

## Agenda for Cabinet

**Wednesday, 14 September 2016; 5.30pm**

### [Members of Cabinet](#)

**Venue:** Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

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

- 1 [Public speaking](#)
- 2 Minutes of 13 July 2016 (pages 3-11), to be signed as a true record
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#)
- 6 Confidential/exempt items – there are no items which officers recommend should be dealt with in this way.

- 7 Forward Plan for key decisions for the period 1 October 2016 to 31 January 2017 (pages 12-15)
- 8 Minutes of the Arts and Culture Forum held on 24 June 2016 (pages 16-22)
- 9 Minutes of the South East Devon Habitat Regulations Executive Committee held on 29 June 2016 (pages 23-28)
- 10 Minutes of the Scrutiny Committee held on 7 July 2016 (pages 29-33)
- 11 Notes of the New Homes Bonus Panel held on 20 July 2016 (pages 34-35)

#### **Part A matters for key decision**

- 12 **Port Royal, Sidmouth** (pages 36-49)  
This report updates members on the progress of discussions with Sidmouth Town Council concerning the Port Royal redevelopment opportunity and seeks approval for key documents relating to this joint working and next steps forward.  
**Appendix 1** - Terms of Reference  
**Appendix 2** - Project Brief for Scoping Exercise

#### **Part A matters for decision**

- 13 **Bishops Clyst Neighbourhood Plan submission consultation - Officer Executive Decision taken** (pages 50-56)  
This report informs members of an officer executive decision taken, to allow the Council to provide a response to the submission consultation of the Bishops Clyst Neighbourhood Plan
- 14 **Financial Monitoring Report 2016/17 - Month 3, June 2016** (pages 57-62)  
This report gives a summary of the Council's overall financial position for 2016/17 at the end of month 3 - June 2016.
- 15 **Monthly Performance reports – June 2016 and July 2016** (pages 63-68)  
Performance information for the 2016/17 financial year for June 2016 and July 2016 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

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

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of the meeting of Cabinet held**  
**at Knowle, Sidmouth on 13 July 2016**

**Attendance list at end of document**

The meeting started at 5.30pm and ended at 7.16pm

**\*19 Public Speaking**

Members of the public present wishing to speak did so at item 12 – West Hill Boundary Review.

**\*20 Minutes**

The Chairman called upon all present to stand for a moment's silence to pay their respects to their colleague Councillor David Chapman.

The minutes of the Cabinet meeting held on 8 June 2016 were confirmed and signed as a true record.

**\*21 Declarations**

Councillor Jill Elson – Minute 27

Interest: Personal

Reason: Chairman Exmouth Community College

Councillor Philip Skinner – Minute 27

Interest: Personal

Reason: Chairman Exmouth Regeneration Programme Board

**\*22 Matters referred to the Cabinet**

There were no matters referred to the Cabinet by the Overview and Scrutiny Committees.

**\*23 Exclusion of the public**

There were no confidential items that officers recommended should be dealt with in this way.

**\*24 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 August 2016 to 30 November 2016.

**25 Minutes of the Housing Review Board held on 16 June 2016**

Members received minutes of the Housing Review Board held on 16 June 2016. The Chairman of the Housing Review Board updated members on one house recently purchased by the Council in Exmouth and on two more in Sidmouth. Councillor Stott stressed the need, especially to Sidmouth members, that three more houses needed to be purchased in Sidmouth by September 2016 in order not to have to repay Right to Buy receipts (with interest) to the Government. The market value of properties being sought was in the region of £150k.

**RESOLVED (1) that the following be noted:**

Minute 2 - Appointment of Vice Chairman

Minute 6 - Community Development update

Minute 7 – Forward Plan

Minute 8 - Update on unused land at Millwey Rise and Foxhill, Axminster

Minute 9 - Storm damage and water penetration update

Minute 10 - Condensation awareness update

1. that the contents of the report be noted in relation to condensation, thermal efficiency and fuel poverty and how the Council was addressing those issues.

Minute 11 - Handy person scheme review

Minute 14 - Use of Right to Buy receipts

Minute 16 - Housing senior management structure

Minute 17 - Housing and Planning Act 2016

Minute 18 - Reduction in social housing rents and income management CIH charter for housing

**RESOLVED (2) that the following decision be supported:**

Minute 19 - Housing Revenue Account Business Plan Task and Finish Forum

that the membership of the Housing Revenue Account Business Plan Task and Finish Forum be confirmed as Councillors Megan Armstrong, Ian Hall and Pauline Stott, tenant representatives Angela Bea, Mike Berridge, Joyce Ebborn and Pat Rous, and independent community representative Christine Drew.

**RESOLVED (3) that the following recommendations be agreed:**

Minute 10 - Condensation awareness update

2. that where it was deemed appropriate, the installation of ventilation for tumble driers in certain properties be approved.

Minute 12 - Handy Person scheme future options

that the Handy Person service be continued, with delegated powers given to the Strategic Lead - Housing, Health and Environment, the Portfolio Holder for Sustainable Homes and Communities and the Property and Asset Manager to decide on the best way forward with the service along the lines of the various scenarios outlined in the report.

Minute 13 - Gas servicing contract 2016-2020

that authority be given to the Strategic Lead – Housing, Health and Environment and the Property and Asset Manager in consultation with the Portfolio Holder for Sustainable Homes and Communities, to award the contact to the winning tender as determined through the joint procurement exercise currently underway with Mid Devon District Council.

**RECOMMENDED that the following be referred to Council for determination:**

Minute 15 - HRA Outturn report 2015/16

1. that the HRA outturn position for 2015/16 be agreed
2. that £1 million be transferred into the HRA Business Plan Volatility Reserve

26 **Minutes of the Recycling and Refuse Partnership Board held on 22 June 2016**

Members received minutes of the Recycling and Refuse Partnership Board held on 22 June 2016.

**RESOLVED (1) that the following be noted:**

Minute 1 – Appointment of Vice Chairman for the meeting

Minute 10 – Key performance indicators

Minute 11 - Mobilisation planning, working groups and sub groups, and timeline

Minute 13 - New recycling and waste contract – what has changed?

**RESOLVED (2) that the following decisions be supported:**

Minute 9 - Improved recycling sack

that the improved sack design for use with the new service roll out be approved.

**RESOLVED (3) that the following recommendations be approved:**

Minute 12 - Communications strategy

1. that officers seek clarification from SUEZ regarding the reasons for and rationale behind delaying the start date of phase 1 from February to March 2017.

**RECOMMENDED that the following recommendations be referred to Council for determination:**

Minute 7 - Partnership Charter

that the Partnership Charter be agreed to enable the Recycling and Refuse Partnership Board to become a true partnership, working together co-operatively.

Minute 8 - Schedule 2 property collections

1. that weekly recycling and three weekly residual collections for schedule 2 properties be approved, to mirror the residential collection service and encourage recycling .
2. that any customers who require a more frequent collection be directed to SUEZ's commercial and industrial collection department or another suitable waste contractor.

Minute 12 - Draft Communications Strategy

the draft communications strategy be approved.

27 **Minutes of the Overview Committee held on 28 June 2016**

Members received the minute of the Overview Committee held on 28 June 2016

**RESOLVED (1) that the following recommendations be taken into account during consideration of item 13 of this agenda:**

Minute 5 – Local Government Boundary Committee for England Electoral Review Programme 2015 - 2019

1. that the appropriate number of Councillors for the District of East Devon to be recommended to the LGBCE was 60 and that the justification for this was:
  - a. The need to ensure an appropriate work/life balance for new Councillors;
  - b. The need for enough members to ensure effective scrutiny and properly represent the full diversity of the district;
  - c. The role of the district councillor was seen to be a more active and demanding role as a consequence of developments in ICT and social media together with an increased interest in local democracy, planning and general societal changes;
  - d. Increased role of councillors resulting from changes in devolution and the funding of services;
  - e. The need to reflect the growth in population in East Devon both at Cranbrook and generally.

2. that a revised and updated draft submission based on that attached to the report be approved for the purposes of submission to the LGBCE;
3. that the Chief Executive, in consultation with the Group Leaders, be given delegated authority to make any recommended changes by the LGBCE to the draft submission following its consideration by the LGBCE.

**Minute 6 – Heart of the South West Formal Devolution Bid**

1. that the Leader's current approach to devolution be endorsed and that agreement be given to signing up to the principle of creating a Combined Authority for the Heart of the South West, as set out in the Prospectus for Productivity, as the basis for negotiation with Government towards a Devolution Deal for the area;
2. that it be noted that giving this endorsement does not commit the Council to entering into a Devolution Deal or becoming a member of a Heart of the South West Combined Authority. This would be subject to future debate and agreement by the Council and subject to negotiations with Government.

**RESOLVED (2) that the following be noted:**

**Minute 8 – Overview forward plan**

**RECOMMENDED that the following be referred to Council for determination:**

**Minute 7 – Communications Plan 2016/20**

**\*28 Notes of the Exmouth Regeneration Programme Board held on 30 June 2016**

Members received the notes of the Exmouth Regeneration Programme Board held on 30 June 2016. Discussions included the following:

- why was the Board receiving funding from the Coastal Community Fund? The Deputy Chief Executive explained there was an opportunity to receive external funding which in turn was in the best interests of the district's council tax payers.
- the Exmouth Rugby Club needed to relocate in order to support the view of the Rugby Football Union that the town required four pitches.
- The Harbour Cafe tenancy had been extended as there was little point leaving the building empty until the site was needed for redevelopment works.
- An offer had been made to Stagecoach for the use of the estuary car park for the provision of overnight bus parking.

**29 West Hill Boundary Review**

The Chairman invited Members of the public to speak on this item.

Michael Potter explained that he was born in West Hill and had spent most of his working life there, working as a farmer and grocer. In the 1980s the village applied for Parish status to no avail. Now with a population of over 2000, residents were trying again. The village was being encouraged to accept a smaller boundary and if this was to enhance the chances to receive parish status so be it.

Dr Margaret Hall, Chairman West Hill Parish Council Campaign Group said West Hill was the largest village in the district with no parish council. Option B was accepted as a compromise and it made sense to have a parish council in place before the Boundary

Commission makes any decisions. The group look forward to working positively with all its parish neighbours.

Glyn Dobson said it had been a long campaign with over 600 responses. He would be sorry to see West Hill leave Ottery St Mary Town Council but respected the views of West Hill residents.

At its meeting in July 2015, Council had agreed that a Community Governance Review be undertaken. This arose out of a request from the 'West Hill Parish Council Campaign'. Following publication of the Terms of Reference and the first phase of consultation, Council subsequently agreed that the Review should proceed to a second stage and draft proposals were formally published. The second statutory period of consultation expired on 16 June 2016 and the report recommended alternative decisions for the Cabinet/Council to consider.

The Portfolio Holder Corporate Services stated that he thought it odd that West Hill did not have a parish council and there was mostly widespread support from the village. He thought the consultation comments were very useful and the proposed new boundary had taken into account residents' comments.

#### **RECOMMENDED:**

1. that having regard to all the representations received and the relevant statutory criteria:
  - a new parish council be established for the area known as 'West Hill'
  - the boundary be as set out in Appendix B to the report
  - the new parish council be known as 'West Hill Parish Council'
  - the membership will comprise of 7 councillors
  - no warding provisions be incorporated in the parish council
  - there will be consequential changes to the remaining wards of Ottery St Mary Town Council
  - these recommendations to be duly published and the appropriate Order made with delegated authority to the Chief Executive to incorporate all necessary provisions into the Order.
2. that it be noted the Parish Council will come into formal legal effect on the 1 April 2017 and the first elections will be held in May 2017.

#### **REASON:**

In accordance with the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007. The rationale for undertaking this review arose from a 379 signature petition which claimed that: 'West Hill is a separate, thriving community with its own sense of identity and strong desire to manage its own affairs. West Hill required its own parish council comprising residents entirely from West Hill who are best placed to make decisions affecting the village.'

### **30 Local Government Boundary Committee for England (LGBCE) Electoral Review Programme 2015-2019**

The Chief Executive asked members to consider and recommend to Council a future number of Councillors for the district of East Devon (currently 59) and to approve the draft submission to be sent to the LGBCE. He asked members to reflect on their own experiences as councillors and reminded members that the Commission was interested

in the quality of argument and evidence to what number they saw best going forward. Discussions included the following:

- difficulty in calculating numbers in more rural areas
- reductions need to be made in more populated areas
- look into officer numbers as well as councillors
- Cranbrook area increasing dramatically over the coming years
- many services have now come down from County to District
- the need to strengthen the powers of town and parish councils leaving the District Council dealing with more strategic matters.
- the Government needed to deal with devolution first
- see what the results of the Boundary review are
- need to attract young people to become councillors
- the complexity of issues for councillors was increasing
- communication was increasing due to ease of access by email
- the LGA was looking for leaner, more focused councils
- over the years ICT had reduced the workload considerably
- workloads had increased as constituents are more aware of what councillors represent, as well as membership of other forums and panels

The recommendations of the Overview Committee were taken into account during the discussion.

#### **RECOMMENDED:**

1. that consideration is given to 60 being the appropriate number of Councillors for the District of East Devon to be recommended to the LGBCE on the basis of;
  - a. The need to ensure an appropriate work/life balance for new Councillors;
  - b. The need for enough members to ensure effective scrutiny and properly represent the full diversity of the district;
  - c. The role of the district councillor was seen to be a more active and demanding role as a consequence of developments in ICT and social media together with an increased interest in local democracy, planning and general societal changes;
  - d. Increased role of councillors resulting from changes in devolution and the funding of services;
  - e. The need to reflect the growth in population in East Devon both at Cranbrook and generally.
2. that the draft submission attached to the report be approved (subject to appropriate amendments to reflect 60 Councillors) for the purposes of submission to the LGBCE
3. that the Chief Executive, in consultation with the Group Leaders, be given delegated authority to make any recommended changes to the draft submission following its consideration by the LGBCE.

