Date: 25 February 2013
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To: The Chairman and Members of the Cabinet
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Cabinet
Wednesday 6 March 2013
5.30 pm
Council Chamber, Knowle Sidmouth

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

Members of the public are welcome to attend this meeting.

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

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

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

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

AGENDA Part A

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

Councillors also have the opportunity to ask questions of the Leader and/or Portfolio Holders during this time slot whilst giving priority at this part of the agenda to members of the public.

			Pages
2	To confirm the minutes of the meeting of the Cabinet held on 30 January 2013 as a true record.		6-20
3	To receive any apologies for absence.		
4	To receive any declarations of interest relating to items on the agenda.		
5	To consider any items, which, in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances. Note: Such circumstances need to be identified in the minutes. ➢ If you wish to raise a matter under this item, please do so in advance of the meeting by notifying the Chief Executive who will then consult with the Chairman; and ➢ If the matter is a key decision, and it has been impracticable to publicise it 28 clear days in advance [in the Forward Plan or otherwise] the Chairman of Overview and Scrutiny has been notified, with the reasons for the urgency being set out on the Council's website ; or ➢ If the matter is a key decision and a case of special urgency and cannot reasonably be deferred, the Chairman of Overview and Scrutiny has agreed that the item be considered [or if unable to act, the Chairman of the Council] with the reasons for urgency being set out on the Council's website.		
6	To agree any items to be dealt with after the public (including the press) have been excluded. There are 3 items which Officers recommend should be dealt with in this way.		
7	To note the contents of the Forward Plan for Key Decisions for the period 1 March to 30 June 2013.		21-25
8	Matters referred to the Cabinet by the Overview and Scrutiny Committee for re-consideration in accordance with the Overview/Scrutiny procedure or budget and Policy Framework Procedure Rules under Part 4 of the Constitution. No items have been put forward.		
9	To note or take appropriate action in respect of the minutes of the meeting of the Overview and Scrutiny Committee held on 24 January 2013.		26-30
10	To note or take appropriate action in respect of the minutes of the meeting of the Recycling and Refuse Partnership Board held on 24 January 2013		31-37
11	To consider the recommendations of the New Homes Bonus Panel held on 1 February 2013		38-40

Part A Matters for Decision – Key decisions

12	Homelessness Strategy 2013-2018 Plus Appendix	Housing Needs and Strategy Manager	41-59

13	Local Welfare Support Scheme Plus Appendix	Housing Needs and Strategy Manager	60-81
14	Health and Social Care Reforms	Head of Housing	82-87
15	Exmouth Regeneration/ Master plan – priority projects up-date	Richard Cohen – Deputy Chief Executive/Development Surveyor	88-94
16	Planning Policy - Neighbourhood Plans	Senior Planning Officer	95-99

Part A Matters for Decision

17	Financial Monitoring report 2012/13 – Month 10 January 2013	Financial Services Manager	100-106
18	Axminster Carpets	Economic Development Manager	Report to follow
19	Home Energy Conservation Act Plan Plus Appendices 1 & 2	Environmental Health Manager (Private Sector Housing)	107-119
20	Cross Channel Declaration on Shipping Incidents Plus Appendix	Chief Executive	120-123
21	Performance Monitoring Report until January 2013 **The Month tracking appendix is attached – other appendices summarising performance provided as links under Background Papers in the report**	Corporate Organisational Development Manager	124-126

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

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

Notice is given of intention to hold this part of the meeting in private as required by the Regulations. The statements of reasons for meeting to be held in private, details of any representations received why the meeting should be open to the public in response to the '28 clear days notice' already posted on the Council's website, and the Council's response to the representations, are set out against each agenda item below. Where it has been impracticable to comply with the private meeting notice procedures, the required agreement has been obtained from the relevant chairman or vice chairman that the meeting is urgent and cannot reasonably be deferred. Notice of this agreement, if relevant to this meeting, may be viewed on the council's website. The proper officer has excluded from public inspection the reports listed below because in his opinion they relates only to matters during which the meeting is likely to be a private meeting. The Local Government Act 1972 sets out the circumstances in which reports may be considered in private.

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

PART B – Matter for Decision – key decision

23	Thelma Hulbert Gallery progress report Plus Appendix – draft Constitution	**Reasons for consideration in Part B:** 1. Para 3 Schedule 12A Information relating to the financial or business affairs of any particular person (including the authority holding that information). **2.** The report includes details of the proposed review of all operational aspects of the Gallery including the roles and responsibilities of the Gallery team.	Countryside and Leisure Manager	127-133

PART B – Matter for Decision

24	To note or take appropriate action in respect of the confidential action notes of the meeting of the Members' Office Accommodation Working Party held on 16 January 2013	**Reasons for consideration in Part B:** **1** Para 3 Schedule 12A (as above) **2** The action notes include reference to details of the relocation budget, governance arrangements and expressions of interest		134-139
25	Churchworker accommodation – Cranbrook Plus app – site plan	**Reasons for consideration in Part B:** 1. Para 3 Schedule 1(as above) 2. The report includes details of the transfer options and risk considerations.	Senior Estates Surveyor	140-143

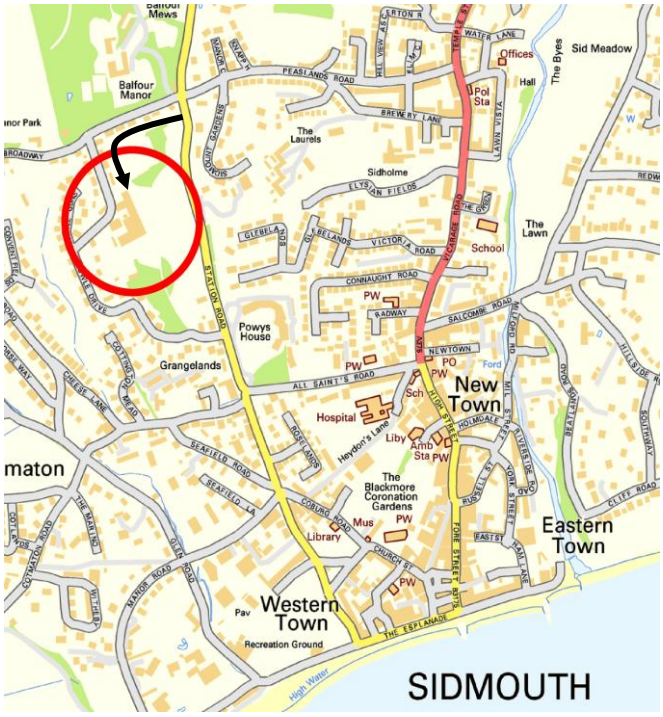
Decision making and equality duties

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

Members and co-opted members remember!

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

Getting to the Meeting – for the benefit of visitors



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

The following **bus service** stops outside the Council Offices on Station Road: **From Exmouth, Budleigh, Otterton and Newton Poppleford** – 157
The following buses all terminate at the Triangle in Sidmouth. From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).
From Exeter – 52A, 52B
From Honiton – 52B
From Seaton – 52A
From Ottery St Mary – 379, 387
Please check your local timetable for times.

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

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

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Cabinet held in the Council Chamber, Knowle, Sidmouth on Wednesday, 30 January 2013

Present:

Councillors:

Paul Diviani (Chairman/Leader)
Andrew Moulding
Ray Bloxham
Iain Chubb
David Cox
Jill Elson
Graham Godbeer
Stephanie Jones
Ian Thomas
Phil Twiss

Also Present:

Councillors:

Graham Brown
Geoff Chamberlain
Maddy Chapman
Deborah Custance Baker
Alan Dent
Christine Drew
Martin Gammell
Steve Gazzard
Roger Giles
Peter Halse
Stuart Hughes
John Humphreys
Frances Newth
John O'Leary
Geoff Pook
Pauline Stott
Peter Sullivan
Tim Wood
Tom Wright

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Denise Lyon, Deputy Chief Executive
Simon Davey, Head of Finance
John Golding, Head of Housing
Karen Jenkins, Corporate Organisational Development Manager
Rachel Pocock, Corporate Legal & Democratic Services Manager
Chris Powell, Corporate ICT Manager
Andrew Ennis, Environmental Health & Parking Services Manager
Laurelie Gifford, Financial Services Manager
Claire Read, Accountant
Alethea Thompson, Democratic Services Officer
Diana Vernon, Democratic Services Manager

Apologies

Councillors
Non- Cabinet Members

Mike Allen
David Atkins
Roger Boote
David Chapman
Steve Hall
Tony Howard
Mark Williamson
Eileen Wragg

The meeting started at 5.30 pm and ended at 7.25 pm.

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

*149 Public Questions

The Leader welcomed members of the public and Councillors and invited questions.

Honiton Town Councillor Vernon Whitlock said that the agenda item on the Beehive Community Centre indicated a big step forward. He said that after years of delays and hitches, the hard work and effort was coming together. He advised that a building contractor for the Centre had now been appointed by the Town Council. He said that the Council's proposal to transfer the freehold of the site to the Town Council would be a great help. He thanked the Council for its support and co-operation and named Councillors Phil Twiss and John O'Leary for their valued contribution. He also thanked Council Officers and said that Brian Kohl, Property Services Manager, had been particularly helpful in progressing the project.

Honiton Town Councillor, Honorary Alderman Vivienne Ash said that progress being made on the Beehive Centre was exciting; it was good to look forward and anticipate the opportunities that the community centre would bring. She also extended thanks to all those who had positively contributed to the initiative.

On a separate issue, Councillor Andrew Moulding, Portfolio Holder – Strategic Development and Partnerships reported that Flybe, based at Exeter Airport, had been experiencing trading difficulties in recent years mainly due to increased fuel prices, exchange rates and UK air passenger duty. The company was preparing to restructure to create efficiencies. It had asked the Council to help lobby Government to review the UK air passenger duty. This was affecting the viability of the airport particularly in respect of internal flights and when using a British hub for onward transit - as the duty had to be paid twice.

Councillor Twiss, the Council's representative on the Airport's Consultative Group re-iterated concerns. He advised that Belfast airport was charged a reduced air passenger duty and said that Government should be pressed to charge a similar reduced rate to Exeter as it was currently being disadvantaged.

RESOLVED: that the Council lobby local MPs and the Local Government Association to review the UK air passenger duty charged to Exeter airport as the current rate was undermining the viability of this valued regional airport.

*150 Minutes

The minutes of the meeting of the Cabinet held on 9 January 2013 were confirmed and signed as a true record.

*151 Declarations of interest

Councillor/ Officer	Minute number	Type of interest	Nature of interest
Phil Twiss	150	Personal	Member of Exeter Airport Consultative Group
Jill Elson	158	Personal	Community Transport Chairman
Phil Twiss and John O'Leary	161	Personal	Members of the Beehive Centre Community Steering Group
Paul Diviani	161	Personal	County Councillor representing Honiton Ward
Peter Halse	161	Personal	Honiton Town Councillor

*152 Exclusion of the Public

RESOLVED: that the classification given to the documents to be submitted to the Cabinet be confirmed. There were no items which Officers recommended should be dealt with in Part B.

*153 Forward Plan

Members noted the contents of the Forward Plan for Decisions for the period 1February to 31 May 2013.

*154 Matters referred to the Cabinet

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

*155 Overview and Scrutiny Committee meetings – 3 & 16 January 2013

Members considered the minutes of the meetings of the Overview and Scrutiny Committee held on 3 and 16 January 2013.

Councillor Hughes, Chairman of the Overview and Scrutiny Committee spoke on Minute 39 – Parking Services Operational Review with particular reference to recommendation 3 – 'continue to restrict parking in short stay car parks to a maximum of three hours, but increase to a maximum of four hours for at least one car park per town.' He said that this would help local businesses.

Councillor Phil Twiss, Deputy Environment Portfolio Holder said the aim was to increase footfall in the towns and maintain car park income. He recommended to trial the extension of maximum stay to four hours in the Lace Walk Car Park in Honiton only. Actual patterns and costs could then be reported to the Cabinet meeting in November before a decision was made on whether or not to introduce the change to car parks other East Devon towns.

*155 **Overview and Scrutiny Committee meetings – 3 & 16 January 2013 (continued)**

During the debate, the following points were raised:

- the Town Councils should be consulted.
- extending the minimum time could encourage part time employees (rather than visitors/shoppers) to use the car park
- Need to clarify position for season ticket holders;
- Increasing the maximum stay could reduce the 'churn' of car park users which would reduce income;
- The distinction between long and short stay car parks should be retained
- The trial would be useful as a means of gathering data
- Extending the maximum time to 4 hours would not suit all towns/car parks.

The Special meeting on 16 January 2013 was to consider the 2013/14 budgets and services plans in detail. The recommendations of that meeting were taken into account at Agenda Item 12 – Revenue and Capital Estimates 2013/14.

RESOLVED 1: **that the following recommendations be agreed:**

Minute 40 that the Chief Executive write to the Fire Service and the Fire Authority to ask for improved involvement with the Neighbourhood Assessment programme

Minute 39 Parking Services Operation

(1) Introduce a summer season half price tariff in Exmouth's under-used long-stay car park in Maer Road;

(2) Offer weekly East Devon car parking permits for sale through Sandy Bay and Ladram Bay to encourage holiday makers to visit Exmouth;

(3) Carry out a review of permit charges;

(4) Remove the restriction that prohibits any vehicle from staying longer than 24 hours in any East Devon car park to enable long stay customers to park for more than one day at a time;

(5) Seek tenders for the 46 remaining Sidmouth town centre reserved parking spaces.

RESOLVED 2: **that the following recommendations be approved as amended:**

Minute 39 that the Chief Executive in consultation with relevant Portfolio Holders be given delegated authority to:

- implement changes arising from the operational review
- carry out a 6 month trial (commencing April 2013) at the short-stay Lace Walk Car Park Honiton, to increase maximum stay from three to four hours with the outcome of the trial being referred back to Cabinet for consideration.

Minute 42 that the Social Media policy (included with the Cabinet agenda pages) be reviewed and re-formatted and referred back to Cabinet for consideration.

*155 **Overview and Scrutiny Committee meetings – 3 & 16 January 2013 (continued)**

RESOLVED 3: **that the following recommendations be referred to Annual Council:**

Minute 41 Recording of meetings

(1) The Monitoring Officer be requested to review the Constitution with a view to making recommendations for the changes that would be required to Council proceedings to enable audio recording to take place;

(2) To implement audio recording of specified Council proceedings using existing equipment;

(3) To adopt and implement the Audio Recording Protocol;

(4) To permit audio recording of Council; Cabinet: Development Management Committee; Planning Inspections Committee; Overview and Scrutiny Committee; Audit and Governance Committee; Housing Review Board; Licensing and Enforcement Committee and Standards Committee (when held in the Chamber) for the public parts of the meetings only. Private (Part B) sections and closed meetings will not be recorded;

(5) To publish recordings online to be publically available within seven days of each recorded meeting. Post production editing to be limited to the separation of a meeting recording into individual agenda items, for ease of access.

RESOLVED 4: **that the following recommendations of the Special meeting of the Overview and Scrutiny Committee be taken into account at agenda item 12 – Revenue and Capital Estimates 2013/14**

Minute 48

(1) the saving of £187k for vacant posts be agreed with Cabinet considering other means of funding the currently vacant post of the Head of Economy in order to bring in-house the experience and specialism needed;

(2) the £20K for Spring 2014 floral display be reinstated to the 2013/14 budget;

(3) negotiations be carried out with LED for grounds maintenance standards and recharges;

(4) the Streetscene maintenance budget be reviewed to realise £30k saving;

(5) Cabinet to consider if, in light of recent flooding issues, the budget set for flood alleviation is adequate;

*155 **Overview and Scrutiny Committee meetings – 3 & 16 January 2013 (continued)**

(6) Council Tax be frozen for the 2013/14 year;

(7) initiatives on reserved parking spaces and permits to realise a £30k saving be pursued;

(8) the set savings target of £175k be pursued;

(9) the budget provision for contribution to Villages in Action be retained at £10K;

(10) no grant be given towards the running costs of Kennaway House Arts Programme;

(11) Cabinet to request a better case to be made to support the proposed level of investment in updating and improving of the Council's website;

(12) an electronic tracking system (option 1) for Streetscene be added to the 2013/14 budget.

*156 **Minutes of the Housing Review Board – 10 January 2013**

Members considered the minutes of the meetings of the Housing Review Board held on 10 January 2013. The recommendations in respect of the draft Housing Revenue Account 2013/14 and Service Plan were taken into account at Agenda Item 12 – Revenue and Capital Estimates 2013/14.

The Board's Chairman, Councillor Pauline Stott outlined the issues raised by the Board and the positive contribution made by its tenant members. The Board had scrutinised the budget which was in a healthy position; there was potential to further improve housing stock.

The Board had discussed grounds maintenance and anomalies in current provision. The Cabinet supported the Board's recommendation to set up a Task and Finish forum to review current grounds maintenance provision, up-date current data and arrangements and charge appropriately.

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

Minute 48 Housing Review Board Forward Plan.

Minute 50 Variances identified as part of the Housing Revenue Account and capital monitoring process up to month 8.

Minute 51 Advantages and disadvantages of the Council having its own rent setting policy – a further report to be referred to the Board later in the year.

Minute 52 (2) A virtual bouquet was presented in the latest Team Brief on behalf of the Housing Review Board to the Community Development Workers (Youth) and the Tenants and Communities Section Leader for all the work that they had done on the Millwey Rise Estate and their positive achievements.

Minute 56 Current work being undertaken regarding anti-social behaviour, and further work required.

*156 Minutes of the Housing Review Board – 10 January 2013 (continued)

RESOLVED 2: **that the following recommendations be approved**

Minute 55 that a Task and Finish Forum be established to review current grounds maintenance provision in respect of external communal housing areas and consider future arrangements.

Minute 57 that the draft flexible tenancy agreement be approved for use in accordance with the adopted Tenancy Policy.

Minute 58 that the housing and Housing Review Board 'drop-in' sessions be discontinued, but that ad hoc sessions be held as and when required, as well as 'drop-in' sessions being arranged following estate walkabouts.

RESOLVED 3: **that the following recommendations be taken into account at agenda item 12 – Revenue and Capital Estimates 2013/14 and referred to Council for consideration:**

Minute 49 that the 2013/14 Housing Revenue Account be approved by Council.

Minute 52 (1) that the Council continues to fund the community development work for youth within East Devon.

Minute 53 that Council considers the implications of Welfare reform and prepares for the changes to minimize the impact of 'bedroom tax' on tenants and maintain rental income.

RESOLVED 4: **that the following recommendations be referred to Council:**

Minute 54 that the Resident Involvement Strategy (Spring 2013) be approved.

Minute 56 that EDDC signs up to the Respect Charter.

*157 2013/14 Council Tax Base and NNDR Base return – key decision

Simon Davey, Head of Finance presented his report which set out the tax base for 2013/14. This included the significant impact of the new Council Tax Support Scheme in reducing the tax base and how this was being offset by the new Council Tax Support Grant from Central Government. The tax base reflected the technical reforms to council tax which Council had agreed at its meeting on 5 December 2012.

Under the Business Rate Retention Scheme (Local Government Finance Act 2012), the Council was required to formally calculate the estimated level of business rates it anticipated collecting in the forthcoming year, with this being submitted as a statutory return by 31 January 2013.

*157 2013/14 Council Tax Base and NNDR Base return (continued)

RESOLVED

(1) that the tax base for 2013/2014 be confirmed at 52,962 Band D equivalent properties, as adjusted for technical reforms, with the Council Tax Support Scheme as detailed in the report also being confirmed;

(2) that the estimated business rate collection for 2013/14 (NNDR1 return – as detailed in Appendix A to the report) be confirmed with delegated authority being given to the Head of Finance to amend this return up to the submission date of 31 January 2013.

REASON

(1) The calculation of the tax base is prescribed under Local Authorities (Calculation of Council Tax Base) Regulations 2012 which came into force on 30 November 2012.

The council tax base is defined as the number of Band D equivalent properties in a local authority's area. The tax base is necessary to calculate Council Tax for a given area.

(2) There is a requirement for billing authorities to formally estimate the amount of business rate income that will be collected in forthcoming year by 31 January.

158 Revenue and Capital Estimates – key decision

Members considered the report of the Head of Finance together with the recommendations of the meetings of the Special Overview and Scrutiny Committee (16 January 2013) and of the Housing Review Board (10 January 2013) in respect of 2013/14 budgets and service provision. Neither of these meetings had recommended amendments to the adopted draft budget for the Housing Revenue Account or the Capital Budget. The recommendations made by the Overview and Scrutiny Committee related to the General Fund budget.

The Overview and Scrutiny Committee had recommended the inclusion in the draft budget of floral displays due to their benefit to the tourist economy and to freeze council tax for 2013/14.

The report set out the funding gap in the draft budget as £1.256M which would be found through savings and balanced with the 2013/14 New Homes Bonus (NHB). The remaining balance of the NHB would be used to help fund the capital budget in future years. A reduction in proposed savings would leave only £0.372M of the New Homes Bonus available to help fund the Capital Budget in future years. The Overview and Scrutiny Committee also recommended support of the special item bid for an electronic tracking system; this would be funded through the Transformation Reserve if approved by Council. The Cabinet supported the Committee's recommendations.

The Cabinet was aware that the funding gap was growing each year. A budget working party would be set up in the Spring to review 2014/15 budgets and beyond. A report would be referred to Cabinet in March on the proposed membership and remit of the working party.

158 **Revenue and Capital Estimates – key decision (continued)**

The Overview and Scrutiny Committee had asked for a more detailed business case in support of the up-dating and improvement of the Council's website. This information had been included with the Cabinet agenda papers. The Portfolio Holder – Corporate Business emphasised the importance of a customer orientated website that offered equality of access. He said that traditional means of communication would be retained but the public needed a useful electronic alternative.

The Portfolio Holder – Corporate Services emphasised the importance of an effective corporate web presence with focus on the customer experience. The public was increasingly choosing to interact electronically, often outside traditional office hours. The advantage to the Council was in reducing costs, improving quality and providing customers with alternative efficient means of doing business with the Council.

The Portfolio Holders – Corporate Business and Corporate Services recommended that the website development and upgrade be reinstated as a Special Item in the 2013/14 budget, using the Transformation Fund, with Members being kept informed.

Detailed regulations were yet to be published on the Business Rates Retention Scheme. A proposal within the report was to set up a new reserve called the Business Rates Volatility Fund to be used as an interim measure until there was a clearer picture of the actual proportion of collected business rates that would be retained and clarity over other related factors which would influence the final sum

In addition the Council was required to set prudential indicators as part of its budget setting process (Prudential Code for Capital Finance in Local Authorities); these were set out in the appendix to the report.

RECOMMENDED (1) that the savings supported by the Overview and Scrutiny Committee totalling £0.452m, detailed in the minutes of that Committee be agreed with the remaining sum of £0.804m to be met from the New Homes Bonus Grant in order to balance the 2013/14 budget;

(2) that the balance of the 2013/14 New Homes Bonus Grant of £0.372m be transferred to support the Capital Programme for future years;

(3) that the inclusion of special item bids totalling £0.030m as proposed by the Overview and Scrutiny Committee detailed in the minutes of that Committee be funded from the Transformation Reserve together with the inclusion of £82,750 for website development and up-grade;

(4) that a Business Rates Volatility Fund be established as detailed in the report;

(5) that the Net Revenue General Fund Estimates of £13.794m (subject to (3) above) be approved;

(6) that the Capital Budget totalling £3.690m be approved;

158 **Revenue and Capital Estimates – key decision (continued)**

(7) that the Housing Revenue Account Estimates with a net surplus of £1.696m be approved;

(8) that a Council Tax requirement for 2013/14 be set at £6.450m with a resulting Council Tax Band 'D' of £121.78 (2012/13 £121.78);

(9) that Council House Rents be increased with effect from April 2013 in line with the Rent Convergence restructuring scheme with the general increase being given as a 4.79% increase;

(10) that Council garage rents be increased from April 2013 by 3%;

(11) that the Prudential indicators detailed in Appendix A of the Cabinet report be adopted.

REASON There is a requirement for the Council to set a balanced budget for both the General Fund and Housing Revenue Account and to levy a Council Tax for 2013/14.

159 **2013/14 Treasury Management Strategy – key decision**

The Head of Finance presented the annual Treasury Management Strategy as required under the Chartered Institute of Public Finance and Accountancy (CIPFA)'s Code of Practice for Treasury Management in the Public Services.

The two main functions of treasury management were:

- Ensuring the Council's cash flow was planned and that cash was available when needed;
- Longer term cash flow planning to ensure the Council can meet its capital spending plans.

