uk
Corporate Organisational Development Manager

Cabinet
4 September 2013

Agenda Item 15

Cabinet

4 Sept 2013

MD/L/04



Exemption from Standing Orders – Strategic Environmental Assessment of Neighbourhood Plans

Summary

This report is written to advise Cabinet that exemption to standing orders has been applied in order to spend money granted to this Council to commission advice on undertaking Strategic Environmental Assessment (SEA) and meeting other regulatory requirements for Neighbourhood Plan production. The guidance coming from the commission will be of Devon wide relevance, it spends money granted to the Council to be specifically spent for this purpose and will use the emerging Lympstone Neighbourhood Plan as a case study for assessment.

Recommendation

To note exemption to Contract Standing Order 8.1 to enable the appointment of Land Use Consultants to produce guidance on Strategic Environmental Assessment of Neighbourhood Plans.

a) Reasons for Recommendation

We need to spend this third party grant aided funding and there was a pressing need to assist Lympstone with their Neighbourhood Plan.

b) Alternative Options

To not spend grant aided money and/or delay expenditure or not assist Lympstone.

c) Risk Considerations

We would run the risk of losing the money if delays in spending occurred and also the Lympstone Plan would fail to meet legal requirements if not subject to an SEA.

d) Policy and Budgetary Considerations

Study costs will be met from third party grant aided money.

Positive Impact Overall

Affordable Homes.

Excellent Customer Service.

Inspirational Council.

Providing more service at less cost.

e) Date for Review of Decision

No review of this one off study is planned.

1 Appointment of consultants for SEA Work

- 1.1 The Council was awarded a grant to commission work, to be of Devon wide relevance, to inform Neighbourhood Plan making. The money needs to be spent on securing guidance in respect of meeting regulatory requirements. The key process related regulation that any Neighbourhood Plan may need to conform with is the requirement for Strategic Environmental Assessment (SEA).
- 1.2 The Council has used Land Use Consultants to undertake SEA of the Local Plan and has developed a strong working relationship with this leading company. A brief was drawn up to commission work on the Neighbourhood Plan assessment and the brief provided for a case study assessment to inform the broader guidance. A Neighbourhood Plan is in production for Lympstone and the plan makers are moving at a rapid rate. In order to help Lympstone and ensure their plan would not fall foul of regulatory requirements it was deemed appropriate to employ Land Use Consultants, as a matter of urgency, to undertake the overarching work on providing SEA guidance whilst also undertaking SEA work, as a case study, for the Lympstone plan.
- 1.3 The work of the consultants will build on the substantial body of knowledge that they have developed whilst working in East Devon to date and in respect of this relatively lower value commission they were able to offer a competitive rate to undertake the work and we have confidence in their technical ability and understanding of requirements.

Legal Implications

Granting the exemption was reasonable in this case to act with the speed required to avoid loss of grant funding. This involved negotiating with a single firm rather than requiring three written quotations.

Financial Implications

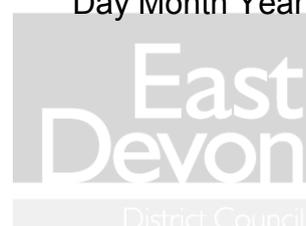
The sum of £20,000 was received from Devon County Council in 2012/13 and is held in a reserve.

Consultation on Reports to the Executive

None.

Matt Dickins - Ext 1540 mdickins@eastdevon.gov.uk
Planning Policy Manager

Executive Board
Day Month Year



Agenda Item 16

Cabinet

4 September 2013

CR



Application to designate Uplyme Neighbourhood Area

Summary

Uplyme Parish Council have applied for designation of their whole Parish as a Neighbourhood Area. Once approved by the District Council, they can then produce a Neighbourhood Plan setting out how the local community would like to see the Parish develop in the future.

The application for designation of the Neighbourhood Area has been advertised for 6 weeks and two representations have been received, from West Dorset District Council and Dorset County Council. Both suggest that, as Lyme Regis Town Council also intend to produce a Neighbourhood Plan there is potential for a joint Plan and this should be discussed/explored prior to designating Uplyme alone. In addition Dorset County Council would like to be kept informed of the progress of the Plan as it may have implications for land at Woodroffe School, which they own. West Dorset District Council have requested that the allocation of the Neighbourhood Area should take into account how the district and parish councils can work together effectively to plan for the necessary growth to meet the needs of both Lyme Regis and Uplyme communities, and that a meeting of representatives from the two district councils, Uplyme Parish Council and Lyme Regis Town Council be held to discuss how this can be achieved, prior to a decision being taken. Lyme Regis Town Council have not responded to the consultation and had not applied for designation as a Neighbourhood Area at the time of writing this report. Uplyme Parish Council advise that they have met with Lyme Regis Town Council and, whilst they will take the issues raised into account in preparing their plan, they wish to produce it alone, for the Parish of Uplyme only.

Having considered the representations and the Parish Council and Ward Member observations it is recommended that the Neighbourhood Area should be designated to cover the Parish of Uplyme.

Recommendation

That Uplyme Neighbourhood Area be approved so as to include the whole Parish.

a) Reasons for Recommendation

To enable Uplyme Parish Council to prepare a neighbourhood plan under the auspices of the Localism Act 2011 and the Neighbourhood Planning Regulations 2012.

b) Alternative Options

- A larger Neighbourhood Area including the whole or part of Lyme Regis Parish (in Dorset) be designated (as suggested by representors). This could only happen with the agreement of West Dorset District Council and would require the neighbourhood planning processes for any part of the neighbourhood area within West Dorset to run in parallel.
- A smaller Neighbourhood Area covering part of the Parish be designated (this has not been suggested by respondents to the consultation).

c) Risk Considerations

The Council must provide sound reasons for approving an alternative Neighbourhood Area, especially as there is no response from Lyme Regis Town Council to suggest that they wish to promote a joint Plan. There is a risk that the decision will be subject to legal challenge and that Uplyme Parish Council will feel disenfranchised and that their right to produce a Neighbourhood Plan under the Localism Act has been prevented.

d) Policy and Budgetary Considerations

The District Council has a duty to support the production of Neighbourhood Plans and to pay for a referendum and examination. Grants of up to £30,000 (in total) are available from DCLG to help the Council meet these costs. It is likely that a complex Neighbourhood Plan, involving strategic proposals or site allocations, will require dedicated Officer time which is not currently in the budget. If it is deemed that a Neighbourhood Plan has implications for residents beyond the immediate Parish, a wider referendum may be suggested by the Inspector. Depending on the area, this could have significant cost implications.