#### **REASON:**

To comply with the timetable and requirements of the LGBCE

#### **Heart of the South West Formal Devolution Bid**

The Chief Executive presented this report to seek approval to sign up 'in principle' to the pursuit of a Devolution Deal and the creation of a Combined Authority for the Heart of the South West sub-region to administer the powers devolved through the Deal. An 'in principle' agreement from all of the authorities, partners and MPs involved in the Heart of the South West devolution process would open up negotiations with Treasury to work towards a deal.



Discussions included the following:

- the need for public consultation before going too far in the process
- the need for more concrete facts and information
- what were the costs before the Council had passed the 'in principle' stage
- reassurances that the Council could walk away from the devolution deal at any time
- a possible power struggle between County and District

**RECOMMENDED:**

that Cabinet recommend Council to:

1. Endorse the Leader's current approach to devolution and agree to sign up to the principle of creating a Combined Authority for the Heart of the South West, as set out in the Prospectus for Productivity, as the basis for negotiation with Government towards a Devolution Deal for the area;
2. Note that giving this endorsement does not commit the Council to entering into a Devolution Deal or becoming a member of a Heart of the South West Combined Authority. This would be subject to future debate and agreement by the Council and subject to negotiations with Government.

**REASON:**

These recommendations seek to gain authority to pursue solutions that help the Council maximise the potential opportunities of devolution. They do not commit the Council to a formal devolution deal, only to the principle of a combined authority to open up negotiations with Government.

**32 Sidmouth and East Beach Management Plan**

To agree an increase in budget for the Sidmouth and East Beach Management Plan

**RECOMMENDED:**

that EDDC make provision of £54,000 in the current financial year for completion of the Sidmouth and East Beach Management Plan

**REASON:**

To complete the Sidmouth and East Beach Management Plan, so that EDDC has an integrated, justifiable and sustainable option for beach management across Sidmouth and East Beach to:

- Maintain the 1990's Sidmouth Coastal Defense Scheme Standard of Service (protection against flooding and erosion).
- Reduce the rate of beach and cliff erosion to the east of the River Sid (East Beach)

**\*33 Monthly Performance reports – May 2016**

The report set out performance information for May 2016. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were two indicators that are showing excellent performance:

1. Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
2. Working days lost due to sickness absence

There was one performance indicator showing as concern, namely: the percentage of planning appeal decisions allowed against the authority's decision to refuse - The dip in performance was due to the period covering a very small sample of appeals at the start of the yearly reporting period. At the time of reporting, 6 appeals - 3 allowed and 3 dismissed – had resulted in 50% performance. The figures from the 1 April to the start of July were now running at 73.3% -11 appeals dismissed and 4 allowed.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2016/17 financial year for May 2016 be noted.

**REASON:**

The performance reports highlighted progress using a monthly snapshot report; SPAR report on monthly performance indicators and system thinking measures in key service areas including Development Control, Housing and Revenues and Benefits.

**\*34 Exemption to Standing Orders - purchase of recycling sacks for new recycling service**

Exemption to standing orders had been applied in order to implement the new improved recycling service roll out in early 2017. Additional recycling sacks to contain the new materials were required. A 70L test sack in the service trial areas was used and feedback from the residents was to improve the design.

**RESOLVED:**

that the exemption to Contract Standing Orders be noted.

**REASON:**

to endorse the purchase of sacks which best meets the requirements of the service, using an exemption to ensure delivery before the new service roll out.

**35 East Devon Local Development Scheme**

This report detailed the proposed revised Local Development Scheme for East Devon. The Local Development Scheme set out details and timetable for future planning policy production in East Devon

**RECOMENDED:**

that the East Devon Local Development Scheme be adopted from 28 July 2016

**REASON:**

to ensure that the Council had an up to date plan for future planning policy production.

**Attendance list**

**Present:**

Andrew Moulding Deputy Leader/Strategic Development and Partnership (in the Chair)

**Portfolio Holders:**

Tom Wright	Corporate Business
Iain Chubb	Environment
Jill Elson	Sustainable Homes and Communities
Phil Twiss	Corporate Services
Ian Thomas	Finance
Philip Skinner	Economy

**Cabinet Members without Portfolio:**

Geoff Pook

**Cabinet apologies:**

Paul Diviani                      Leader

Eileen Wragg

**Non-Cabinet apologies:**

Maddy Chapman

Alan Dent

Steve Gazzard

Roger Giles

Ian Hall

Marcus Hartnell

John Humpreys

Mark Williamson

**Also present (for some or all of the meeting)**

**Councillors:**

Megan Armstrong

Brian Bailey

Matt Booth

Colin Brown

Paul Carter

John Dyson

Peter Faithfull

Cathy Gardner

Simon Grundy

Steve Hall

Geoff Jung

Rob Longhurst

Dawn Manley

Cherry Nicholas

Helen Parr

Val Ranger

Marianne Rixson

Pauline Stott

**Also present:**

**Officers:**

Mark Williams, Chief Executive

Richard Cohen, Deputy Chief Executive

Simon Davey, Strategic Lead – Finance

John Golding, Strategic Lead Housing, Health and Environment

Henry Gordon Lennox, Strategic Lead - Legal, Licensing and Democratic Services

Karen Jenkins, Strategic Lead - Organisational Development and Transformation

Amanda Coombes, Democratic Services Officer

Chairman ..... Date.....

**EAST DEVON DISTRICT COUNCIL**  
**Forward Plan of Key Decisions - For the 4 month period 1 October 2016 to 31 January 2017**

This plan contains all the (i) important decisions that the Council intends to take and (ii) Key Decisions that the Council's Cabinet expects to make during the 4-month period referred to above. The plan is rolled forward every month.

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

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

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

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

The Cabinet may only take Key Decisions in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of the Constitution and the Local Authorities (Executive Arrangements)(Meetings and Access to information)(England) Regulations 2012. A minute of each key decision is published within 2 days of it having been made. This is available for public inspection on the Council's website <http://www.eastdevon.gov.uk>, and at the Council Offices, 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.

This document includes notice of any matter the Council considers to be Key Decisions which, 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 as above) as soon as possible. **Members of the public have the opportunity to speak on the relevant decision at meetings (in accordance with public speaking rules) unless shown in *italics*.**

#### **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 (address as above).

Decision		List of documents.	Lead/reporting Officer	Decision maker and proposed date for decision	Other meeting dates where the matter is to be debated / considered	Operative Date for decision (assuming, where applicable, no call-in)	Part A = Public meeting  Part B = private meeting [and reasons]
1	Exmouth flood prevention scheme		Strategic Lead – Housing, Health and Environment	Council 26 October 2016	Cabinet 12 October 2016	27 October 2016	Part A
2	Council Tax Support Scheme for 2017/18 and possible changes Final Scheme		Revenues & Benefits Service Lead	Council 26 October 2016	Cabinet 12 October 2016	27 October 2016	Part A
3	Financial Strategy/ Medium Term Financial Plan 2017-2021		Strategic Lead Finance	Council 26 October 2016	Cabinet 12 October 2016	27 October 2016	Part A
4	Public Toilet Review		Service Lead – Street Scene	<b>Cabinet 9 November 2016</b>		17 November 2016	Part A
5	Enterprise Zones		Strategic Lead Finance	Council 21 December 2016	Cabinet 9 November 2016	22 December 2016	Part A

Decision		List of documents.	Lead/reporting Officer	Decision maker and proposed date for decision	Other meeting dates where the matter is to be debated / considered	Operative Date for decision (assuming, where applicable, no call-in)	Part A = Public meeting  Part B = private meeting [and reasons]
6	Sidmouth Beach Management Plan		Strategic Lead – Housing, Health and Environment	Council 21 December 2016	Cabinet 7 December 2016	22 December 2016	Part A
7	Sports and Activity clubs – Rent and Rent support Scheme Outcomes		Deputy Chief Executive	Council 21 December 2016	Cabinet 11 November 2016	22 December 2016	Part A
8	Relocation Update and Delivery		Deputy Chief Executive	Council 21 December 2016	Cabinet 21 December 2016	22 December 2016	Part A

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

Future Decisions		Lead / reporting Officer	Consultation and meeting dates (Committees, principal groups and organisations) To be confirmed	Operative Date for decision  To be confirmed
1	Street Markets and Street Trading Consultation Outcomes	Deputy Chief Executive	Overview 29 November 2016 Cabinet 11 January 2017 Licensing and Enforcement 15 February 2017	
2	Specific CIL Governance Issues	Deputy Chief Executive <b>(RC)</b>		
3	Business Support – options for the future	Deputy Chief Executive <b>(RC)</b>		
4	Thelma Hulbert Gallery - progress	Strategic Lead (Housing, Health and Environment) / Service Lead (Countryside)		

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), Tom Wright (Corporate Business Portfolio Holder) Cllr Phil Twiss (Corporate Services Portfolio Holder) Cllr Philip Skinner (Economy Portfolio Holder), Cllr Iain Chubb (Environment Portfolio Holder) Cllr Ian Thomas (Finance Portfolio Holder), Cllr Jill Elson (Sustainable Homes and Communities Portfolio Holder), and Cabinet Members without Portfolio - Geoff Pook and Eileen Wragg. 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.

September 2016

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Arts and Culture Forum held at the Beehive, Honiton on 24 June 2016**

#### **Attendance list at end of document**

The meeting started at 2.30pm and ended at 5.00pm.

#### **\*1 Appointment of Vice Chairman**

The Chairman welcomed all those present to the meeting and everyone introduced themselves.

**RESOLVED:** that Councillor Faithfull be appointed Vice Chairman of the Forum for the ensuing year.

#### **\*2 Minutes**

The minutes of the Arts and Culture Forum meeting held on 18 September 2015 were confirmed and signed as a true record.

#### **\*3 Declarations of Interest**

Councillor Douglas Hull: Personal interest – member of the Axminster Museum and Axminster Heritage.

#### **4 Constitution**

Members of the Forum considered an updated constitution which had been circulated with the agenda papers.

It was noted that the original constitution stated that the two community representatives would be appointed for a four year term. Members were asked to agree a second four-year term in order to be able to retain experience and knowledge that would continue to benefit the Forum. Members wished to be able to review the original appointment after four years and the wording of the constitution was amended to reflect this. The new wording would read:

“The two community members will be appointed for an initial four year term by Full Council, which can be extended for a second four year term with a maximum of 8 years in total. Therefore after the first four year term the Forum will have the ability to approve a second four year term so that their experience and knowledge could continue to be used for the benefit of the Forum. They may resign or be removed by the District Council.”

**RECOMMENDED:** that the updated constitution (attached to these minutes) of the Arts and Culture Forum be agreed.

#### **\*5 Recruitment of community representatives**

The Service Lead – Countryside and Leisure advised the Forum that both of the original community representatives had resigned. The Forum discussed where and how to advertise the two vacancies and suggested various options including:

- Arts Council
- Arts News
- EDDC website
- The Knowledge
- Ask Town and Parish Councils to advertise locally
- Ask EDDC Councillors if they knew of any interested candidates.



**RECOMMENDED:** that the Democratic Services Officer send an advert for the community representative positions to members of the Arts and Culture Forum for wider distribution.

**\*6 The Cultural White Paper**

The Service Lead – Countryside and Leisure outlined the Cultural White Paper. This document set out the Government's vision to embed culture in how we enjoy our lives, how it can transform lives especially through education and reaching socially disadvantaged groups and the economic benefits it could bring to communities. It clearly outlined what it expected publically funded cultural assets and services should be delivering. These expectations and how EDDC were engaging was being delivered primarily through its cultural services, which were the Thelma Hulbert Gallery (THG), the Manor Pavilion Theatre and the Countryside Team.

The White Paper set out specific areas and opportunities for engagement listing funding streams, partnerships and processes for delivering the ambitions of the White Paper. The Service Lead – Countryside and Leisure highlighted some of the areas where the challenges were being successfully met.

EDDC had recognised that some of its key corporate priorities around enabling the delivery of a health & wellbeing role, delivering economic wellbeing across its communities and maintaining and promoting the outstanding natural environment can and was being facilitated by its support of cultural activities. By placing culture at the heart of many aspects of EDDC's corporate priorities it was already helping to deliver on the Cultural White Paper's vision and priorities.

Councillor Hull requested that a webpage be set up on the EDDC website to advertise and keep up to date all events taking place across the whole district. The Service Lead – Countryside and Leisure explained that there were resource implications in doing this and that since the Council no longer had an Arts Development Officer there was no Arts Directory. Members were advised to look at 'the Hub' website and it was suggested that a link to this should be promoted on the EDDC website.

**RESOLVED:**

1. that the report be noted.
2. that a link to 'the Hub' website be included on the 'what's on' page of the EDDC website.

**\*7 EDDC Culture Strategy 2016 - 2020**

The Service Lead – Countryside and Leisure outlined the final draft of the EDDC Culture Strategy 2016 – 2020. This built on the previous culture strategy, supported corporate priorities and included an action plan, with realistic and achievable ambitions. The strategy would be the 'golden thread' running through services, which all had a role to play in delivering the strategy. The corporate priority would be keeping the strategy 'smart' in terms of objectives. It was noted that the Culture Strategy 2016 – 2020 would be referred to Cabinet for approval.

**RESOLVED:** that the report be noted.

**\*8 Arts Council presentation**

Due to illness the Arts Council presentation would be deferred to a future Forum meeting.

**\*9 Cranbrook in Common cultural master plan**

Alex Murdin of Ginkgo Consultants gave the Forum a presentation on the Cranbrook in Common cultural development strategy. This had involved a cultural audit, surveying residents and exploring available funding specific options. It was felt that culture makes places individual and special and that developers were starting to recognise this too, therefore engaging the commercial sector in the cultural sector. The added value of culture was that:

- culture adds economic value to housing development;
- culture creates social capital and makes people feel better about their lives;
- culture enhances the environment and means places are better looked after.

It was reported that the people living in Cranbrook today were optimistic and aspirational about the future. They were already demanding their own local sports, social, recreational and arts facilities which were more accessible than, but complementary to, those in the surrounding area.