The report included:

- the treasury management strategy – how the investments and borrowings were to be organised, including treasury indicators.
- an investment strategy – the parameters on how investments were to be managed. The intention of the strategy was to provide security of investment and minimise risk.
- a borrowing strategy including treasury indicators – for short term and long term loans.

The prudential indicators in respect of treasury activities had been included in the Revenue and Capital Estimates 2013/14 report and considered earlier on the agenda.

Members noted that staff with treasury management responsibilities received appropriate training and that procedures, independent checks and authorisations were in place.

159 **2013/14 Treasury Management Strategy (continued)**

RECOMMENDED that the Treasury Management Strategy for 2013/14 be adopted.

REASON The Council is required to formally adopt a Treasury Management Strategy before the beginning of the financial year.

*160 **Financial monitoring report 2012/13 – Month 9 December**

Members considered the financial monitoring report which gave a summary of the Council's overall financial position for 2012/13 at the end of month 9 (31December 2012). Current monitoring indicated that:

- The General Fund Balance was being maintained at or above the adopted level. The predicted balance of £3.553m was £2.034 above the Council's adopted level for the General Fund Balance of £1.519m. This reflected the Council's decision to maintain a higher balance than the adopted level because of the current financial uncertainties and risks facing the Council.
- The Housing Revenue Account (HRA) Balance will be maintained at or above the adopted level. The recommended level for this balance was currently £2.1m. The predicted balance was above the recommended level and would be carried forward into 2013/14 to be reinvested in the housing stock and to absorb any negative effects of Welfare Reform on rent collection levels.
- There was sufficient Capital Reserve to balance this year's Capital Programme and estimated that £2.326m would be available in the Reserve to support the programme from 2013/14 onwards.

Members were asked to consider a request from the Ottery St Mary Scout Group for a short term loan of £10,000 for the enlargement of the Ottery St Mary Scout building. Local fund raising had secured over 60% of project costs – the Council was asked to help meet a potential temporary shortfall.

Councillor Roger Giles advised that the Group was a thriving organisation and that the building, which was no longer fit for purpose, was used by other community groups. Ward Councillor Giles and Cox asked the Cabinet to support the request.

RESOLVED:

(1) that the variances identified as part of the Revenue and Capital Monitoring process up to month 9 be acknowledged;

(2) that approval be given in principle to a short term (12 month) loan of up to £10,000 to Ottery St Mary Scout Group, for enhancement of their existing community building – the loan to be subject to conditions to be agreed with the Corporate Legal and Democratic Manager, including level interest rate charge, security of loan and deadline for repayment.

REASON

(1) To monitor the overall financial position of the authority at the end of month 9 – the decision reflected the inclusion of any recommended corrective action required for the remainder of the financial year.

(2) To support a local community initiative - this was in danger of stalling due to a shortfall in funding.

*161 Beehive Community Centre, Honiton

The Leader invited Honiton resident Mr Taylor to address the Cabinet. Mr Taylor questioned the way in which the Town Council had appointed the Community Centre contractor and had written a letter to the Chief Executive to raise these concerns. The Chief Executive confirmed receipt of the letter and advised that he was preparing a response.

The report of the Principal Estates Surveyor gave an up-date on progress on the Beehive Community Centre, Honiton and recommended that a freehold interest in the site be transferred to Honiton Town Council at nil consideration subject to a claw back condition in respect of potential alternative future use of the site. It was considered that the social benefit of the Centre to the town justified this approach.

Members noted that the transfer would involve the permanent loss of 61 long stay parking spaces and 17 coach parking spaces at Dowell Street Car Park and annual loss of car park income.

Deputy Environment Portfolio Holder, Councillor Twiss, said that he had no doubt that the project would succeed. He praised the Town Council for taking the lead and recognising the importance of the facility to the town. He saw this as localism in action. He advised that the appointed contractors would sub-contract as far at possible to local providers. He thanked Brian Kohl for his valued input.

The Portfolio Holder Strategic Development and Partnerships, Portfolio Holder - Economy and Culture Champion were similarly delighted that the project had reached this stage and recognised the potential value of the facility to the local community.

Chairman of the Council, Councillor Peter Halse added his personal thanks to the Council.

RESOLVED: that delegated authority be given to the Corporate Legal and Democratic Services Manager in consultation with the Estates team and relevant Portfolio Holders to transfer the freehold site of Dowell Street car park to Honiton Town Council at less than Best Value (nil value) with conditions to include ‘claw back’/pre-emption arrangements should the site be used in the future for an alternative use and to protect the Council should the project not proceed as planned..

REASON The advantages of the freehold arrangements are set out in the report. Including a claw back condition and other protective provisions within the transfer arrangements will safeguard the site for the community and reduce the Council’s exposure to risk as a result of the transfer.

*162 ICT Shared Service Initial Business Case

The Corporate ICT Manager presented his report setting out an initial business case, summarised in the report, for creating a single shared ICT service with Plymouth, Exeter and Teignbridge local authorities. The aim was to reduce overall costs and risk, improve service delivery and support economic growth. The next stage was to develop a detailed business plan on which each Partner would make a final decision on whether or not to participate in the joint venture.

The Portfolio Holder Corporate Services thanked the Corporate ICT Manager for the extensive work he had carried out to-date. Councillor Thomas said that the project would achieve savings through economies of scale, improve service delivery and widen the authority's ICT knowledge/experience base.

The Portfolio Holder – Finance supported developing a more detailed business case which would enable a clear and rational decision to be made. The Portfolio Holder – Economy emphasised the importance of carefully planning throughout the process and clear and secure 'fall-back' steps to minimise any risk.

RESOLVED: that expenditure, up to a maximum of £20,000, to be funded from the Transformation Reserve, be approved to undertake a detailed business case for ICT Shared service with Plymouth, Exeter and Teignbridge Councils, with the matter being brought back to Cabinet in due course.

REASON To explore a shared ICT service with 3 other Devon authorities to improve service provision and reduce costs.

*163 Investor in People and Staff Engagement Survey Feedback

The Corporate Organisational Development Manager presented her report on the Council's significant achievement in being awarded the Investor in People gold level standard. She advised that an action plan would be drawn up to ensure that the standard was maintained. The summary of the staff engagement survey, appended to the report, showed that the majority of staff felt engaged with the organisation and were happy with EDDC as their employer.

The Portfolio Holder – Corporate Business thanked the Corporate Organisational Development Manager and her team on behalf of the Cabinet.

RESOLVED: that Members note the IiP assessor's full report and the outcomes of the recent staff engagement survey.

REASON When staff feel engaged and involved, their pride in working for EDDC increases. The achievement of the Investor in People award was motivating for the entire workforce as it represented an external endorsement of the great work which was being done across the Council. This was particularly important in the context of the salary freeze and the portrayal of the Council in local press and other media.

*164 Equalities – progress and key areas of activity

The Corporate Organisational Development Manager presented her report on the Council's use of the local government equality framework to ensure that it was meeting its equality duties as outlined in the Equality Act 2012. The report set out the Council's progress and activity against key performance areas and emphasised the need for the Council to pay 'due regard' to equalities impacts in its decision making.

The Portfolio Holder – Corporate Business advised that an equalities group met monthly and had already made useful progress; the group had input from protected groups who gave advice on their needs and feedback on services.

The Council had purchased a software tool (LG Futures) which would enable ward profiles to be created so that Members would have a greater understanding of the community they serve. There would be some overlapping with similar work carried out by Devon County Council and public health data and so it was important to co-ordinate this information. This way the information would be of maximum use to elected Members and would help to shape Council policies.

RESOLVED: (1) that EDDC's progress and activity against key performance areas relating to the Equality Act 2010 be noted;

(2) that the proposed Ward profiles co-ordinate information available from other authorities and organisations.

REASON (1) To ensure that EDDC understood its general and specific duties outlined by the Equality Act 2010 and that any risk of judicial review was mitigated by ensuring that 'due regard' was paid to equalities issues.

(2) Co-ordinating the Ward profiles information would help ensure that data available was relevant and easy to use.

*165 Performance Management report December 2012

Members considered the report of the Chief Executive setting out performance information for the 2012/13 financial year for December 2012.

RESOLVED that the progress and proposed improvement action for performance measures for the 2012/13 financial year for December 2012 be noted.

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

166 **Programme of Council, Cabinet and Committee meetings 2013/14**

Members considered the draft meetings programme for 2013/14 including the proposed date of the Annual Council meeting of 22 May 2013. The draft programme, which will be referred to the Annual Council meeting, followed a similar pattern of meetings to that of the current year.

The Leader took the opportunity to ask Members to consider whether or not the Year Book should be produced in 2013 – the alternative was to use information already available electronically.

RECOMMENDED that the Council be recommended:

(1) To hold the 2013 Annual Meeting of the Council on Wednesday, 22 May, commencing at 6.30 pm,

(2) To approve the draft programme of meetings, for submission to the 2013 Annual Meeting.

RESOLVED To produce the 2013/14 Year book for those Councillors and staff who request a paper copy – electronic information to continue to be provided and kept up to date.

REASON

(1) To meet the legal requirement to hold an Annual Meeting and also such other meetings as necessary for the conduct of the Council's business in accordance with its Constitution.

(2) To continue to provide information to Councillors and Officers in a variety of ways to best suit personal preferences.

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

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4 month period 1 March 2013 to 30 June 2013

[In addition Key Decisions and other decisions which are proposed to be taken in a private meeting are identified to comply with the Local Authorities (Executive Arrangements)(Meetings and Access to information)(England) Regulations 2012).
A public notice period of 28 clear days is required when a decision making body is to hold a meeting wholly or partly in private This document includes notice of those matters the Council intends, at this stage, should be considered in the private part of the meeting and the reason why. Any written representations that a particular decision should be moved to the public part of the meeting should be sent to the Democratic Services Team [address at the end] as soon as possible.

	Key Decision	List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer (Strategic Officer: DL or RC indicated in bold)	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
1	CIL New Growth Point Charging Schedule		Strategic Development and Partnership Portfolio Holder	Head of Economy/ New Growth Point Manager **(RC)**	April Development Management Extra Ordinary Council 22 May 2013	23 May 2013	Part A
2	Exmouth Regeneration/ Master plan – key projects action planning		Strategic Development and Partnership Portfolio Holder	Principal Estates Manager **(RC)**	Regeneration Programme Board (November 2012) Cabinet 6 March 2013	14 March 2013	Part A
3	Drainage Act		Portfolio Holder – Environment	Development Manager Ed Freeman **(RC)**	Cabinet 6 March 2013 (awaiting consultation from Devon County Council)	14 March 2013	Part A
4	Information Management Strategy		**Corporate Services Portfolio Holder**	Corporate ICT Manager **(DL)**	Information Management Group Cabinet 6 March 2013 Council 10 April 2013	11 April 2013	Part A

	Key Decision	List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer (Strategic Officer: DL or RC indicated in bold)	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
5	EDDC Office Relocation Viability Report		Council Leader	**RC**	Extra Ordinary Council 22 May 2013	23 May 2013	Part B [if commer-cially sensitive]
6	Revised Partnership Policy and Compact		Strategic Development and Partnership Portfolio Holder	**RC**	To be up-dated	2013	Part A
7	Review of Car Parks		Environment Portfolio Holder	Environmental Health & Parking Services Manager **(DL)**	Cabinet 6 March 2013	14 March 2013	Part A
8	CIPFA reports on Asset Management		Finance Portfolio Holder	Principal Estates Surveyor **(RC)**	Cabinet 3 April 2013	11 April 2013	Part A
9	Dog Warden Contract		Environment Portfolio Holder	Environmental Health & Parking Services Manager **(DL)**	Cabinet 6 March 2013	14 March 2013	Part B [if commer-cially sensitive]
10	Environmental Health Neighbourhood Assessment		Environment Portfolio Holder	Environmental Health & Parking Services **(DL)**	Cabinet 6 March 2013	14 March 2013	Part A

Key Decision		List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer (Strategic Officer: DL or RC indicated in bold)	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
11	Playing Field Strategy		Environment Portfolio Holder	Countryside and Leisure Manager **(DL)**	Cabinet 12 June 2013 Council 24 July 2013	25 July 2013	Part A
12	Homelessness Strategy		Sustainable Homes and Communities Portfolio Holder	Head of Housing	Cabinet 6 March 2013 Council 10 April 2013	11 April 2013	Part A
13	Thelma Hulbert Gallery		Environment Portfolio Holder	Countryside and Leisure Manager **(DL)**	Cabinet 6 March 2013 Council 10 April 2013	11 April 2013	Part A
14	Local Welfare Reform Scheme		Sustainable Homes and Communities Portfolio Holder	Head of Housing	Cabinet 6 March 2013 Council 10 April 2013	11 April 2013	Part A
15	Review of Emergency Plan –Business Continuity and Disaster			Streetscene Manager And IT Manager (**DL)**	Cabinet 3 April 2013	11 April 2013	Part A
	Other decisions to be taken in Part B						

Key Decision	List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer (Strategic Officer: DL or RC indicated in bold)	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
Other decisions Home Energy Conservation		Sustainable Homes and Communities Portfolio Holder	Head of Housing	Cabinet 6 March 2013 Council 10 April 2013	11 April 2013	Part A

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

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

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

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

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

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

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

15 February 2013

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Overview and Scrutiny Committee held at Knowle, Sidmouth on 24 January 2013

Present:

John Humphreys (Vice Chairman in the Chair)
Peter Burrows
David Chapman
Vivien Duval Steer
Roger Giles
Tony Howard
Sheila Kerridge
John O'Leary
Brenda Taylor
Graham Troman
Tim Wood
Eileen Wragg
Claire Wright
Tom Wright

Officers:
John Golding, Head of Housing
Alethea Thompson, Democratic Services Officer

Also Present

Councillors:
Maddy Chapman
Iain Chubb
Christine Drew
Jill Elson
Martin Gammell
Stephanie Jones
Frances Newth
Pauline Stott
Peter Sullivan
Phil Twiss

Apologies:

Committee Members:
Graham Brown
Derek Button
Deborah Custance Baker
Stuart Hughes
David Key

Councillors:
Ray Bloxham
Geoff Chamberlain
Alan Dent
Paul Diviani
Steve Gazzard
Steve Hall
Andrew Moulding
Ken Potter
Philip Skinner
Ian Thomas
Mark Williamson

The meeting started at 6:30pm and ended at 8:40pm.

*49 **Chairman opening remarks**

The Chairman gave Councillor Stuart Hughes' apologies and the Committee agreed for Councillor Graham Troman to act as Vice Chairman for the meeting

*50 **Public Question Time**

There were no questions from members of the public.

*51 **Minutes**

The minutes of the meetings of the Overview and Scrutiny Committee held on 3 January 2013 and 16 January 2013 were confirmed and signed as a true record.

*52 Declarations of Interest

Councillor/ Officer	Minute number	Type of interest	Nature of interest
Peter Burrows	51	Personal	His wife is employed by North Devon Primary Care Trust.

*53 Cabinet agenda

Councillor Tom Wright highlighted an item on the Cabinet agenda for 30 January 2013. Page 150 of the Cabinet agenda asked Members to consider whether or not the Yearbook should be produced in 2013. Councillor Wright felt that this had already been discussed and that a decision had been made to keep the Yearbook. The Chairman agreed to look into this issue.

*54 GP Commissioning

The Chairman welcomed Tamara Powderley, Head of Locality Commissioning (Designate), along with Dr Tom Debenham, Dr Simon Kerr and Dr Richard Mejzner.

They gave the Committee a presentation on the Clinical Commissioning Groups (CCG) across the County and their principles in dealing with patient care. The Committee heard statistics on the growing elderly population in the area, and how that demographic impacted the service requirements of the NHS. It was important for the GP commissioners to understand the issues in their area and to make representations on behalf of their patients.

The presentation included information in relation to:

- The task of the CCG.
- The structure of the CCGs, community providers and health and well being boards.
- The vision and mission of the CCG – ' healthy people, living health lives, in healthy communities' – and the three core strategies in achieving the vision.
- An individual patient centred approach. Surrounded by layers of member practices, locality practices, managerial support and a minimal governing body.
- Localities would do the commissioning in order to be sensitive to the local need.
- Health challenges, including:
    - Good life expectancy
    - Future population growth
    - Rising proportions of elderly people
- The demographic challenge. The population structure of the Eastern locality area and the population change over the next 25 years.
- Health inequalities and the life expectancy gap.
- Knowing and understanding the patients.
- Expert knowledge sharing and the use of business intelligence and IT to inform what is done.
- Health determinants.
- Partnering.

In summary the CCGs were working together and attempting to leave a sustainable legacy for future generations.

*54 GP Commissioning (cont'd)

Members questioned Mrs Powderley and the three doctors on a number of issues, including:

- The sustainability agenda involved long-term credible services to meet patients' needs with confidence.
- There was an external medical consultant on each of the clinical commissioning groups to allow the sharing of ideas from someone outside the area.
- The elderly would form a core of GPs' business and it was vital to ensure that they were not sidelined or needs ignored.
- Commissioning involved huge sums of money and allowed the clinical commissioning groups a strong influence over providing services where they were needed, rather than the cheaper option of asking patients to travel to other hospitals/clinics.
- More services and resources would be made available locally.
- Some concern was expressed that involving doctors in the overall delivery of healthcare meant that they would have less time to spend providing medical care. However, the GPs present felt that it was crucial that the managerial doctors stayed working in practice. Decision-making doctors now had some autonomy over their work. It was also important to recognise the different populations and that many people did not mind which doctor they saw when visiting their surgery.
- In response to a question about the capacity of GP surgeries across East Devon it was acknowledged that patient numbers were increasing and that the GP's job had become more intense and complex. There was a need to work together with other practices to share staff, IT systems and ideas. Communication between practices should help to meet need and manage demand.
- It was important to understand need and then meet demand. The clinical commissioning groups were trying to strengthen the patient groups within the practices by working in partnership with the patient groups to find different ways of working.
- Deciding when short term care became long term care and the costs of this would be made together with the limited resources available. The cost of care would need to be affordable and something that was fair and equal across all of the community. Many GPs were concerned about this.
- Difficult decisions should be made following good consultation.
- A number of mechanisms existed for consulting with the public and patients, The WEB (Woodbury, Exmouth and Budleigh Salterton) area had two lay members on their Board and this was being monitored to see if this was a model to adopt for the other area Boards.
- Concern was also expressed over the medical belief that living longer was better. The doctors agreed that the difficulty was in the quality of life of a patient. GPs were now discussing with their elderly patients (before they became ill and frail) their choices for the future, and these were put into the relevant systems.
- Patients did not generally want to go into hospital.

*54 GP Commissioning (cont'd)

- There were no East Devon hospital closures planned; local practioners and patients positively cherished these facilities. They were a great resource but could be developed more usefully in the future. Discussions would take place locally about what the community needed, what would it like to see the hospital doing, and how best to use the hospital bed resource.
- It was hoped there would be more pro active programmes as opposed to people waiting in hospital for care packages to be put in place.
- During a discussion about Axminster hospital it was reported that it cost Royal Devon and Exeter (RD&E) hospital double to operate in the community hospitals as opposed to Wonford. RD&E were being asked to reduce their costs, whilst at the same time accept increased costs by going into the community.
- The largest concern was not enough quality providers of care at home, as patients regularly needed more than was available (night-sitters for example). The quality and availability of care was in need of investment. In Exmouth care was guaranteed by block booking it in advance but this was expensive. There was a need to become smarter at contracting with the providers and to stimulate the market.
- There was also a concern about respite care for family carers. Health and well being checks were being delivered and provided a good example of support for carers. Carers were a huge resource in the community.
- There were a number of patients who were very elderly, frail, lived alone and have some form of cognitive illness (such as dementia) who need one to one or even two to one care to ensure they are cared for in a compassionate way.
- Dementia was a huge issue, with no quick fix and not enough money available to provide everything. There was a need to work together as communities.
- It was reported that Devon County Council had raised awareness of dementia amongst its members. The Government had also made it a major focus for health and social care authorities.
- In response to concerns raised about the future of the maternity service at Honiton hospital and the lack of publicity Tamara agreed to have further discussions with the relevant groups involved.

The Chairman thanked Mrs Powderley, Dr Tom Debenham, Dr Simon Kerr and Dr Richard Mejzner for their excellent presentation and welcomed them back to the Committee for further discussions in the future.

*55 Portfolio Holder Update – Sustainable Homes and Communities

Councillor Jill Elson, Portfolio Holder Sustainable Homes and Communities requested that this item be deferred until the next meeting.

RESOLVED that the Portfolio Holder – Sustainable Homes and Communities update be deferred until a future meeting of the Overview and Scrutiny Committee.

*56 **Forward Plan**

Members noted the Committee's forward plan.

A query was raised over when the five year land supply issue would be discussed and the Vice Chairman recommended that the Member contact the Chairman or the Democratic Services Officer. Fiver year land supply was on the forward plan for the March meeting of the Overview and Scrutiny Committee.

At the of the meeting Councillor Humphreys thanked Councillor Graham Troman for being Vice Chairman of the meeting, and Alethea Thompson, Democratic Services Officer for attending.

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

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the East Devon Recycling and Refuse Partnership Board, held at Knowle, Sidmouth on 24 January 2013

Present:	Councillors: Ian Chubb – Portfolio Holder, Environment (Chairman) Phil Twiss – Deputy Portfolio Holder, Environment (Vice Chairman) David Cox – Portfolio Holder, Finance Councillor Steve Gazzard Councillor Roger Giles – Recycling Member Champion
SITA:	Rick Aldridge – Senior Contract Manager
Officers	Paul Deakin – Waste and Recycling Manager Andrew Hancock - StreetScene Manager Timothy Borrett - Communications and Public Affairs Manager Nick Stephen – Communications Officer Alethea Thompson – Democratic Service Officer
Apologies:	Councillor Geoff Pook Cherise Foster – Customer Service Manager Darren Lockett - SITA Mandy Jennings – Otter Rotters

The meeting started 10.10 am and finished at 12.05 pm.

41 Minutes

The minutes of the Recycling and Refuse Partnership Board meeting held on 22 November 2012 were agreed and signed as a true record.

The Waste and Recycling Manager gave a brief update on WEEE (waste electrical and electronic) equipment. He had contacted all of the Town Councils to request that small low energy bulb recycling boxes be placed in their offices. He had so far received four responses. He would also investigate using the libraries, through discussions with Devon County Council (DCC).

The six month trial with WEEE recycling banks in Exeter had yet to start and members expressed their frustration.

SITA's Contract Manager offered to look into the possibility of SITA helping with the provision of WEEE banks. He would provide an update at the next meeting.

RECOMMENDED that SITA's Contract Manager discuss with SITA options for the provision of WEEE recycling banks in East Devon.

42 Developers paying for waste containers

The Waste and Recycling Manager updated the Board on discussions he had had with the Planning department regarding a requirement that all developers of four or more properties contribute to the cost of the provision of waste containers.

The Waste and Recycling Manager had spoken to the Development Manager who did not feel that the suggestion was financially viable as developers already made contributions through section 106 agreements and CIL (Community Infrastructure Levy). The Street Scene Manager reported that he had also discussed this at an SMT meeting with the Development Manager and Planning Policy Manager and that they did not feel that CIL was a suitable means for claiming such costs from developers as a large financial burden was already placed upon developers. A CIL report would be considered by Cabinet in the near future. It was suggested that an increase in council tax be used to contribute to the cost of the provision of waste containers for new homes.

The Board were disappointed with the planning department's response and felt that the issue should be raised again during the CIL discussions.

RECOMMENDED that the Board's concerns that the provision of waste containers for new homes was another burden on the District Council that it could ill afford, despite the Government's objective to increase the rate of recycling be considered by Cabinet during its discussions on the CIL policy

*43 Update on Otter Rotters

Mandy Jennings, from Otter Rotters had given her apologies. She had been due to attend the meeting to update the Board on the Otter Rotters' activities; however she had been unable to attend due to adverse weather conditions. She had provided the Waste and Recycling Manager with some Otter Rotter review notes which he read out at the meeting.

These included the following points:

- Management arrangements and the current Directors.
- Reasons for a larger centralised composting site to allow increased tonnages and a more cost effective operation.
- The temporary closure of the Fenny Bridge site and the extra time needed for tipping each load had reduced available capacity, delayed expansion and decreased the number of larger 'special' collections undertaken.
- Tonnages and income in 2012 were down from 2011.
- Using the Fenny Bridge site capacity and additional tonnages being taken to Hill Barton in order to reinstate their ability to expand the rounds.
- The aim of composing local green waste locally would require suitable new sites to be identified close to each residential area.
- Provision of supported employment opportunities.
- Aspirations to roll out the scheme in the Exmouth and Budleigh area and search for an additional site nearer to Exmouth.