Under the Community Infrastructure Levy Regulations, Parish Councils will receive 15% of CIL generated from new development capped at £100 per dwelling. In areas covered by adopted Neighbourhood Plans, this rises to 25% of CIL contributions, uncapped, per dwelling.

Positive Impact Overall

Affordable Homes.
Thriving Economy.
Safe Environment.
Clean Environment.
Green Environment.
Excellent Customer Service.
Inspirational Council.
Meeting our Diversity and Equality duties.
Providing more service at less cost.

e) Date for Review of Decision

No review is proposed.

1 Legal Requirements

- 1.1 The District Council has received an application from Uplyme Parish Council for the designation of the whole Parish as a Neighbourhood Area. Once designated, the

Parish Council intend to produce a Neighbourhood Plan for the whole Parish, this could set out local planning policies and identify sites for development. West Dorset District and Dorset County Councils have suggested that Uplyme Parish Council should meet Lyme Regis Town Council to discuss the potential to produce a joint Plan. Lyme Regis is very constrained and may have insufficient sites to meet growth within the town, the Dorset Councils suggest that joint working could effectively plan for the necessary growth to meet the needs of both communities. This is discussed later in the report.

- 1.2 There are two main considerations in this report
- The legal requirements concerning whether the application for designation as a Neighbourhood Area has been properly made and advertised
 - Whether the area applied for is appropriate

Does the application meet the requirements of the regulations?

- 1.3 The application form and accompanying map are attached to this report (Appendix 1). The requirements for an application for designation of a Neighbourhood Area are set out in regulation 5 of the regulations and in section 61G of the 1990 Act (which was amended to incorporate parts of the Localism Act 2012).
- 1.4 Regulation 8 states that an application to the Council for designation of a Neighbourhood Area “must” include:
- a. A map which identifies the area to which the application relates;
 - b. A statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
 - c. A statement that the organisation is the relevant body for the purposes of section 61G of the 1990 Act.
- 1.5 The application is considered to meet the requirements. It includes a map of the whole Parish and a statement confirming that the Parish Council is a qualifying body. It also includes the reason for requesting that the whole Parish be designated “*The area corresponds with the previous Parish Plan approved by EDDC, and no adjoining Devon parishes wish to collaborate with Uplyme.*”
- 1.6 The application has been publicised for the 6 weeks required by the regulations (from 24th May to 5 July 2013) on the District and Parish Council websites, in the local newsletter and on the Parish noticeboards. Notices were also sent to Devon and Dorset County, West Dorset District and Lyme Regis Town Councils and the Parish Council contacted adjoining Parishes in Devon. In this way it is considered to have been brought to the attention of those living, working and carrying out business in the area. The publicity notice is attached for Members information.

2 Representations received in response to the advertisements

- 2.1 In response to the proposed Neighbourhood Area designation 2 representations have been received during the consultation period. These are as follows:

Dorset County Council

“Thank you for consulting Dorset County Council about Uplyme Parish Council’s application to designate Uplyme Parish in Devon as a Neighbourhood Area.

Dorset County Council has an interest in Uplyme as part of the playing field of Woodroffe School in Lyme Regis lies within this parish. As such we wish to be kept informed of the progress of any Neighbourhood Plan or other proposals for the Parish that may be drawn up.

We are willing to discuss any proposals that may have implications for the school at an early stage and invite the Parish Council to get in touch if they wish to discuss such matters.

We understand that Lyme Regis Town Council in Dorset has also indicated interest in preparing a Neighbourhood Plan. Before making a decision on the Uplyme application it would seem sensible to encourage close co-operation between the neighbouring councils and consider whether a joint Neighbourhood Plan might be an option to take forward. If a meeting is called to discuss the best way forward, the County Council would be pleased to send a representative if this would be helpful.”

West Dorset District Council

“Thank you for inviting West Dorset District Council to comment on the neighbourhood area application for Uplyme

This was considered at the Executive Committee of West Dorset District Council on 18 June – a copy of the committee paper is available on:

www.dorsetforyou.com/media.jsp?mediaid=185284&filetype=pdf.

Members agreed that a response is made to the consultation on the designation of the parish of Uplyme in East Devon as a neighbourhood area to a) highlight that the decision should take into account how the district and parish councils can work together effectively to plan for the necessary growth to meet the needs of both Lyme Regis and Uplyme communities, and b) request that a meeting of representatives from the two district councils, Uplyme Parish Council and Lyme Regis Town Council be held to discuss how this can be achieved, prior to a decision being taken.

This response reflects our local plan policy as submitted for examination (June 2013), and comments made on the draft East Devon Local Plan.

15.3 Further opportunities around Lyme Regis

15.3.1 *The coastal town of Lyme Regis, in West Dorset, lies close to Uplyme in East Devon. The area around the town is within either the East Devon or Dorset AONB, and there are also constraints of land instability and highway access that limit potential development sites. Finding the best solutions to meet the local need for housing and employment in this area should not be undermined by administrative boundaries. As such, it is important that West Dorset District Council work with East Devon District Council, Lyme Regis Town Council and Uplyme Parish Council to ensure that the most appropriate solutions to meeting local needs of both communities are fully explored. Site allocations could be brought forward through a neighbourhood plan or a development plan document, potentially covering both local planning authority areas.*

LYME 2. LAND AROUND LYME REGIS

The district council will work with East Devon District Council, Lyme Regis Town Council and Uplyme Parish Council to explore and develop options to support the long-term growth of Lyme Regis and Uplyme.

It is noted in the application that reference is made to Devon parishes but no mention is made of those adjoining parishes in West Dorset in response to the questions “what, if any, discussion has taken place with neighbouring parishes with a view to partnership working?”. A meeting of all parties may provide a useful first step to enable such a discussion to take place and consider the issues highlighted in our emerging local plan, and hopefully identify how we can work together to the benefit of all”

3 Response from Uplyme Parish Council

- 3.1 Uplyme Parish Council considered the suggestion that they consider carrying out a joint Neighbourhood Plan with Lyme Regis Town Council at a recent meeting. Their response is that:

“WDDC has made representations to District Cllr Thomas regarding joint neighbourhood planning. Councillors decided that although co-operation with Lyme Regis TC was a good idea, a joint plan for both areas would not serve Uplyme well should there be any disagreements. (The plan must be put to a referendum before it comes into force, and Lyme’s much larger population would inevitably dominate the result.)”

- 3.2 The Ward Member, Councillor Thomas, supports the Parish Council decision, saying it is reasonable and appropriate and maintains a co-operative relationship between the two councils in the spirit of the National Planning Policy Framework.

- 3.3 This response has been followed by a fuller statement from the Parish Council.

“Uplyme had previously prepared its own Parish Plan which was approved by EDDC, and has already set up a new Group to prepare a Neighbourhood Plan.