The people in Cranbrook wanted:

- strong cultural networks and communications,
- community events,
- playing and youth spaces,
- adult social spaces,
- cultural facilities.

The cultural vision for Cranbrook was:

- to create a unique, desirable place to be,
- to celebrate local identity and embrace global opportunity,
- to support cultural innovation and make a sustainable future for all.

To achieve this vision over the next 15 years, the community of Cranbrook, the Town Council and community organisations would need to work collaboratively with developers, local authorities and other cultural partners in the area to create not only buildings and cultural infrastructure appropriate to a town which would grow to up to 20,000 people, but also support people in developing skills, enhancing education and fostering local creative industries. Therefore, a huge amount of public/private partnership working was required to achieve these aims.

During the presentation principles and values were discussed. Standards for Cranbrook were outlined, as well as cultural facilities, culture in the public realm and creative capacity building in the town.

The Forum were invited to visit a pilot website [www.cranbrookculture.net](http://www.cranbrookculture.net). It was noted that the Consultants' role was to produce the cultural strategy, but that the Town Council or EDDC should pursue this in the future. It was suggested that there should be a cultural development post/officer to continue with the work.

On behalf of the Forum the Chairman thanked Alex Murdin for his presentation.

**\*10 Cultural heritage projects/programme in the AONB**

The Forum received a presentation from the East Devon AONB Project Officer on the diverse cultural heritage projects and programme in the East Devon Area of Outstanding Natural Beauty (AONB). He explained that the AONB management policy plan was 75% funded by DEFRA with the rest of the funding split between EDDC and Devon County

Council (DCC), to support local community engagement in physical, cultural and natural heritage initiatives within the AONB. The purpose was to help develop culture in the AONB, recognising communities living in the landscape.

Examples of projects supported through the AONB Sustainable Development Fund in 2015/16 included:

- Thelma Hulbert Gallery; garden regeneration
- East Devon Museums Group; educational equipment
- Branscombe Project; community mapping
- Axminster Heritage; display equipment

On behalf of the Forum the Chairman thanked the East Devon AONB Project Officer for his presentation.

**\*11 Thelma Hulbert Gallery planned programme of activities**

The THG Curator gave an overview of activities at the gallery so far and those planned for 2016. The Curator quoted from the Cultural White Paper and explained how the gallery was engaging with the community, getting greater participation and tackling social isolation on a daily basis. Culture brought huge benefits by providing better quality of life and wellbeing within local communities.

She reported that £30,000 of funding had been achieved and the garden had been regenerated after community consultation. It was now one of 87 'pocket parks' in the UK. Over 250 people had attended a party to launch the garden in May, with food, bar and activities all on offer.

The THG had partnered with the Exmouth Festival and run free family art activities at the Blackmoor Theatre. This had allowed engagement with an audience in the wider community. Other events included:

- Devon Guild of Craftsmen craft fair at Bovey Tracey.
- THG open 2016 art show
- Hayward Touring exhibition to be held in September 2016 – this would be funded by the Arts Council, including workshops which would be run alongside the exhibition.
- Halloween garden party – museums at night event.
- Present makers exhibition
- Many other workshops, for example Christmas card making.

On behalf of the Forum the Chairman thanked the Curator for her presentation and the positive information.

**\*12 Countryside Service's outdoor theatre programme**

The Countryside Team leader outlined the outdoor theatre offer. He explained the concept of using green spaces in a different way and had partnered with Street Scene to see if they could use their gardens in Exmouth and Sidmouth. Two outdoor theatre performances had taken place last year, with two more planned for Summer 2016. The Forum were shown a video clip of The Pantaloons' "Gulliver's Travels".

Other examples of adding value to the events offer with broader content included the Budleigh Salterton food and drink festival and the Norman Lockyer observatory. It was agreed EDDC should be more innovative with its green spaces by developing and experimenting with different ideas to provide an experience to the public

The Chairman thanked the Countryside Team Leader for his presentation

**RESOLVED:** that the report be noted.

**\*13 Summer of culture**

The Service Lead – Countryside and Leisure advised the Forum that he had met with the Countryside Team Leader, the Manor Pavilion Theatre Manager, the THG Curator, Strata and the Countryside Team to bring together a whole range of events they were working on and join up services into a cultural package approach. It was hoped to utilise social media and overcome the shortfall of the loss of an Arts Development post.

The events would be promoted as a “summer of culture”, with all the events on offer listed in one place. It was hoped to raise awareness in a slow burn type of way by improving how venues, events and activities were marketed and promoted. For example, the Seaton Wetlands could cross promote the THG.

**\*14 Date of next meeting**

The next meeting of the Arts and Culture Forum would be arranged for October 2016. The Arts Council representative would be invited to attend to discuss the current grants programme and how it could help East Devon’s cultural offer.

**Attendance list**

**Present:**

EDDC Councillors:

Cllr John O’Leary – Culture Champion (Chairman)

Cllr Peter Faithfull

Cllr Phil Twiss - Portfolio holder, Corporate Services

Town representatives:

Cllr Douglas Hull - Axminster

Cllr Jo Talbot – Ottery St Mary

Cllr Tom Wright – Budleigh Salterton

Officers:

Angela Blackwell, Thelma Hulbert Gallery Curator

Tim Dafforn, Countryside Team Leader

Charlie Plowden, Service Lead – Countryside and Leisure

Alethea Thompson, Democratic Services Officer

Pete Youngman, East Devon AONB Project Officer

Alex Murdin, Gingko Consultants

**Apologies:**

Cllr Ashley Alder - Honiton

Cllr Maddy Chapman - Exmouth

John Golding, Strategic Lead - Housing, Health and Environment

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL CONSTITUTION OF THE ARTS & CULTURE FORUM**

The Membership of the Forum shall consist of:

Culture Champion  
Tourism Champion  
One other East Devon District councillor  
Two community representatives  
*A district or town councillor* representing each of the towns of Axminster,  
Budleigh Salterton, Exmouth, Honiton, Ottery St Mary, Seaton and Sidmouth

Officers of the Council, other invited guests and invited members of the public are able to attend meetings of the Forum in an advisory capacity.

Meeting agendas will indicate in advance whether any part of the meeting is to be open to the public.

- 1) The Forum shall make recommendations to the Cabinet of East Devon District Council on matters relating to Arts & Culture in East Devon. This remit includes:

Future plans and proposed strategies of towns and surrounding villages and arts and culture organisations within East Devon, as well as achievements of the following:

- a) The Manor Pavilion
  - b) The Thelma Hulbert Gallery
  - c) Countryside Team's events
  - d) Villages in Action
- 2) The Forum shall make recommendations to the Officers on other relevant matters relating to Arts and Culture in East Devon.
- 3) There will be an annual election for the Vice-Chair position. The Chair will be the East Devon District Council Culture Champion and the Vice- Chair can be any member of the Forum.
- 4) Any Member may resign or in the case of those Members appointed by named bodies may be removed by the appointing bodies. The Advisory Forum must be advised in writing of any changes.
- 5) The two community members will be appointed for an initial four year term by Full Council, which can be extended for a second four year term with a maximum of 8 years in total. Therefore after the first four year term the Forum will have the ability to approve a second four year term so that their experience and knowledge could continue to be used for the benefit of the Forum. They may resign or be removed by the District Council.

- 6) Town representatives will be appointed by the Town Councils. Substitutes are permitted.
- 7) The meetings of the Forum will be quorate if at least a quarter of the membership is present.
- 8) Every recommendation from the Forum shall be determined by a majority of the votes of the Members present (including community members) voting on the matter, the Chairman of the meeting, in the event of a tie, having a second or casting vote.
- 9) The Forum shall meet at least twice each year and at other times if business warrants it. The Forum may set up smaller working groups if necessary to deal with particular issues. The Chief Executive may, and shall at the request of one quarter of the Members of the Forum, convene a special meeting.
- 10) If the Chairman of the Forum is not present at a meeting of the Forum, the Chair shall be taken by the Vice-Chairman and in the absence of both, the Forum shall elect a Chairman for the meeting.
- 11) The minutes of the Forum shall be open to inspection, and a copy of the minutes will be sent to East Devon District Council following each meeting of the Advisory Forum.
- 12) Nothing stated or implied in this Constitution shall be construed as giving power to the Advisory Forum to incur any expenditure or liability on behalf of the District Council.

## Minutes of the meeting of the South East Devon Habitat Regulations Executive Committee held at Knowle, Sidmouth, on Wednesday 29 June 2016

Attendance list at end of document

The meeting started at 6pm and ended at 6.35pm.

### 1 Public speaking

The Chairman welcomed everyone present to first meeting of the Executive Committee.

There were no questions from members of the public.

### 2 Declarations of interest

There were none.

### 3 Exclusion of the public

#### **RESOLVED:**

that the classification given to the documents submitted to the Executive Committee be confirmed; there were two items which officers recommended should be dealt with in Part B.

### 4 Arrangements for governance, operation and stakeholder interaction

The Executive Committee considered the Habitat Regulations Delivery Officer's report setting out the governance arrangements and method of operation for the South East Devon Habitat Regulations Executive Committee (HREC), as agreed by East Devon District Council, Exeter City Council and Teignbridge District Council. The report also detailed the working relationships between the HREC, the Habitat Regulations Delivery Officer, the Officer Working Group and the Green Infrastructure (GI) Board.

The HREC was responsible for overseeing the habitat mitigation delivery required by the South East Devon European Mitigation Strategy, endorsed by all three authorities, to ensure that development within each authority's Local Plans could proceed.

In response to a suggestion put forward to include the word 'provisionally' in the recommendations, the Strategic Lead – Legal, Democratic Services and Licensing advised that certain decisions had to be agreed by the Executive Committee in order to proceed with the work detailed within the Annual Business Plan and 5 Year Delivery Programme.

#### **RESOLVED: that the South East Devon Habitat Regulations Executive Committee:**

#### **1. Endorses the South East Devon European Site Mitigation Strategy, noting that:**

- Further work is required to confirm overall SANGS requirements;
- The need for future re-evaluation of the (Table 26) costs therein, in particular SANGS delivery priorities and associated costs; and,
- The need for future re-evaluation of approaches to securing funds for SANGS delivery through CIL and Section 106, taking account of any forthcoming amendments to the CIL regulations.

- 2. Notes the Terms of Reference and Rules of Procedure which govern the running of the HREC and which have been agreed by the three authorities and that the Committee has no authority in respect of Compulsory Purchase powers.**
- 3. Notes the intended working relationships between all interested parties.**
- 4. Agrees to using East Devon District Council's Contract Standing Orders and financial rules (adapted to suit as appropriate by East Devon District Council's Strategic Lead for Legal, Licensing and Democratic Services and S.151 Officer) for all procurement until such time as the HREC agrees its own procurement rules.**
- 5. Delegates all necessary powers to the Delivery Officer to enable the delivery and implementation of approved mitigation projects (including the hiring of staff, purchasing vehicles and equipment, awarding monitoring and surveying contracts) with any expenditure being identified in the Annual Business Plan or 5 yr delivery programme and limited to a maximum sum of £50,000 per item. This delegated authority shall not include decisions relating to:**
  - a. Agreeing the Annual Business Plan and 5 yr delivery programme.**
  - b. Any expenditure not contained within the approved Business Plans.**

## **5 Financial report**

The Executive Committee considered the Habitat Regulations Delivery Officer's report updating Members on the overall financial position of developer contributions received by all three local authorities as mitigation payments toward measures identified in the South East Devon European Site Mitigation Strategy. The report also included anticipated income from contributions where planning permission had been granted, however the mitigation payment had not yet been paid.

**RESOLVED: that the South East Devon Habitat Regulations Executive Committee:**

- 1. Notes the progress made in collating detailed financial information from the three authorities.**
- 2. Receives quarterly updates on the overall financial position including contributions received, contributions not received because arrangements may be in place for contributions to be with-held, expenditure and anticipated contributions (from signed S106).**
- 3. Receives \*annual updates on 5 year income forecasts of developer contribution receipts, clearly identifying where these have been retained by the collecting authority where any agreement is in place for contributions to be with-held.**
- 4. Agrees that, as financial administrator, EDDC will invoice Exeter City Council and Teignbridge District Council quarterly in arrears, as a minimum, to cover agreed costs incurred by EDDC on behalf of the Partnership. An exercise to agree balances between the parties will also be initiated quarterly by EDDC.**

(\* - see resolution 5 of minute 6 re arrangements for more frequent reporting in the first 12 - 18 months)



## **6 Annual Business Plan and Five-Year Delivery Programme**

The Executive Committee considered the Habitat Regulations Delivery Officer's report setting out the principles for the on-site projects, which were recommended as a priority by the Delivery Officer, in conjunction with the Officer Working Group. The projects were detailed within the Annual Business Plan and Five Year Delivery Programme, which were both appended to the Committee report.

During discussion, it was proposed that the role of the Habitat Regulations Delivery Officer should be included in the next Annual Business Plan and 5 Year Delivery Programme. The contract for the post was currently scheduled to end in spring 2018 and it was considered that this should be reviewed to ensure delivery of the Programme.

In response to comments made regarding potential impacts from the outcome of recent the European Union referendum, Amanda Newsome (Natural England) advised that at present there was no change in the law or policy protecting wildlife. All of the EU Directives, which related to wildlife protection, had been transposed into UK law and it would require new Acts of Parliament to revoke any of it. Concern was raised by Members that the outcome could result in a 'slow-down' in the development industry and therefore there would be value in having more frequent updates on development forecasts. Notwithstanding resolution 3 in minute 5, in light of concerns over impact of the referendum results more regular reporting on developer forecasts was felt appropriate.