*43 Update on Otter Rotters (cont'd)

The Recycling Champion reported that he had been in discussions with both Otter Rotters and Devon County Council about the possible use of the Woods Farm Recycling Centre as an option for Otter Rotters to use the site for composting. However he felt that the offer had not been taken further by Otter Rotters. The Board discussed site availability and locations and requested that the Waste and Recycling Manager raise the site issue with Mandy Jennings again. It was acknowledged that Exmouth needed a garden waste recycling service.

The Board requested that Mandy Jennings attend the next meeting of the Recycling and Refuse Partnership Board.

RECOMMENDED that Mandy Jennings be invited to attend the next meeting of the Recycling and Refuse Partnership Board to provide an update on the Otter Rotter's activities.

*44 Statistical information

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

There had been a continued reduction in the number of missed refuse and recycling collections. There had also been a continued reduction in the amount of calls received by the Customer Service Centre. This indicated that the recycling and refuse service was continuing in the right direction.

The Board also noted the final statistics for 2011/12 from DEFRA. These indicated that EDDC ranked 87th out of 352 English authorities and met the Council's objective of being within the top 25% of authorities. EDDC had the 10th lowest household waste generation per head in the country.

Members discussed the number of replacement recycling boxes and food caddies and the main reasons for damage. Many of these were unrelated to the contractors. It was noted that the Council bore the cost of replacing lost/stolen/damaged refuse and recycling receptacles. Replacement was on an ongoing basis and 5% per year had been included in the budget for this.

*45 Devon Waste Strategy Review

The Waste and Recycling Manager gave the Board an update on the latest position. The review had been completed and was due to be published shortly. The Waste and Recycling Manager would circulate the Devon Waste Strategy to Board members once he had received it.

The Street Scene Manager reported that East Devon's Waste Strategy was due to be reviewed and that a draft would be brought to a future Board meeting.

*46 Integrated Devon wide waste service

The Waste and Recycling Manager gave the Board an update on the proposals to consider an integrated Devon wide waste service. There were two groups; a Member group and an officer group. The officer group would be reporting back to the Member group on 29 January 2013 with options for the outline business case, and consider moving to a detailed business case hopefully to be completed by June 2013.

The outline business case showed reasonable future savings of 5-10% across Devon, although these may not be achieved for some time, especially as some of the waste contracts did not end until 2018.

*47 Joint contract for the sale of newspapers and magazines and glass cullet, and the associated transport

A joint contract for the sale of newspapers and magazines and glass cullet was being re-tendered across Devon and was due to be let around mid May. It would be beneficial as it would provide guaranteed tonnage. Discussions were underway with the re-processors whether the contractors should undertake the haulage or not.

It was noted that recycling income for paper and glass was reviewed on a quarterly basis and was guided by market prices. Income was reducing due to the economic climate and pressures. The price for paper had been budgeted as £90/tonne. At one time £120/tonne was being achieved. This had a big impact on the Council's budget, in the region of £300,000.

The Board acknowledged that overall recycling figures had been reduced as people were not generally buying as many products such as magazines, newspapers and products in bottles. The amount of waste going to landfill showed a similar trend, as people tended to buy less produce.

*48 Update from SITA – Contract Manager's annual report 2012

The Communications and Public Affairs Manager, Tim Borrett and the Communications Officer, Nick Stephen joined the meeting at this point.

SITA's Contract Manager presented his annual report to the Board which included:

- Recycling performance.
- Residual waste performance.
- Vehicle statistics
- Direct labour statistics
- Looking ahead to 2013.

Tonnage for all recycled materials, apart from plastic bottles, had declined. The prices for materials sold by SITA had also declined. Members felt that although recycling rates were high, 25% of household were still not recycling, and that a message could be sent out reminding people to recycle. The SITA Contract Manager reported there was signage on one vehicle thanking residents for recycling.

*48 Update from SITA – Contract Manager's annual report 2012 (cont')

The tonnage of refuse collected had significantly reduced, despite an increase in the number of properties. It was noted that a processing plant would soon be opening at Avonmouth and it was hoped that all clean plastics would go through this plant (enabling easier mixed plastics recycling). The problem with mixed plastics recycling remained the capacity of the current vehicles to take the extra materials.

Clinical collection costs in 2012 had reduced. However clinical collections could no longer be disposed of locally and were instead taken to Liskeard daily. Various options had been considered but there was very little capacity to increase clinical collections in East Devon. A request was made that Devon Authorities Waste and Recycling Committee (DAWRC) be asked to consider this at their July meeting.

There had been a high turnover of staff between January and September 2012. This had now stabilised. Following a Health and Safety Executive (HSE) visit, SITA operatives had to be provided with expensive specialised gloves. Trials were being undertaken on different types and costs of gloves to find the most cost effective ones.

The number of road traffic accidents had reduced by 30% from 2011, and property damage had reduced by 50%.

Fuel had increased by an average of 4p per litre, with an impact of £1,400 per month on current usage of fuel. The overall costs of fleet (excluding fuel) reduced by £75,000, which was mainly a reduction in maintenance repairs to vehicles.

The total direct costs of the contract during 2012 increased by £7,500. This represented an increase of 0.2% on the overall cost of services to EDDC. The Contract Manager would continue to produce quarterly reports for the Board.

The Contract Manager was thanked for his report and congratulated and thanked the SITA staff for their service over the Christmas period.

*49 Letter from the waste policy minister

The Deputy Portfolio Holder Environment reported that he had received a reply from the Waste Policy Minister. The letter had been circulated with the agenda and its contents were noted.

*50 Communications update and call details

The Communications Officer introduced the newly appointed Communications and Public Affairs Manager, Tim Borrett.

The waste and recycling service had not required a great deal of communication over the past few months. However, it was felt that it would be good to publicise the positives and what had been achieved over the past year. It was important that the public understood that it was simply unaffordable at the present time to offer kerbside mixed plastics and cardboard recycling, if the Council was also to keep council tax low. If recycling income improved it was something that could be further investigated in the future. In order for the recycling service to be improved income price and the rate of participation needed to increase.

It was acknowledged that there was an ongoing need to engage with the public, constantly drip feeding information about the underlying campaign.

51 Any other business

Christmas leaflet

The Waste and Recycling Manager brought to the attention of the Board the cost involved in the production and distributed of the Christmas leaflet which had cost £15,474 in postage for 2012 alone .The Board discussed various ways of informing all residents of the changes to collection services and giving them information about the waste and recycling services in East Devon. It was noted that information delivered direct to the customer through the door was the most effective form of communication.

A report would be brought back to a future meeting on the different options for notifying residents. These included SITA operatives placing stickers on bins before Christmas or using a hanger style leaflet. It was hoped that part of the In Cab programme a householder app would give details to householders of collection changes in the future.

Otter Rotters

Members agreed that the Otter Rotters' contract should be renewed on a one year basis, and on the same terms and conditions as previous years. This had been included in the budget.

Side waste in Exmouth Town ward

Councillor Steve Gazzard, ward member for Exmouth Town wished to record his thanks for the collection of side waste in the area over the Christmas period. He reported that the residents had been very grateful for this service.

Exmouth Tidy Group

Councillor Steve Gazzard, on behalf of Exmouth Tidy Group, requested to know whether 'split bins' could be placed along Exmouth seafront in an effort to increase recycling. The Street Scene Manager reported that the provision of these bins was in the service plan, for consideration in 2013/14. The existing bins were coming to the end of their life span and Street Scene was looking at replacements that could offer on street recycling in the future. SITA's Contract Manager felt that this was a very positive step forward and advised that the new facility at Avonmouth had the capability to deal with the co-collection of materials.

Councillor Gazzard also reported that Exmouth Town Council had employed a supplementary street cleaner to work across the whole of Exmouth. This arrangement was working well and cost the Town Council £15,000 per year.

RECOMMENDED

1 that a future report be brought back to the Board on the different options (including costings) of communicating the information contained in the Christmas leaflet, to householders.

2 that the Otter Rotters' contract be renewed on a one year basis and on the same terms and conditions as previous years.

*52 Next meeting

RESOLVED that the next meeting of the Recycling and Refuse Partnership Board be held on Thursday 25 April 2013, at 10am in the Council Chamber.

Chairman ……. Date ……

EAST DEVON DISTRICT COUNCIL

Notes of a Meeting of the New Homes Bonus Panel held at the Knowle, Sidmouth on Friday 1 February 2013

Present:	Councillors: Ray Bloxham (Chairman) Douglas Hull Stephanie Jones Andrew Moulding Graham Troman
Also Present:	Councillor: Roger Giles
Officers:	Jamie Buckley, Community Engagement and Funding Officer Ali Eastland, Locality Development Officer, DCC Alethea Thompson, Democratic Services Officer
Apologies	Councillors: Trevor Cope Peter Bowden (Devon County Council) Christine Channon (Devon County Council) Richard Cohen, Deputy Chief Executive Simon Davey, Head of Finance

The meeting started at 10.00 am and finished at 10.50 am.

*1 Minutes

The notes of the previous meeting of the New Homes Bonus Panel held on 2 November 2011 were confirmed as a true record.

*2 Declarations of interest

Panel Member	Minute number	Type of interest	Nature of interest
Douglas Hull		Personal	His wife was a director of Axminster Ring and Ride.

*3 Chairman's remarks

The Chairman welcomed all those present to the meeting. A couple of amendments were made to the applications. On page 17 of the agenda, question 10 the figure of £6,000 was amended to £7,107.10 in total and the word 'possibly' was taken out the sentence in brackets. On page 38 of the agenda, question 10 the figure of £12,228 was amended to £12,494.

*4 Documentation

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

5 Application from Ottery Help Scheme

The Chairman agreed to bring this agenda item forward as the Ward Member had attended to speak in support of the application.

The Devon County Council Locality Development Officer outlined the application. The Panel agreed that it was a good robust project and showed the value of parishes working together.

RECOMMENDED: that the Ottery Help Scheme application be supported.

6 Application from Dalwood and Shute for a project to work on drainage and other flooding issues

This was a one off in depth project to work on drainage and other flooding issues. Concern was raised that DCC had appointed a Flood Officer to cover this type of work and the DCC Locality Development Officer agreed to investigate this funding issue.

RECOMMENDED: that delegated authority be given to the Chairman in consultation with the Community Engagement and Funding Officer and the DCC Locality Development Officer, subject to funding clarification from DCC, to approve the application from Dalwood and Shute.

7 Application from Axminster Ring and Ride

The Community Engagement and Funding Officer and the DCC Locality Development Officer outlined the application to ensure the retention of the Ring and Ride service by purchasing a second vehicle. The scheme offered a vital community link and had fostered links with the parishes and town. Consideration was given to figures showing contributions towards running costs from the councils involved and members discussed other councils who might want to become more involved.

RECOMMENDED: that the Axminster Ring and Ride application be supported.

8 Application from Hawkchurch Community Shop

The Community Engagement and Funding Officer and the DCC Locality Development Officer outlined the application for the provision of a community shop. It was noted that part of the catchment area of the shop was at Blackpool Corner which was in the Axminster parish area. The project had a lot of community support and had encouraged the local councils to work together.

RECOMMENDED: that the Hawkchurch Community Shop application be supported.

9 Application from Upton Pyne and Cowley Parish Council and Brampford Speke Parish Council to establish and develop a Community Land Trust

The Community Engagement and Funding Officer explained that the two parish councils had been working closely together to set up a Community Land Trust (CLT). The CLT's initial objective was the provision of a small amount of affordable housing in each parish.

RECOMMENDED: that the Upton Pyne and Cowley Parish Council and Brampford Speke Parish Council application to establish and develop a Community Land Trust be supported.

*10 Chairman's closing comments

The Chairman reported that he was pleased to see the way in which the parish and town councils were working together. He thanked the Community Engagement and Funding Officer and the DCC Locality Development Officer for all the work that they had done with the parishes. He expressed concern that there weren't any more applications for consideration and members asked which areas had not yet proposed anything.

The officers reported that they had only received the applications before the Panel so far, but that more were expected by March 2013. It was noted that all the coastal towns were looking at working together on a large scheme to boost tourism. Members also noted the funding commitments of DCC and EDDC.

It was suggested that a press release be issued informing the district about what had been achieved and to encourage others to come forward with applications.

The Chairman thanked those present for attending the meeting.

RESOLVED: that a press release be issued informing the district about what had been achieved and to encourage other parishes to come forward with applications

Agenda Item 12

Cabinet
6 March 2013
JG/DB

Homelessness Strategy 2013-2018

Summary

The Council is required to publish a Homelessness Strategy every five years. The Homelessness Strategy for 2013-2018 is attached to this report for Members approval.

Recommendation

Members are asked to approve the Homelessness Strategy 2013-2018.

a) Reasons for Recommendation

To seek approval to publish a new Homelessness Strategy for 2013-2018.

b) Alternative Options

None.

c) Risk Considerations

The main risks are included in the Homelessness Strategy.

d) Policy and Budgetary Considerations

A new Homelessness Strategy must be published every five years. There are no new budgetary implications.

Positive Impact Overall

Affordable Homes.
Excellent Customer Service.
Meeting our Diversity and Equality duties.

e) Date for Review of Decision

An annual performance report will be submitted to the Cabinet.

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1 Introduction

1.1 The Council's existing Homelessness Strategy expires on 1 July 2013. The Council is required to publish a Homelessness Strategy every five years. A new Homelessness Strategy is attached at **Annex A** for approval.

2. Homelessness Strategy 2013-2018

2.1 The Homelessness Strategy outlines the measures in place to tackle homelessness in East Devon; the funding provided by the Council and Government; and the actions we propose to take over the next five years to continue to address homelessness in the area.

2.2 A great deal of success has been achieved over the last five years and the efforts of staff and partners are crucial to continue to tackle homelessness and help those at risk of homelessness maintain or secure suitable accommodation. The Council funds a number of measures that contribute to this success and members are asked to continue to support this service during the current economic difficulties.

2.3 The actions proposed in the Homelessness Strategy are expected to build on the success of the past five years and maintain low levels of homelessness acceptances as well as high levels of prevention.

2.4 We report annually on how we are performing against the Homelessness Strategy and your last report was presented to the 28 November 2012 Cabinet.

3. Summary

3.1 The Homelessness Strategy 2013-2018 sets out what the Council proposes to do over the next five years to tackle homelessness in the area. Members are asked to approve the Homelessness Strategy 2013-2018.

Legal Implications

There are no legal implications requiring comment.

Financial Implications

Any financial implications of Funding the Homelessness Strategy 2013/2018 are contained in the report.

The current Homelessness Grant cannot be guaranteed to be provided after 2014/2015.

Consultation on Reports to the Executive

Not applicable.

Background Papers

- Homelessness Code of Guidance for Local Authorities, DCLG, July 2006.
- Supplementary Guidance on the homelessness changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation) (England) Order 2012, DCLG, November 2012.

Dennis Boobier Ext 2018 dboobier@eastdevon.gov.uk
Housing Needs and Strategy Manager

Cabinet
6 March 2013

Annex A

Homelessness Strategy 2013-2018

Contents

Foreword

1 Background to this strategy
2 Introduction to homelessness
3 People and Housing in East Devon
4 Homelessness in East Devon
5 Measures and funding available
6 Housing Options and Advice Service in East Devon
7 Working with others
8 Future threats and opportunities
- Access to housing
- Welfare reform and household income
- Public sector policy and finance

9 Key objectives and outcomes
10 Next steps

For further information about this document please contact:

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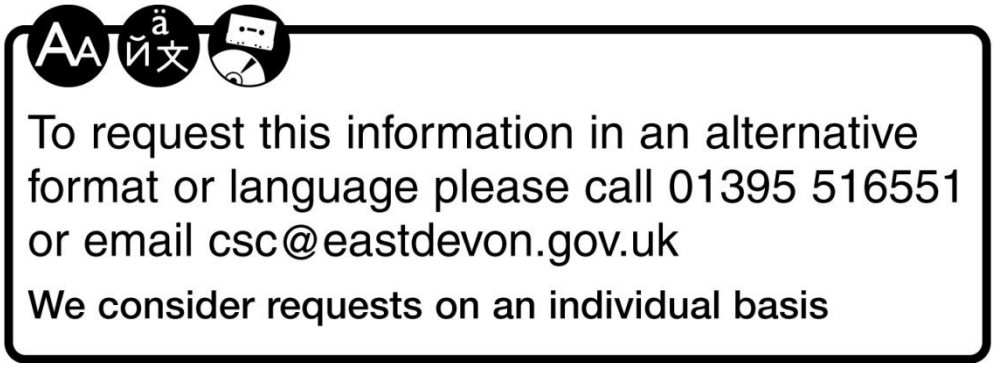
01395 516551



Foreword

Jill Elson, Cabinet Member for Sustainable Homes and Communities

The development of our new Homelessness Strategy comes at a time of great change in housing, welfare and social policy. There are many pressures on housing in East Devon that will continue in future years.

Our Homelessness Strategy is part of a suite of integrated housing documents that sit under the overarching Homes and Communities Plan 2012-2016 (www.eastdevon.gov.uk/homesandcommunitiesplan). Related plans include our Private Sector Housing Renewal Plan; the Housing Service Plan; and Tenancy Strategy.

Its main objective is to meet housing needs and prevent homelessness. It is evidence based and has been developed in consultation with stakeholders. It sets out the causes of homelessness, wider housing needs, where we are now and considers the challenges and opportunities that will come forward in the next five years.

The strategy also outlines some significant achievements that we have been able to make since our last Homelessness Strategy was published.

Our work would not be possible without the hard work of our Housing Advice and Options team and significant support from other agencies and I would like to take this opportunity to thank them all for their hard work, commitment and continued support.

1. Background to this strategy

Our last Homelessness Strategy covered the period 2008-2013. It set out the actions we were to deliver to meet our vision and our key objectives. This involved increasing our homelessness prevention and reducing our use of temporary accommodation. We have been highly successful in delivering these changes and improvements but recognise we must continue to deliver change and address the need for housing in our area.

A consultation process took place in November 2012 and partners and voluntary agencies were invited to comment on our draft Homelessness Strategy 2013-2018 and all comments received have been included.

2. Introduction to homelessness

Being homeless is epitomised by the rough sleeper who is living on the streets, but this group of people form a relatively small proportion of all homeless households. Many homeless households are "hidden" as they may have access to some form of shelter, some of the time but lack a stable, long term, settled home. For others, there are frequent moves from one temporary accommodation or shelter to another (e.g. emergency accommodation, refuges, friend's homes, 'sofa surfing') – people with no settled home.

Homelessness is a harmful and risky lifestyle. It is linked to wider social and health issues and living on the streets is likely to increase these problems.

Anyone can become homeless but we can identify some of those at risk.

- young people leaving the care of a local authority;
- those leaving prison;
- people suffering from domestic violence;
- those with a mental health or substance misuse problem;
- those from troubled families;
- people on low incomes and those who are in debt.

Preventing homelessness is not just about finding accommodation. The failure rate amongst rough sleepers, ex offenders and young people who obtain accommodation and then lose it, is high. There is a need to provide support to help build life skills, independence and the ability to attain and retain a settled home This can reduce both repeated homelessness and admissions to institutional or residential care, or hospital.

3. People and Housing in East Devon

We have around 136,600 people living in East Devon. The Homes and Communities Plan 2012-2016 outlines some of the key demographic and economic facts and figures as well as the housing situation.

The Homes and Communities Plan contains ten strategic aims, with one key aim to do with homelessness.

Our key aim is to prevent homelessness wherever possible, and make sure that accommodation is found for those who do become homeless.

4. Homelessness in East Devon

There is no doubt that homelessness in East Devon is affected by the lack of supply of suitable affordable housing. This issue is dealt with in more detail in the Homes and Communities Plan.

Homelessness increased nationally by 14% from 2010 to 2011. You can view national statutory homeless statistics and other housing statistics at the Communities and Local Government website at www.communities.gov.uk/publications/housing/homelessness

Within Devon the picture is more varied.

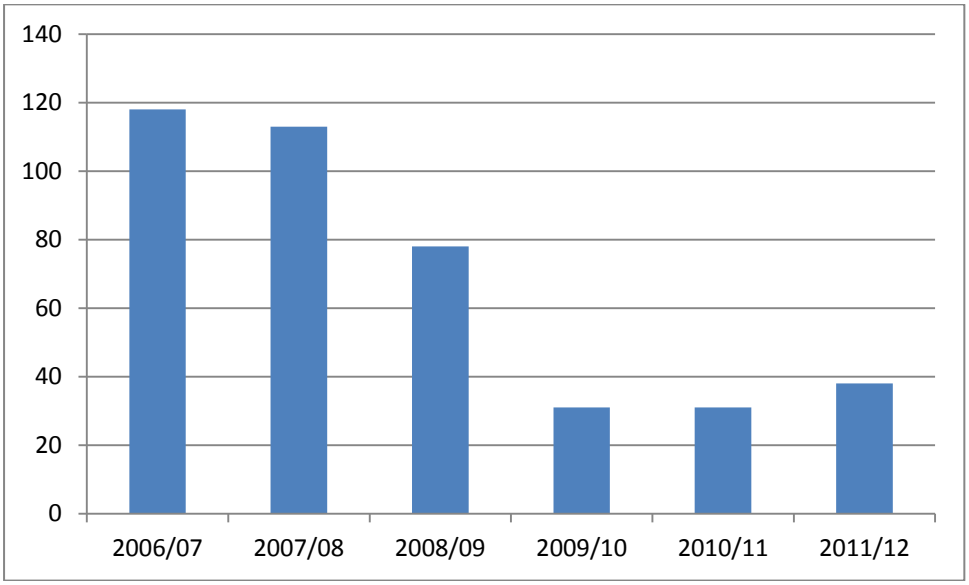
Table 1: homeless acceptance figures for Devon 2009-2012

District	2009/10	2010/11	2011/12
East Devon	31	31	38
Exeter	109	109	99
Mid Devon	10	24	18
North Devon	31	33	53
Plymouth	244	280	221
South Hams	20	42	47
Teignbridge	55	73	55
Torbay	109	57	57
Torridge	5	24	37
West Devon	18	12	8

Of those being accepted as statutory homeless in East Devon, the main causes are loss of home due to exclusions from family or friends' homes, relationship breakdown or the loss of a private sector tenancy. With the support of our many partners we have made significant improvements to minimise the impact of these on young people and helping households maintain or access private rented sector housing.

Homeless acceptances in 2011/12 were 38 households. This is an increase compared to 2010/11, but is still considered to be low given the current economic situation and demand for housing.

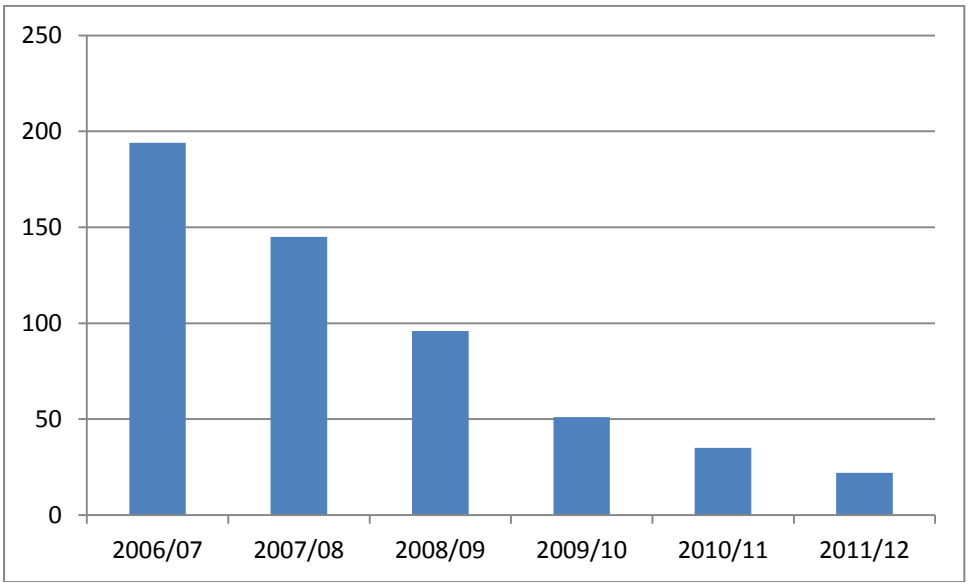
Table 2: Number of households accepted as homeless in East Devon from 2007-2012



The number of households accepted as homeless within East Devon shows a mainly downward trend year on year.

Our use of temporary accommodation has decreased with twenty two households in temporary accommodation at 31 March 2012 compared to thirty five at 31 March 2011.