Councillors were aware of a number of informal approaches made to members and officers of EDDC regarding the possibility of development on the Lyme Regis/Uplyme border near Ware, of responses to the consultation on the application for a neighbourhood area, and also of the stated wish of both Lyme Regis TC and West Dorset DC to designate a joint Uplyme and Lyme Regis Neighbourhood Area.

Representatives of the Uplyme Neighbourhood Plan Group attended a recent meeting at the offices of Lyme Regis Town Council, at which the latter sentiment was vigorously expressed.

At both its June and July meetings, Uplyme Parish Council discussed the matter at some length, taking into account various emails that had been received, as well as a report of the meeting in Lyme. It was felt that Uplyme would be very much the junior partner in any such joint venture, and although it wished to co-operate with Lyme Regis where there were common interests at stake, felt that the needs of a rural AONB parish and a town would not always coincide and Uplyme’s plan should reflect what was best for the parish rather than the larger neighbourhood.

Councillors did not wish to change their original resolution to request designation of the whole Parish of Uplyme as a neighbourhood area as a result of these discussions, and ask that the Cabinet gives serious consideration to the application.”

4 Observations arising from the Representations

- 4.1 The representations raise a number of issues which are relevant to the extent of the Neighbourhood Area. Observations on these issues are as follows:

Cross Boundary Working

- 4.2 As a District Council, we are under a duty to co-operate with adjoining local authorities. Paragraph 179 of the NPPF **requires** councils to work together to address strategic priorities across boundaries and development requirements which cannot be wholly met within their own areas. This duty does not extend to Parish Councils.
- 4.3 If two adjoining Parish Councils work together to produce a joint plan, then one must be identified as the lead partner to whom funding, correspondence etc will be addressed. As Lyme Regis is so much larger than Uplyme there is a concern that they would carry more weight and their larger population could override Uplyme's interests, for instance in the referendum.
- 4.4 The West Dorset and East Devon Local Plans contain different Policies and are being produced to different timescales. East Devon Officers have met with Dorset County and West Dorset District Council Officers to discuss cross boundary issues and it is clear that the Plans take different approaches to calculating housing and employment numbers and different methodologies in site assessment and identification. This could lead to conflicting Officer advice and an inability to produce policies which comply with both Plans. For example, in West Dorset large areas have been excluded from consideration as housing sites due to land instability and landscape designation. In East Devon, land instability has not been identified as a major issue because only a small number of houses had been envisaged at Uplyme (therefore there is limited evidence relating to it) and high quality landscape does not exclude sites in villages from consideration at this stage (as a separate villages DPD is to be produced allocating housing sites).

Strategic Issues

- 4.5 The East Devon Local Plan allocates 20 houses to Uplyme during the Local Plan period, of which 8 have already been built. The Neighbourhood Plan could therefore seek to identify a site/s for a further 12 dwellings (though the plan could also seek to accommodate more than this number).
- 4.6 It appears that there is an adequate supply of housing land to meet the needs of Lyme Regis for at least the first five years of the Plan period, but is it unclear from the West Dorset Local Plan how many houses Lyme Regis would be unable to accommodate, and thus might seek to site in Uplyme, in the longer term. Potentially this could significantly exceed the 12 houses which the Uplyme community had envisaged finding sites for.
- 4.7 Any large scale development at Uplyme could have implications that impact upon a wider sphere of influence than Uplyme parish. Strategic issues apply to the planning of these sites, including supporting infrastructure, such as transport measures, education provision and potentially provision of a decentralised energy network.

- 4.8 There is a distinct difference in the nature and character of the adjoining Parishes. Lyme Regis is a busy seaside town with the challenges that a large seasonal variation in population bring and Uplyme is a predominantly rural village with its own pub, post office/shop, school, village hall and playing field. Obviously there is extensive interaction between the two settlements, with residents using the facilities such as schools and surgeries in Lyme Regis (although it is understood that many use the wider range of facilities, particularly supermarkets, at Axminster and Seaton), and traffic to Lyme passing through Uplyme. It could be a challenge to create a single approach or set of planning policies that could comprehensively address such a diversity of issues.

Community Infrastructure Levy

- 4.9 Under new regulations, Parishes with adopted Neighbourhood Plans would be able to claim up to 25% of CIL receipts to fund local infrastructure. If new development were to take place in Uplyme it would presumably be Uplyme Parish Councils decision as to how the CIL receipts should be spent, despite new residents using infrastructure in Lyme Regis.

5 Designating an alternative Neighbourhood Area

- 5.1 In reaching a judgement about the extent of the Neighbourhood Area, the Council as Local Planning Authority needs to consider:
- Is the proposed area consistent, coherent and appropriate for neighbourhood planning?
 - Is the neighbourhood area an appropriate area to 'plan' for in planning terms?
 - Does the proposed neighbourhood area reflect recent/ current development proposals in the area?
- 5.2 There is a presumption that in Parished areas the Parish will usually form the logical neighbourhood area unless there are sound reasons for an alternative. Lyme Regis Town Council have not responded to the consultation to suggest that they would like to produce a joint Plan and Uplyme have made it clear that they do not wish to.
- 5.3 After considering the options and relevant issues raised in the representations, against the considerations above, it is recommended that the Parish of Uplyme be designated a Neighbourhood Area as applied for by the Parish Council.
- 5.4 If Members decide not to accept the recommendation and refuse to designate the Neighbourhood Area as proposed in the application, the Council must publish a statement setting out the decision and the statement of reasons for making that decision (the 'decision document'). Further they must designate a modified area as the Neighbourhood Area. This approach complies with Section 61G (5) of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011), which explains that the local authority must designate some part of the area applied for as a Neighbourhood Area (in other words, the Council cannot merely say 'no' to a proposed Neighbourhood Area, but must designate an alternative area to that applied for).

6 Next Stage and Decision Document

- 6.1 The Council will need to publish the decision relating to the neighbourhood area on the website and bring the designation to the attention of people who live, work or carry out business in the neighbourhood area.
-

Legal Implications

This report is being brought before Cabinet due to current constitutional arrangements and the legislative framework in respect of neighbourhood planning and the report reflects the legal requirements.

The power to designate an area as a neighbourhood area under section 61I of the Town and Country Planning Act 1990 is exercisable by two or more local planning authorities in England if the area falls within the areas of those authorities. In other words, a neighbourhood area which includes part of West Dorset would need the formal agreement of the West Dorset District Council to that designation and to all subsequent parts of the process, and of course a parish council or relevant body in West Dorset willing to promote a joint neighbourhood plan.