**RESOLVED: that the South East Devon Habitat Regulations Executive Committee:**

- 1. Approves the 2016 Annual Business Plan appended to the committee report and commitments and actions set out therein.**
- 2. Approves the 5 Year Delivery Programme appended to the committee report.**
- 3. Receives a progress update on the delivery of the Annual Business Plan at the next meeting (quarterly basis).**
- 4. Agrees that the Habitat Regulations Delivery Officer role be included in the next Annual Business Plan and 5 Year Delivery Programme.**
- 5. Receives an update on development forecasts every six months for the next 12-18 months.**

## **7 Dawlish Warren Visitor Centre**

The Executive Committee considered the Habitat Regulations Delivery Officer's report outlining an opportunity to deliver a new visitor centre at Dawlish Warren. Members noted that the project was identified through the South East Devon European Site Mitigation Strategy and that significant match funding might be available for a limited period.

**RESOLVED: that the South East Devon Habitat Regulations Executive Committee:**

- 1. Agrees the principle of prioritising a further £220,000 of Partnership funds as a contribution towards the replacement Dawlish Warren visitor centre in 2019/20, subject to sufficient monies being available.**

2. **Agrees the redirection of the £220,000 of Partnership funds to other projects if sufficient match funding to take the Dawlish Warren Visitor Centre project forward is not secured by June 2019.**

## **8 Joint Communications Strategy**

The Executive Committee considered the Habitat Regulations Delivery Officer's report seeking approval of a communication protocol to ensure that the reputations of the Executive Committee and the respective Councils were protected. It also would also ensure that the work of the Executive Committee was communicated positively and adverse publicity was avoided or limited. Key communication messages, which had been written to enable the work of the Executive Committee to be promoted in a consistent and coordinated manner, internally and externally, were also noted.

In response to a comment about the need to promote a clear message about the benefits of the works being progressed in respect of delivering the Mitigation Strategy, it was advised that a press-release on the outcomes of the Executive Committee's first meeting would be published by the Growth Point's Communications Officer within the next couple of weeks. The importance of communication being in plain English was highlighted.

**RESOLVED: that South East Devon Habitat Regulations Executive Committee:**

1. **Approves the Habitat Regulations Mitigation Communications Protocol as set out in appendix 1 to the committee report.**
2. **Note the key communications messages as set out in appendix 2 to the committee report.**

## **9 Forward Plan and programme of meetings**

The Strategic Lead – Legal, Democratic Services and Licensing asked Members to agree the proposed dates for future meeting of the Executive Committee. A Forward Plan of key decisions would be published at least 28 days prior to each meeting as set out in the Executive Committee's Terms of Reference.

**RESOLVED: that dates proposed for future South East Devon Habitat Regulations Executive Committee meetings be agreed.**

- **21 September 2016**
- **18 January 2017**
- **29 March 2017**

## **10 Exclusion of the public**

**RESOLVED: 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).**

**11 Suitable Alternative Natural Green Space (SANGS) – introduction and options**

The Executive Committee considered the Habitat Regulations Delivery Officer's report outlining the concept of Sustainable Alternative Natural Green Space (SANGS) and options for sites currently under investigation across the three local authority areas.

The creation of alternative sites (SANGS) sought to divert visitors away from sensitive European sites and was being promoted as a mitigation measure, one of many, to ensure no adverse effect on the integrity of the European Sites as a result of new development.

**RESOLVED: that the South East Devon Habitat Regulations Executive Committee notes the progress towards delivering SANGS options across the region.**

**12 Suitable Alternative Natural Green Space (SANGS) – opportunity**

The Executive Committee considered the Habitat Regulation Delivery Officer's report advising Members of an opportunity to acquire land for SANGS; this would be forward funded and would play a key role in mitigating the impacts of development within the three local authority areas.

The Executive Committee discussed the challenges in respect of delivering SANGS sites and the need to look at each individual opportunity on its own merits.

**RESOLVED: that the South East Devon Habitat Regulations Executive Committee:**

- 1. Acknowledges a request to approve the purchase of specified land Sustainable Alternative Natural Green Space (SANGS); the purchase to be forward funded;**
- 2. Approves the principle of funding the purchase and instatement of the Land for SANG provision at a cost of up to the amount contained in the confidential committee report, subject to conditions included in the report in respect of acquiring the land and the Committee being satisfied with the financial budget details;**
- 3. Approves the use of Section 106 funding from specified development as a contribution toward the costs of the proposed SANGS on the Land;**
- 4. Notes that a decision on the specific mechanism for any partnership funding and the method by which the forward funding is recouped be taken at the next committee meeting in September 2016.**

**Attendance list**

**Committee Members:**

Cllr Andrew Moulding, East Devon District Council (Chairman)  
Cllr Humphrey Clemens, Teignbridge District Council  
Cllr Rachel Sutton, Exeter City Council

Amanda Newsome, Natural England  
Peter Lacey, Green Infrastructure Board

**Officers**

Henry Gordon Lennox, Strategic Lead – Legal, Democratic Services and Licensing (EDDC)  
Neil Harris, Habitat Regulations Delivery Officer  
Naomi Hartnett, Principal Projects Manager  
Peter Hearn, Strategic Infrastructure Planning (ECC)  
Fergus Pate, Principal Growth Point Officer (TDC)  
Richard Short, Assistant Director City Development (ECC)  
Hannah Whitfield, Democratic Services Officer (EDDC)  
Mark Williams, Chief Executive (EDDC)  
Andy Wood, Projects Director

**Also present for all or part of the meeting:**

Cllr Peter Bowden (EDDC)

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 7 July 2016**

#### **Attendance list at end of document**

The meeting started at 6.00pm and ended at 8.11pm.

Prior to the business of the meeting, the Chairman spoke about the sad loss of David Chapman, and of his thoughts with David's wife Maddy at such a difficult time. He spoke about the diligent and constructive work he had achieved, whilst always acting as a gentleman even in the face of passionate debate. Cherry Nicholas also spoke about David's work and the friendships that had grown out of his dedication; his passion for sport and his willingness to pass on his skills to others. As a mark of respect, the committee stood for a period of silence to reflect and remember David.

#### **\*7 Public speaking**

There was no public speaking at this part of the meeting.

#### **\*8 Minutes**

The minutes of the Scrutiny Committee held on the 9 June 2016 were confirmed as a true record.

#### **9 Matters of urgency – LGBCE Electoral Review Programme 2015 – 2019 report to Cabinet for 13 July 2016**

The Chairman raised this item as a matter of urgency, the reason being that the debate at Overview Committee on 28 June 2016 took place after the publication of the agenda for this meeting and the submission to the LGBCE is due to be submitted in the week commencing 18 July 2016. The Chairman apologised for the late addition of the item.

The discussion paper put to the Overview Committee, and being presented to Cabinet on 13 July 2016, suggested that the total number of members on a Scrutiny Committee could be 10. The Chairman disagreed with this suggestion.

Other committee members discussed research they had made into the number at neighbouring authorities and felt that the present number of 15 was at the correct level. A question was also raised about the consideration of appropriate skill sets of elected members before appointment to committees. It was not felt necessary to have a reduced membership in order to be effective.

The committee were reminded that the report by the Chief Executive was purely to stimulate debate and proposed, for the purposes of debate, that the minimum number of councillors required for the Council was 45. No decision had been made on the final submission.

**RECOMMENDED** that Cabinet retain a membership of 15 for the Scrutiny Committee in the submission to the LGBCE; and to note that the committee does not concur with the statement in the report that the committee "is at its most effective when it can reflect the level of the expertise and competence that is expected of Cabinet".

## **10 Scoping specific examples of public engagement and consultation identified by the committee**

The committee received a report from the Democratic Services Officer on four examples of consultation identified by the committee for further scoping. The report set out the timeline for each example and suggested where the committee might recommend to Cabinet any additional elements to future consultation.

The four examples were:

1. Exmouth masterplan consultation of 2011
2. Exmouth "Splash" and associated area, excluding current pre-planning application work
3. Beach hut consultation prior to hire charge changes, particularly on the timing of public meetings in relation to wider consultation
4. Inclusion of land at Sidford in the production process of the local plan.

The Chairman heard from local Ward Members on each of the examples before hearing from the committee members and undertaking debate on each issue.

### **Exmouth masterplan**

Points made included:

- The regeneration board for Exmouth should be a public forum that all members can attend;
- Any future survey relating to the masterplan must include seeking visitor, business and resident opinion;
- Suggestion that the adopted consultation guide was not owned by the council;
- That questions in original consultations were biased and leading;
- That the LDA, commissioned to undertake the consultation, were not independent;
- That the Council was not trusted by the public;
- Could a councillor operate their own consultation that has not been commissioned by the Council or would that confuse the public, who may assume that the consultation was on behalf of the Council? In response, legal advice was that any such exercise undertaken by a councillor would have to be done with caution; be mindful of the code of conduct; and making clear to the public what role the councillor is taking in carrying out such an exercise;
- Consultation on Exmouth had been undertaken over a long period prior to the masterplan consultation; so taken as a whole, extensive consultation had been carried out to date;
- The Masterplan needing more than just a refresh, as it had been many years since it had been drawn up and consulted on; many constituents may have forgotten about the original consultation;
- Incorrect press statements, although subsequently corrected, did not make a good impression to the public and was damaging to the relationship Ward Members had with their constituents

The Deputy Chief Executive responded that:

- Regeneration Boards were hugely valuable because they did not facilitate as a formal committee, allowing representatives from a wider area than just councils to freely discuss matters. Representation included from the local community and local business. The minutes of the regeneration boards are published and presented to Cabinet. Overall the boards have a good balance and have democratic links back to the Council;
- In revisiting the Masterplan, consultation will engage with the sectors raised by

councillors and will be extensive;

- Correspondence sent in referred to by Cllr Armstrong had been previously raised at Council on 24 Feb 2016 and responded to by the Deputy Leader, as set out in the minutes of that meeting. The latest correspondence will be checked and a response to the individual concerns made if new issues have been raised;
- There was no reason to conclude that the original consultations were biased; consultation was undertaken by qualified officers and the diversity of responses to the consultation suggested that people felt free to express their views fully. Consultation was undertaken, not only at a practical street level asking for people's views, but with groups such as the Exmouth Community Association, Chamber of Commerce, and the College;
- In the last year, 45 consultation exercises have been undertaken over a wide range of issues across the District, with feedback on how effective and engaging those exercises have been;
- Understand the frustration, which was also felt by officers, in not being able to communicate some information with Ward Members because of constraints such as commercial sensitivity or ongoing litigation.

During debate, the committee discussed how the Exmouth Regeneration Board could be more open to the public, as well as the extent of consultation needed on a refreshed masterplan, with a view to making it relevant to how the town had changed since the Masterplan was first drafted. The importance of including visitors, business and local residents being involved in consultation was stressed.

### **Exmouth "Splash"**

Many points relating in part to this consultation had already been made in relation to the Masterplan. Additional points included:

- Consider widening the membership of the Exmouth Regeneration Board to include more Exmouth Town councillors;
- Change the Board to a committee format, as has previously been undertaken with the Asset Management Forum, functioning with a "part B" private session for commercially sensitive and confidential information;
- The existing Board already had a number of Exmouth councillors, both District and Town as well as a wide spectrum of representatives from other sectors

In response, the Deputy Chief Executive re-iterated his view on the effectiveness of regeneration boards in the existing format.

### **Beach hut consultation**

No specific debate was held on this consultation but comments were made on the adopted guide in place. Suggestions were made that this needed to be more specific, but no additions were forthcoming from the committee. Reference was made to other authorities with a consultation policy in place that could be considered.

The committee were reminded that any work on formulating a policy on consultation would be in the remit of the Overview Committee.

Ward Member inclusion was also discussed as needed at the earliest opportunity for any consultation project.

## **Inclusion of land at Sidford**

Comments were made briefly on the inclusion and Cllr Rixson outlined, as at previous meetings, her dismay at the inclusion in the Plan. The Vice Chairman reminded the committee that the Plan was now adopted following independent examination by the Inspector and there were no options open to the committee to pursue it further.

### **RECOMMENDED to Cabinet**

1. that consideration be given to refreshing the Exmouth Masterplan, with a view to a proposal for that work being put before them in the autumn of 2016;
2. that consideration be given, for the purposes of greater transparency, to the Exmouth Regeneration Board being constituted in a similar format to the current Asset Management Forum, whereby the Board meetings are held in public with a private session for dealing with confidential/commercially sensitive information as required; and that new Regeneration Boards be constituted in the same format;
3. that consideration be given to the issue of press statements on the meetings of the Exmouth Regeneration Board for circulation to appropriate bodies such as Exmouth Town Council;
4. that consideration be given to the creation of a consultation policy to replace the existing guide;
5. that planned service and/or fees and charges changes must include relevant Ward members and town and parish councils at the earliest opportunity.

**RESOLVED** that no further action be taken by the committee on the consultation undertaken on the Local Plan, specifically in relation to the site allocation at Sidford.

### **\*11 Scrutiny forward plan**

Next scheduled meetings of 4 August and 1 September were not expected to be required unless an urgent matter came to light. Update reports from Portfolio Holders were being sought to be provided to the committee.

The committee were reminded of the date of the next website tour for Members – 13 July 2016 at 3pm in the Council Chamber. The Vice Chairman had made note of some areas difficult to access on the website and would follow up with web editors.

Suggestions for scoping put forward were:

- Mortgage companies approaching tenants to help them purchase the property under the Right to Buy scheme – this area could be vulnerable to such fraud because of the value of property in the District and the pending extension of Right to Buy to Housing Associations;
- Raising the profile of the Scrutiny Committee through publicity

The suggestion of due diligence on partners for the Council was advised as falling to the remit of the Audit and Governance Committee.