Table 3: Number of households in temporary accommodation at the end of each financial year 2007-2012



This is mainly because of our homelessness prevention work and the alternative options for housing applicants either in private rented or social housing. This could not have been achieved without the support and hard work of our partners including Young Devon, Community Housing Aid, Homemaker South West, Independent Futures, and the Street Homeless Outreach team, as well as colleagues in other district councils and Devon County Council. There is a strong partnership working ethic in Devon which has helped greatly to enable us to achieve the objectives in our previous Homelessness Strategy.

Strong partnership working in Devon has enabled us to achieve the objectives in our previous Homelessness Strategy

Some groups such as survivors of domestic abuse, those not in priority need or intentionally homeless, and those having their home repossessed have all been helped in one way or another through our sanctuary, mortgage rescue, or rent deposit and rent in advance schemes. Many of these people are on low incomes, without work, with previous failed tenancies, mental health or substance misuse problems and are unlikely to meet lettings agents or landlords vetting procedures and so cannot obtain a private tenancy without help. Some have complex needs, addiction, or poor parenting and life skills and face particular problems in accessing housing.

The changes to the allocation of housing contained in the Localism Act 2011 may limit the opportunity for some households to access suitable accommodation and the welfare benefit reforms, especially the limiting of Housing Benefit to younger people and effect of benefit cap on larger families, will increase the risks of homelessness.

Rough sleeping is not a significant issue in East Devon but it is increasing. The latest count estimated five rough sleepers in East Devon. We work closely with the Street Homeless Outreach Team who operates across Exeter, Mid and East Devon. Significant funding has been provided by Government to address rough sleeping in the area and East Devon is benefiting from improved services for rough sleepers. Local authorities in Devon and Cornwall are working together to deliver the Government's – "No Second Night Out" to end rough sleeping and you can find further details at: www.gov.uk/government/uploads/system/uploads/attachment_data/file/6261/1939099.pdf

Rough sleeping is not a significant issue for East Devon but numbers are increasing

Our housing options and advice service undertook 2754 interviews with people who have a housing need in 2011/12 compared to 2915 in 2010/11. Of these 651 (659 in 2010/11) had a housing options interview to explore options and alternatives available to maintain their current housing or secure more suitable or alternative accommodation. We considered 235 (225 in 2010/11) homeless applications in the year, where we made our enquiries and an official homeless decision was provided to the customer. We undertook eleven homelessness reviews – legal requests for a review of the Council's original homelessness decision.

In 2011/12 we carried out 651 housing options interviews and considered 235 homeless applications

The homeless prevention measures funded by the Council helped 298 (267 in 2010/11) households either maintain their existing home or find an alternative home usually in the private rented sector. Some of these households were able to find their own alternative accommodation without our help. Around 115 households were helped by Smartmove (Community Housing Aid – funded by the Council) and 109 were helped through our rent guarantee/bond scheme or with a 'cash' deposit or rent in advance (these are loans that require

repayment) to ensure people accessed accommodation in the private rented sector. We completed one mortgage rescue scheme with the help of West Country Housing Association at a cost of £2000 (the difference in the valuation of the purchaser and lender) funded from our Repossession Prevention Fund.

5. Measures and funding available

Many of the homeless prevention measures available to us and other agencies working with homeless people are in place in East Devon. We have introduced measures and continue to fund services that help reduce the incidence of homelessness and provide alternatives to being accepted as statutorily homeless. These are listed below; figures in brackets show the amount of funding available.

- Mortgage Rescue Repossession (funded from Government grant) - help those being repossessed to remain in their home.
- Rent Bonds/Deposits and rent in advance (£50000) – helps access private rented accommodation.
- Supported Lodgings for young people (£10000) – used to joint fund (with Devon County Council) ongoing placement of young person following their eighteenth birthday.
- Homeless Prevention Fund (£5500) – proactive use of funds to reduce repossessions and evictions.
- Young Persons Prevention Caseworker (£40000) – joint funding (with Devon County Council) a post with Young Devon.
- Community Housing Aid - Smartmove (£50000) funding of a caseworker to help people accessing private rented sector accommodation and one part-time post to provide support to households and landlords.
- Community Housing Aid – Nightstop (£5000) – direct access to overnight accommodation for young people.
- Devon Housing Options Partnership Co-ordinator (£5000) - contribution toward cost of post supporting the work of the district councils in Devon.
- Homemaker South West (£8000) – Debt and Money Advise Worker – a one day surgery per week.
- ADVA (Against Domestic Violence and Abuse partnership (£5000) – contribution to help services for victims of domestic abuse.
- Single Homeless Outreach Team (£10000) – a contribution towards helping secure accommodation and support for single people and for those who are sleeping rough.

6. Housing Options and Advice Service in East Devon

We have been trying to meet the demands of homeless households by delivering a housing options and advice service. The approach is to try to prevent homelessness by maintaining existing accommodation or where that is not possible securing alternative suitable accommodation either in the private rented sector or through Devon Home Choice and offering social rented accommodation. The approach has been developed over the last few years and is good practice used by all local authorities.

This approach does not limit an applicant's rights within the law or reduce our statutory housing duties. But it does mean working with applicants on alternatives and considering options to resolve their housing issue. We do not have a blanket policy. Each homelessness approach is dealt with on an individual basis and in some cases this means taking a homeless application at the outset. However, our general approach is to work with the household and try to prevent their homelessness.

We work with households to try to maintain their existing accommodation or secure suitable alternative accommodation and so prevent them becoming homeless

We currently deliver this service through two office locations in Sidmouth and Exmouth. The provision of a housing options and advice service at the Exmouth Town Hall has been particularly successful in meeting the demand for advice and assistance in this area of the district. We also visit people at home or in hospital or prison or any other suitable location.

A Systems Thinking approach has been applied to the Housing Options and Advice Service and has helped us to deliver an improved customer service. We have developed a purpose for the service which is "to match the right person with the right property" and we have adopted ten key principles that include:

- fully understanding the customers housing need
- resolve the customers housing need at the earliest opportunity
- make it clear to customers what we can and cannot do

The Quality Standard Framework, adopted by the district councils in Devon, is a quality assurance system that reflects good practice and is a shared set of

aspirational standards that each authority can strive to achieve at its own pace. It does not replace statutory provisions or government guidance, but has been designed to work within the context of relevant legislation and codes of guidance. It provides a 'standard' on working with partners; awareness and access; case management; support for staff; and monitoring of the service.

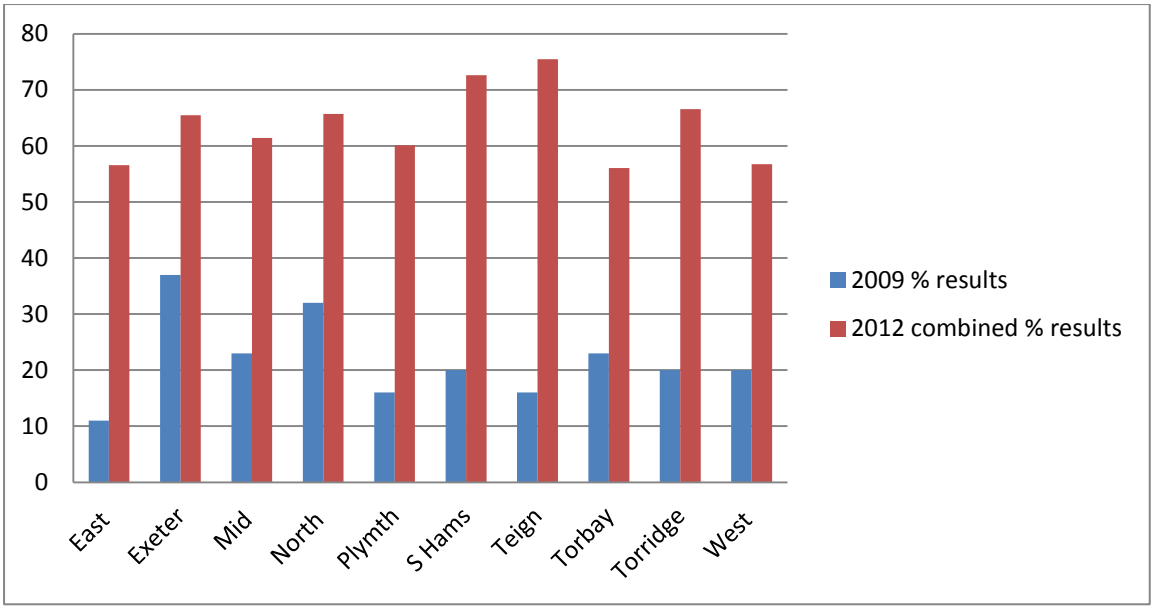
Within the framework an audit of our Housing Options and Advice Service has taken place, with similar audits being done with other local authorities in Devon. The audit, undertaken on 24 April 2012, focussed on 'service delivery' and summary results were that:

- the file reviews scored 40% (one star rating)
- the mystery shopping exercise scored 85% (two star rating)
- the service management review scored 56% (two star rating)

This is a significant improvement on the previous audit in 2009 and in particular it shows the customer experience is good. However, improvements in the housing options and advice service do need to be made for us to meet a 'good' service delivery performance over the lifetime of this strategy.

All district authorities in Devon have improved their service delivery to a lesser or greater extent since 2009.

Table 4: Comparison of results of the 2009 and 2012 audits across all Devon district authorities



7. Working with others

We have good working relationships with agencies working with homeless households in East Devon. We are also members of a number of partnerships across Devon that meet housing need and impact on homelessness work. These include:

- Devon Strategic Housing Group;
- Devon Housing Options Partnership;
- Devon Home Choice Partnership;
- Devon Private Sector Group;
- Devon Benefits Group;
- Devon and Cornwall Rough Sleeper Partnership;
- Devon Social Inclusion Group.

In particular our work with young people has been very successful in meeting the needs of sixteen and seventeen year olds. This has been achieved by working jointly with Devon County Council and Young Devon. We work closely with other partners and agencies, including the Multi Agency Public Protection Panel, the Multi Agency Risk Assessment Conference, the East and Mid Devon Domestic Violence Forum, and the Homeless Prevention Panel.

Our joint working with other agencies has helped us successfully meet the needs of local young people

We also work closely with police and mental health teams and participate in joint monthly liaison meetings dealing with housing issues and homelessness prevention cases.

Our ability to meet the needs of homeless households was affected by the changes made to the Supporting People programme in 2011/12 by Devon County Council including the governance arrangements. This resulted in a significant reduction in the funding of homelessness services in Devon.

We are working with Devon County Council and other district councils to develop and implement an Eastern Community Hub to provide homelessness targeted support to single people and rough sleepers.

8. Future threats and opportunities

The successes of the last five years will be ever more difficult to replicate in the years ahead.

There have been and continue to be changes in housing policy and social and welfare reform. What we have achieved in the past may not be possible to do in future. Listed below are some of the challenges that we need to consider and deal with over the next five years.

Access to housing

Not enough housing is the key issue. Demand for affordable housing is high. House prices are high and increasing, mortgages are difficult to get, and housing development is dropping. The presence of a large number of second homes contributed to the housing shortage in East Devon. We have seen increased sales through the Right to Buy scheme which is reducing our supply of social rented housing.

Access to housing is made difficult through high house prices and a lack of affordable housing in the district

We are fortunate that we have the Cranbrook development in East Devon that should bring forward in excess of 120 social rented homes, plus a further 180 affordable homes over the next few years to help meet the demand from those in greatest housing need in East Devon.

We have successfully re-financed our Housing Revenue Account to meet Government policy changes by borrowing £85 million. This funding had to be paid to Government as a one-off settlement in lieu of an annual subsidy payment, but there remains some capacity to invest in new social housing. We have recently purchased eleven new housing units in Axminster to add to our housing stock and we are committed to fund such acquisitions in future should the opportunity arise.

A more detailed explanation about affordable housing provision can be found in the Homes and Communities Plan

The Government's proposals to allow councils to discharge their housing duty within the private rented sector come into force in November 2012, a change which we welcome. It does not redress the issue of supply and demand or tackle the affordability crisis for homeless people and the wider population,

but it does aid us meet our statutory duty to homeless households to secure suitable accommodation.

Recent changes will allow us to discharge our housing duty within the private rented sector

Welfare reform and household income

Changes to welfare benefit are likely to have a negative impact on lower income households and those people who are partially or totally dependent on benefits for their household income. Major changes are taking place to Housing Benefits. Young people are particularly affected by the single room rent restrictions on benefit paid being extended from those under twenty-five to those under thirty-five years old. There is concern that further changes including ending of Housing Benefit altogether for those under twenty-five may have greater impact in the longer term.

Over occupation rules within the social rented sector and housing benefit non-dependant charges could mean families no longer offer a spare room to a family member or friend who is homeless. Larger families will lose benefits as a result of a cap on total level of benefits paid to one household. Changes to the assessment of benefits for disabled people are likely to negatively affect some households. It is important to recognise that housing benefit changes affect those who claim the benefit due to low incomes and not just those on benefits.

The plan to introduce Universal Credit is likely to have an adverse impact on household income, budgeting, debt and potentially put households at greater risk of homelessness. Currently councils and social landlords receive rental payments direct from Government. This is likely to change with the direct payment of housing benefit to social tenants.

From 1 April 2013 the Government will no longer be providing crisis loans or community care grants. From then our Housing Advise and Options team will deal with a new local welfare support scheme. This is not a replacement to crisis loans or community care grants and each local authority has discretion to draw up a scheme to suit their local needs. For 2012/13 East Devon has been awarded £130000 for this scheme.

The new local welfare support scheme is designed to help individuals in emergency situations and maintain financial independence in the future

Public sector policy and finance

The Localism Act offers the flexibility for local authorities to discharge their homelessness responsibilities by securing good quality, well managed, affordable private rented home. We are already successful in helping households' access private rented housing.

It also made changes to the way councils can allocate housing. We belong to the Devon Home Choice partnership and have agreed some changes to the policy recently. However, without any significant increase in supply we cannot meet the huge demand for housing in East Devon from those in housing need including homeless households.

We are keen to maintain our housing at social rental levels and have through our Landlord Tenancy Policy only agreed to charge affordable rents on new homes that we acquire or build. We will be introducing flexible tenancies from April 2013 and end the perceived 'tenancy for life' for some social tenants.

We have invested in our work to help under occupying household downsize to smaller council accommodation and set a target of twenty-five family homes (three or four bedroom) to be relet each year following the existing tenants move to a smaller property.

Our downsizing scheme helps tenants move to a smaller property and so release family homes for those in need

The Government's homelessness grant to East Devon of £99000 supports some of the measures we have in place to meet the needs of homeless households but is not guaranteed to be provided after 2014/15.

The Supporting People programme funding provided to Devon County Council is no longer ring-fenced so this can now be spent on non housing support issues.

The implementation of any further changes or budget reductions for the homeless sector will have significant consequences for housing related support and will need to be carefully monitored.

9. Key Objectives and Outcomes

For each of the key aims within the Homes and Communities Plan there is a section on 'what else we will be doing'. With regard to homelessness this includes:

- continuing to maintain and develop our housing advice and options service to make sure those threatened with homelessness are helped to find alternative accommodation, and use our resources and expertise to prevent homelessness wherever possible
- maintaining good relationships with other agencies to provide a combined effort to prevent homelessness whenever possible through successful joint working
- developing strategies and working practices to provide successful outcomes for people who are rough sleeping
- maintaining low levels of households in emergency and temporary accommodation as a result of successful homelessness prevention
- working alongside our benefits team and other agencies to help people who have been adversely affected by welfare reforms
- expanding homelessness prevention and have less than forty units of temporary accommodation

To help achieve these aims the following actions and outcomes will be delivered by 2018:

- We will increase the number of households who are prevented from becoming homeless. There will be a year on year increase in levels of homeless prevention cases that can be included in the P1E returns.
- The numbers of homelessness acceptances will be maintained below 30 households.
- We will reduce the levels of households in temporary accommodation. A year on year decrease with less than 20 units by 2018.
- We will Increase numbers of households accessing accommodation in the private rented sector through use of our Rent Deposit Scheme.
- The Community Housing Aid Smartmove scheme is successful. We will continue to fund this service to enable at least 100 households to access private sector rented tenancies each year.
- We will use an appropriate banding within Devon Home Choice, or make a direct match of an offer of accommodation, as a way of preventing some incidences of homelessness.

- We will prevent episodes of repeat homelessness by intervening in the "revolving door" of some households in the private rented sector and working with partner agencies to help troubled families.
- We will ensure the funding of identified homeless measures is maintained to meet the needs of households.
- We will improve our service delivery and achieve a Good (three star) rating by making changes to our current working practices and procedures and learning from good practice in other organisations.
- We will ensure our staff are trained to deliver the housing advice and options service by participating in Shelter Part A and B courses and other housing or homelessness training and workshops.
- We will maintain good relationships with key partners and other agencies to provide the best services we can to homeless households.
- We will work with Housing Benefit and partners to minimise the impact of welfare reform on homeless households.
- We will progress the opportunity to provide suitable housing for young people in Exmouth.
- We will work with Devon County Council and other district councils to implement an Eastern Community Hub for targeted support services.
- We will monitor and maintain the funding from Devon County Council for targeted support for the homeless sector.
- We will ensure the Devon Home Choice allocation policy supports priorities for homeless households.

10. Next steps

We will review this strategy every year through the monitoring process within the Housing Service Plan.

It is important to remember that we cannot deliver and should not deliver this strategy alone. Delivery of the objectives requires effective partnership working. We are grateful to our partners that have helped with drawing up the strategy and who will work with us to deliver the key objectives.

Agenda Item 13

Cabinet
6 March 2013
JG/DB

Local Welfare Support (LWS) – A new scheme to tackle financial hardship.

Summary

This report outlines changes to the welfare system and how this impacts on the Council. In April 2013 the Government will be abolishing Community Care Grants and Crisis Loans. These are currently part of the discretionary Social Fund. They are grants to help individuals or families in difficult circumstances, or small loans for people who need help in an emergency. Some other parts of the Social Fund will remain and continue to be delivered by Department of Work and Pensions (DWP). These are:

- Budgeting Loans
- Sure Start Maternity Grants
- Funeral Payments
- Cold Weather Payments

The Council in partnership with Devon County Council has agreed to take responsibility for delivering a local welfare support scheme that helps to maximise self reliance and help those with high short term needs. Any new arrangements are discretionary and should deliver a holistic approach to resolving customer needs and provide quick and effective support to those in a crisis situation. The Housing Advice and Options, and Housing Benefit teams already deal face to face with households that are experiencing crisis. We will be incorporating these new arrangements within existing enhanced joint service provision and using funding provided through Devon County Council.

The report outlines a proposed policy framework that describes how the delegated funding will be deployed; and who may be eligible for assistance.

Recommendation

Members are asked to agree:

1. To delegate to the Chief Executive authority to sign the Partnership Agreement with Devon County Council on behalf of the Council.

2. The principles and guidelines outlined in the report form the basis for our LWS policy from 1 April 2013.

3. To delegate to the Sustainable Homes and Communities Portfolio Holder and Chief Executive the authority to revise the LWS policy as and when required.

4. The development of joint working and service provision within the Council to deliver this service.

5. The inclusion of £130,000 in the Homelessness Budget from which a full-time independent money advisor from Homemaker will be appointed.

6. That the funds provided by Devon County Council to deliver this service are included in the Homelessness Budget for 2013/14.

a) Reasons for Recommendation

To seek approval to implement arrangements for provision of a local discretionary scheme to provide financial assistance to customers who are in a crisis

b) Alternative Options

Not to partner with Devon County Council to deliver a Local Welfare Support scheme.

c) Risk Considerations

The main risks in implementing the new scheme are considered and set out in the report.

d) Policy and Budgetary Considerations

This is covered in the report.

Positive Impact Overall

Affordable Homes.
Excellent Customer Service.
Meeting our Diversity and Equality duties.

e) Date for Review of Decision

An annual performance report will be submitted to the Cabinet.

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1 Introduction

1.1 The Discretionary Social Fund, which is administered by the Department of Work and Pensions, provides crisis loans or community care grants to people in need of emergency assistance or requiring support when leaving residential care to sustain themselves in the community. With effect from 1 April 2013 this fund has been abolished and some of the funding, but not the statutory duty, has been transferred to upper tier local authorities to use at 'local discretion'.

1.2 At the last meeting of the Devon Local Government Steering Group (DLGSG) it was agreed that District Councils would administer a new service supported by the Discretionary Social Funding provided by the Department of Work and Pensions (DWP). As such the funding can be aligned with other forms of discretionary support such as Discretionary Housing Payments or Homelessness Prevention Grant and will allow a more holistic approach to be taken in identifying need and providing appropriate support.

1.3 As Devon County Council is the Lead Accountable Body for the funding it was agreed that a joint County and District project board would be established to develop an Agreement setting out the terms and conditions for its use.

1.4 The latest draft of the Partnership Agreement is attached at **Annex A** and provides the ongoing Policy Framework to enable a local discretionary scheme to be implemented by the Councils. The Partnership Agreement has been out to consultation with voluntary and community sector organisations. The final Partnership Agreement will not be ready to sign until the consultation responses have been considered and any legal and financial matters have been resolved.

1.5 The history of the Discretionary Social Fund illustrates why this change of focus is essential and long overdue. Research undertaken by the DWP in 2011 looked at applications for Social Fund Crisis Loans made between 1January 2010 and 31December 2010. It then asked how many of these applications were in the previous rolling 12 month period. The results were staggering. Only 26% of applications were the first in the rolling 12 month period. 74% of applicants had made more than 1 application, with 20% making three applications, 9% making four applications and 5 % making 10 or more applications. This pattern was reflected in the awards, with only 26% of awards going to first time applicants. This meant that 66% of the expenditure, amounting to £147m, went to repeat applicants.

1.6 The March 2010 Paper "Social Fund reform: debt, credit and low-income households" had already acknowledged that the Social Fund was "*a passive scheme which does little to encourage customers to tackle the underlying problems they face, improve their financial capability and move them towards financial independence*". It had also acknowledged that little was done to prevent people from making repeat and frequent applications, and that multiple applications for Crisis Loans were adding significantly to the pressures on the Social Fund.

1.7 The paper went on to outline proposals for the Social Fund to play a more active and sustainable role in helping people resolve their longer-term financial problems and support them to become more financially independent, as well as dealing with short term crises. However, the measures introduced from 4 April 2011 were very limited in scope. They re-focused the Crisis Loan scheme towards living expenses, help with many items being considered only when the application was made following a disaster; they reduced the rates paid; and they limited the number of awards for general living expenses to 3 in a rolling 12 month period. In short no real measures were introduced to address the fundamental weaknesses of the scheme or address applicant's underlying problems.

1.8 It now falls to Local Authorities to develop their own local schemes. Devon's approach has been carefully designed to tackle these issues, whilst still providing a 'safety net' for those in immediate crisis and hardship.

2. Local Welfare Support for Devon

2.1 The Welfare Reform Act 2012 has abolished Crisis Loans and Community Care Grants and these will not be replicated by any new arrangements. This is an important point for all partners to note. The key messages are that **cash will not be provided to customers** and a **holistic approach will be taken to arrange appropriate support for customers.**

2.2 The Partnership Agreement sets out **three outcomes** to be achieved with the ring fenced funding:

- To increase self-reliance and resilience,
- To offer quick and effective support for those with high priority short term needs, and
- To provide help for people to establish themselves in or, remain in, the community.

2.3 The emphasis is on working with people to identify their individual needs and address their immediate and underlying problems. A key outcome is to **increase self-reliance and resilience to try and prevent people experiencing future financial crises.** An example of the type of support would be financial/household budget management advice. Those in the **most extreme hardship or crisis situations will be able to get help to meet their immediate needs** subject to funding being available.

2.4 The outcome to increase self-reliance and resilience is very different from the service provided by DWP. It reflects the findings from extensive DWP research on the failures of the social fund that giving out cash does not help people to improve their circumstances.