Once a Neighbourhood Area is designated, the District Council is legally required to provide advice and assistance to the subsequent production of the Neighbourhood Plan (including the costs of organising the independent examination – although a grant from DCLG towards the costs can be sought). Once the Neighbourhood Plan is adopted then it carries weight as part of the Development Plan and moreover entitles the Neighbourhood to 25% of CIL receipts from development within its area to be used towards the provision of local infrastructure.

Financial Implications

The financial implications are stated in the report.

Consultation on Reports to the Cabinet

None

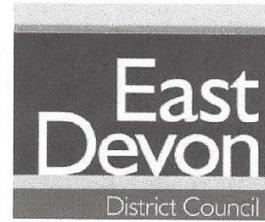
Background Papers

- Localism Act – see: <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

Claire Rodway crodway@eastdevon.gov.uk
Senior Planning Officer

Cabinet
4 September 2013

Application for Designation of a Neighbourhood Area



This information is intended to assist the Local Planning Authority in making a decision but please note that further information may be required.

Which Town or Parish Council is applying to designate a neighbourhood area?

UPLYME

If more than one Town or Parish Council are working in partnership, please give details of all parties

contact details –

Lois Wakeham, clerk . 01297 444707 , clerk@uplymeparishcouncil.org
 (please see web site for address if needed)

contact details –

contact details –

contact details –

Please confirm that all the parishes listed above agree to the application

Please confirm that the organisation/s or body/ies making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

Please advise what, if any, discussion has taken place with neighbouring Parishes with a view to partnership working? Where applications include sites in adjoining Parishes their agreement should be sought.

Cumbpyne/Rousden, Musbury and Axminster have all indicated that they do not wish to partner with Uplyme, although Axminster will consult re A35/Trinity Hill junctions if necessary

Please append a map identifying the area to which the area application relates.

Please explain why this area is considered appropriate to be designated as a neighbourhood area

The area corresponds to the previous Parish Plan approved by EDDC, and no adjoining Devon parishes wish to collaborate with Uplyme.

Signed L. Wakeham

Date 17/5/2013

Position CLERK

Organisation Uplyme Parish Council

The Neighbourhood Planning Regulations can be downloaded at:
<http://www.legislation.gov.uk/ukxi/2012/637/made>

A summary of the next steps is provided below

Publicising an area application

Once we have received your neighbourhood area application we must, as local planning authority, publicise the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area to which it relates -

- (a) a copy of the area application;
- (b) details of how to make representations; and
- (c) the date by which those representations must be received, being not less than 6 weeks from the date on which the area application is first publicised.

To help us meet these requirements:

Are we able to publicise the application in any widely available local newsletters/magazines? If so, please give contact details and advise how often the newsletter/magazine is published.

Uplyme Parish News

Do you have Parish Noticeboards? If so, please give contact details of the person responsible for their content.

Yes. The Clerk

Are there any other means of communication which could be used to advertise the proposals eg local website, social media, local interest groups? Please provide contact details.

The Clerk can post on Trinity Matters, Uplyme.com, Uplyme's Facebook noticeboard & the council's web site

Publicising designation of a neighbourhood area

As soon as possible **after designating a neighbourhood area**, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area:

- (a) the name of the neighbourhood area;
- (b) a map which identifies the area; and
- (c) the name of the relevant body who applied for the designation.

If we **refuse to designate a neighbourhood area**, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area

- (a) a document setting out the decision and a statement of our reasons for making that decision ("the decision document"); and
- (b) details of where and when the decision document may be inspected.

Further information is available from:

Planning Policy, Economy Directorate

East Devon District Council

Knowle, Station Road, Sidmouth, Devon, EX10 8HL

01395 571533

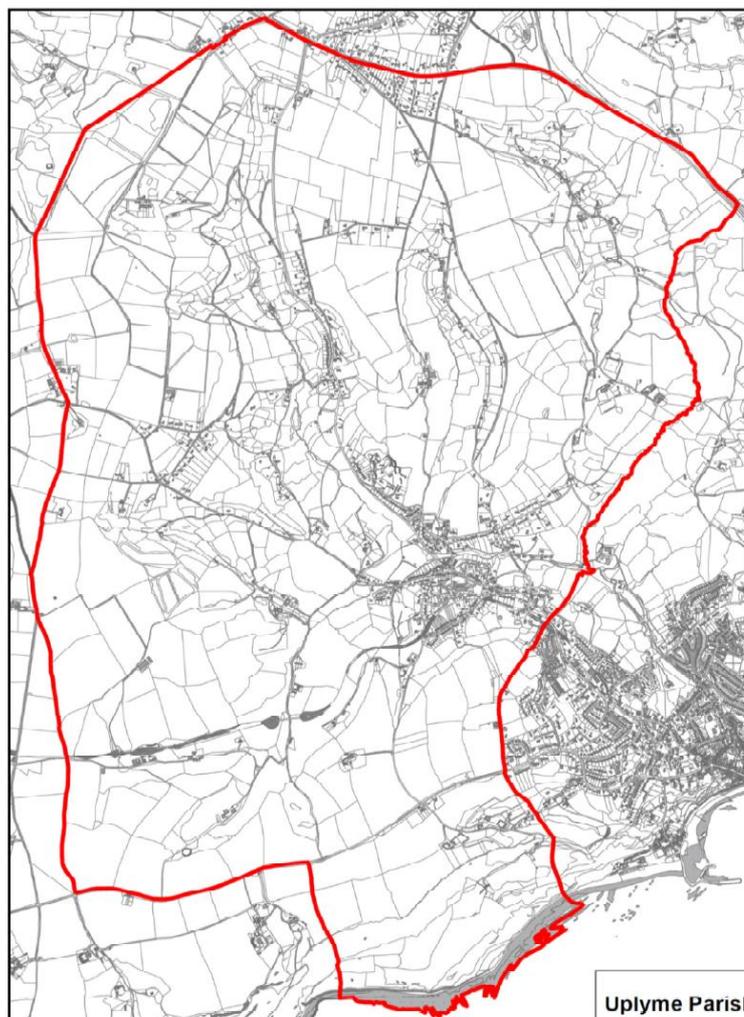


The Neighbourhood Planning (General) Regulations
2012



Application for Designation of a Neighbourhood Area

We have received an application from Uplyme Parish Council for the designation of the Parish of Uplyme as a Neighbourhood Area.



You can view the proposal on our website at: www.eastdevon.gov.uk/planning-neighbourhood_plans

or by appointment with Uplyme Parish Council

You can also view or make comments on this proposal by writing to us at Planning Policy, East Devon District Council, Knowle, Station Road, Sidmouth, Devon, EX10 8HL (8.30-5pm Mon-Fri). If you write to us your comments will be kept on a public file and they may be reproduced in writing or on our website.