**Attendance list (present for all or part of the meeting):**

**Scrutiny Members present:**

Roger Giles  
Alan Dent  
Dean Barrow  
Colin Brown  
Cathy Gardner  
Simon Grundy  
Douglas Hull  
Bill Nash  
Cherry Nicholas  
Val Ranger  
Marianne Rixson

**Other Members**

Megan Armstrong  
Ben Ingham  
Geoff Jung  
Jill Elson  
Pauline Stott  
Rob Longhurst

**Officers present:**

Richard Cohen, Deputy Chief Executive  
Anita Williams, Principal Solicitor and Deputy Monitoring Officer  
Debbie Meakin, Democratic Services Officer

**Scrutiny Member apologies:**

Peter Burrows  
Maddy Chapman  
Marcus Hartnell

**Other Member apologies:**

John Dyson  
Peter Bowden  
Dawn Manley

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Notes of a Meeting of the New Homes Bonus Panel held at Knowle, Sidmouth on Wednesday 20 July 2016**

**Present:** Councillors:  
Tom Wright (Chairman)  
Michael Allen  
David Barratt  
Marcus Hartnell  
Douglas Hull  
Geoff Jung  
Andrew Moulding  
Christopher Pepper

**Also Present:** John Dyson  
Dawn Manley  
Helen Parr

**Officers:** Jamie Buckley, Community Engagement and Funding Officer  
Ali Eastland, Locality Development Officer, DCC  
Chris Lane, Democratic Services Officer

The meeting started at 2.00pm and finished at 2.25pm.

**\*1 Minutes**

The notes of the previous meeting of the New Homes Bonus Panel held on 22 March 2016 were confirmed as a true record.

**\*2 Documentation**

The Parishes Together Fund guidance notes and application form, circulated with the agenda were noted.

**3 Application from Broadclyst and Poltimore Parish Councils and  
Cranbrook Town Council - Smartwater - £1,400**

The Community Engagement and Funding Officer outlined the project which was to mark property with Smartwater and installing signage to deter theft from sheds and outbuildings. The Chairman indicated that when the scheme went live that he would like the maximum amount of publicity to ensure that potential thefts were deterred. Ali Eastland, DCC, reported that there would also be funding support for the project from the Local Action Group.

**RECOMMENDED:** that the Broadclyst and Poltimore Parish Councils  
application to mark property with Smartwater and  
installing signage to deter theft from sheds and  
outbuildings, be supported

4     **Application from Colyton, Southleigh, Frway and Northleigh Parish Councils – Ditches and Drainage - £3,510**

The Community Engagement and Funding Officer outlined the project which was to pay for ditching and drainage work required in the Parishes. The Chairman reported that there was the possibility of additional funding for this project.

**RECOMMENDED:**    that the application for £3,510 for ditching and drainage work required in the Parishes be supported.

5     **Application from Monkton and Upottery Parish Councils – Parish Noticeboards - £196**

The Community Engagement and Funding Officer outlined the application to purchase parish notice boards.

**RECOMMENDED:**    that the application from Monkton and Upottery Parish Councils to purchase parish notice boards, be supported.

6     **Application from Sidmouth Town Council – Junior Netball club in Sidmouth - £1,846.62**

The Community Engagement and Funding Officer outlined the application for the purchase of equipment for junior netball clubs in Sidmouth. Once the club was up and running then it was expected that the club would be funded by subscriptions.

**RECOMMENDED:**    that the application for the purchase of equipment for junior netball clubs in Sidmouth, be supported subject to the confirmation of support from Newton Poppleford Parish Council and EDDC logos on the shirts.

**Report to:** Cabinet

**Date of Meeting:** 14 September 2016

**Public Document:** Yes

**Exemption:** None

**Review date for release** None



**Agenda item:** 12

**Subject:** Port Royal, Sidmouth

**Purpose of report:** The purpose of the report is to update members on the progress of discussions with Sidmouth Town Council concerning the Port Royal redevelopment opportunity and seek approval for key documents relating to our joint work and next steps in taking the project forward through a Scoping Study that will involve key information gathering, public and stakeholder consultation events and proposals for the further stages of design, planning and development.

Sidmouth Town Council has taken a similar report to its Council meeting on 5 September 2016.

**Recommendation:**

- 1. That the Terms of Reference for the joint working approach between the Council and Sidmouth Town Council as at appendix 1 are approved and that Cabinet recommend to Council the appointment of two Sidmouth Town Council Ward Members as representatives of the Project Reference Group;**
- 2. That approval is given for the Project Brief for the Scoping Exercise as included at appendix 2.**

***These recommendations are in line with those included in a similar report being taken to Sidmouth Town Council.***

**Reason for recommendation:** To enable progress to be made with the commencement of the joint working between the Council and Sidmouth Town Council on this important project for Sidmouth.

**Officer:** Alison Hayward [ahayward@eastdevon.gov.uk](mailto:ahayward@eastdevon.gov.uk) 01395 571738 x 1738

**Financial implications:** The Council has an agreed budget of £10,000 to progress the work outlined in this report.

**Legal implications:** The Terms of Reference are acceptable to govern the relationship between the parties in the context of the proposed Scoping Exercise. Further consideration will need to be given to the procedures governing any further collaborative working between the parties, should that situation arise, which will be dependant upon the outcomes of the Scoping Exercise. It is important to note that while Sidmouth Town Council are the lead on the project with support from EDDC, this will not obviate the need for EDDC approvals (as landowner or any other function of the District Council) where necessary. Otherwise there are no legal observations arising at this time.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:** • [‘Sidmouth – Eastern Town Scoping Study’](#) – Report to Cabinet 6 January 2016

**Link to Council Plan:** Priorities:

- Encouraging communities to be outstanding
- Developing an outstanding local economy
- Delivering and promoting our outstanding environment

## Report in full

### 1. Background.

- 1.1 The Port Royal area at the eastern end of Sidmouth Seafront has been a part of the town that has long been regarded by the community as in need of renewal, improvement and investment. Various studies, plans and visioning have, over time, been proposed for the area and there is a high level of public interest in the future of the area. A core aspect of any development planning going forward will be early consultation that gathers the views of residents, businesses, visitors and interested organisations. There are also a variety of tenants in the area to engage with as well.
- 1.2 In January 2016 the DCEO presented a report to Cabinet on the opportunity presented by the renewal of Port Royal. The report explained the joint ownership of land in this area by EDDC and Sidmouth Town Council and the opportunity to work together to bring forward proposals for a redevelopment of the area.
- 1.3 It was agreed that the project should be led by Sidmouth Town Council with support from officers of East Devon District Council and external expertise as necessary. In the first instance a Scoping Exercise should be undertaken to identify more information about the site, its opportunities and constraints. It is proposed that the Scoping Study will involve a Reference Group made up of elected members from Town, District and County Councils and key local organisations as well as tenants in the area. Both Councils have committed funding to undertake this Scoping Study.
- 1.4 The DCEO and Senior Manager for Regeneration and Economic Development have subsequently met with the Town Council and given a presentation to members on the process of development in general and the particular opportunity and challenge that the Port Royal Scoping Study will begin to address.
- 1.5 The presentation has also been given to a wider group of interested organisations including the Neighbourhood Plan Steering Group, the Chamber of Commerce, local District Councillors, currently located users in the area such as the Sidmouth Sailing Club and the Sidmouth Lifeboat, Sidmouth Vision Group and Sid Vale Association.
- 1.6 At both of these meetings where the presentation was given, it was discussed constructively and mostly positively by the respective audiences. Officers of this Council and the Town

Clerk and Chairman of the Town Council were able to answer questions raised by those in attendance relating to the next stages.

- 1.7 There is particular interest from the Neighbourhood Plan Steering Group (NPSG), and the Town Council will continue to liaise with this group throughout the process to ensure that there is close working as public consultation is progressed. The NPSG is keen to contribute to the consultation work of the Scoping Study and it is hoped that the timing of it's next questionnaire will be able to include a question regarding people's ideas about what they would like to see in a renewal plan for Port Royal.

## **2. Terms of Reference between the Council and Sidmouth Town Council.**

- 2.1 It is important that there is clarity and transparency in the roles and responsibilities of both Councils in this process. The project will be led by Sidmouth Town Council and will draw on the resources of East Devon District Council both in terms of officer time and expertise and in Council funding as the project moves ahead and various surveys and professional expertise is required in taking forward the development opportunity. The two Councils are the key landowners for the areas and there will also be a significant role for the County Council as Highways Authority in particular.
- 2.2 With this in mind, the Terms of Reference at Appendix 1 have been drawn up for consideration and approval.

## **3. The Project Reference Group**

- 3.1 The Terms of Reference refer to a Group being established that can meet several times during the study period involving key local organisations where progress and findings can be discussed, information can be shared and participants offer advice and expertise into the Scoping Study.
- 3.2 The recommended membership of the Reference Group is given at appendix 1. The Town Council has proposed the same membership in a parallel report to its Council meeting on 5 Sep 2016 and approval is sought from Cabinet for this membership (see Rec 1 above).

## **4. Scoping Exercise Project Brief**

- 4.1 The Scoping Exercise is the first piece of work to be completed and will provide information on the opportunities and constraints of the site. It will identify a proposed site boundary from the land ownership that exists between the two Councils. This is an important approach because the public, elected members and local organisations have the opportunity to have an early say in the process and influence what happens next. The alternative might have been a full end to end masterplan exercise from Day 1. In discussion with the Chair and Town Clerk of Sidmouth Town Council it was clear that an initial Scoping Study was preferred and the officers of this Council concurred.
- 4.2 A key and early element of the Scoping Exercise will be public consultation so as the process and consultants can commence with a clear awareness of the views of Sidmouth residents. The reference group will meet throughout the study period to consider and advise the consultants as their work progresses.

- 4.2 Officers have drafted a project brief for the Scoping Exercise (Appendix 2). This document has been prepared in conjunction with the Town Clerk of Sidmouth Town Council. The Council is being asked to approve this project brief (Rec 2 above).
- 4.3 Once approval has been given by this Council and Sidmouth Town Council, the Councils will conduct a formal selection process with a study brief to be issued to appropriately experienced external professional organisations.
- 4.4 Following a selection and appointment process of the most suitable advisor, the Scoping Exercise will commence. It is anticipated that this will take around 4 months.

## **Appendices.**

### **Appendix 1 – Terms of Reference**

### **Appendix 2 – Project Brief for Scoping Exercise**

## **Terms of Reference**

### **Joint Working Arrangements for the Port Royal Scoping Exercise Project Sidmouth Town Council and East Devon District Council**

#### **1. Purpose**

- 1.1** The purpose of this document is to set out the framework for the joint working arrangements between STC and EDDC regarding how the organisations will work together to bring forward the delivery of the Port Royal project for Sidmouth.
- 1.2** This includes the resources both organisations will commit to projects in terms of officer/member time and also how the Councils will use their respective landholdings to bring forward the redevelopment project for the area.
- 1.3** The Project objectives are that a scoping exercise should be undertaken to understand the opportunities and constraints presented by this important and sensitive area of Sidmouth. This exercise will carry out initial assessments of the site and make practical recommendations to the two Councils regarding what will need to be more significant work to bring about investment and redevelopment for the Port Royal area. This will be a complex project, take a number of years to complete and will involve various stages and gateways to progress through to completion.

#### **2. Proposed Principles of the Collaboration Agreement between EDDC and STC**

##### **2.1 Collaborative working**

The Councils agree to work in a spirit of mutual co-operation to fulfil their agreed roles and responsibilities to achieve the objectives.

Each Council shall:

- Carry out tasks and contribute the necessary resources required as part of the project.
- Keep the other party fully informed of the progress of matters relevant to the project,
- Notify the other party immediately if there is any unexpected problem which is likely to cause a material delay to the completion of the project, or an increase in the costs of the project.

##### **2.2 Project Management Structure**

- STC will take the project lead.



- STC will contribute the staff resources of the Town Clerk. The Town Clerk will co-ordinate and administer the necessary meetings. He will be the central point for information sharing and external communication to local stakeholders and the community will be managed through him.
- The Town Clerk will also prepare reports for approval by STC.
- STC will also provide financial resources to take the project forward. These will be reviewed from time to time.
- EDDC will contribute the following staff resources: The DCEO and the Senior Manager, Regeneration and Economic Development.
- The EDDC staff will be involved in providing advice on the tasks required and commissioning external advice, preparing project briefs and co-ordinating instructions to external advisors and consultants. They will prepare reports for approval by EDDC Cabinet.
- EDDC will also provide financial resources which will be reviewed from time to time.
- Decisions will be taken by each Council respectively.

**2.3** The STC and EDDC officers together with their elected Members of the Reference Group, will conduct a selection panel for the choice of consultants to carry out the Scoping Study

**2.4** The Officers of STC and EDDC will provide core project resources in cooperation with the Reference Group to produce the following:

- Establish a Project Plan with the specific tasks to be completed and a timeline for their completion
- Manage the delivery of the Project Plan
- Ensure effective management of any appointed consultants
- Ensure effective communication, information sharing, consultation with stakeholders and the local community and local businesses
- Prepare reports and seek approval for actions from respective Town Council members and EDDC SMT and Cabinet
- The project team delivering these tasks will be made up of officers of both Councils, the selected consultants and a nominated elected member from each of the Council's as well

### **3. Project Reference Group**

**3.1** A Reference Group of interested local parties will be formed for the Scoping Study process and chaired by the Town Council:

- Membership of the group will include the following:
  - The Chairs of the following organisations: Sidmouth Town Council, Neighbourhood Plan Group, Sid Vale Association, Sidmouth Vision Group, Chamber of Commerce
  - x2 Sidmouth Town Councillors, x2 Sidmouth District Councillors, County Councillor
  - Officers of the two Councils
- Meetings will be chaired by the Chairman of the Town Council and serviced by the Town Clerk
- It will meet on 3 -4 occasions during the Study period
- Its role will be to receive progress reports and discuss with fellow members, officers and the commissioned study providers the project's progress, emerging findings and advise, share information and ideas.
- The Group will have an advisory role and provide feedback, information and knowledge to the project team and Scoping Study provider.

#### **4. Community Engagement and Consultation**

- 4.1** The Project Team will work with others and through the Reference Group to ensure that appropriate community engagement, information sharing and consultation takes place with local stakeholders, local businesses and the local community and shall commit adequate resources to this. To reflect the ongoing Neighbourhood Planning process underway there may be opportunities for shared working. As part of a consultation process for the Scoping Study there will be at least one public meeting and one meeting of consultees drawn from local organisations and business community.