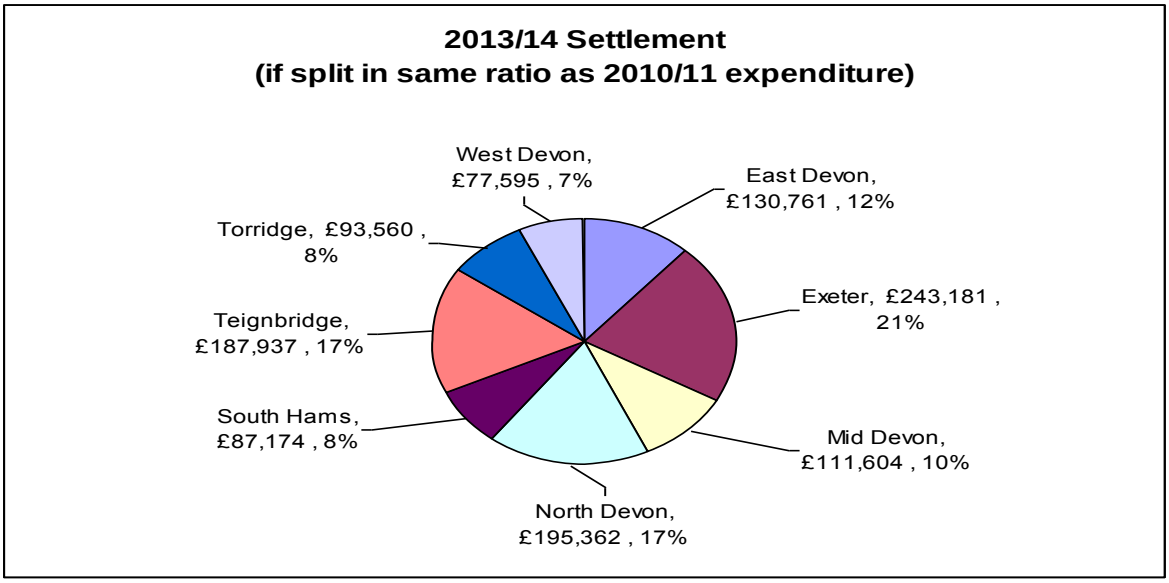
2.5 It is for **each District to decide how it will deliver on these outcomes** and this will be subject to monitoring and evaluation. The range of services and organisations involved will be co-ordinated at a local level to provide a clear overall approach.

3 Financial settlement

3.1 On 12 December 2012 the DWP confirmed the settlement for year one in a letter to Devon County Council. The Minister has decided to award the 2013/14 period at the indicative level set out in a letter to Devon County Council on 6 August 2012. The letter also stated that final decisions on 2014/15 will not be made until the autumn of 2013. The Partnership Agreement has therefore built in a review period to inform this settlement. It is likely that funding will be reduced in the final year of the scheme.

3.2 As agreed at the DLGSG meeting and the Project Board meeting the programme funding will be allocated based on the ratios set out in the table below. The Project Board has also recommended that the administration funding should be divided on the same ratio with a sum top sliced for Devon County Council's administration of the scheme. This formula will need to be monitored and, potentially, reviewed in the light of operational experience once the new scheme goes live.

Table 2 – Programme Funding split



4. Project Constraints and risks

4.1 This Partnership Agreement has been developed with the following constraints:

No	Constraint	Comment
1	Financial	The funding provided in 2013 is 20% less than provided in 2010/11. Funding is fixed with no underwriting of overspends. Funding is given to upper tier authorities. Final settlement not confirmed until 11 December 2012.
2	Legal	There is no statutory duty to provide a replacement service, but there is an expectation that local authorities will provide some local assistance.
3	Social	The new arrangements must be seen as different from the DWP scheme if demand is to be managed.
4	Resource	There is no data on demand for the new arrangements and therefore it is difficult to plan resources.

4.2 The Agreement has also taken account of the following high level risks:

No	Risk	Action
1	Customer awareness	All partners need to work together to communicate that Crisis Loans and Community Care Grants have been abolished. The new arrangements are significantly different e.g. cash will not be provided to customers. This will reduce expectation that local authorities are taking over a DWP service.
2	Funding	The Agreement lasts for two years the

	availability	funding is available with a break clause after year one. Local schemes will be developed on the basis that overspends will not be underwritten and the scheme will end when the funding ends.
3	Flexibility	Local areas have been given significant flexibility to develop a locally appropriate scheme that meets the outcomes. The monitoring, evaluation and review process will provide assurance that funding is being used to achieve outcomes.
4	Meeting need	The monitoring, evaluation and review process will identify whether the scheme is meeting local need. A consultation exercise during January 2013 and the Autumn of 2013, with the voluntary and community sector, will be used as part of the scheme development.
5	Timescale	The tight timelines for developing a new service that can be managed within the financial and time constraints of the project will mean that service development will be an iterative process.

4.3 The timescales for establishing new arrangements, particularly with the delay in receiving confirmation of the financial settlement and the uncertainty regarding the level of demand, mean that we might not be able to deliver as comprehensive a service as we would like from the 1April 2013. The level of delivery beyond 2014 will depend on the DWP settlement and conditions, and the views of the districts in delivering the service in its final year.

4.4 In order to effectively manage the risks these new arrangements introduced by the Partnership Agreement include a monitoring, evaluation and review framework. It is intended this will continue to be managed through a collaborative approach with named contact officers from each authority.

5 Why District Councils?

5.1 The DCC/DWP has considered a number of options in Devon, including the involvement of third sector agencies, local authorities and any combined working partnership, but will only agree for the fund to be used in a single, consistent way across Devon.

5.2 The arguments put forward by District Councils that persuaded both DWP and DCC to devolve the funding and administration for any new arrangements, include:

- Housing Advice and Options Teams (HAOTs) across Devon are already dealing, face-to-face, with households that are experiencing crises and they are already looking at how to resettle/sustain households to discharge their main functions.

- HAOT's offer a full assessment of the needs of any household presenting to them, including a financial assessment and already look into 'why' and 'how' the household has reached a crisis and for ways to positively deal with the case to ensure it does not happen in the future, wherever possible.

- Both Housing Benefit (HB) and HAO teams already administer flexible discretionary funds such as DHP and Homelessness Prevention to assist households to sustain a home or resettle. This includes anything from covering short-term immediate costs that may, if not met, adversely affect the person/family's housing situation to travel/removal costs, paying for short-term courses that enable a household to obtain work opportunities etc.

- The HAOTs already administer a loan scheme that assists households to secure private rented accommodation or cover other housing-related costs/debts. More recently DHP is being used to meet housing costs such as rent deposits.

- The HAOTs already seek to meet a household's immediate needs in the context of food, housing, clothes, travel costs by administering vouchers/food parcels and by signposting or referral to an appropriate partner agency who can meet that need locally.

- Officers and managers of HB and HAO teams in Devon have a good understanding of multi-agency work in their locality and have very robust links with partners across Devon through joint working.

- HAO officers have a 'catalogue' of financial and support resources in their minds when assessing the needs of households and are well experienced in forming a package of support and finance that is tailored to meet the needs of the customer.

- It is in both HB and HAO teams' interest to be able to engage as early as possible with those households who may be at risk of losing their home. A smaller, seemingly less significant crisis may be the marker of more significant issues to come. This early engagement generally means better options for intervention to prevent homelessness and deal with financial crisis.

6 Risks to the Council

6.1 What are the risks?

1. Workload - There has been much discussion on how the demand would be met by Housing Advice and Options staff. When considering the amount of applications made to the old discretionary Social Fund since 2010 it is clear that this is a valid concern.

2. The 'Hangover' from the previous administration from the Social Fund - Both agencies and customers have grown used to a service and there is a risk that expectations, on both sides, of the way the budget will be used from now on are misplaced and/or inappropriate. There is a limit to the amount of 'social work' districts will be able to undertake to solve the problems of 'troubled' households.

3. Potential lack of funding past 2014 - There has been an indication that funding will be reduced in 2014 with an expectation that funding will not be provided in future years. There is an expectation that the Council will manage demand down over the next two years.

6.2 Risk Mitigation:

1. Workload – We have the opportunity to start with a 'clean sheet'. With this in mind, it is within the Council's power to clearly outline 'who', 'when' and 'how' we will support people through LWS. This should be relatively straightforward, as both HB and HAO teams are already dealing with those in short term crises. Although some customers of the old Crisis Loan and Community Care Grant regime will not be known to us, many customers will be. A large proportion of customers will not apply because there is no cash award and the Council will not be replacing lost or stolen money. There is a need to publicise the new arrangements within the East Devon community to ensure widespread understanding amongst advice agencies, welfare groups and community organisations.

An 'administration' budget of £27,629 is being provided to the Council by DCC. An addition full time money advisor from Homemaker Southwest is required and the Housing Needs and Strategy Manager is progressing procurement of this resource from April 2013.

2. The 'Hangover' - The Council will need to work with other agencies to ensure that a clear message is delivered to potential customers that the discretionary Social Fund has ceased to function as it previously was. There is an opportunity to reinforce joint working and establish clarity on the Council's service. The expectation that we will do some 'social work' should be limited to what we do already in Housing Needs and Housing Benefits helping existing customers. Any additional social/health/mental health support/advice must be provided by the appropriate agency and a referral will be made.

3. Funding - The scheme to be implemented is discretionary and it will continue to be so. Therefore there is an element of 'when it's gone its gone", (in other words the Council is not committing itself to a statutory or contractual commitment that would continue beyond the end of any government or DCC funding). As HAOTs are delivering much of the same work in the same context of crisis intervention or helping people to remain in their communities, the new fund could, in simple terms, be 'bolted on' to existing budgets and administered in the same way. There would be no need to set up a separate project that may end in two years' time. As much of the working framework, local knowledge and understanding of the needs of the beneficiaries is already held within the HB and HAO teams, there would also be little 'lag' in implementing the new arrangements.

7. Holistic approach to deliver the new arrangements

7.1 Within the time constraints set that the new arrangements must commence from 1 April 2013, it is proposed that a holistic approach to our most vulnerable customers is implemented. A set of guidelines for staff will be developed that are easy to understand; clear eligibility criteria for those eligible for assistance will be developed to minimise unnecessary applications; and we will implement a joint service to meet the needs of those most in need whilst reducing demand and increasing self-reliance.

7.2 The LWS will work with applicants to identify their immediate and underlying needs. There will be an emphasis on increasing self reliance and resilience, with improved

access to advice and support services. It is not appropriate that the Council consider developing a Local Welfare Support scheme in isolation from the work it already does reducing financial hardship and preventing homelessness.

7.3 The Partnership Agreement expects the new arrangements to link closely with discretionary support such as Discretionary Housing Payments and Homelessness Prevention Grant. This will allow a more comprehensive approach to be taken in identifying need and providing appropriate support to customers.

7.4 The changes in welfare benefits, council tax benefit changes; reductions in housing benefit and entitlement, as well as other financial and social pressures are, and will continue to impact on our community for the foreseeable future. Dealing with vulnerable customers and those in poverty separately within the Council without appropriate joined up working is not going to effectively resolve many of the issues with these households.

7.5 A joint approach is therefore proposed between Housing Needs and Housing Benefits with targeted enforcement action by our Private Sector Housing team, with support from voluntary and community sector organisation such as Community Housing Aid (CHA) and Homemaker Southwest. There is close working within the Council, and CHA and Homemaker already work with Housing Needs preventing homelessness and giving debt/money advice and support. Improved and effective referral arrangements with other statutory agencies will assist identifying longer term solutions to client's problems.

7.6 The Council's Exceptional Hardship Fund; Discretionary Housing Payment; and Homelessness Prevention Funds are some examples of the financial help that customers can access. By linking these together with the Local Welfare Support fund, the Council is able to provide comprehensive financial support to vulnerable eligible customers.

7.7 Also by linking into an extensive network of support provision such as 'food banks' already being developed by the Housing Benefit team, and through second hand furniture providers known to Housing Needs, as well as charitable organisations providing clothes and other essential items, it will be possible to deliver both the Local Welfare Support scheme and a joined up service to those most in need.

7.8 It is anticipated that the majority of 'false' or fraudulent claims made previously to the DWP can be eliminated.

8. East Devon District Council – Local Welfare Support - Policy Framework

8.1 The key outcome to be achieved is to increase self-reliance and resilience to try and prevent people experiencing financial crises. Our advice and options services will build independence and resilience and will include:

- Financial advice (budgeting, financial education, debt advice, use of credit unions);
- Support to employment or training;
- Effective signposting to other services that improve financial capacity (e.g. energy advice);
- Support for housing and tenancy issues.

8.2 The purpose of the service is to help local people in financial crisis out of immediate hardship, and to offer them support to maintain their financial independence in the longer term.

8.3 The East Devon District Council LWS is a local discretionary scheme and will be administered from the Council Offices at the Knowle Sidmouth by the Housing Advice and Options Service. All applicants will be required to:

- visit the Council offices;
- complete a set of forms; and
- have a face to face interview with an independent money advisor and a Housing/HB Officer (or officers).

8.4 The forms to be completed include an income and expenditure form and an application form. A declaration will be signed by the Applicant which will allow the Council to share information with third parties to help prevent fraud.

8.5 A financial assessment will be carried out by a Money Advisor and a recommendation made to a Council officer who will consider the recommendation and what further advice and support is necessary. The officer will consider the immediate financial crisis of the applicant that must be met as well as the longer term needs to increase self-reliance.

8.6 The Council Officer will inform the applicant of the Council's decision and provide the applicant with written confirmation of the decision relating to the LWS only.

8.7 Initially we plan to have officer available weekdays see clients from 9:00 – 12:00 and 14:00 – 16:00. A home visit may be required to confirm the reason for the application and the short term crisis and the essential needs of the applicant.

8.8 The Housing Advice and Options staff will work closely with Housing Benefit staff and to provide support and supervision to the Independent Money Advisor. There is an opportunity for the Council to develop a single service point involving elements of HB, Housing Advice, Housing Allocations, Private Sector Housing enforcement to deliver a holistic service meeting the needs of those in housing or financial crisis.

8.9 A dedicated interview room at the Council offices will be available exclusively to deliver the LWS.

8.10 Any essential crisis award will be made on the day of the application. All other awards will be made as quickly as possible to meet the agreed needs of the household.

8.11 An award will not be a cash payment and the Council will not replace lost or stolen money.

8.12 Repeat applications will be considered on merit.

8.13 There is a financial limit of £130,000 for delivery of the LWS.

8.14 Applicants must :

- have a local connection to East Devon, and
- be over 16 years of age, and
- not be a person subject to immigration control, and
- not be an 'excluded person' (i.e. In hospital or a care home, a prisoner, a member of a religious order, in relevant education, not habitually resident, involved in a trade dispute, or subject to certain DWP sanctions), and
- not have received financial assistance from another source for the same need, and
- be without sufficient resources to meet the immediate short term needs of themselves or dependents, and
- must not have a previous award for living expenses in the last two years.

8.15 We will take into account any income including capital and savings when making a decision on whether an LWS award is to be made.

9 Eligibility Criteria

9.1 To enable customers to understand the new arrangements we will need to be as clear as we can about who is eligible. However, although an award under LWS may be made in isolation, it is more likely to be part of a package of financial assistance or support to vulnerable households on low income or welfare benefits.

9.2 It is important that the scheme is discretionary – there is no legal right to the scheme; it should be flexible and avoid any rigid interpretation of rules. It very much depends on the applicant's circumstances determined by the financial assessment and the reasons provided on the application. Council staff should be relatively free to determine the financial help or support required depending on the individual household situation and the short term crisis.

9.3 It may be possible to be clearer about eligibility once the scheme has been operating for a while. This would allow us to inform customers and publicise the scheme to minimise unnecessary applications. Members are asked to delegate to the Communities Portfolio Holder and Chief Executive authority to revise the policy where necessary.

10 Appeals/Reviews

10.1 The scheme is discretionary and there is no statutory right to an appeal or review. However, the decision to award LWS can be reviewed following a request in writing for such a review. This will be undertaken by a senior officer not involved in the original decision and this decision will be final and no further right of appeal or review is allowed.

10.2 An Equalities Analysis has been undertaken on the draft scheme in an attempt to ensure that no group or individual are disadvantaged in any way by the policy being proposed.

10.3 We are proposing that access to the scheme is primarily through an interview at the Knowle. This is so our scheme Administrator can undertake a face to face assessment to verify eligibility, and undertake the financial assessment to achieve

the self-reliance/resilience objective as well as dealing with the immediate client issues. This approach also ensures staff safety and allows the majority of the funding to be put towards assisting clients and not spent on the administration of the scheme. In exceptional circumstances we may issue travel vouchers for clients to attend interviews or determine applications over the telephone.

11 Data Sharing with DWP

11.1 DWP currently shares information with designated Housing Benefit staff. Any information required to verify information provided by the applicant or information required from DWP in the absence of any provided by the applicant, will be obtained by Housing Benefit staff on request from Housing Needs.

12. Funding/Resources

12.1 The funding provided by DCC of £130,000 should be included in the Homelessness Budget and expenditure should be capped at this level for the LWS. Once the expenditure reaches the funding limit no more awards will be made.

12.2 Existing staff resources in Housing Needs and Housing Benefit teams will deliver the LWS alongside the current service provision. A suitable interview room in reception area is essential to maximise security and safety for staff and minimise any disruption to any other customers.

12.3 Housing Needs and Housing Benefit currently fund a worker with Homemaker Southwest at a cost of £24,000 to provide financial advice to help us prevent homelessness and provide our Housing Advice and Options Service; and with delivery of DHP's and changes to welfare benefits. The work associated with the LWS requires an additional money advisor resource to provide the independent financial assessment and advice essential to the new arrangements. This will help minimise fraudulent applications and help manage demand downwards to meet the outcomes of the Partnership Agreement. The additional cost should be met by 'top slicing' the funding from DCC. A review of the resources required to deliver the holistic joint service will be undertaken in October 2013.

13. Summary

13.1 Local Welfare Support is a new arrangement to help meet the needs of customers who are in high short term financial needs. The scheme will start from April 2013. It is not a replacement scheme for Crisis Loans and Community Care Grants – those have been abolished. It is a discretionary scheme and will form part of a holistic service for low income and vulnerable customers.

13.2 The service will be provided exclusively at the Council offices, Sidmouth, although home visits may be necessary. No cash award will be made. All essential living expenses will be met through the provision made from food banks, second hand furniture outlets and clothes banks or using voucher schemes arrangements that are being put in place. A comprehensive approach dealing with the immediate short term needs and supporting longer term self-reliance and resilience will be provided.

Legal Implications

The legal implications of the scheme are set out in the report.

Financial Implications

Any financial implications are contained in the report.
The additional money advisor post will be funded from the grant from Devon County Council.

Consultation on Reports to the Executive

Not applicable.

Background Papers

- Welfare Reform Act 2012

Dennis Boobier dboobier@eastdevon.gov.uk
Housing Needs and Strategy Manager

Cabinet
6 March 2013

DATED

Agreement in respect of Local Welfare Support Funding

Between

Devon County Council

And

East Devon District Council
Exeter City Council
Mid Devon District Council
North Devon District Council
South Hams District Council
Teignbridge District Council
Torridge District Council
West Devon Borough Council

DRAFT

THIS Agreement is dated the day 2013

Parties

(1) Devon County Council. County Hall, Topsham Road, Exeter, Devon ("the Council").
(2) East Devon District Council
(3) Exeter City Council
(4) Mid Devon District Council
(5) North Devon District Council
(6) South Hams District Council
(7) Teignbridge District Council
(8) Torridge District Council
(9) West Devon Borough Council

Parties (2) to (9) are collectively termed 'the Districts'.

Background

From 1st April 2013 (the "Commencement Date" of this agreement) the Government will devolve elements of the funding for the former Social Fund to the Council. The funding to be known as Local Welfare Support replaces Crisis Loans and Community Care Grants.

The funding provides an opportunity to develop a new approach aimed at improving self-reliance and resilience of claimants in line with the Government's wider welfare reform agenda.

The Council will delegate the funding to the Districts to be distributed flexibly to those in need and to meet agreed outcomes.

This agreement sets out the terms and conditions upon which the Local Welfare Support funding is to be passed by the Council to the Districts and how the funding is to be distributed by the Districts.

This agreement shall operate for two years from 1st April 2013.

Agreed terms

1. Grants of Local Welfare Support

Local Welfare Support can help achieve three outcomes:

- Increased self reliance and resilience;
- Quick and effective support for those with high priority short term needs; and
- Help for people to establish themselves in, or remain in, the community.

("The Outcomes")

DRAFT

Each District will develop an internal policy document to describe how the delegated funding will be deployed, how the Outcomes might be achieved and how achievement will be evidenced.

The Districts will work with claimants with the aim of achieving one or more of the three Outcomes as part of the decision to award Local Welfare Support.

The process for assessment of achievement of outcomes is set out in Appendix A.

Local Welfare Support will be used to provide assistance only where no alternative avenue (whether financial or in kind) is available to the applicant, such as local authority housing options, Government budgeting loans or community / voluntary groups (e.g. food banks).

The means of support offered may include:

- Access to advice and support services;
- Practical help to meet immediate highest priority needs; or
- Signposting to other organisations, as part of a coordinated overall approach.

Local Welfare Support may be used to support any third party involved in providing assistance.

2. Distribution of Local Welfare Support

Initial indicative allocations of Local Welfare Support funding ("the Funding") (excluding VAT) for 2013/14 and 2014/15, based on the pattern of demand for 2010/11, are shown at Appendix B. Subject to the receipt of sums from the Government the Council will pay to the Districts the funding for 2013/14 on or before the 1st April 2013. The Council will retain a 10% contingency of the annual amount payable to each District.

The budget allocations will be reviewed after six months. Allocations for the remainder of 2013/14 and for 2014/15 will be considered via the periodic review described in clause 4.

The Council is the accountable body and the Districts will have open book accounting and comply with their respective financial regulations in their handling of the Funding. In particular the Districts will: ring fence the Funding; account separately for the delivery and administration costs; and provide a six monthly financial statement (pro-forma to be provided) with a supporting transaction list from their Financial Information System to be signed by the section 151 officer.

Any Funding not spent by a District at the end of a financial year will be returned to the Council by District. No additional resources are available from the Council to top-up the Funding allocated by the Government. Any overspend must be met by the District which has overspent.

Each of the Districts shall repay to the Council, within 14 days of it being demanded, any money incorrectly paid to it either as a result of an administrative error or otherwise.

3. Deployment of Local Welfare Support

Local Welfare Support is intended to supplement existing services and other than the administrative funding the Funding must not be used to support existing services or resources.

4. Review

The Council will carry out an initial review after six months to assess the implementation of Local Welfare Support. If the pattern of Funding is not as anticipated it may revise the allocation for the following year. If it appears that the Outcomes are not being achieved the Council will work with the Districts (separately or collectively) to disseminate best practice so that the effectiveness of the funding can be continuously improved.

Further reviews may be carried out by the Council at 12 months and 18 months from the Commencement Date.

The Council and the Districts shall each appoint a contact officer who shall act as the respective party's representative and first point of contact for all purposes connected with this Agreement. The Contact Officers are set out in Appendix C.

5. Withholding, suspending and repayment of Grant

The Council may require repayment of all or part of the Funding from a particular District if that District uses the Funding for purposes other than those for which it has been awarded or a District has, in the opinion of the Council acting reasonably, not met the desired outcomes set out in Appendix A.

6. Termination

The Council or a District may terminate this agreement on giving at least three months written notice whereupon a full account of all sums shall be made and any unspent Funding returned. For the avoidance of doubt termination by the Council against a particular District or by a particular district against the Council shall not affect the agreements between the Council and other Districts.

7. Dispute resolution

Any disputes shall first be discussed by the Contact Officers. If they cannot reach agreement the matter will be escalated to the Chief Executive of the Council and the Chief Executive of the respective District. In default of any agreement between the two Chief Executives the decision of the Council's Chief Executive shall be final.

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8. Governing Law

This agreement shall be governed by and construed in accordance with the law of England and the parties irrevocably submit to the exclusive jurisdiction of the English courts.