THE CLOSING DATE FOR COMMENTS IS 5th July 2013

Agenda Item 17

Cabinet

4 September 2013

SD



Request from Beer Community Land Trust to obtain development loan finance

Summary

A request has been received from Beer Community Land Trust (CLT) asking the Council to obtain a loan from the Public Works Loan Board (PWLB) up to £1.060m for a 30 month period. A corresponding loan on the same terms will then be made by the Council to the CLT secured against the site and development. The loan is to enable the CLT to purchase land and build 7 houses in Beer. .

An outline of the proposal is attached.

The proposal is to build 7 houses on a site in Beer which the CLT have had an offer accepted, to then sell 4 of the houses to the market in order to recover the majority of the land purchase and development costs with the balance of the costs to be recovered over a longer period from rental income or part equity sales from the remaining 3 affordable houses to be retained in ownership of the CLT. The purpose being to provide much needed affordable homes to the local community of Beer.

The number of homes which can be retained by the Trust and made available to the community as affordable homes may increase if additional grant funding could be obtained. This is currently being sought and if successful then a smaller loan will be required for the Council to secure through the PWLB.

Mention is made in the request that the Council could use its own resources to fund the loan to the CLT for the 30 months period and the CLT would still be prepared to pay the loan rate of PWLB if this was advantageous to the Council. It is recommended that the Council does not use its own resources and does secure an actual loan from the PWLB for the following reasons;

- a) The PWLB rate is 0.84% (as at 14/8) for a 30 months loan, our investment rate is very similar (latest Sector prediction is 0.80%). To use our own resources has very limited financial advantage.
- b) The loan to the CLT is treated as capital expenditure for this Council and as such requires funding, without a loan being taken from the PWLB then this would have to fall to our capital reserve to fund. This would deplete this reserve significantly (currently standing at £2.6m and is committed to fund our capital programme going forward). Although the Reserve would be replenished with the loan repayment from the CLT it would be preferred to leave the reserve at a higher sum to deal with variations.

Recommendation

That the Council supports Beer CLT by obtaining a loan from the PWLB up to a maximum of £1,060,000 for a period of 30 months to be secured on land and development owned by the CLT with the full loan repayment and interest incurred to be met by the CLT.

a) Reasons for Recommendation

A priority of the Council is to provide affordable housing which is the purpose of this proposal.

b) Alternative Options

Not to approve a loan

c) Risk Considerations

There is a risk that CLT can not make its commitments to repay the loan and although this risk is mitigated by the security of the land and development, to have call on this security would not be position the Council would wish to be in. The CLT have prepared sensible proposals and made reasonable assumptions in their financial calculations and have key expertise and experienced individuals involved in the Trust and this project to make the proposals successful.

d) Policy and Budgetary Considerations

This proposals meets a key priority of the Council and if successful will have no financial implications on the Council finances (see risk considerations).

e) Date for Review of Decision

1 Main Body of the Report

See attached proposal from Beer CLT.

Legal Implications

This proposal appears supportable from a legal perspective, provided that:

- clarification shortly becomes available as to the nature of the affordable housing to be provided, the appended Report by the CLT Chair being unclear on whether all affordable units are envisaged as shared ownership (being at the same time both “part equity” and “part rented”, in the Report’s terminology) or whether part of the affordable housing will be 100% social rented – clearly flexibility of approach is necessary and is to be encouraged, but the answer to this question does impact on the capital receipt figures advanced in the Report and thus how they are to be judged at this time;
- whilst Legal Services can already confirm (in response to the second paragraph of the CLT Chair’s Report) that EDDC is a Registered Provider for affordable housing purposes, we ascertain how far the CLT Report is implying that this is seen

as relevant beyond the loan provision stage and will translate into EDDC being expected to discharge the RP function on an ongoing basis, so as to “underwrite” the operation of homes as affordable housing in perpetuity;

- alternatively, if EDDC is not to act as the ongoing RP, we satisfy ourselves as to the CLT’s proposals for securing and managing affordable housing provision in the longer term, whether by themselves securing RP status or by them engaging a Housing Association to join into the venture;
- there being a pre-existing planning permission “licensing” the proposed development, consideration is given as to the impact of the CLT’s flexible affordable housing proposals on any section 106 Agreement put in place with the planning permission (which is likely to seek to govern such elements already);
- Legal Services review the CLT’s incorporation documents, to be satisfied as to their structure, status and powers to implement all aspects of the transactions envisaged by the Report;
- Legal Services review the legal title to the proposed development site and evaluates any constraints emerging;
- Legal Services review the loan terms advanced by PWLB, the obtaining of that Board’s consent to the use of their money for CLT purposes and that application of the funds in such context is in line with EDDC’s own constitutional powers;
- Legal Services review the loan terms advanced to the CLT and prepare documentation (including a land mortgage) to secure the loan and which should ideally encompass penalties beyond pure interest, plus step-in rights for EDDC if development work fails part-way; and,
- in consequence particularly of the previous point and EDDC’s over-arching role in ensuring that the development is executed effectively and social housing needs met in a timely fashion, Legal Services are fully consulted by the CLT on the legal framework and documentation proposed for accomplishing all aspects of the individual home sales, equity sharing, leasing and management arrangements.

Financial Implications

The risk that CLT cannot make its commitments to repay the loan of £1.060m is mitigated by the security of the land and development worth in the region of £1.350m.

Background Papers

-

Simon Davey sdavey@easstdevon.gov.uk
Head of Finance

Cabinet
4 September 2013

Report by Beer CLT to EDDC requesting support in obtaining development loan finance from the PWLB

Summary

Beer CLT has been set up primarily to provide affordable housing for the community of Beer. The intention is for the CLT to purchase a site within the village that has planning permission for 7 homes, 4 market and 3 affordable. The CLT will then build all 7 houses, sell off the market houses to subsidise the affordable houses which will be retained by the CLT to rent or arrange part equity sales. To fund the development, excluding any grants but including £100,000 of community investment the CLT needs to borrow up to £1,060,000. The sale of the market and part equity homes is estimated to bring in £950,000. These proceeds, together with a new smaller long term loan of around £110,000 will be used to repay the development loan. The long term “residual” loan taken out by the CLT is to be repaid over 15 to 20 years from rental income. The rental and part equity houses will be owned and managed by the CLT in perpetuity for the benefit of the community of Beer having a current day value of approximately £450,000.