#### **5. Scoping Exercise and Follow On**

- 5.1** The Scoping Exercise will gather information and knowledge relating to the site, and explore the opportunities and constraints. Following this exercise, the Councils will collectively identify the next steps for the project, the relevant stages involved, the decision gateways for approvals and the need for involvement of other parties and advisors to achieve the project aims and objectives.



**SCOPING EXERCISE FOR**  
**PORT ROYAL, SIDMOUTH**  
**PROJECT BRIEF**

## **Introduction**

Sidmouth Town Council (STC) and East Devon District Council are working in partnership to bring forward the renewal of the Port Royal area in Sidmouth. East Devon and Sidmouth Councils are both significant landowners in the area. In order to progress the renewal of Port Royal it has been agreed between the two Councils that a scoping exercise should be undertaken to understand the opportunities and constraints presented by this area of the town. This exercise will carry out initial assessments of the site and make practical recommendations to the two Councils regarding what will need to be more significant work to bring about investment and redevelopment for the Port Royal area.

Sidmouth Town Council is taking a leading role in this project with the support of officers from East Devon District Council, in particular officers of the Regeneration and Economic Development Team who will support this initial scoping exercise.

To this end we are inviting proposals from appropriate professional companies to work with the two Councils and provide a scoping plan of key issues and the future process to achieve the renewal of this important part of the town. Jointly, the two Councils have set aside £10,000 for this commission.

This Project Brief sets out the following:

1. Background to Sidmouth and Port Royal
2. The Scope of work required
3. Information and resources that EDDC/STC will provide
4. Information required in the proposals
5. Selection process and criteria
6. Conflict of Interest and Confidentiality.
7. Relevant dates and Submission Administration
8. Contact details

## **1. Background.**

### **1.1 Sidmouth Town**

Sidmouth is a characterful and popular seaside town in the district of East Devon. It has a population of 12,500 and sits on the Jurassic Coast World Heritage site. The population is

marked out by an ageing demographic with a significantly higher proportion of the population beyond working age and the very elderly. Having said that, the town is also home to working age families and a thriving school provision at primary and secondary level.

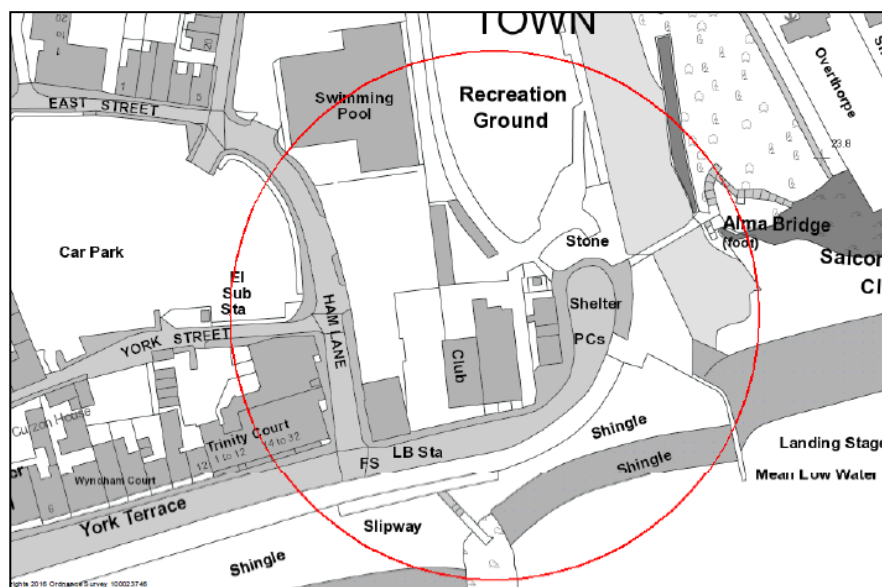
The town attracts a large number of visitors which is reflected in a substantial hotel presence and wider tourism offer of a traditional nature. The town centre and older parts of the town have numerous listed buildings and there are also attractive parks and gardens. The high street area offers a mix of retail, food and drink.

### 1.1 Port Royal

This is an area to the east of the town extending from the seafront backwards bordered on the east by the Sid river (see map below). It has long been recognised locally as an area that does not meet the high visual and amenity quality of other parts of Sidmouth and is an opportunity for development and renewal.



## The Immediate Area



## 2. Scope of Work Required.

We would expect the scoping activities to include tasks and a final report addressing the following:

- 2.1 A project plan at commencement and a final scoping report for approval by Councils and subject to a public launch event.
- 2.2 A desktop evaluation of our work on searches, deeds/title, previous area studies etc to extract some overall conclusions and recommendations about broad options for new development and mix of uses.
- 2.3 Identification of gaps in information and remedial action required.
- 2.4 Comment on technical and sensitivity issues that reflect the location. These could include both opportunities but also challenges and restrictions in planning, design, engineering, environment, flood management and the World Heritage Coast designation.
- 2.5 A recommendation on the optimal geographical boundary of a more detailed future planning and development process.
- 2.6 A view on the relationship of Port Royal to the wider town in terms of seafront, high street and opportunities for improved and new economic, cultural and other benefits.
- 2.7 Initial advice on the range of uses relevant and possible including the importance or value of retention of any specific current uses.

- 2.8 Identification of mix of investment and funding options (private, public and charitable).
- 2.9 Bringing to bear market intelligence and an understanding of viability of development options and different uses.
- 2.10 A recommendation on the choice of next steps (eg Masterplan, development brief, outline planning permission):
  - (i) A broad specification of a future detailed commission
  - (ii) Projection of cost of the next steps
  - (iii) Timetable for delivery
- 2.11 Participation in two consultation events:
  - (i) A stakeholder meeting
  - (ii) A public meeting

Sidmouth and its environs are presently consulting upon a Neighbourhood Plan and the Scoping Study may have opportunity to collaborate with and inform the Neighbourhood Plan with regard to Port Royal renewal.

- 2.12 Engagement with Council officers and two meetings of a small reference group

### **3 Information and resources that EDDC/STC will provide**

- 3.1 As well as providing the funding, the Councils will provide a range of intelligence and services to the scoping exercise from in house.

EDDC will provide the following:

#### **a) Deputy CEO**

- (i) EDDC leadership and first point of contact for partnership with STC
- (ii) Budget location for EDDC contribution to scoping exercise
- (iii) In cooperation with STC to provide a Communications Plan to ensure local awareness and understanding

#### **b) Regeneration Team**

- (i) Project Management on a daily basis
- (ii) Co-ordinating appointments of external expertise
- (iii) Ensuring appropriate approvals are achieved

#### **c) Estates**

- (i) An initial and optional boundary map (see below). This is not final and nor should it be regarded as a 'red line' development boundary. It represents a starting point for a scoping exercise
- (ii) Any previous documentary history of 'visioning' of Port Royal: Sidmouth Vision 2006 and the November 2011 Brief

#### **d) Legal**

- (i) Deed packets and legal title information for land owned by EDDC
- (ii) Review of STC deeds
- (iii) Coordination of local searches eg environmental, utilities

**e) Development Management (Planning)**

- (i) A digest of relevant extracts from the Council's recently adopted Local Plan
- (ii) Advice on planning policy, conservation area status, flood zone, and design as required
- (iii) Advice on S106/CIL implications
- (iv) A copy of the Local Plan can [be accessed via the link here](#) **INSERT LINK**

**f) Environmental Services**

- (i) Information on the Sidmouth Beach Management Plan (BMP)

3.2 Sidmouth Town Council will provide the following:

- g) Local leadership of scoping exercise
- h) Deeds covering STC ownerships
- i) Guidance and administration of local engagement and communication with Town Council and Neighbourhood Plan Team
- j) Any previous documentary history of 'visioning' of Port Royal

3.3 Other parties to be considered as consultees/participants within scoping exercise and beyond:

- (i) DCC Highways
- (ii) DCC Flood Risk and Coastal Protection Team
- (iii) Environment Agency
- (iv) Natural England
- (v) Local stakeholders (TBA)
- (vi) Elected Members
- (vii) Jurassic Coast World Heritage Trust

3.4 As part of the process we will require the consultants to attend meetings in East Devon and Exeter to produce progress reports. In terms of the structure of the study commission we will consider an element of follow up call off days attached to the project for the consultants to provide implementation support.

**4.0 Information Required in Your Proposal.**

4.1 Please provide us with your proposal for this piece of work specifically covering:

- A brief statement explaining your understanding of the Project Brief, including advice on any additions or improvements to the commission;
- A brief statement on the methodology you would adopt for undertaking this work;
- Details of relevant experience and examples of similar projects undertaken by the organisation, and where applicable, the role of the proposed team members in those projects;
- The staff proposed together with a resource schedule detailing the expected contact time per week;
- Details of any specific expectations of the Council in terms of administration or information;
- Timescale for undertaking the commission with key milestones/deliverables;



- Provision of an overall fee proposal and a cost breakdown by tasks.

**Please limit your submission document to no more than 10,000 words.**

## 5.0 Selection Criteria

- 5.1 We will be considering both the proposed fee and the quality of the proposal in making our selection and the evaluation criteria for this commission is set out below.

Price = 60%

Quality = 40%

Quality will be assessed according to the following:

	Criteria	Maximum Score
A	<b>Company Experience</b> - Ability to deliver the objectives in the brief; demonstrating how previous experience will be used; ability to innovate; experience of collaborative working processes	8
B	<b>Technical merit of proposal</b> – understanding of the brief; method and approach; completeness of services offered. Demonstrating how the methodology will meet the regeneration aspirations of East Devon District Council and Sidmouth Town Council	17
C	<b>Staff and other resources</b> - experience of the project lead; allocation of staff to ensure objectives are met; ability to meet programme; experience of working together as a team; project management structures; balance of skills	10
D	<b>Programme</b> – is a sensible timescale proposed; do the proposals complement the stated requirements of EDDC/STC	5

## 6.0 Conflict of Interest and Confidentiality Issues

- 6.1 We will require confirmation from you that there are no conflicts of interest related to this commission for your organisation.
- 6.2 Elements of the process and Scoping Report itself may need to be confidential especially for reasons of commercial sensitivity. There will, however, be an expectation on the Councils' part that all possible documentation will be made publicly available at an appropriate future point.

## 7.0 Relevant Dates and Submission Administration.

- 7.1 The Councils would expect to be able to conclude this exercise within 3-4 months of commencement.



7.2 We would like to receive your proposal **by 5.00pm on date tba.** Written proposals will be considered by a selection panel of the commissioning organisations. We may ask shortlisted bidders to present their proposals to a selection panel and will let you know following receipt of your submission.

7.2 Proposals to be addressed for the attention of Christopher Holland and clearly marked '*Port Royal Scoping Study Proposal*'.

The Council requires x3 hard copies of the documents and a one version on CD as well.

The address to send the documentation is:

Sidmouth Town Council  
Woolcombe House  
Woolcombe Lane  
Sidmouth  
EX10 9BB

## 8.0 Further Information

If you wish to discuss this opportunity, please contact either:

Christoper Holland, Sidmouth Town Council on 01395 512424 or;

Alison Hayward, East Devon District Council on 01404 41719 or 07875 281044.

Thank you for your interest in working with Sidmouth Town Council and East Devon District Council.

**Report to:** Cabinet  
**Date of Meeting:** 14 September 2016  
**Public Document:** Yes  
**Exemption:** None



**Review date for release** None

**Agenda item:** 13

**Subject:** **Officer Executive Decision taken in respect of the response to the Bishops Clyst Neighbourhood Plan submission consultation**

**Purpose of report:** To inform members that an officer executive decision was taken to allow the Council to provide a response to the submission consultation of the Bishops Clyst Neighbourhood Plan

**Recommendation:**

- 1. That Members note the formal submission of the Bishops Clyst Neighbourhood Plan and congratulate the producers of the plan on the dedicated hard work and commitment in producing the document.**
- 2. That Members note the officer executive decision taken and the response to the submission consultation.**

**Reason for recommendation:** To ensure that the view of the District Council was recorded and informs the consideration of the Neighbourhood Plan by the independent examiner.

**Officer:** Tim Spurway, Neighbourhood Planning Officer,  
[tspurway@eastdevon.gov.uk](mailto:tspurway@eastdevon.gov.uk) tel: 01395 571745

**Financial implications:** Once the Neighbourhood Plan passes through the referendum stage and is 'made', the Parish Council will be eligible to receive 25% of CIL receipts for development that occurs within the Neighbourhood Area upon adoption of the CIL charging scheme.  
This council receives government funding once the Neighbourhood Plan has a date set for referendum.

**Legal implications:** The legal position is well covered in the report. It is important for EDDC to comment on the content of the Neighbourhood Plan (given that it will form part of the Development Plan and therefore help guide decision making on planning applications) to ensure that it sits with the strategic requirements of the Council's Local Plan. The timings of relevant Council meetings did not permit a report to be taken through before the date for a response in accordance with the consultation process, hence the use of Senior Officer

delegated powers. Otherwise there are no legal implications arising.

**Equalities impact:** Low Impact

The Neighbourhood Plan has gone through wide consultation with the community and has been advertised in a variety of formats to increase accessibility. Neighbourhood Planning is designed to be inclusive and extensive consultation is a fundamental requirement. All electors are invited to vote in the referendum.

**Risk:** Low Risk

There is a risk that the Neighbourhood Plan could fail the examination if it is considered to conflict with the basic conditions.