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Appendix A

Outcomes and evaluation

	Outcome	Output indicators	Outcome Indicators
1.	Increased self reliance and resilience to try and prevent people experiencing future financial crises	**Please see separate discussion document about evaluation**	
2.	Quick and effective support for those with high priority short term needs		
3.	Help for people to establish themselves in, or remain in, the community		

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Appendix B: Allocation of Funding 2013/14

	Initial admin funding	Total for 2013/14					
		Programme funding	Admin Funding	%	Programme funding	Admin Funding	%
Devon County Council	£11,272						
East Devon District Council		£130,752	£27,629	11.60%	£117,677	£24,866	11.60%
Exeter City Council		£243,470	£51,447	21.60%	£219,123	£46,302	21.60%
Mid Devon District Council		£111,590	£23,580	9.90%	£100,431	£21,222	9.90%
North Devon District Council		£195,001	£41,205	17.30%	£175,501	£37,085	17.30%
South Hams District Council		£86,792	£18,340	7.70%	£78,113	£16,506	7.70%
Teignbridge District Council		£188,238	£39,776	16.70%	£169,414	£35,798	16.70%
Torridge District Council		£93,555	£19,769	8.30%	£84,200	£17,792	8.30%
West Devon Borough Council		£77,775	£16,434	6.90%	£69,998	£14,791	6.90%
Total	£11,272	£1,127,174	£238,180	100%	£1,014,457	£214,362	100%

2014/15

	Initial admin funding	Total for 2014/15					
		Programme funding	Admin Funding	%	Programme funding	Admin Funding	%
Devon County Council	£10,000						
East Devon District Council		£130,752	£24,165	11.60%	£117,677	£21,748	11.60%
Exeter City Council		£243,470	£44,997	21.60%	£219,123	£40,497	21.60%
Mid Devon District Council		£111,590	£20,623	9.90%	£100,431	£18,561	9.90%
North Devon District Council		£195,001	£36,039	17.30%	£175,501	£32,435	17.30%
South Hams District Council		£86,792	£16,040	7.70%	£78,113	£14,436	7.70%
Teignbridge District Council		£188,238	£34,789	16.70%	£169,414	£31,310	16.70%
Torridge District Council		£93,555	£17,290	8.30%	£84,200	£15,561	8.30%
West Devon Borough Council		£77,775	£14,374	6.90%	£69,998	£12,937	6.90%
Total	£10,000	£1,127,174	£208,318	100%	£1,014,457	£187,486	100%

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Appendix C

Contact Officers

Partner	Name	Role
Devon County Council		
East Devon District Council		
Exeter City Council		
Mid Devon District Council		
North Devon District Council		
South Hams District Council		
Teignbridge District Council		
Torridge District Council		
West Devon Borough Council		

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Signed

Partner	Signatory	Role
Devon County Council		
East Devon District Council		
Exeter City Council		
Mid Devon District Council		
North Devon District Council		
South Hams District Council		
Teignbridge District Council		
Torridge District Council		
West Devon Borough Council		

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Agenda Item 14

Cabinet
6 March 2013
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Health and Social Care reforms

Summary

The Health and Social Care Act 2012 legislates for major reform of our health and social care system. It intends to put clinicians at the centre of commissioning, free up providers to innovate, empower patients and give a new focus to public health. The Act establishes Clinical Commissioning Groups, Healthwatch, Public Health England and Health and Wellbeing Boards, and abolishes Primary Care Trusts and the Health Protection agency. There is no specific role for district councils, but there is a new opportunity to influence the local health agenda and priorities, and contribute towards joined up working where our public health responsibilities integrate with the new duties of Devon County Council.

Recommendation

To agree the proposals set out in the report for engaging with and contributing towards the commissioning and delivery of health and social care services in the district.

a) Reasons for Recommendation

To respond positively to changes coming through the Health and Social Care Act 2012.

b) Alternative Options

Not to engage and allow the commissioning of health services and public health transition occur without our influence.

c) Risk Considerations

That our communities and individuals do not receive the health and social care they need. Resources are targeted towards health and social care demands in other areas.

d) Policy and Budgetary Considerations

The policy issues are set out in the report. Budgetary issues have not been assessed although there is an assumption that we work within existing budgets with the possibility of directing funds for public health and clinical commissioning towards shared priorities.

e) Date for Review of Decision

An annual review is proposed.

1 Background

1.1 Health and Social Care has been the subject of much debate in recent years with the Government introducing changes in legislation designed to modernise services to meet needs; improve the quality and choice of care for patients; giving clinicians the primary responsibility to commission health care; providing a coherent system of regulation to drive quality and efficiency; and limit Government Ministers' ability to micromanage whilst remaining ultimately accountable.

1.2 The legislation has introduced many changes that are consistent with localism and provide a greater role for local government in the commissioning and delivery of health services. The transfer of responsibility for **public health** from the National Health Service to local government presents a chance to ensure that our services are aligned with DCC and aimed at achieving similar outcomes.

1.3 The Shadow **Health and Wellbeing Board** for Devon has been in existence for some time and has now produced a Joint Health and Wellbeing Strategy for Devon 2013 – 16. The approach is based around prevention, early intervention, linking health and social care and there are four priorities – A focus on families; Lifestyle choices; Older people's independence; and Social capital and building communities. Our work in district councils comes under each of these headings, and our involvement is critical if the strategy outcomes are to be delivered.

1.4 There are priorities that link with Housing; Environmental Health; Benefits; Leisure; Countryside etc and our early input has influenced the formulation of the strategy priorities. The priorities are also consistent with our Council Plan purpose *delivering outstanding service and planning for the future*, and our ambition to *keep East Devon and outstanding place.* The themes of health and wellbeing also sit well with our Council Plan - quality of life/ live, work and enjoy life philosophy.

1.5 There is a wealth of data that provides the evidence base for the Health and Wellbeing Strategy and much of this is contained in a **Joint Strategic Needs Assessment** (JSNA). These profiles analyse health and social care indicators at county, district and town level.

1.6 For local government **Health Scrutiny** becomes a higher profile activity.

1.7 The Act creates Clinical Commissioning Groups (CCGs), formed from member GP practices, who will take responsibility for the commissioning of local services following the abolition of Strategic Health Authorities (SHAs) and Primary Care Trusts (PCTs) in April 2013. There are approximately 200 CCGs in development across the country and it is expected that the majority will be 'authorized' – deemed by the NHS Commissioning Board to be ready and able to take statutory responsibility for commissioning by April 2013.

1.8 There is a CCG for New Devon and one covering Torbay and South Devon. East Devon is part of the Eastern Locality and covered by Wakley and WEB (Woodbury, Exmouth and Budleigh) consortia with some of the district in the Exeter Locality.

2. Joint Strategic Needs Assessment

2.1 A Joint Strategic Needs Assessment (JSNA) looks at the current and future health and care needs of local populations to inform and guide the planning and commissioning (buying)

of health, well-being and social care services within a local authority area.

2.2 The JSNA:

- Is concerned with wider social factors that have an impact on people's health and wellbeing, such as housing, poverty and employment.
- Looks at the health of the population, with a focus on behaviours which affect health such as smoking, diet and exercise.
- Provides a common view of health and care needs for the local community.
- Identifies health inequalities.
- Provides evidence of effectiveness for different health and care interventions
- Documents current service provision.
- Identifies gaps in health and care services, documenting unmet needs.

2.3 The main audience for the JSNA are health and social care commissioners who use it to plan services. We have used the information in some of our corporate plans and strategies.

2.4 It can also be used as an evidence base for preparing bids and business cases, by the voluntary and community sector to ensure that community needs and views are represented, by service providers to assist in the future development of their services, and by the public to scrutinise local health and wellbeing information, plans and commissioning recommendations.

2.5 JSNAs are flexible and enable local areas to focus on the priorities and present information in the way most relevant to them. JSNA documents in Devon include:

- The Devon overview, which looks at the overall pattern of health and care needs in the county, including the impact of population change, deprivation and economic conditions.
- Health and Wellbeing topic pages, providing detailed information on specific health and wellbeing issues, covering health and care needs, evidence of effectiveness, current services in Devon and commissioning recommendations.
- Community Health and Wellbeing Profiles, providing a wide range of health and care information for geographic areas, including towns, local authorities, and GP practices. The East Devon profile is at:

  http://www.devonhealthandwellbeing.org.uk/jsna/**.**

2.6 Key issues for East Devon in the profile are that our population profile shows a high proportion of older people and the rising age of our population. Life expectancy is higher than other Devon districts as is GCSE performance amongst younger people. There are relatively high numbers of older people receiving community based care and adults with physical disabilities receiving targeted support. Accident and Emergency attendance is also high compared to other Devon districts.

2.7 Under the Health and Social Care Act 2012 local Health and Wellbeing Boards are responsible for producing the JSNA. Health and Wellbeing Boards will collaborate to understand their local community's needs, agree priorities and encourage organisations involved in health and care to work in a more joined up way. During 2012/13, whilst local boards are being established they are known as shadow boards, and officially come into force from

April 2013. Members of the Shadow Health and Wellbeing Board include representatives from local authorities and the NHS in Devon, local councillors and other community representatives.

2.8 There is a development group overseeing and guiding the development of the JSNA, including representatives from the NHS, local authority and voluntary and community sector. There is also an analysts group which plans and coordinates information analysis for the JSNA, including representatives from the NHS, district and county councils, police, and other local services. These two groups help to ensure that a broad range of different organisations and communities are involved in the JSNA in Devon.

2.9 Health and Wellbeing Boards are also responsible for the production of the Joint Health and Wellbeing Strategy, which is a strategy to address the needs identified in the JSNA, and set the health and wellbeing priorities of the board accordingly.

3. Opportunities to influence commissioning of health and social care

3.1 The radical changes in health and social care that are being made present an opportunity for us to influence future provision of health and social care for our communities and joining up our district public health activities with the wider agenda.

3.2 We have been successful in influencing the Health and Wellbeing Strategy so that it makes references to housing; poverty; social isolation; physical activity; falls; dementia; living environments etc. where we at a district level provide services. For example, much of our private sector housing work aims to protect or improve health. Our Systems Thinking purpose is Better Housing – Better Health.

3.3 In order to achieve maximum impact we might want to identify a lead member and officer for Health and Wellbeing. We should identify a Cabinet Member lead and at present it falls between Environment (health equalities) and Sustainable Homes and Communities (community development, social inclusion). I would suggest that this falls into the Sustainable Homes and Communities portfolio.

3.4 At officer level I am suggesting a **virtual team** coming together under the leadership of the Head of Housing to ensure that we co-ordinate our activities towards shared health and wellbeing priorities. We want to put our energy into achieving practical outcomes for individuals and communities. This can be based on the evidence of need from the health and social care profiling work that has been undertaken.

3.5 In terms of scrutiny we might want to ensure that our Overview and Scrutiny Committee see health and wellbeing as core business with regular agenda items coming forward for debate. This would include engaging with health and social care providers and commissioners to satisfy ourselves that priorities are being achieved and our community's needs are being met.

3.6 Initially we could identify all of our existing commitments and actions that link directly with the Health and Wellbeing Strategy. These will already be in the corporate suite of plans and Service Plans. We will be monitoring progress towards these targets. We can then consider where we might adapt our service activities to fill any gaps or 'join up' with services

that the County Council or Clinical Commissioning Groups (CCGs) are commissioning.

3.7 Where we identify gaps in service we might lobby the Health and Wellbeing Board or Clinical Commissioning Groups for resources to commission new services or projects. We can use the evidence from the JSNA or our own LG Futures profiles to support our case for new or improved services.

4. Conclusions

4.1 Preparations for the legislative changes have been going on for some time and we have been involved at various points influencing local arrangements. There is now an opportunity to co-ordinate our efforts more effectively. We are moving rapidly towards implementation of the changes and we have an important role in ensuring that the new services commissioned meet the needs of our communities.

4.2 We are also a service provider and if we are to make the most of the changes we must ensure that we co-ordinate our services with other health and social care providers.

4.3 Excellent health and social care services are key to the quality of life and wellbeing of our communities. For this reason alone we need to ensure that the changes serve to improve the health and care of our residents, prevent ill health, and enable residents to enjoy a high quality of life.

Legal Implications

From 1 April 2013 the transfer of public health from the NHS to the county council is accompanied by new powers for D.C.C to commission and provide public health services. From that date the local authority with statutory responsibility for taking 'such steps as it considers appropriate for improving the health of the people in its area' under the National Health Service 2006 will be the county council. D.C.C will take over most of the public health functions currently carried out by Primary Care Trusts.

The structure of the Health and Social Care Act 2012 makes the Health and Wellbeing Board responsible for encouraging integrated working and developing the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy.

Under E.D.D.C's constitution the Environment portfolio holder is charged with responsibility for Health Equality, and the Sustainable Homes and Communities Portfolio with independent living and social inclusion, in accordance with the new arrangements agreed at annual council in 2011.

The Council's Overview and Scrutiny Committee is able to review health and wellbeing issues; there will also be Overview and Scrutiny arrangements at County level. The Centre for Public Scrutiny has produced useful guidance in how best to approach scrutiny after April 2013 and members of the committee will receive a report to help them consider their role in the future.

East Devon District Council

Financial Implications

Financial implications cannot yet be quantified but are most likely to be in the form of officers' time which will be met from existing budgets.

Consultation on Reports to the Cabinet

None.

Background Papers

- Joint Health and Wellbeing Strategy for Devon 2013-2016.

John Golding
Head of Housing

Cabinet
6 March 2013

Agenda Item 15

Cabinet
06 March 2013
13/130

Exmouth Regeneration: Masterplan Priority Projects Update

Summary

It is now over a year since the Exmouth Town Centre & Seafront Masterplan was finalised and work commenced on the priority projects identified by Members, commencing with the Elizabeth Hall Site.

This report seeks to update Council Members on the priority Exmouth Regeneration projects as determined at the Cabinet Meeting held on 30 November 2011. The projects in question have also been endorsed by Exmouth District Councillors and the Exmouth Regeneration Board. The report will set out the progress and milestones reached during 2012 to date and the expected actions for the year ahead. An update on the budgetary implications is also included.

Recommendation

1 **To note progress to date in relation to the Exmouth Masterplan priority projects**.

2. **To provide the Deputy Chief Executive delegated authority to progress key projects involving negotiation with third party land owners, Council tenants, Devon County Council, potential end users and relevant bodies. This will include development briefs, submitting planning applications [in consultation with the relevant portfolio holder] and other means of resolution of land and property issues.**

a) Reasons for Recommendation

The recommendations will enable the Council to continue the delivery of the Exmouth Masterplan and priority projects. Managing the projects will become an increasingly complex process including project management and negotiation to which officers need to respond promptly.

The Deputy Chief Executive will lead negotiations with land owners and stakeholders involved on the different projects as set out in the main body of the report. The Exmouth Splash and Estuaryside projects in particular are now progressing which requires that officers are enabled to negotiate in detail on the Council's behalf and in consultation with the Exmouth Regeneration Project Executive with key decisions being brought to committee as appropriate.

b) Alternative Options

Not to endorse the recommendation to provide delegated authority will mean that each decision regarding the pre-development process will need to be approved by Cabinet. Such a process will cause significant delays and hamper progress, resulting in reputational damage to the Council and the possibility of some projects not being delivered.

c) Risk Considerations

As was made clear in the March 2012 Cabinet report, there are risks in terms of reputation and finance. The projects have received strong and continued backing from Council Members in their determination to see key Exmouth regeneration projects from planning to reality.

In terms of financial risk, this report updates the Council to continue to invest significant resource to clarify, design and promote sites in the expectation of developer engagement and a capital receipt. Risk has and will continue to be mitigated through a robust project management structure that reports to the Regeneration Board and onward to Cabinet.

d) Policy and Budgetary Considerations

These projects form part of the Council's Regeneration commitment to Exmouth and the delivery of the aims and objectives set out in the Exmouth Town and Seafront Masterplan. £700,000 has already been identified under the Council's budget 2012/13 – 2015/16. Of that total budget allocation so far we have spent £127,356. Spend on this budget is monitored and signed off at the regular meetings of the Exmouth Regeneration Project Executive.

Discussions are required to gauge the commitment of Devon County Council to joint project funding where they have a land or highways interest in particular. The Council also has an outstanding funding commitment to finish the Strand refurbishment works.

e) Date for Review of Decision

N/A

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1 Main Body of the Report

1.0 Background

1.1 The consultation exercise around the Exmouth Masterplan was completed at the end of 2011. The priority projects arising from the Exmouth Masterplan and outlined to Cabinet 30 November 2011 have the potential to offer a great opportunity to deliver exciting developments that will help to achieve the Vision for Exmouth as identified in the Exmouth Town Centre and Seafront Masterplan.

The initial projects implemented are the Estuaryside Transformation, the Elizabeth Hall Site and Queen's Drive - Exmouth Splash. The failure and subsequent closure of the Mamhead Slipway has brought this project forward and has now been added to the priority projects.

1.2 It is also important to note that times are still tough in Exmouth; unemployment is up from 221 people (of working age) to 441 in December 2012 representing 2.2% of the population of the town. A further reflection of the difficult economic situation the town is facing is the number of empty shops in the town; out of 186 units, 17 (9.1%) were empty in March 2012, compared to 5.4% in 2010 *(ONS)*

1.3 The Estates and Economic Development team have worked closely with the Deputy Chief Executive to provide in-house Project Management services and has overseen the specialist consultants that are required to provide the necessary reports for the regeneration projects.

2.0 Budgetary Implications

2.1 The Council has spent significantly less than the anticipated budget amount of £325,000 (2012/13). This is largely due to the complexities around the Estuaryside Transformation project, not least the importance of taking the right amount of time to work with Exmouth RFC.

In the next few months a number of environmental assessments will be required in preparation for any planning application on the Estuaryside; namely, Environmental Impact Assessment, Flood Risk Assessments, Appropriate Assessment – Habitat Regulations 2010 and geotechnical investigations. This is a sensitive location and we want to ensure that all appropriate environmental factors are considered in detail.

2.2 In addition, for the Queen's Drive – Exmouth Splash project, the acquisition of specialist reports has been less than originally budgeted, however, the architectural services fee is greater. Again, this is a sensitive location with its own challenges and it has been important to have careful design thinking especially in preparation for the recent consultation exercise.

2.3 Legal advice will continue to be needed at a number of stages throughout the projects. Whereas previously legal services were externally commissioned, the extent and regularity of legal services now required means that we can achieve better value for money by employing an in-house solicitor. From January 2013 onwards the Regeneration projects have dedicated in-house legal assistance.

2.4 There are certain overarching costs that have been apportioned across the projects including communications and marketing. It is important that we are able to promote development opportunities not only to potential developers but also to the resident and business community of the town to ensure that people are fully and fairly informed of the changes going on around them. The project communications team has set up a blog website, social media pages, Councillor briefing notes, press releases and many more communication pieces to assist the Council in promoting the regeneration benefits of the Masterplan.

2.5 Members should also consider the anticipated income revenue and capital sums on delivery of the projects. The conditional sale of the Elizabeth Hall will bring a significant receipt to the Council when the contract is concluded, sometime in the summer of 2013. The project team have also been instrumental in ensuring the completion of the Bowling Alley and securing the Building Licence premium that had been outstanding for a number of years.

East Devon District Council

3.0 Priority Projects

3.1 Elizabeth Hall Site
After many years of under usage the decision was taken by Council to promote the site for redevelopment as the first of the masterplan project to be implemented. After a period of marketing and a rigorous selection process, the hotel operator, Premier Inn was selected as preferred bidder.

3.2 Premier Inn, part of Whitbread PLC, has now exchanged contracts on the Elizabeth Hall site subject to detailed planning permission being granted. A Premier Inn hotel with a new-style café/restaurant on the ground floor could now be built and open for business by as early as Spring 2014.

3.3 Premier Inn scored highest against a range of set criteria which included economic impact (such as jobs and attracting new spend), design quality and regeneration potential, as well as financial offer.

3.4 Following Premier Inn's public consultation in December 2012, Premier Inn are refining their proposals further before submitting a formal planning application expected shortly. Depending on the timing and outcome of that application, re-development work could start on site as early as July 2013.

3.5 The Premier Inn proposal is for a three-storey building, rising to four stories in part, with 60 rooms. On the ground floor the proposal is for a licensed café/restaurant called 'The Kitchen' open to residents and non-residents alike offering food and drink from 6am to 11pm. The restaurant itself and guest spending in Exmouth will be an important boost to Exmouth's day and night-time economies. In addition meeting rooms and small scale conference facilities have been included in the design with an entrance onto Bath Road offering greater links to the town centre.

4.0 Queen's Drive – Exmouth Splash

4.1 Public consultation on initial proposals for the new 'Exmouth Splash' development closed on 14 January 2013 having run since the end of November 2012.

4.2 Throughout the early phase of drawing up proposals, EDDC has been mindful of the interests of existing tenants running leisure and recreation based businesses on the site at present. Tenants were invited to two consultation meetings in 2012 and initial drawings were shared with tenants to help shape the detail of the final public consultation.

4.3 It is important to emphasise that the public consultation concerned the principles of land uses and buildings in various locations, not necessarily the final detail for each part of the site. For example, none of the buildings shown in the architect's perspective represented approved – or even intended – designs. They simply represented the principles of what kinds of activity would go where.

4.4 The Exmouth Regeneration Project Executive has now reviewed and analysed the responses to the public consultation. Working with the architects the Project Executive team have now recommended a 'preferred option' to be submitted for planning consent.

Key aspects of the preferred option for the Exmouth Splash development include:-

- A large privately-run play and recreation area, including both indoor and outdoor facilities
- A water sports hub, to be the centrepiece of the other main leisure area located on the seafront
- Retail areas, an amusement arcade and also public open space
- A hotel or holiday accommodation scheme
- A new two-storey café and/or restaurant
- A new 250 space-plus surface car parking area with additional parking of 30 spaces behind the former Lifeboat Station
- Re-aligning the existing road away from the seafront to make way for these changes.

4.5 The preferred option reflects a number of changes to the initial proposed plans following the public consultation, namely:-

- The watersports hub has moved to the far eastern edge of the site in response to water user's comments on beach safety and size of site for required storage and uses.

- The car-parking will amount to at least 280 spaces and remain as surface car parking. Additional spaces specifically for the holiday accommodation will increase this by approximately another 50.

- The public open space area will now be in the centre of the site (where the watersports hub was originally proposed) giving a more natural and open feeling to the area on arriving from the west.

The report and data from the public consultation will be available for Members and the general public.

4.6 Once the planning application for the site has been submitted work will then need to be done to finalise a delivery strategy that will determine what if any land is sold or leased, phasing, marketing, infrastructure construction and funding.

5.0 Estuaryside Transformation

5.1 2013 will be a crucial year in making detailed preparations for development at Estuaryside to fulfil the ambitions of the Exmouth Masterplan. Depending on further work and studies, ERFC are wishing to move to the playing fields accessed from Douglas Avenue. This remains subject to factors such as approval from the club membership, planning and design, business viability.

5.2 If the relocation of the Rugby Club were to go ahead, it would allow proposals for a new 50-70,000 sq ft food store, along with associated car parking and delivery areas to move forward and become formally established. By way of example, the existing Tesco store in Honiton is 50,000 sq ft and the Sainsbury's in Alphington, Exeter is 75,000 sq ft. There is continued interest from food store chains in the Estuaryside location and we would expect to see open market tendering to secure preferred bidder status taking place later in 2013.

5.3 Such a size of food store investment allows other aspects of the Masterplan to then move forward as well, and could include;

- A re-designed and aligned transport interchange that works for the town – i.e. new pick-up/drop-off points, new bus facilities, improved rail/bus/taxi/pedestrian connections, re-worked access from interchange into town centre and removal of current barriers.
- New facilities for Exmouth Sea Cadets and Sea Scouts.
- Enhanced yet protected open public access at Imperial Recreation Ground.
- A new and improved public library and community hub building.
- A new sports pitch, this would need to be provided to meet Sport England requirements for public access to sports facilities across towns such as Exmouth.
- Newly-designed and laid out public spaces, improving pedestrian links to the town centre
- Improvements and renovation to the Leisure Centre
- Opportunities for retail, leisure, marine businesses, office and residential space

5.4 These developments accord closely with the ambition set out in the Exmouth Town Centre and Seafront Masterplan. Following discussions and some early technical assessments in 2012, this range of improvements is what East Devon District Council believes is possible and what it would like to see happen. It is a complex project that is coming together and will continue to need to be explained to the public. Good communication and marketing to the wider region and nationally will be required to let people know that Exmouth is changing for the better.

5.5 It is the significant investment likely from a new food store provider that will make these wider benefits and improvements to the town possible. The only other land use which would raise the sums necessary would be high-end residential developments. A new food store on this site rather than at another out-of-town location offers the best potential economic solution for existing traders and business in the town. With no food store provided on this EDDC-owned land, wider improvements for the town would not be forthcoming.

6.0 Mamhead/Pierhead Slipway

6.1 EDDC resolved in the autumn of 2012 to pursue a single regeneration scheme at Mamhead/Pierhead. This will provide not just a new slipway but also improvements to the surrounding area.

6.2 Our commissioned research of 2011 and 2012 (before Mamhead's current closure was enforced) demonstrated clearly that, of all the current and potential slipway venues in Exmouth, Mamhead should be the preferred focus for future activity and potential investment. We accept and agree that any new Slipway should be realigned if design and funding allow.

6.3 Clearly a number of landowners will need to be involved in such a scheme so one of our most pressing tasks is to begin discussions and see what mutual agreements and arrangements may be possible. One of the adjacent landowners has already implemented a planning permission for the construction of a café/restaurant to the western side of the existing Mamhead slipway. EDDC hopes to reach an

agreement with the landowner so that any immediate development is deferred in order to allow us to pursue a single scheme of mutual benefit.

6.4 EDDC has now appointed a Project Manager, following Cabinet approval for this resource in November 2012, to run the project and give some momentum to progress. Ian Harrison, as the Project Manager (formerly of Devon County Council) will carry out discussions with landowners and procure the initial technical assessments and it is expected that single scheme for the regeneration of the Mamhead/Pierhead area will be published during 2013.