The cheapest way for the CLT to access money is from the Public Works Loans Board (PWLB) however, as the CLT is not a government body it cannot access the funds directly. The process established by the Department for Communities and Local Government (DCLG) and the PWLB is for a “competent” government body to borrow the funds and then loan them to the CLT. A parish council cannot loan borrowed funds and is not considered “competent” in the eyes of government to borrow or grant the level of funding required. The District Council is however considered both “competent” and a registered provider (RP) and able to loan funds to a suitable organisation for a suitable purpose.

Beer CLT is therefore asking EDDC to make an application to the DCLG /PWLB to borrow up to £1,060,000 and then lend it to the CLT to undertake the development as described. The CLT will cover all arrangement fees and interest payments on the loan and provide the site and development as security for the loan. The completed site will be worth in the region of £1.35m against a loan of £1,060,000. The funds can be transferred from EDDC to the CLT on a drawdown basis against valuation. There will therefore be minimal risk to EDDC as the security provides 135% loan cover, the project is programmed to be completed by March 2015; the loan will therefore be outstanding for 18 months. However we are proposing the PWLB loan be taken out over 30 months to ensure all sales are completed before the primary loan needs to be repaid.

Why Beer needs affordable houses

Beer has about 700 houses of which about 20% are either holiday homes or for holiday rental. This results in increased house values and fewer houses being available for locals, making it nearly impossible for many local families to find affordable rental or sale property within the village. The increasing number of holiday homes also impacts on the character of the village in that there are fewer full time residents contributing to the social structure of the village and visually leaves black voids of unoccupied homes out of the holiday seasons.

A housing needs survey has just been completed by the Community Council for Devon supported by EDDC. The data is still being analysed but initial results show 20 families with local connections requiring housing and a 95% response in favour of a small affordable housing scheme.

Why use a CLT

There are 3 options available to deliver affordable housing and whilst all 3 will deliver a number of affordable houses the CLT option is considered to give the greatest benefit and control to the community.

Housing could be provided by the District Council housing department, if it was minded to take on the capital development. This option would probably deliver the greatest number of rentable houses. The allocation policy would be the council policy and whilst recognising local connection would not necessarily provide for local housing need as perceived by the community. A further and major disadvantage would result from the tenant's right to buy and there would be no long term guarantee that the houses would remain as affordable housing for locals.

A Housing Association (HA) could take on the development either building the houses itself or buying the affordable element from a commercial developer. If it built the houses itself it may, like the CLT, sell some of the market houses to cross subsidise the affordable houses. If it bought from a developer it would certainly only buy the allocated affordable units and, given the developers commercial goals, these would be the minimum number the viability assessment would allow. The major disadvantage to the community with a HA is that the value and control of the houses would be with the HA and, although houses would be provided in the village, the value would be lost to the community forever.

The CLT option allows the community to take control and own the value of the retained houses in perpetuity. The control aspect is most important since the CLT will control the conditions of sale and rental allocation policy. This means that given sufficient grant funding the CLT could retain more houses or impose covenants on initial sales to ensure the local occupancy is maintained. With regard to allocations, the community ownership can ensure local connections take precedence, in public meetings this has been the most important issue expressed by the community. The only disadvantage to CLT development is the need to sell houses to cross subsidise the affordable houses resulting in fewer affordable houses being made available. The CLT has had recent, significant discussions with grant agencies and depending on grant available it now looks entirely possible that the number of affordable houses could be increased to as many as 7 giving 100%.

Progressive plan

The basic plan is to build 7, sell 4.5 and retain 2.5 houses. This can be funded by the £1,060,000 loan leaving a £110,000 residual loan funded through rental income over 15 to 20 years.

Recent discussion with HCA and Social Investment Business (SIB), both grant agencies, suggest that significant grant funding is available and this would allow other options where a greater number of houses could be retained by the CLT or have covenants imposed to ensure local occupancy. This all depends upon the level of grant offered as retaining houses or imposing covenants reduces sale receipts which will increase the residual loan requirement. On the plus side however increased grant reduces the development loan and the greater number of units retained increases the rental income and ability to service the residual loan.

The final structure will depend upon the grant funding offered, the finance model shows that the development loan requirement will be a maximum of £1,060,000 and could be reduced to £700,000 whilst the minimum number of units retained would be between 2.5 and 7. When grant funding is

confirmed the final borrowing requirements will be confirmed. This will probably not be until November 2013.

Community benefits

The primary community benefit will be the affordable housing owned and controlled by the community. The housing asset will belong to the community in perpetuity and the value will therefore be available in the future should the demand change. For example, in 20 years there may be a greater need for supported accommodation for the elderly whilst the family home demand may be for more ownership, full or part equity. In this case funds could be released by selling rental units and putting this into supported accommodation. Another option that ownership offers is the opportunity to borrow against the asset to support other community ventures such as a village shop. The potential options are too numerous and varied to consider in any detail, the one common and essential element is community ownership of the asset.

Development of the CLT

The idea of setting up a CLT emerged in June 2012 when it was realised that the model of community ownership of assets was the ideal vehicle to deliver community owned affordable housing. The concept of a CLT was informally introduced during the village BUAB consultation in October 2012 in connection with the new Local Plan and although no details were discussed it received general support.

The CLT Network office in London provided support and information on CLT's and funded a seminar in Beer in October (year?) to fully understand the opportunities and implications of a CLT. The seminar was paid for by a CLT Network grant of £500 and run by Bob Patterson, a leading expert and academic in the establishment and operation of CLT's. The initial seminar was attended by members of the PC, some members of the community, EDDC housing enablement officer, Paul Lowe and Jim Knight, the DCC councillor for the district.

The main outcome from the seminar, apart from confirming the viability and suitability of a CLT to address the issues in Beer was the preferred legal structure of the CLT. It was established that an Industrial Provident Society (IPS) was the most practical and most commonly used structure as it allowed commercial activity, building, selling and renting houses. It would be fully owned by its members who would all have an equal say in its management, it could accept investment shares giving those people who wanted to, the opportunity to invest financially in the community, it could accept government and agency loan and grant funding and it could be a registered provider (RP) of housing giving it a regulated rental policy and status with commercial finance organisations (banks) enabling it to enter into part equity sales without being obligated to 100% staircasing with the potential loss of the house to the community.

At this time we became aware that a site in Beer was subject to a planning application and would be marketed in 2013. This gave the CLT a concrete goal to aim for and reason to be set up. A public meeting was arranged for January 2013 to formally introduce the concept of a CLT developing affordable housing and other village assets but without discussing any specific project. The meeting was attended by around 50 people and gave virtually unanimous support to the setting up of a CLT. Affordable housing was the major issue although other community projects like a village shop were proposed.