**Links to background information:**

- Localism Act 2011  
<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
- Neighbourhood Planning Regulations 2012  
[http://www.legislation.gov.uk/uksi/2012/637/pdfs/uksi\\_20120637\\_en.pdf](http://www.legislation.gov.uk/uksi/2012/637/pdfs/uksi_20120637_en.pdf)
- Neighbourhood Planning Roadmap Guide  
<http://locality.org.uk/wp-content/uploads/Roadmap-worksheets-map-May-13.pdf>

**Link to Council Plan:** Living in this Outstanding Place.

## **1.0 Report Summary**

- 1.1 Bishops Clyst Parish Council submitted their Neighbourhood Plan to the District Council and publication of the submission commenced on the 1<sup>st</sup> July 2016. The District Council is required to formally consult on the Plan for 6 weeks before appointing an Independent examiner to inspect the plan against a series of conditions that the plan must meet in order for it to proceed to a referendum. This is the third plan in East Devon to reach this stage of the process, with the others being the Lymestone Neighbourhood Plan which was 'made' last year, and the Stockland Neighbourhood Plan, which has recently undergone examination.
- 1.2 During these 6 weeks the District Council has the opportunity to comment on the Neighbourhood Plan and this report sets out the recommended formal response by this Council. Any comments received during the consultation period will be forwarded to the examiner for their consideration.
- 1.3 In normal circumstances, a recommendation by officers would be brought to members through Cabinet but in this instance it was not possible due to the cancellation of the Cabinet meeting scheduled for the 10<sup>th</sup> August. It was important that the Council provides a formal response to the Plan and therefore an Officer Executive Decision was taken in order to meet the consultation deadline, which concluded on the 15<sup>th</sup> August.

## **2.0 Background to the Bishops Clyst Neighbourhood Plan**

- 2.1 Bishops Clyst Parish Council commenced work on their Neighbourhood Plan following their Neighbourhood Area being designated on the 5 March 2014.

- 2.2 Since then, the Parish Council and volunteers from the local community have spent considerable time and effort consulting with residents of the parish and producing a plan which reflects the aspirations of the community with regards to the use of land until 2031.
- 2.3 Prior to submitting the Plan to East Devon District Council, Bishops Clyst Parish Council have held their own 6 week public consultation on a draft version of the plan; a step which is also required by the neighbourhood planning regulations. The group took into account comments made during this stage and made various amendments to the version that has now been submitted to East Devon District Council.
- 2.4 Officers from East Devon District Council have provided regular feedback throughout the production of the Neighbourhood Plan at the various draft stages. Many early issues have now been resolved and therefore the comments we made in this final consultation are fairly limited.

### **3.0 Submission of the Bishops Clyst Neighbourhood Plan**

- 3.1 Bishops Clyst Parish Council submitted their completed Neighbourhood Plan to the District Council on the 14<sup>th</sup> June 2016.
- 3.2 This is the third completed (ready for final consultation) Neighbourhood Plan in the District. The Parish Council has received regular support from the District Council and additional financial support from DCLG. They have also hired the planning professional Paul Weston to help aid them throughout the process.
- 3.3 One of the statutory roles of the District Council is to consider whether the plan meets, in production process terms, the legislative requirements. Cabinet has previously endorsed a protocol for District Council involvement into Neighbourhood Plans and in accordance with this protocol an officer review has been completed. Officer assessment is that legislative requirements are met.
- 3.3 The statutory regulations required that the District Council organise and undertake the consultation on a plan when it reaches this stage. The consultation period commenced on the 1<sup>st</sup> July 2016 and concluded on the 15<sup>th</sup> August 2016. It has been publicised on notice boards within the Parish, notices on the EDDC and Parish Council websites and in email to all the bodies mentioned in the consultation statement, including adjoining authorities and the statutory consultees of Devon County Council, Natural England, Historic England and the Environment Agency.
- 3.4 All responses to the consultation have now been received and can be viewed alongside the plan at the following link. <http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/bishops-clyst/#article-content>
- 3.5 Anyone may comment on a Neighbourhood Plan. It is particularly important that the District Council comments, given that the Neighbourhood Plan (if adopted) will form part of the Development Plan, and should conform to the strategic policies of the Local Plan. This report provides a summary overview of the plan includes commentary on the plan and advises on the comments of this authority on the plan endorsed through the Officer Executive Decision to be submitted to the examiner undertaking the plan examination.

## **4.0 Neighbourhood Plan Examination and Referendum**

- 4.1 Following the consultation the District Council must appoint an 'appropriately qualified and independent examiner' agreed with Bishops Clyst Parish Council. All responses from the six week consultation (including any made by this council) will be forwarded to the examiner who will consider them, either by written representations or at an oral hearing (if s/he decides one is necessary). The District Council is responsible for paying the costs of the examination although the District Council can recoup these expenses by claiming funding from Central Government of £20,000 once a date has been set up for referendum following a successful examination.
- 4.2 Early discussions with the Parish Council have indicated that they have no particular preference as to who to appoint to conduct the examination. It would be officer's preference to appoint Nigel McGurk, who undertook the recent examination of the Stockland Neighbourhood Plan and the examination of the Lymptone Neighbourhood Plan last year as both Officers and Parish Council appreciated his professional and comprehensive approach. This preference has been communicated to Bishops Clyst Parish Council and they have indicated that they would be happy with this.
- 4.3 The neighbourhood plan examination is different to a local plan examination. The examiner is only testing whether the plan meets the basic conditions and other relevant legal requirements – they are not testing the soundness of the plan or looking at other material considerations. The examiner will be considering whether the plan:
- has appropriate regard to national policy and advice contained in guidance issued by the Secretary of State
  - contributes to the achievement of sustainable development.
  - is in general conformity with the strategic policies in the development plan for the local area.
  - is compatible with human rights requirements.
  - is compatible with EU obligations.
- 4.4 As part of the Development Plan used in future planning decisions, it is in the interests of the District and Parish Councils to produce a high quality neighbourhood development plan.
- 4.5 Following the examination the examiner's report will set out the extent to which the draft plan proposal meets the basic conditions and what modifications (if any) are needed to ensure it meets the basic conditions. The examiner has 3 options for recommendation:
- A. That the plan proceeds to referendum as submitted.
  - B. The plan is modified by the District Council to meet basic conditions and then the modified version proceeds to referendum.
  - C. That the plan/ does not proceed to referendum.

If the examiner chooses A or B above they must also consider whether the referendum area should be extended beyond the boundaries of the plan area (this could be applicable if plan proposals could impact on a larger area). The report must give reasons for each recommendation and contain a summary of its findings. It is the responsibility of the District Council to accept or decline the modifications suggested by the examiner.

- 4.6 Once the Plan has been modified it will be subject to a referendum where everyone on the electoral roll (for the defined area) will have a right to vote for or against it. If at least half of votes cast support the plan then it can be brought into legal force.

## **5.0 The Bishops Clyst Neighbourhood Plan**

- 5.1 During the current 6 weeks consultation the District Council can comment on the Plan. In terms of meeting the Basic Conditions, the Parish Council has produced a Statement setting out how the plan complies with the conditions which the examiner will assess.
- 5.2 The Plan itself contains 30 planning policies. The Neighbourhood Plan group have also chosen to produce a separate Community Action Plan, which will set a number of non land-use identified in the Neighbourhood Planning process that the Parish Council to follow up. Some Neighbourhood Plan groups, rather than produce a separate plan, choose to spread community actions throughout the Neighbourhood Plan document.
- 5.3 The separation of the two plans is an approach that Officers of the Council endorse as it leads to a more concise plan and crucially, it will be the planning policies related to land use that the examiner will be considering against the basic conditions, and that will be subsequently used by our development management team when determining planning applications.
- 5.4 **After reviewing the Neighbourhood Plan contents, the following representation of East Devon District Council was submitted to the neighbourhood plan consultation. It should be noted that comments are primarily restricted to land use planning policy matters rather than background text/reasoned justification or the community policies and are made on the basis of:**
- **Does a Bishops Clyst Neighbourhood Plan policy comply with strategic policies in our adopted local plan and have appropriate regard to National Planning Policy?**
  - **Do we have concerns about policy given wider objectives of the council?**
  - **Are the policies workable and enforceable - could they be reasonably applied through the Development Management process? and**
  - **Are they otherwise appropriate or desirable?**

<b>EDDC Cmmt No</b>	<b>Issue / Policy In Plan</b>	<b>Comment</b>
1.	Para 1.11	The new Built up area boundary will be proposed in the Villages Development Plan Document, not the Local Plan. This should be amended.
2.	Para 1.13	In the third sentence the word 'good' should be removed.
3.	Policy BiC02	The policy refers to a method statement, it would be useful for a description of this to be provided in the glossary of terms at the end of the document.
4.	Policy BiC04	This policy seeks to ensure the use of sustainable drainage systems. As it may not always be reasonable or appropriate to use SuDS for all development proposals we would recommend the addition of words in the policy to read '...minimise flood risk where practical <b>and appropriate</b> and, in particular...'

EDDC Cmmt No	Issue / Policy In Plan	Comment
5.	Policy BiC08	This policy states that development outside the BUAB will only be supported if they comply with the policies in the Neighbourhood Plan or strategic policies in the Local Plan. This is not strictly the case as applicants will also have to comply with our non-strategic Local Plan policies. Regardless, it goes without saying that this will be the case and so we would advise the removal of this statement.
6.	Policy BiC10	We would recommend the inclusion of the following words to the policy 'Proposed developments <b>of four or more</b> dwellings should contain a mix...' to allow for single development proposals to come forward with more than 2 bedrooms where required.
7.	Policy BiC11	<p>This policy seeks to set parking standards for new development to accommodate a sufficient number of cars for occupiers. In the justification, the plan argues that 'The Parish Council wants to ensure that housing development accommodates a high level of car ownership and does not lead to local roads becoming any more congested or obstructed by parked cars'. Little supporting evidence has been presented in the Plan to indicate that the parish or village suffers with congestion issues, although we are aware that this is one of the reasons that the Neighbourhood Plan group has brought the policy forward.</p> <p>The standards themselves are considerably higher than those set out in the Local Plan. It sets a minimum of 2 off-road spaces for each one and two bed house, and a minimum of 3 off-road spaces for units with three or more bedroom, whereas the Local Plan includes provision for at least 1 car parking space for one bedroom homes and 2 spaces per home with two or more bedrooms.</p> <p>The NPPF states that 'The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel... If setting local parking standards for residential and non-residential development, local planning authorities should take into account:</p> <ul style="list-style-type: none"> <li>• the accessibility of the development;</li> <li>• the type, mix and use of development;</li> <li>• the availability of and opportunities for public transport;</li> <li>• local car ownership levels; and</li> <li>• an overall need to reduce the use of high-emission vehicles.'</li> </ul> <p>Clyst St Mary has a regular bus service with approximately hourly or greater frequency, a good variety of local services and facilities as well as being in close proximity to Exeter and a number of employment sites- all should be contributory factors in reducing the need to travel by car.</p> <p>The increased standards are also not restricted to any particular affected area, a development in Sowton would still have to provide the prescribed number of spaces regardless of whether there was an issue with on-street parking or not.</p> <p>Increased standards could also lead to the knock-on impacts by increasing the size of plots, leading to lower densities and an increase in the cost of</p>

EDDC Cmnt No	Issue / Policy In Plan	Comment
		housing, impacting on the viability of future housing schemes.  As it stands, we feel that this part of the policy does not have regard to the NPPF and is in conflict with Strategy 5B of the Local Plan, which seeks to promote sustainable modes of travel and transport. It also does not promote the objectives of sustainable development, as required by the basic conditions.
8.	Policy BiC18	In order to encourage sustainable development we would like the following statement added to criteria point b "...unacceptable impacts on the local road network or encourage increased use of private motor vehicles.'
9.	Policy BiC20	The first letter of the word 'the' at the start of Criteria point b uses an odd symbol. This should be amended.
10.	Policy BiC26	This policy seeks contributions from developers towards a specific important cycle route. It is unclear on how the Neighbourhood Plan group intend on securing contributions, and whether this will be coming out of the 25% of CIL from new development that the parish council will receive once the plan is adopted. We would advise the group to clarify this either in the policy or supporting text.
11.	Footnote 13, page 18.	Footnote refers to the 'Pebbled' heaths rather than 'Pebblebed'
12.	Para 10.5	This must be 'more than 5' rather than '5 or more' to accord with government legislation



**Report to:** Cabinet  
**Date of Meeting:** 14 September 2016  
**Public Document:** Yes  
**Exemption:** None



**Agenda item:** 14

**Subject:** Financial Monitoring Report 2016/17 - Month 4 July 2016

**Purpose of report:** This report gives a summary of the Council's overall financial position for 2016/17 at the end of month four (31 July 2016).

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.

**Recommendation:** The variances identified as part of the Revenue and Capital Monitoring process up to Month Four be acknowledged.

**Reason 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.

**Officer:** Laurelie Gifford [lgifford@eastdevon.gov.uk](mailto:lgifford@eastdevon.gov.uk) ext. 2613  
Mandy White [awhite@eastdevon.gov.uk](mailto:awhite@eastdevon.gov.uk) ext. 2357

**Financial implications:** Contained within the report

**Legal implications:** No legal observations are required

**Equalities impact:** Low Impact

**Risk:** Low Risk

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

**Links to background information:** .

## 1. Report in full 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. Investment Income

The base rate has been cut to 0.25% and is expected to remain at this level until a rise in the second quarter of 2018.

Capita Asset Services, EDDC's treasury management advisors note that following the UK's European Union (EU) referendum and resulting decision to leave the EU, borrowing rates fell to historic lows and will remain at low levels. Currently, there does remain some value with longer term investments with suitable counterparties but the cut in interest rates at the Bank of England will have a negative effect on investment rates. Uncertainty remains around UK growth and inflation, and a revision to the Budget could be seen in the Autumn Statement.