7.0 Other projects

7.1 Adjacent to the Exmouth Splash site, the new bowling alley complex impacts on future development in the area. Measures were taken in the latter part of last year to ensure that the developer complied with his obligations, to finish and open the building for business. The Head Lease was transferred to Harlequins Leisure Ltd on the 16th January 2013.

7.2 The Council has continued to work with Devon County Council and Exmouth Town Council to formalise the finishing works required to The Strand, Exmouth. A new large tree for the eastern corner of the site has been ordered and Devon County Council is working on a design for a bus shelter for the end of the gardens.

Legal Implications

The detail of the best legal structure/approach to deliver each of these projects will require ongoing legal advice.

Historically much of the specialist legal work on major projects has had to be outsourced as we retain a small team of two core property staff dealing with the Council's estates and housing portfolio who also have contracts and other legal work to do. It has been possible to do some of the major project work in house over the last couple of months as the fixed term solicitor currently covering a maternity leave until May 2013 has particular strengths in development and project work. His retention after that date would involve agreement to an increase in posts within the legal team.

Financial Implications

The budget allocation for 2012/13 is £300,000, £45,000 capital and £255,000 revenue. As at the end of January £17,631 of the capital budget and £130,592 of the revenue budget has been spent.

Consultation on Reports to the Executive

N/A

Background Papers

- Cabinet Report March 2012 – Exmouth Masterplan Update
- Public Consultation, Queen's Drive – Exmouth Splash. Results report Feb 13

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Cabinet
06 March 2013

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Agenda Item 16

Cabinet

6 March 2013

CR

Planning Policy: Neighbourhood Plans

Summary

Three Parishes, Chardstock, Dunkeswell and Lympstone have been designated as Neighbourhood Areas and the Parish Councils have commenced production of Neighbourhood Plans. Three grants of £5,000 each have been secured from the DCLG to meet the District Council's administration costs associated with the initial stages of Plan production. Later stages should (in principle) qualify for further grants, up to a total of £30,000 per scheme. Experience from other authorities suggests that this further funding is likely to be spent entirely on the District Council's examination and referendum costs and so there is unlikely to be scope to offer further grant funding to the Parish Councils later in the process. In any case, the majority of Parish Council expenditure is likely to occur at the beginning of plan production.

An additional application for designation has been received (but not yet determined) from Broadclyst Parish Council and may qualify for DCLG funding in the future.

The Parish Councils have not received any Council funding and very limited Officer support, to date, to assist with the production of Neighbourhood Plans. They have suggested that a relatively small sum would enable them to progress quickly as well as ensuring a good relationship with the District Council. It is therefore recommended that in each case where the District Council submits a successful application for £5,000 to DCLG for Neighbourhood Plan funding, a sum of £2,000 is passed on to the relevant Parish Council.

Recommendation

1. **That, out of the initial £15,000 funding to EDDC, Members agree to grant £2,000 to each of the three Parish Councils currently undertaking a Neighbourhood Plan and that this is applied to future Plans on the same basis (therefore that £2,000 is granted to each Parish for which EDDC receives £5,000 DCLG funding).**

a) Reasons for Recommendation

Since the Localism Act was passed in April 2012 numerous Neighbourhood Plans have been started across the country and good practice advice has recently been produced. As the Lympstone Neighbourhood Plan is understood to have reached an advanced stage and is likely to be submitted to the District Council for consultation shortly, it is opportune to update Members as to the procedure which must then be followed.

Lympstone have repeatedly asked whether funding is available from the District Council as they have been unable to secure funding from elsewhere and they have considerable production costs. Whilst the District Council is obliged to pay for the examination and

referendum Members are recommended to offer a sum towards their (and other Parishes) production costs.

b) Alternative Options

The alternative is to note the report but to offer a different, or nil, amount of money to Parish Councils undertaking Neighbourhood Plans.

c) Risk Considerations

The District Council is under no legal obligation to provide financial support to Parish Councils undertaking production of Neighbourhood Plans. Whilst the District Council qualifies for £5,000 per Plan to cover the initial administration work, there is currently very little (if any) funding available to Parish Councils from any other source. Granting a proportion of grant money received from DCLG would demonstrate a commitment to Neighbourhood Plans and would encourage partnership working. Further stages of Plan production should qualify for further DCLG funding.

d) Policy and Budgetary Considerations

There is £10,000 in the budget for Neighbourhood Plan production but this is intended to cover any future examination or referendum costs not covered by DCLG grant funding. This £10,000 fund may cover examination and referendum costs for up to one or two plans.

Positive Impact Overall

Thriving Economy.
Clean Environment.
Green Environment.
Excellent Customer Service.
Inspirational Council.

e) Date for Review of Decision

Review would follow changes to DCLG funding regimes and/or when more information of costs are known. This is likely to be later this year at the earliest.

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1 Overview of the Process

1.1 Members will be aware that since April 2012, local communities (under the leadership of the Parish Council) have been able to produce Neighbourhood Plans for their local area, putting in place planning policies for the future development and growth of their area.

1.2 The Neighbourhood Plan is a community-led framework for guiding the future development and growth of an area. It may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. It may deal with a wide range of issues (like housing, employment, heritage and transport) or it may focus on one or two issues of particular local importance.

1.3 A Neighbourhood Plan will be subject to examination and referendum and then form part of the Local Development Plan. This statutory status gives Neighbourhood Plans far more weight than some other local planning documents, such as parish plans, community plans and village design statements.

1.4 The first step in the process is for the Parish Council to apply for designation of a Neighbourhood Area. The District Council then publicises this application, considers the responses and decides whether to designate it. In East Devon there are currently three designated Neighbourhood Areas, covering the Parishes of Chardstock, Dunkeswell and Lympstone. Once the neighbourhood area is designated by the District Council, we are

legally required to provide advice and assistance to those bodies producing a Neighbourhood Plan in our area. This 'duty to support' could include things like:

- making existing data and maps available for the evidence base
- identifying key local strategic policies from the Local Plan and national policies/guidance
- sharing information on key contacts, stakeholders and best practice plan-making activity
- making available venues and helping to arrange community engagement activities
- checking the plan prior to formal submission to give community confidence
- providing technical support, such as assistance in illustrating a plan and writing policies
- providing members for neighbourhood forums or more informal working groups
- setting up a neighbourhood planning web page on the local authority's website.

The Duty to Support does not require the giving of financial assistance to parish councils, but local planning authorities may wish to do so.

1.5 Once the area has been designated the Parish Council and local community can commence production of the Neighbourhood Plan.

1.6 Legislation requires consultation and engagement to take place on Neighbourhood Plans. (Just as we do with the Local Plan), When a completed Neighbourhood Plan is submitted for independent examination, it must be accompanied by a statement of community consultation. We will then be responsible for publicising the plan that has been submitted to us, ensuring that all habitat regulation and sustainability appraisal/strategic environmental assessment legislation has been complied with, and arranging for the independent examination and referendum to take place into that submitted plan. We will be responsible for organising and paying for the examination and referendum, although DCLG do currently offer grants towards our costs.

1.7 If the plan is found to be satisfactory (i.e. complies with the key legal requirements) with modifications if necessary, then the District Council must arrange for the referendum to take place. If more than 50% of those voting in the referendum vote 'yes', then the council will bring the plan into legal force.

1.8 Once a Neighbourhood Plan is made (i.e. brought into legal force by the District Council), it will be used to determine planning applications and guide planning decisions in the neighbourhood area.

2 Financial Assistance and other Resources

2.1 Initially the Government funded several phases of Neighbourhood Plan projects across the country as 'Frontrunners', with each local authority being paid £20,000 towards costs. There was an expectation that considerable resources would be invested in the process, with some authorities dedicating full-time posts to supporting the work, attending regular Neighbourhood Plan meetings, funding supporting studies such as employment assessments and sustainability appraisals etc. production costs of Some Plans elsewhere in England have exceeded this budget and most authorities have contributed significantly to direct Plan production costs eg printing, Officer support at meetings, questionnaires, analysis etc. Few plans have yet proceeded to Examination so overall costs are not yet known.

2.2 Recognising the work involved in getting a plan to the point of being published prior to examination, DCLG currently offers grants to local planning authorities of up to £30,000 per Neighbourhood Plan, paid at different points in the process. The grant fund is reviewed annually and could cease in the future. Payments are staged as follows:

- The first payment of £5,000 will be made following designation of a neighbourhood area recognising the officer time supporting and advising the community in taking forward a neighbourhood plan. For authorities designating several neighbourhood areas, each local planning authority can claim up to a maximum of £100,000 for area designations, in

2013/14. **To date, we have claimed £15,000 (in January 2013) for Chardstock, Dunkeswell and Lympstone**.

- The second payment of £5,000 will be made when the local planning authority publicises the neighbourhood plan prior to examination. This will contribute towards the costs of the examination as well as other staff costs incurred at this stage.
- The third payment of £20,000 will be made on successful completion of the neighbourhood planning examination. This is to cover costs for that examination and any other further steps that may be needed for the neighbourhood plan to come into legal force, including referendum. However, the payment is not dependent on pursuing the referendum route if both parties agree on a different approach at that point (for example, if both parties agree, the neighbourhood plan could be taken forward as part of the local plan or as a supplementary planning document).

Whilst £30,000 might seem a generous grant, experience from other authorities suggests that the costs to a local authority are considerable and cannot be avoided because, once the Parish Council begin a Neighbourhood Plan, the District Council is legally bound to pay for the publicity, referendum and examination. At the early stages of plan production, direct costs are likely to be incurred by the Parish Council and cover things like hall hire, printing, refreshments and, in some cases, hire of consultants. This is why it is proposed to grant £2,000 towards their costs. The later stages are the District Council's responsibility and are very expensive, particularly the examination (at around £1000 per day plus preparation and report writing) and referendum (estimated at around £10,000 for a large Parish). There is unlikely to be any spare grant money for EDDC to offer funding to the Parish Councils beyond the initial £2000.

2.2 From a Parish Council perspective, the Government now funds four independent organisations to support the preparation of neighbourhood plans:

- Planning Aid
- The Prince's Foundation Trust
- Locality (The Building Community Consortium)
- Campaign to Protect Rural England with the National Association of Local Councils

The assistance offered by these organisations is in the form of information provision, for instance the process outlined in this report is based on the 'Neighbourhood Plans Roadmap' produced by Locality. There is currently no direct funding available to help Parishes produce the Plans, instead there is an assumption that money will be raised through the precept or through fundraising. It has been suggested in the press that Government funds of up to £7,000 may be offered to a number of Parishes in the 2013/14 financial year but no confirmation of this has been received.

2.3 In East Devon there is very limited capacity for Officer support for Neighbourhood Plans (and this is office based, with no attendance at consultation events or Parish Council meetings) as the Policy Team is small and is mainly engaged in progressing the Local Plan. There is no capacity for the face-to-face public contact or in-depth involvement in the process which was apparently envisaged by the Government and, whilst the statutory duties will be met, partnership working at a fundamental level is not possible at the moment. Other authorities have reported that at least 1 Officer day is spent per week on each Neighbourhood Plan.

2.4 As the District Council has been given 3 x £5,000 towards administration expenses it is recommended that some of this (£2,000 per Parish) be offered to the Parish Councils as a grant towards their costs. Feedback from the Councils suggests that a relatively small amount would make a huge difference to their progress and would encourage a positive working relationship with the District Council. The remainder of the money will cover the Officer time spent on designation and publicity, liaising with the Parish Councils, reading and commenting on drafts and internal legal advice on the process.

3 Current Position

3.1 Lympstone Parish Council have advised that they have almost completed a draft Neighbourhood Plan and hope to submit this to the District Council by the end of March 2013. They have repeatedly approached us to request funding as this is delaying their progress. To date we have been unable to offer any money or much Officer support. Once the Plan is submitted we must advertise it for six weeks and, assuming there are no substantial objections, look to appoint an Examiner as soon as reasonably possible. We will apply for further DCLG grant funding to meet our costs at this stage.

3.2 Chardstock and Dunkeswell are understood to be progressing their plans steadily, although neither have submitted a draft as yet.

3.3 Broadclyst Parish Council have applied to have their whole Parish designated as a Neighbourhood Area (including those areas, such as Cranbrook, where major development is proposed). At the time of writing this report the proposal is due to be considered by the Development Management Committee.

3.4 We have received enquiries from a Parish wishing to undertake development under the Community Right to Build. As yet this is not a firm application but, if the proposal progresses, Officer time and support will need to be dedicated to the process which will proceed to an examination and referendum in the same way as a Neighbourhood Plan. At the present time we are not aware of any funding available for the Community Right to Build initiative and it is not proposed that EDDC should offer any money to them.

Legal Implications

There are no legal implications arising from this report

Financial Implications

The financial implications are as indicated within the report.

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Senior Planning Officer

Cabinet
6 March 2013

Agenda Item 17

Cabinet
06 March 2013
LG

Financial Monitoring Report 2012/13 – Month 10 January 2013

Summary

This report gives a summary of the Council's overall financial position for 2012/13 at the end of month ten (31 January 2013).

Current monitoring indicates that:

- The General Fund Balance is being maintained at or above the adopted level.
- The Housing Revenue Account Balance will be maintained at or above the adopted level.
- There is a sufficient Capital Reserve to balance this year's capital programme. It is estimated that £2.300m will be available in the Reserve to support the programme from 2013/14 onwards.

Recommendation

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

a) Reasons for Recommendation

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

b) Alternative Options

To disagree with the recommended actions proposed.

c) Risk Considerations

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

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

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

d) Policy and Budgetary Considerations

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

e) Date for Review of Decision

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

Financial Monitoring Report 2012/13 – To Month Ten January

1. Introduction

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

2. General Fund Position as at Month Ten.

2.1 The following table shows the position on investment income:

Investments	**Annual Budget £000**	**Variation at Month 10 £000**	**Predicted Outturn Variation £000**
External Investments	(260)	(23)	0
Internal investments	(41)	(3)	(10)
Total	**(301)**	**(26)**	**0**

The Bank of England met on 7/02/13 resulting in no change to the 0.5% Base Rate and none expected before 2015.

2.2 The following table shows the original budget set for the year and a total of the variations identified which are likely to affect the budget to give a predicted budget figure for the year.

	£000
Original Budget Requirement (set 22/02/12)	**12,247**
Supplementary estimates to date (General Fund Balance funding)	576
Supplementary estimates (Capital Reserve funding)	495
ICT Shared Service Initial Business Case Cabinet 30/01/13 funded from Transformation Reserve	20
Add: Month 10 predicted net over/(under) spend to Year End	84
Predicted Budget Outturn	**13,422**

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

Predicted over / (under) spends to Year End	Variation in Month 10 £000	Predicted Outturn Variation £000
Corporate Services Portfolio		
Democratic Representation salaries savings	(8)	(10)
Economy Portfolio		
Property services salaries savings	(8)	(9)
Environment Portfolio		
Countryside premises costs at Riverside	9	10
Countryside long term sick cover offset	5	6
Countryside income reduction	10	10
Arts development vacancy savings	(10)	(12)
Car park income	40	40
Environment StreetScene Portfolio		
Beaches shingle moving and levelling	20	20
Street scene support services vacancy savings	(4)	(5)
Public conveniences	(10)	(10)
Parks & pleasure grounds contributions including S.106	(10)	(10)
Street cleansing	(30)	(30)
Seaton festoons extra repairs due to non transferance to Seaton Town Council	3	3
Strategic Development & Partnership Portfolio		
Relocation costs Deputy Chief Exec	9	9
Legal costs for planning applications, appeals and advertising - Total outturn variance £101,000 off set by increase in Planning fees of £150k already reported	10	17
Sustainable Homes Communities		
Private sector leasing fewer voids	(10)	(10)
Homeless persons hostel full occupancy	(10)	(15)
Outturn variations reported as at Month 9		80
Predicted Outturn Total Variations		**84**

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

		£000
General Fund Balance 01/04/12		**(5,536)**
Less: Planned use of general fund balance	179	
Transfer 11/12 surplus to Capital Reserve	1,148	
Available General fund balance 2012/13		**(4,209)**
Supplementary Estimates previously reported		576
Predicted net over / (under) spend to year end		84
Predicted General Fund Balance 31/03/13		**(3,549)**

This predicted balance of £3.549m is £2.030 above the Council's adopted level for the General Fund Balance of £1.519m. The Council has agreed to maintain a higher balance than the adopted level at this present time because of the many financial uncertainties and risks facing the Council.

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

	Annual Budget £000	Variation at Month 10 £000	Predicted Outturn Variation £000
Car Park pay and display charges	(2,549)	205	205
Planning fees	(1,084)	(172)	(140)
Building Control fees	(545)	48	50
Local Land Charges	(210)	(12)	0

2.6 Summary of Other Reserves:

	Balance B/f £000	Spend to date £000	Income to date £000	Estimated additional Spend/(Income) £000	Predicted Balance C/f £000
Transformation Reserve	**(1,434)**	192		374	**(968)**
Asset Management Plan Reserve	**(188)**			188	**0**
Asset Maintenance Reserve	**(1,358)**	144		96	**(1,118)**

3. Housing Revenue Account Position up to Month 10.

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

	Variation at Month 10 £000	Predicted Outturn Variation £000
Housing Subsidy adjustment re 2011/12	(96)	(96)
Additional saving on salaries & travelling in Asset & Property Team due to vacancies (£25k already reported)	(46)	(20)
Supporting People income higher than anticipated	(55)	(50)
Additional day to day repairs overspend due to backlog of contractors' invoices (£100k already reported)	(41)	100
Servicing of gas appliances	57	50
Adaptations for disabled (revenue)	(67)	(80)
Dampness and condensation	13	10
Carbon Management Programme	9	10
Schemes to align with Stock Condition Survey	(430)	(516)
Electrical Updating	(123)	(125)
Door replacements	(260)	(250)
Modernisation (contingency budget)	(356)	(430)
Change of Tenancy expenditure including electrical works	145	300
River Otter flood protection scheme	(115)	(114)
Major improvements, etc to existing dwellings	(158)	(100)
Remodelling of sheltered schemes	(119)	(100)
Social Services Adaptations (capital)	(175)	(100)
Variations from Month 9		(359)
Total		**(1,870)**

Under the new self financing regime the HRA is now funding its own capital programme and any capital variations have been reflected in the above figures.

The following table shows the original budget set for the year and a total of the variations identified above which are likely to affect the budget to give a predicted budget requirement for the year.

Housing Revenue Account	**£000**
Budget surplus (set 22/02/12)	**(1,734)**
Month 10 predicted net underspend to year end	(1,870)
Predicted Budget Requirement	**(3,604)**

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

	£000
Housing Revenue Account Balance (01/04/12)	**(624)**
Predicted budget requirement as above	(3,604)
Predicted HRA Balance (31/03/12)	**(4,228)**

The recommended level for the HRA balance is currently £2.1m. The current balance is well above the recommended level and will be carried forward into 2013/14 to be used for further investment in the housing stock, to offset any adverse effects of Welfare Reform and to ensure sufficient funds are available to make the first repayment of principal on the self-financing loans due in 2014/15.

4. Capital Programme Position up to Month 10.

4.1 The following tables currently estimate the total required from the Capital Reserve as £1.480m.

Capital Reserve	**£000**	**£000**
Brought forward balance 1 April 2012	(3,127)	
11/12 General Fund surplus transferred to Capital Reserve	(1,148)	
		(4,275)
Reserves moved to revenue funding		495
Estimated use of reserve as at Month 9		1,454
Month 10 amendments		26
Balance carried forward to 2013/14		**(2,300)**

4.2 Capital Programme and financing:

	£000	£000
Net Capital Programme Budget (Cabinet 09/02/12)		**6,646**
2011/12 scheme costs slipped into 2012/13 (as agreed by Cabinet in the Outturn report in June 2012)	3,564	
Revised 2012/13 budget		10,210
Months 1 - 9 Variations	(622)	
Month 10 Programme Variations (a)	740	
Predicted Budget Requirement		**10,328**
Financed by:		
In Year Usable Capital Receipts (includes Drill Hall £100k)	(806)	
Tesco receipt reserve	(1,693)	
S.106 funding	(855)	
DCLG Grant Growth Point	(3,973)	
DCLG Grant Heat & Light	(100)	
Other Capital Grants	(249)	
Capital Project Reserves	(73)	
HRA Contribution	(831)	
General Fund Revenue contribution	(4)	
New Homes Bonus	(261)	
Asset maintenance reserve	(3)	
Predicted Capital Reserve requirement	(1,480)	
Total Funding		**(10,328)**

Note (a) Month 10 Capital Programme Variations	**£000**
Drill Hall income reclassified as Capital receipt	100
Additional costs 11 houses Morton Way Axminster (HRA funded)	4
Feniton New Village Flood Prevention	26
River Otter Flood Prevention savings (HRA funded)	(114)
Growth Point expenditure (funded by DCLG grant)	974
Seaton Primary School Pool (S.106 funded)	50
HRA savings on various building works schemes	(300)
Total Month 10 Programme Variations	**740**

Legal Implications

No legal implications have been identified

Financial Implications

Details are contained within the report.

Consultation on Reports to the Cabinet

Not applicable

Background Papers

-

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6 March 2013

Agenda Item 19

Cabinet
6 March 2013
MS

Home Energy Conservation Act Plan

Summary

This report sets out our new duty under the Home Energy Conservation Act (HECA) 1995 to produce and publish a plan to improve the energy efficiency of homes in the district. The deadline for publication is the 31 March 2013. A draft HECA Plan is included as part of the report.

Our existing Council Plan and Homes and Communities Plan includes priorities to improve the energy performance of residential properties in the district, so in this respect the new duty builds on existing corporate priorities.

Recommendation

- That the HECA Plan being finalised is signed off by the Portfolio Holder for Sustainable Homes and Communities and the Chief Executive on or before 31 March 2013, and
- That progress against the actions in the Plan is reported annually to Cabinet.

a) Reasons for Recommendation

EDDC is required under the Home Energy Conservation Act 1995 to have in place a HECA Plan by 31 March 2013 and progress against the Plan is reviewed and reported every two years.

b) Alternative Options

To propose a range of alternative actions within the Plan.

c) Risk Considerations

That we fail to achieve the aims in the Plan and do not facilitate an improvement in the energy efficiency of the residential housing stock of the district.

d) Policy and Budgetary Considerations

The policy implications are the key aspect of the report. Budgetary considerations are harder to finalise at this stage.

e) Date for Review of Decision

Renewal of the policy is required within 2 years.

1 Introduction to the HECA Plan

1.1 New guidance to help local authorities in England improve the energy efficiency of their residential housing stock was published on 26 July 2012. The guidance, issued under the Home Energy Conservation Act (HECA) 1995, asks local authorities to publish a report on their plans to achieve improved energy efficiency in the housing stock by 31 March 2013.

1.2 Local authorities are required to identify practicable and cost-effective measures likely to result in significant energy reduction in all residential accommodation in their area.

1.3 The guidance also asks local authorities to consider the role key local partners, such as social housing providers and community organisations, can play in supporting their plans.

1.4 The Green Deal, which allows the cost of new energy efficiency measures to be attached to a building's electricity meter, will be significant in helping local authorities to achieve their aims as it is a key element of the Governments approach to this issue..

1.5 In relation to HECA Energy and Climate Change Minister Greg Barker has said:

> "Local authorities have a vital role to play in improving the energy efficiency of residential homes in their areas, and helping us meet our ambitious energy targets.
>
> "This new robust guidance will support and encourage all local authorities to realise the significant benefits of upgrading homes. The Green Deal will be a fantastic tool to help with this, and I look forward to hearing how local authorities are using it to enable people to save energy and money."

1.6 The Government strongly believes that local authorities are best placed to assess the green needs and ambitions of their areas, which they know better than anyone else. A well developed report in response to HECA, highlighting key opportunities, will help attract potential funding partners to work with the authority and other local community groups and stakeholders to the benefit of local residents and businesses.

1.7 The new HECA guidance provides a clear outline of what is required, and local authorities will have to report on progress in implementing their proposed measures every two years. This is a significant additional requirement being placed upon us that will stretch our existing resources and expertise.

1.8 The starting point for action by central and local government to significantly improve the energy efficiency of residential accommodation across the country is the legal requirements in the Climate Change Act 2008. This sets specific targets for reductions in carbon emissions. The Carbon Plan, published by the Department of Energy and Climate Change in December 2011, sets out how the Government aims to achieve these reductions.

1.9 To support the ambitions in the Carbon Plan there are several significant drivers for action in the residential sector:

• The Green Deal and the new Energy Company Obligation (ECO) will provide new sources of finance.

• Ongoing support under the Feed in Tariff scheme.

• Ongoing support through the existing Renewable Heat Premium Payment and the new domestic Renewable Heat Incentive from summer 2013.

• Requirements for all new homes to be built to a zero carbon standard from 2016.