Following the public meeting the steering committee made an application to the CLT Network office Technical Assistance Fund for a grant, which was subsequently approved to cover CLT set-up costs and initial site survey costs. Devon CC also made a grant of £1000 via the localities budget to support the set up. A solicitor with specialist knowledge in CLT's and recommended by the CLT Network was appointed to draft rules and guide us through the application process that had to be authorised by National CLT Network and the Financial Conduct Authority (FCA). Following discussions the model rules were amended to reflect the specific Beer requirements with regard to local connections and community investment, in other aspects standard rules were adopted. Registration was approved on the 2nd July 2013 prior to the inaugural meeting and formal registration documents have been received.

The inaugural public meeting of the CLT was held on 3rd July when the aims, rules and structure of the CLT were explained. A copy of the rules is on the Beer PC web site. The primary qualification for membership is being 16 years or older and living or working in the Parish of Beer or having family or residential connections (full details see rules). The audience was invited to join the CLT and members were formally recruited. The new membership then voted in a management board to formally progress the operation of the CLT and in particular the development of the affordable homes project.

Progress has been made in applying for grant aid. The Homes and Communities Agency (HCA) have visited the site and examined the plans and seem very supportive. Applications for the CLT to be an investment partner in HCA and to become a RP have been submitted and are being considered.

Management of the Affordable Homes Project.

The current status of the project is, our build cost estimate for the project has been independently assessed by quantity surveyors Randall Simmonds and is in line with the projected costs in the financial model. We have had a geotechnical investigation of the site by Red Rock Geoscience and they have confirmed the ground conditions are satisfactory. Piled foundations will be required and an allowance has been made to the site purchase price to account for the extra cost based on a draft estimate from a piling specialist. The investigations confirmed soak away drainage will work and that there were no environmental issues on the site. The only other specialist construction work required is the retaining wall at the rear of the site, a specialist contractor has provided a draft estimate of works required and this is within the allowance made by the QS. All other works can be considered as standard house building and are included in the overall QS appraisal of build costs. On this basis we confirmed our offer for the site and this has been accepted by the vendors, Clinton Devon Estates.

We have appointed a local solicitor to undertake the conveyancing work and this is underway. We have arranged local bridging loan finance from within the community at no cost to cover the purchase of the site if there is a delay in obtaining the main development loan. Completion of the purchase was initially set at mid-August however due to normal conveyancing delays including holidays it is anticipated that this will slip, possibly until late September 2013.

The construction will be managed by the CLT project team which includes civil engineering and building industry professionals and finance specialists. The team will work on a volunteer basis. The project will be managed as a normal commercial building project. Professional design and contracting services will be bought in as required and when not available within the management team. Contracts will be tendered for on a competitive basis, overseen by an independent

professional contract administrator to ensure transparency of process. Subject to financial benefit we will look to employ local contractors in order to retain value in the community and to mobilise the considerable local support which will help reduce overall construction costs. To date, in addition to the project management there have been a number of offers to undertake works at no cost recognising the community benefit and a desire to support the project. Based on these offers and an experienced judgement that with good management there should be savings over the estimated costs we are “quietly” confident that the overall costs will be reduced resulting in either reduced borrowing or by increasing to proportion of the development retained by the community.

On completion of the project the scheme will be managed by a CLT management team who will be responsible for the rental and maintenance of the houses. The rental and allocation policy will be determined by the membership. It is recognised that the actual allocation can require difficult local decisions with potential for accusations of personal interest. To overcome this we have had initial discussions with the EDDC housing team with the possibility of the professional EDDC allocation team administering the process following the CLT allocation policy.

Non-specific benefits.

The overall project of the CLT developing a site and then owning and operating an affordable housing scheme is a real example of a community working together and a great example of “localism” working. The project is already bringing people together and provides the opportunity for all members of the community to help either in kind or finance or just support.

For EDDC it is an opportunity to provide some essential support without any real cost or risk. This could be levered further to be an actual financial benefit if EDDC were able to utilise its investment reserves rather than passing on borrowed money from the PWLB. In this case the CLT could match or possibly exceed the current investment rates and from a PR perspective could be seen to be using EDDC reserves to directly support East Devon communities.

Finally the model of community build projects could be an antidote to commercial developers claiming non viability on sites and removing the affordable housing element from proposals. A procedure will have to be devised but a possible process could be that, if a developer claims non viability and reduces or removes affordable housing the development is then treated as a community asset and a community group is given the opportunity to put in a similar offer retaining more value for the community.

Any questions should be addressed to

Geoff Pook

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Agenda Item 18 (a)



Cabinet

4 September 2013

Performance Report June 2013

Monthly Performance Report June 2013

Summary

Performance information for the 2013/14 financial year for June 2013 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

Recommendation

That the Cabinet considers the progress and proposed improvement action for performance measures for the 2013/14 financial year for June 2013.

a) Reasons for Recommendation

This performance report highlights progress using a monthly snapshot report; SPAR report on monthly performance indicators and system thinking measures in key service areas including Streetscene, Housing, Development Management and Revenues and Benefits.

b) Alternative Options

None

c) Risk Considerations

A failure to monitor performance may result in customer complaints, poor service delivery and may compromise the Council's reputation.

d) Policy and Budgetary Considerations

None

e) Date for Review of Decision

Performance information is provided on a monthly basis. In summary most of the measures are showing good performance for the start of the performance year.

There are four indicators that are showing excellent performance

- Percentage of planning appeal decisions allowed against the authority's decision to refuse
- Percentage of Council Tax collected
- Percentage of Non Domestic Rates collected
- Working days lost due to sickness absence

There is one Performance Indicator that is showing as concern

Days taken to process Housing Benefit/Council Tax Benefit new claims and change events

The very busy start to the year continues, following the unprecedented Welfare Changes that took effect from April 2013. Backlogs have been ring-fenced. June's performance shows a slight improvement. Going from 7.75 days to 7.73 days to process

1. A monthly Performance Snapshot is attached for information in Appendix A.
2. A full report showing more detail for all the performance indicators mentioned above appears in Appendix B.
3. Rolling reports/charts for Housing, StreetScene, Planning and Revenues and Benefits appear in Appendix C.
4. An explanation and definitions of these measures can be found in Appendix D.

Legal Implications

There are none arising from the recommendations in this report.

Financial Implications

There are no direct financial implications.

Consultation on Reports to the Executive

Relevant Heads and officers have contributed to the appendices.