	<b>Annual Budget £000</b>	<b>Variation as at Month 4 £000</b>	<b>Predicted Outturn Variation £000</b>
<b>Investments</b>			
External investments (Net of Fees)	(236)	(7)	(7)
Internal investments	(65)	0	0
<b>Total</b>	<b>(325)</b>	<b>(7)</b>	<b>(7)</b>

## 3. General Fund Position as at Month Four

- 3.1 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:

	<b>£000</b>
<b>Original Budget Requirement (set 25/02/16)</b>	<b>11,473</b>
Revenue projects funded from 2015/16 earmarked reserves	838
Support for Enterprise Zone CAB 11/5/16	25
Community infrastructure Levy review	30
Cranbrook team manager and reorganisation CAB 8/6/16	124
Sidmouth beach management plan CAB 13/7/16	54
Electronic Document Management System CAB 6/4/16 – Transformation funded	47
Month 4 predicted over (under) spend at year end detailed below	(7)
<b>Predicted Budget Outturn</b>	<b>12,584</b>

A summary of the predicted over and under spends to the Year End are shown below:

<b>Predicted over / (under) spends</b>	<b>Variation as at Month 4 £000</b>	<b>Predicted Outturn Variation £000</b>
<b>Environment Services</b> Car park income seasonal fluctuation	(76)	0
<b>Street Scene services</b> Refuse & recycling – New contract starts July 2016. Expected savings will be quantified after old contract figures finalised to offset reduced income Recycling credits income remains low in 2016/17.	375	0
<b>Strategic Development &amp; partnership services</b> Planning fees increase due to one off large application but rest of year uncertain	(138)	0
Investment Income variations as above	(7)	(7)
<b>Predicted Outturn Total Variations GF</b>	<b>154</b>	<b>(7)</b>

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

	<b>£000</b>
General Fund Balance 01/04/16	<b>(3,625)</b>
Less: Planned use/contribution to General Fund balance (Enterprise Zone CAB 11/5/16)	25
<b>Available General Fund balance 2016/17</b>	<b>(3,600)</b>
Community infrastructure Levy review CAB 20/4/16	30
Cranbrook Team manager post per CAB 8/6/16	124
Sidmouth Beach management plan CAB 13/7/16	54
Predicted net over / (under) spend to year end net of Year end transfers to Earmarked Reserves (from above)	(7)
<b>Predicted General Fund Balance 31/03/17</b>	<b>(3,399)</b>

The Council has an accepted adopted range for the General Fund Balance to be within the range of £2,800k to £3,600k. The predicted balance of £3,399k is within this range. The final position will be considered at outturn reported in June 2017.

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

	<b>Annual Budget £000</b>	<b>Variation at Month 4 £000</b>	<b>Predicted Outturn Variation £000</b>
Building Control fees	(526)	0	0
Car Park income	(3,101)	(76)	0
Local Land Charges income	(283)	0	0
Planning fees Income	(1,447)	(138)	0
Recycling income	(1,338)	375	0

### 3.4 Summary of Other Reserves:

	<b>Balance B/f 2016/17 £000</b>	<b>Spend to date £000</b>	<b>Estimated additional Spend/ (Income) £000</b>	<b>Predicted Balance C/f to 2017/18 £000</b>
Asset Maintenance Reserve	<b>(1,035)</b>	18	0	<b>(1,017)</b>
Business Rates Volatility Reserve	<b>(933)</b>	0	0	<b>(933)</b>
LABGI Reserve	<b>(173)</b>	72	53	<b>(48)</b>
New Homes Bonus Volatility Reserve	<b>(1,431)</b>	0	0	<b>(1,431)</b>
Transformation Reserve	<b>(530)</b>	0	57	<b>(473)</b>

## 4. Housing Revenue Account Position up to Month 4

- 4.1 A summary of the predicted over and under spends identified so far to the year end is shown below:

	<b>Variation at Month 4 £000</b>	<b>Predicted Outturn Variation £000</b>
No variations identified		
<b>Predicted Outturn Total Variations HRA</b>		<b>0</b>

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/deficit for the year.

	<b>£000</b>
<b>Original Budget surplus</b>	<b>(213)</b>
Month 4 predicted net (under)/overspend to year end	0
<b>Predicted Budget (Surplus)/Deficit HRA</b>	<b>(213)</b>

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

	<b>£000</b>
<b>Housing Revenue Account Balance (01/04/16)</b>	<b>(5,135)</b>
Predicted budget requirement as above	(213)
<b>Predicted HRA Balance (31/03/17)</b>	<b>(5,348)</b>

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 in addition £4.4m

is held in a volatility reserve. These balances will be required to mitigate the effect of the 1% rent reduction, the sale of high value stock and the Pay To Stay initiatives.

## 5. **Capital Programme Position up to Month 4**

- 5.1 The following tables currently estimate the total required from the Capital Reserve is £1,630k leaving £775k remaining in the reserves at year end.

<b>Capital Reserve</b>	<b>£000</b>	<b>£000</b>
<b>Brought forward balance 1 April 2016</b>		<b>(2,405)</b>
Funding for 2016/17		1,630
<b>Balance carried forward to 2016/17</b>		<b>(775)</b>

- 5.2 Capital Programme and financing:

	<b>£000</b>	<b>£000</b>
<b>Net Capital Programme Budget (Council 24/02/16)</b>		<b>18,541</b>
2015/16 scheme costs slipped into 2016/17	8,315	
<b>Revised 2016/17 budget</b>		<b>26,856</b>
<b>Capital Programme variations</b>		
Additional Disabled facilities grant	(435)	
Increase in Disabled facilities grant programme	435	
Manstone workshops slipped to 2017/18 pending Work shop strategy	(109)	
Resurfacing of Yards Manstone/Millway Rise/Riverside/Salterton Workshops slipped to 2017/18	(84)	
Seaton workshop provision slipped to 2017/18	(518)	
Replacement of boiler plant & roof at Exmouth Town Hall removed as now part of relocation	(116)	
Replacement of boiler plant & roof at Exmouth Town Hall contributions removed as now part of relocation	109	
Replacement of boiler plant at Seaton Town Hall removed from programme	(35)	
Broadclyst and Ottery Leisure Centre re roof	(1)	
Honiton & Sidmouth Sports Centres Reroof slippage to 2017/18	(195)	
Honiton & Sidmouth Sports Centres Reroof contributions slippage to 2017/18	80	
Ottery Saint Mary All weather pitch slipped to 2017/18	(175)	
HRA Affordable housing - Purchase of 9 properties S.106 and Right to buy funded	1,471	
		<b>(74)</b>
<b>Predicted Capital Budget Requirement Month 4</b>		<b>26,782</b>

<b>Capital Programme financed by</b>	<b>£000</b>	<b>£000</b>
Use of Capital Receipts	(2,433)	
External Loans/Internal borrowing	(13,140)	
S.106 funding	(1,179)	
Other grants and contribution	(341)	
General Fund contribution	(5)	
HRA Contribution	(5,806)	
New Homes Bonus	(2,155)	
Predicted Capital Reserve (Requirement) / Contribution	(1,630)	
<b>Total Funding</b>		<b>(26,782)</b>

**Report to:** **Cabinet**  
**Date of Meeting:** 14 September 2016  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release** None



**Agenda item:** 15

**Subject:** **Monthly Performance Report June 2016**

**Purpose of report:** Performance information for the 2016/17 financial year for June 2016 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

**Recommendation:** **1. That the Cabinet considers the progress and proposed improvement action for performance measures for the 2016/17 financial year for June 2016.**

**Reason 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 Development Management, Housing, Revenues and Benefits and Streetscene.

**Officer:** Karen Jenkins, Strategic Lead – Organisational Development and Transformation

[kjenkins@eastdevon.gov.uk](mailto:kjenkins@eastdevon.gov.uk) ext 2762

**Financial implications:** There are no direct financial implications

**Legal implications:** There are none arising from the recommendations in this report

**Equalities impact:** Low Impact

**Risk:** Low Risk

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

**Links to background information:**

- [Appendix A – Monthly Performance Snapshot for June 2016](#)
- [Appendix B - The Performance Indicator Monitoring Report for the 2016/17 financial year up to June 2016](#)
- [Appendix C – System Thinking Reports for Housing, Development Management, Revenues and Benefits and Streetscene for June 2016](#)

**Link to Council Plan:** Continuously improving to be an outstanding Council

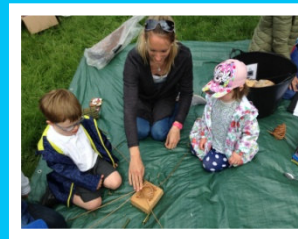
## Report in full

1. Performance information is provided on a monthly basis. In summary most of the measures are showing acceptable performance.

2. There are four indicators that are showing excellent performance:
  - Percentage of planning appeal decisions allowed against the authority's decision to refuse
  - Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
  - % of invoices paid in 10 working days
  - Working days lost due to sickness absence
3. There are no performance indicators showing as concern.
4. Monthly Performance Snapshot for May is attached for information in [Appendix A](#).
5. A full report showing more detail for all the performance indicators mentioned above appears in [Appendix B](#).
6. Rolling reports/charts for Housing, Development Management, Revenues and Benefits and Streetscene appear in [Appendix C](#).



# Monthly Performance Snapshot – June 2016



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

- **4 days** to process your Housing or Council Tax Benefit claims
- **96%** of invoices received by us are paid within 10 days
- Less than **2.5 days** on average to clear fly tipping cases, dealing with **52 cases** in June
- Streetscene removed **114 Tonnes** of grime from the streets in East Devon
- An estimated **47%** of all waste collected was recycled in June
- June saw 985 visitors to the Thelma Hulbert gallery +129% on last June and shop sales : £3,230 +174% on last June

Latest headlines:

- Our following on Twitter is steadily increasing as we receive on average 4 new twitter followers per day. We received over 2700 likes on Facebook from April to June. Through April, May and June we sent out 60 press releases covering a wide range of our activities.
- We dealt with 211 reactive building maintenance cases at EDDC's public buildings during June, this compares to 190 in May of this year, and 144 in June of last year. This included items such as installing an external power supply for the off road mobility scooter at Axe Wetlands, repairing rotten beach hut doors in Exmouth, making good graffiti and fire damage to the Abode of Love shelter in Exmouth, and redecorating the tenant's kitchen at East Devon Business Centre in Honiton.
- The Thelma Hulbert Gallery (THG) took a stand at the Contemporary Craft Festival we achieved £819 in sales +35% on last year's sales on the stand and engaged with an incredible 479 Adults and 34 Young People. Also at the Exmouth Festival the Gallery delivered 3 days of workshops at engaging 112 adults and 83 Young People from the Exmouth area improving THG's reach across East Devon.
- THG joined with the Countryside team and Axe Valley Community College to deliver a successful workshop in THG's new community garden to 19 Gifted and Talented students from six local schools.
- Since last November we have used £3K of funding to help deliver seven workshops to Under 5's targeting socially excluded young families in coordination with the Honiton Children's Centre. In the next phase, THG will be going out to Seaton and Axminster Children's Centres over the summer.

**Report to:** **Cabinet**

**Date of Meeting:** 14 September 2016

**Public Document:** Yes

**Exemption:** None

**Review date for release** None



**Agenda item:** 15

**Subject:** **Monthly Performance Report July 2016**

**Purpose of report:** Performance information for the 2016/17 financial year for July 2016 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

**Recommendation:** **1. That the Cabinet considers the progress and proposed improvement action for performance measures for the 2016/17 financial year for July 2016.**

**Reason 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 Development Management, Housing and Revenues and Benefits.

**Officer:** Karen Jenkins, Strategic Lead – Organisational Development and Transformation

[kjenkins@eastdevon.gov.uk](mailto:kjenkins@eastdevon.gov.uk) ext 2762

**Financial implications:** There are no direct financial implications

**Legal implications:** There are none arising from the recommendations in this report

**Equalities impact:** Low Impact

**Risk:** Low Risk

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

**Links to background information:**

- [Appendix A – Monthly Performance Snapshot for July 2016](#)
- [Appendix B - The Performance Indicator Monitoring Report for the 2016/17 financial year up to July 2016](#)
- [Appendix C – System Thinking Reports for Housing, Development Management and Revenues and Benefits for July 2016](#)

**Link to Council Plan:** Continuously improving to be an outstanding Council

## Report in full

1. Performance information is provided on a monthly basis. In summary most of the measures are showing acceptable performance.

2. There are four indicators that are showing excellent performance:
  - Percentage of planning appeal decisions allowed against the authority's decision to refuse
  - Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
  - % of invoices paid in 10 working days
  - Working days lost due to sickness absence
3. There are no performance indicators showing as concern.
4. Monthly Performance Snapshot for July is attached for information in [Appendix A](#).
5. A full report showing more detail for all the performance indicators mentioned above appears in [Appendix B](#).
6. Rolling reports/charts for Housing, Development Management and Revenues and Benefits appear in [Appendix C](#).

# Monthly Performance Snapshot – July 2016



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

- **99.88%** of rent due on council owned homes collected
- **4 days** to process your Housing or Council Tax Benefit claims
- **95%** of invoices received by us are paid within 10 days
- An estimated **47%** of all waste collected was recycled in July

Latest headlines:

- We dealt with 233 reactive building maintenance cases at EDDC's public buildings during July, this compares to 211 in June of this year, and 15 in July of last year. This included items such as portable appliance test failures at the Knowle, public clock not chiming at Connaught Gardens, repairs to the disabled persons WC at Axe Wetlands, and problems with drainage at Manor Pavilion Theatre.
- There are six more plays left in the Summer Play Season at the Manor Pavilion Theatre, with a large increase in tickets sales, the season is proving to be a great hit. Advance ticket sales at the Manor Pavilion Theatre for the Autumn Season have just gone over 6k, One Christmas show has already sold over 150 tickets. This is totally breaking new ground.
- Thelma Hulbert Gallery (THG) delivered an unprecedented eight days of activities during July (including workshops with both Honiton and Axe Valley Community Colleges, three SWITCH play days and the first of their Summer Holiday Family Workshops).
- Thelma Hulbert Gallery and volunteers undertook training with a Dementia Champion and are now Dementia Friends enabling them to be accessible to more visitors including those living with dementia and their carers.
- Over 160 people attended the Bug Hunt at Seaton Wetlands. They took part in 'bug-hunt bingo', pond-dipping and made clay creatures to take home.
- Housing service news - The gardens of tenants from across the district were judged as part of our annual garden competition.
- Community Fun Days were held in Clyst St George and Awliscombe.
- Housing's East Devon Open art exhibitions starting showing at Seaton Jurassic and Manor Pavilion in Sidmouth.