Background Papers

- [Appendix A – Monthly performance snapshot for June 2013](#)
- [Appendix B - The Performance Indicator monitoring report for the 2012/13 financial year for June 2013.](#)
- [Appendix C – System Thinking Reports for Housing, Streetscene, Planning and Revenues and Benefits](#)
- [Appendix D - Explanations and definitions.](#)

Karen Jenkins kjenkins@eastdevon.gov.uk
Corporate Organisational Development Manager

Cabinet
4 September 2013

Monthly Performance Snapshot – June 2013



This monthly performance snapshot shows our performance over the last month:

- **99.57%** of rent due on council owned homes collected
- **7.7 days** to process your Housing or Council Tax Benefit claims
- **2.5 days** to clear fly tipping cases, dealing with 39 cases this month, down from 47 cases last month
- **99%** of invoices received by us are paid within 30 days
- **41.63%** of all waste collected was recycled in June.
- Waste Management working with various Town Councils have provided 'bins' for the recycling of low energy light bulbs

Latest headlines:

- Reduced our use of temporary accommodation from 17 to 13 occasions, using it only for 11 families and 2 singles this month.
- Visited 150 properties in Exmouth carrying out tenancy checks in our efforts to stamp out tenancy fraud.
- Volunteers assisted the Countryside team with just under 400 hours of work in June, through help in the office, with the Water Vole Project and at the Axe Estuary Wetlands, very much appreciated.
- The advance ticket sales have gone through the roof for the brand new Summer Season presented by Paul Taylor Mills Ltd at the Manor Pavilion Theatre. The venue has added extra phone lines to deal with the demand and on the first day of ticket sales; the venue was selling over 120 tickets in each hour of trading! Smashing all previous box office records. The first Production in the season has received rave reviews. The cast, sets and company are of the highest standard.
- Thelma Hulbert Gallery is to receive £10,000 from Arts Council England following a successful grant application to strengthen their business model and develop their audience.
- Thelma Hulbert Gallery was highly commended for their work with Mind (the leading mental health charity) at June's Arts & Health South West Awards Evening in Bristol. Alex Coulter, Director of Arts & Health South West praised the work of the gallery: 'It was a strong field for the Arts & Health South West Awards 2013 and we are delighted that the Thelma Hulbert Gallery was successful in being shortlisted and highly commended for their project, Art & Mind at THG – it is an excellent example of partnership working between a health sector charity and an established art gallery.'

Agenda Item 18 (b)



Cabinet

4 September 2013

Performance Report July 2013

Monthly Performance Report July 2013

Summary

Performance information for the 2013/14 financial year for July 2013 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

Recommendation

That the Cabinet considers the progress and proposed improvement action for performance measures for the 2013/14 financial year for July 2013.

a) Reasons for Recommendation

This performance report highlights progress using a monthly snapshot report; SPAR report on monthly performance indicators and system thinking measures in key service areas including Streetscene, Housing, Development Management and Revenues and Benefits.

b) Alternative Options

None

c) Risk Considerations

A failure to monitor performance may result in customer complaints, poor service delivery and may compromise the Council's reputation.

d) Policy and Budgetary Considerations

None

e) Date for Review of Decision

Performance information is provided on a monthly basis. In summary most of the measures are showing good performance for the start of the performance year.

There are five indicators that are showing excellent performance

- Percentage of planning appeal decisions allowed against the authority's decision to refuse
- Percentage of Council Tax collected
- Percentage of Non Domestic Rates collected
- % of invoices paid within 30 days
- Working days lost due to sickness absence

There is one Performance Indicator that is showing as concern

Days taken to process Housing Benefit/Council Tax Benefit new claims and change events

The very busy start to the year continues, following the unprecedented Welfare Changes that took effect from April 2013. Backlogs have been ring-fenced. July's performance shows a slight improvement. Going from 7.7 days to 7.5 days to process

1. A monthly Performance Snapshot is attached for information in Appendix A.
2. A full report showing more detail for all the performance indicators mentioned above appears in Appendix B.
3. Rolling reports/charts for Housing, StreetScene, Planning and Revenues and Benefits appear in Appendix C.
4. An explanation and definitions of these measures can be found in Appendix D.

Legal Implications

There are none arising from the recommendations in this report.

Financial Implications

There are no direct financial implications.

Consultation on Reports to the Executive

Relevant Heads and officers have contributed to the appendices.

Background Papers

- [Appendix A – Monthly performance snapshot for July 2013](#)
- [Appendix B - The Performance Indicator monitoring report for the 2012/13 financial year for July 2013.](#)
- [Appendix C – System Thinking Reports for Housing, Streetscene, Planning and Revenues and Benefits](#)
- [Appendix D - Explanations and definitions.](#)

Karen Jenkins kjenkins@eastdevon.gov.uk
Corporate Organisational Development Manager

Cabinet
4 September 2013

Monthly Performance Snapshot – July 2013



This monthly performance snapshot shows our performance over the last month:

- **99.53%** of rent due on council owned homes collected
- **7.5 days** to process your Housing or Council Tax Benefit claims
- **3 days** to clear fly tipping cases, dealing with 60 cases this month, up from 39 cases last month
- **99%** of invoices received by us are paid within 30 days
- **47.87%** of all waste collected was recycled in July

Latest headlines:

- Cranbrook headlines - As at June 30th works had completed or commenced on 613 homes. As at the start of August 255 homes were occupied giving a resident population of circa 600 people. It is expected that there will be 160 children on the school roll this September, an increase of nearly 130 from September 2012.
- £1.24m capital receipt for the sale of the Elizabeth Hall site. New hotel is set to create 50 new jobs.
- Seaton Jurassic Coast Discovery Centre secures over £50K to develop detailed Heritage Lottery Fund proposal.
- In readiness for Individual Electoral Registration in June 2014, Electoral Services were required to send their register data to the DWP for a data matching exercise. East Devon's result came back as 82% matched (the highest in Devon).
- During July members of the Environmental Health team taught 1200 eleven year old children to wash their hands properly, a critical skill for maintaining personal health, during the Junior Life skills fortnight at the Donkey Sanctuary. They organised the event and worked in partnership with eight other organisations teaching vital personal safety and health skills to children from east Devon's primary schools.
- The brand new Summer Season at the Manor Pavilion Theatre presented by Paul Taylor Mills has opened with staggering advanced ticket sales. The production of the Thirty Nine Steps Sold Out on the 31st July. This is the first time a Summer Season play has sold out in the last ten years.
- Volunteers put in 371.5 hours of work for the Countryside team during July, for which we are extremely grateful.

- During July a total of 465 children aged between took part in Countryside activities with the Education ranger at various venues including the Axe Estuary Wetlands, Exmouth and the River Otter.
- Housing worked with Environmental Health to host the PDSA caravan offering health checks for dogs across the district for five days.
- Held a 'Discovery Day' with Member Services and members of the Housing Review Board to select new tenant Board members.
- To help improve the environment our our estates we undertook Estate Walkabouts in Dalwood, Kilmington and Burnside in Exmouth to identify issues that need addressing.