• Energy Performance Certificates (EPC), which are required on the sale, rent or construction of a building, which provide the occupier with an assessment of the energy efficiency of the building and a set of recommended improvements that will make it more energy efficient.

• The Energy Act contains provisions to introduce a minimum energy efficiency standard (likely to be EPC band D) for private rented sector housing from 2018; details will be subject to full public consultation and use of these regulation making powers is conditional on there being no net or up-front costs to landlords. As a first step, government will work with the private rented sector to encourage uptake of energy efficiency measures through the Green Deal.

• By late 2019 smart meters to be installed in every home.

1.10 Along with the Climate Change Act requirements and the Carbon Plan targets, the Warm Homes and Energy Conservation Act 2000 provided the impetus for the UK Fuel Poverty Strategy published in 2001. It defined the reasonable cost component of the definition of fuel poverty as being a household which needs to spend more than 10 percent of its income on home energy (including heating the home to 21 degrees for the main living area, and 18 degrees for other occupied rooms). It also set the target for the Government to eradicate fuel poverty in England, as far as reasonably practicable, by 2016. Although there is likely to be a change in the definition of 'fuel poverty' the eradication target still remains and will be part of the HECA Plan targets.

1.11 Consistent with the above we will be supporting the End Fuel Poverty Coalition's Local Authority Fuel Poverty Commitment and play a central role in alleviating fuel poverty, excess winter deaths and tackling the detrimental health impact of cold homes in East Devon, utilising our partnerships with Health, Social Services, Public Health and other Local Authorities. This commitment is included in our draft HECA Plan.

2. Implications for East Devon District Council

2.1 This new HECA duty requires us to do more than simply update the Private Sector Housing Renewal Strategy and include more references to energy efficiency. It requires a separate report on home energy conservation and a considerable amount of research in order to produce a meaningful document.

2.2 More significantly it requires us to establish targets and identify measures that improve energy efficiency and ways of implementing improvements in energy efficiency. This could be through enabling and partnerships with others, funding measures directly and/or promoting Green Deal and similar schemes.

2.3 We have some experience of partnership working with E.On, Energy Action Devon etc. and have delivered some high standards in new build Council homes; through Registered Providers and new private developments including Cranbrook. It is the retrofitting of energy improvement measures in the existing housing stock where our emphasis needs to be directed.

2.4 We are not currently resourced to do this work. We have relied on Energy Action Devon (EAD) to administer and finance energy improvement measures with private households (CosyDevon) and landlords. EAD have recently gone into administration and we are awaiting the return of funds which will probably only be released after litigation. We could use some of this funding to initiate the new approach required.

2.5 We have a small amount of capital funding identified in the budget to take this work forward in the private sector (£54k).

2.6 We will have resources in the Housing Revenue Account as surpluses accumulate to improve Council homes and are exploring options at the moment for improving the energy efficiency of tenant's homes. We have undertaken the basic measures of loft and tank insulation, double glazing etc and now need to embark upon more expensive technologies. There are also some space heating improvements that we wish to undertake where properties have lower energy efficiency ratings and/or are off gas. The initiatives and offers are changing rapidly and we need to take advantage of the assistance available to finance such improvements.

2.7 Our Council Plan under 'Living in an Outstanding Place' says – we are improving the energy efficiency of homes through investing in insulation and energy saving technologies.

2.8 We are being presented with a significant challenge to be part of improving home energy efficiency in the district. This is an opportunity to begin to define our role more clearly and say what resources we can devote to the activity.

3. Home Energy Conservation Act Plan (draft)

3.1 In **Annex 1** there is a copy of the proposed design of the HECA Plan, with the early draft of the East Devon narrative, as suggested by the Department for Energy and Climate Change (DECC).

3.2 The Plan is not expected to provide 'hard and fast' targets in this initial submission. The main requirements from DECC are that the Local Authority is considering its approach to improving energy efficiency, heating and environmental impacts on the residential properties within the district. Green Deal and ECO (in all of its formats) are two of the vehicles that we will be referring to in our Plan.

3.3 The University of Exeter Centre for Energy and the Environment (CE&E) are carrying out under the SWEEG partnership arrangements a project to draw together all of the appropriate baseline data, analysis of that data, map it where appropriate to do so and guide East Devon in the production of the HECA Plan. **Annex 2** includes Fuel Poverty mapping across East Devon; Excess Winter Deaths data and Health Deprivation, all of which help to identify the areas where initial efforts should be targeted.

3.4 There are further maps and data which will be attached to the HECA Plan including Energy Consumption; Percentage of properties with Economy 7 meters; average loft insulation; Off-gas grid data; Income; Employment; Solid Wall properties; urban wards.

3.5 The CE&E have begun to put together a basic narrative for East Devon's HECA Plan regarding measures that result in significant energy efficiency improvements of residential accommodation through taking advantage of financial assistance. This narrative will be common to Devon and include elements specific to East Devon approaches.

3.6 There are already a number of retrofit feasibility opportunities for the Local Authority to become involved in. We are in discussions with the rest of Devon, with the Energy Savings Trust 'Ready for Retrofit' feasibility study. Plymouth City Council is putting together a project to roll out ECO across Plymouth, but also across Devon in partnership with other Local Authorities and Energy Providers. North Devon, Torridge and Teignbridge are involved in an ECO pilot project with the EnACT organisation to initiate ECO within their areas. We are keeping a close eye on the roll out of all of these projects so that we can identify whether they are suitable for East Devon. Energy Company and Energy Efficiency installers will be seeking our assistance in order to ensure that they meet their ECO and Green Deal targets.

3.7 The Plan will provide the springboard for further analysis and refining targets over the next two years. We will ensure that there are links with the Council's Climate Change Strategy that is being updated.

3.8 The HECA Plan will be updated annually with a requirement to report to DECC every two years providing detailed information on improvements and target completions.

3.9 Due to the short time scale given by DECC for Local Authorities to construct the HECA Plan and in order for East Devon to comply with the deadline it is recommended that the Portfolio Holder for Sustainable Homes and Communities and the Chief Executive is given authority to sign off the plan in late March so that it can be submitted within the timescale required.

Legal Implications

The statutory regime is set out within the report and requires no further comment.

Financial Implications

There are no specific financial implications contained in this report.

There is funding in the Housing Revenue Account to provide Loft Insulation and Energy Saving Options for our Council Stock and there is some funding for Private Sector work.

There is no additional funding for resources to carry out the requirements of the plan.

Consultation on Reports to the Executive

None.

Background Papers

- Guidance to English Energy Conservation Authorities issued pursuant to the Home Energy Conservation Act 1995, DECC, July 2012.
- Local Authorities and the Green Deal – information note, DECC, November 2011.
- Green Deal delivery options review: Devon, Plymouth and Torbay, Energy Saving Trust.
- Local authority fuel poverty commitment, Consumer Focus, 28 January 2013.

Meryl Spencer mspencer@eastdevon.gov.uk
Environmental Health Manager (Private Sector Housing)

Cabinet
6 March 2013

EAST DEVON DISTRICT COUNCIL

Annex 1

HECA FUTURE REPORT 2013

ACTION	DESCRIPTION	TIMING
I) LOCAL ENERGY EFFICIENCY AMBITIONS AND PRIORITIES		
	East Devon is a signatory to the Nottingham declaration and the Devon wide declaration on Climate Change. Local authorities in Devon are in the process of joining Climate Local. East Devon adopted a 'Climate Change Strategy' in 2008 and is completing an updated action plan in 2013 which includes a range of actions in private and social housing which have been successfully implemented. In 2011 the District has undertaken review of renewable energy resources (see http://www.eastdevon.gov.uk/item_8_-intial_review_of_renewables_in_east_devon_020811.pdf which identifies that building scale renewable energy technologies, particularly biomass heating off the gas grid, have a potentially important role in reducing CO_2 emissions. The HECA Plan links into the ambitions and targets of the Local Plan, Homes and Communities Plan, Climate Change Strategy and Private Sector Housing Renewal Plan. The Council will be supporting the End Fuel Poverty Coalition's Local Authority Fuel Poverty Commitment to alleviate fuel poverty, excess winter deaths and tackling the detrimental health impacts of cold homes in East Devon The District's domestic CO_2 emissions reduced by 5% from 364kt 2005 to 346kt in 2010. Per capita emissions in 2010 are 2.6 t CO_2/person; 4% higher than Devon (2.5) and 8% higher than nationally (2.4). In 2010 DECC statistics show that 17.4% of the District's homes (10,000 from 58,000) are fuel poor with pockets as high as 33% in rural off gas grid parts of the District. 29% of the district's homes have solid walls with the proportion of solid wall homes rising as high as 86% in some localities. Some off gas grid areas have up to 68% solid wall properties. ECO funded solid wall insulation therefore has a potentially important role in improving the thermal efficiency of the districts homes. Overall, 22% of homes do not have gas and in these homes the high cost oil, LPG and electric heating makes fuel poverty more likely. The Renewable Heat Incentive (RHI) may give the opportunity for these households to switch to lower cost renewable heating technologies with lower running costs. However, the success of the RHI will depend on the details of the scheme which are yet to be finalised by DECC.	2013

	Further detailed analysis of the relevant statistics will be undertaken to hone down the potential and more challenging areas, and those areas where we can have greater impact. The priority for the first two years of this Plan must be in engaging in suitable schemes towards helping the Fuel Poor in Hard to Treat properties in Rural Areas, off gas areas and in the private rented sector. The Housing Revenue Account Business Plan contains priorities for improving the energy efficiency of tenant's homes.	2013 ongoing 2013 - 2015
ii) MEASURES WE ARE TAKING TO RESULT IN SIGNIFICANT ENERGY EFFICIENCY IMPROVEMENTS OF OUR RESIDENTIAL ACCOMMODATION		
Green Deal and ECO	The Council will work closely with energy providers and installers and other Devon districts to consider the best way of assisting the implementation of the Green Deal and ECO. As a small rural district authority the Council does not consider that it is in a position to be a Green Deal Provider or partner and it is anticipated that national policy and the private sector will deliver the Green Deal and ECO with signposting from local authorities. The energy efficiency of Council owned homes is above the national average and rather than encourage Council house tenants to use the Green Deal the Council will continue to improve its stock using its own maintenance and improvement budgets. Early pilot Green Deal and ECO scheme projects elsewhere will be reviewed for their effectiveness before consideration will be given to rolling them out in East Devon. The previous energy efficiency scheme partnership 'Cosy Devon' is being reviewed to identify if this could be used again as a vehicle for partnership working and roll out of suitable ECO schemes across Devon. The Council's website will provide links for customers to suitable government information on both Green Deal and ECO.	Evaluation of the Council's role in the Green Deal and ECO will take place in 2013/14. Reviews/monitoring throughout 2013 and 2014. As above. March 2013
Feed in Tariffs (FIT) scheme	The districts favourable solar climate has led to some 2.8% or over 1,600 homes in the district having photovoltaic panels installed the 9th highest in the South West of England. The Council's web site has links to information on renewable energy and guidance for householders who wish to install technologies in their home.	The Council will continue to signpost the FIT from its web site
Renewable Heat Premium Payment (RHPP)	Off gas grid homes have the greatest potential to befit from the RHI and the RHPP. Unfortunately statistics are not available to enable the Council to know how many RHPP installations there have been in the district or which technology types householders have chosen. The publication of this data would greatly assist a local understanding of progress in renewable heat which can potentially offer so much to the districts renewable energy deployment. Further enquiries will be made with large Land/Estate Owners in East Devon to identify if this RHI technology has been put in place and the benefits that this has given.	Once the details of the RHI are finalised the Council will signpost from its web site. 2014

Zero Carbon Homes	The draft Local Plan has policies to support the delivery of low and zero carbon development in the District in particular: - Developments of over 200 homes should achieve standards in advance of those nationally - A requirement to connect to decentralised energy networks. Low Carbon Task Force??? Planning Polices ??	It is anticipated that the local plan will be in place in 2013/14
EPCs	The Council is not currently funding the purchase of EPC data for the district as the conclusions from the purchase of EPC data elsewhere in Devon suggests that it does not currently add significant extra information to that provided from other statistics and the district's house condition survey. This conclusion will be kept under review as the proportion of properties which have up to date EPCs increases.	Evaluate purchase of EPC data in 2013/14
Minimum standards in the private rental sector	% of Private Rented stock? House Condition Survey data to be included. Minimum standards in private rented accommodation are set out on our web site http://www.eastdevon.gov.uk/standards_action . The Council generally engages with Landlord and Private Tenants following complaints and/or service requests about property conditions. Where these occur properties are assessed using informal/formal processes under the Housing Health & Safety Risk Assessment (Housing Act 2004). The Council has standards for HMO's and use a guidance document for landlords for both mandatory licensable HMO's and non-licensable HMO's. There is an opportunity to engage with Landlords through the Landlord Forum which occurs every 6 months.	Continue with current activity
Smart meters	The Council will await national policy on smart meters to be more fully developed before deciding if it is appropriate for any local authority intervention.	Evaluate over 2013/14
iii) MEASURES WE PROPOSE TO COST EFFECTIVELY DELIVER ENERGY EFFICIENCY IMPROVEMENTS IN RESIDENTIAL ACCOMMODATION BY USING AREA BASED/STREET BY STREET ROLL OUT		
	The Governments Green Deal and ECO Impact Assessment suggest that over 70% of measures installed will be ECO funded. The Council therefore considers that ECO providers will be strongly motivated to identify ECO eligible households and that this may naturally lead to focussed deliver of energy efficiency in particular localities. The Council is part of the steering group for the Energy Savings Trust feasibility study 'Ready for Retrofit' and will engage at a suitable level with the roll out of this project. Energy Companies are beginning to enter into discussions with the Council particularly regarding the ECO schemes for Fuel Poverty and Affordable Warmth. The Council will engage with other Council's in Devon and the South West to develop cost effective delivery of energy efficiency improvements.	Assist ECO providers identify eligible homes in the District in 2013/14
iv) TIME FRAME FOR DELIVERY AND NATIONAL AND LOCAL PARTNERS		
	The Green Deal and ECO's introduction in 2013 will inevitably affect delivery of energy efficiency measures in the district. The Green Deal Impact Assessment forecasts that nationally the delivery of some measures will fall while others will remain at previous levels.	Monitor developments in 2013 and 2014 and review its potential role

	The Council will monitor developments in 2013 and 2014, particularly with early delivered schemes by other Councils and review its potential role, as the Green Deal and ECO become established.	

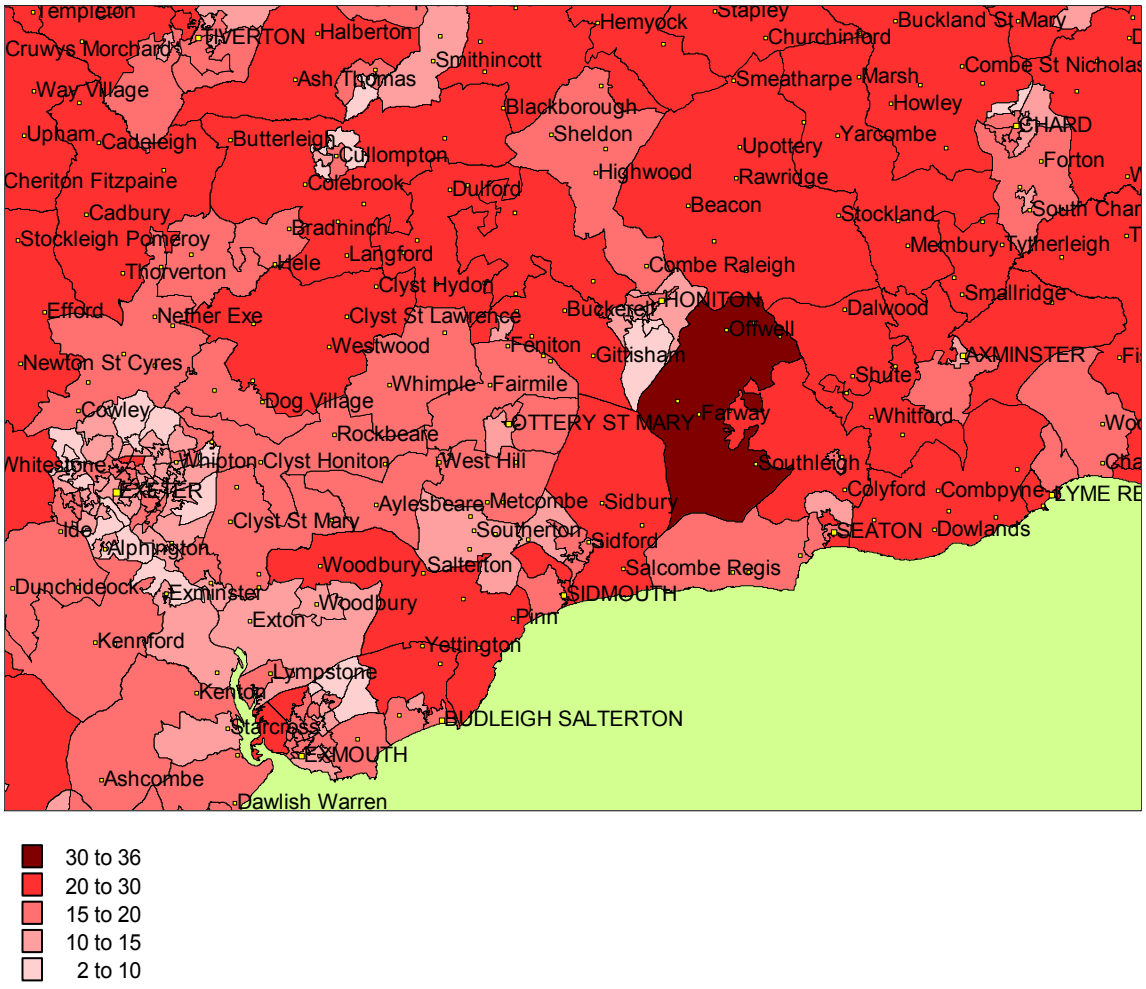
Signature: _____

Position: _____

Annex 2

HECA Parameter Mapping for East Devon

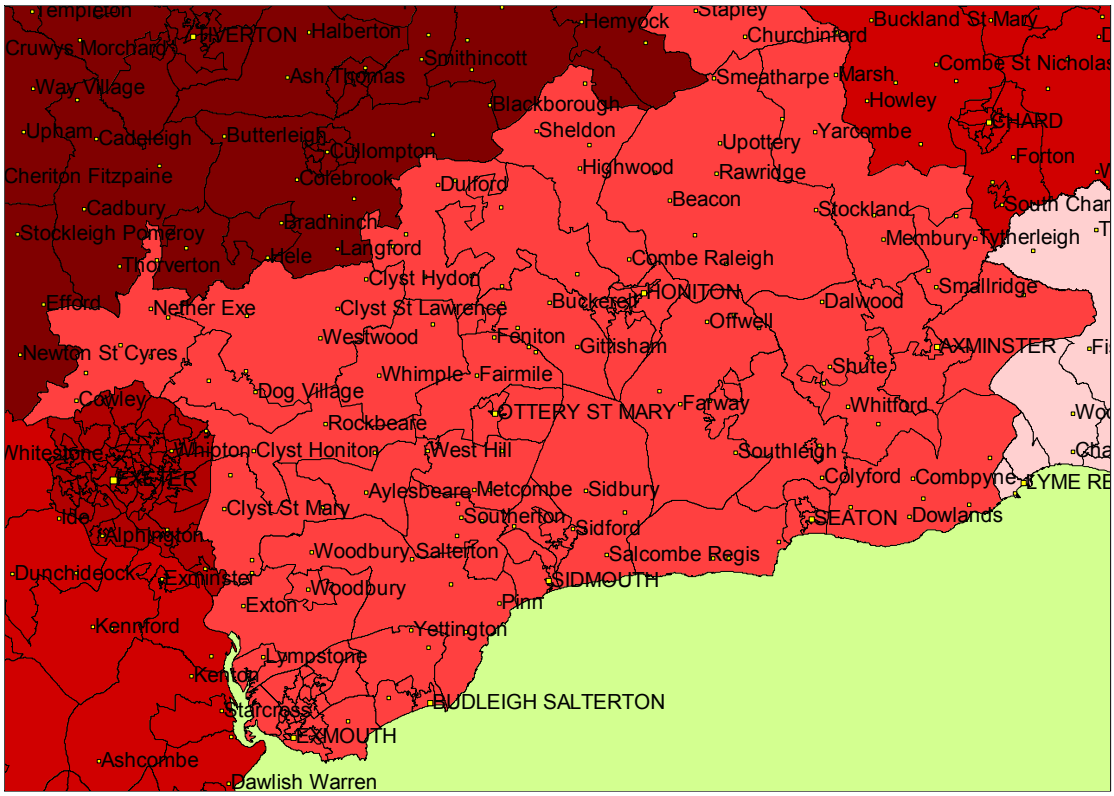
% Households in Fuel Poverty (DECC)



% Households in Fuel Poverty (DECC)

This map shows the percentage of fuel-poor households in East Devon area (2010/11). The lowest levels are in the more densely populated areas which are likely to have a gas grid connection or newer build properties. The higher levels (dark red) are in the more rural areas and off-gas grid areas. There is a significant area of Fuel Poverty around Honiton, Farway areas which will need to be investigated further.

Excess Winter Death Index (district level) (ONS)

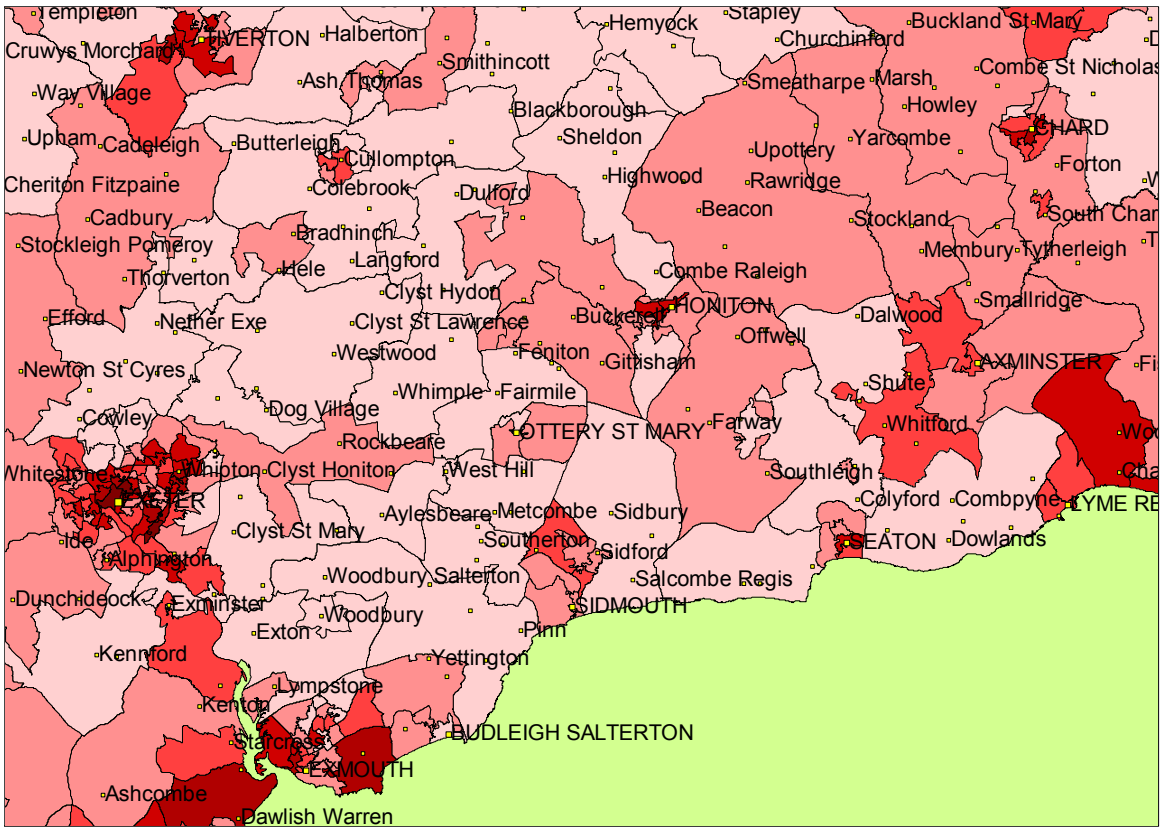


25 to 53.8
20 to 25
15 to 20
10 to 15
5 to 10
0 to 5

Excess Winter Death Index (ONS)

This Map shows the level of Excess Winter Deaths recorded (2010/11) compared with normally expected deaths. These figures are affected by extremes of weather conditions. If the winter is particularly cold for a long spell, there is likely to be a rise in the number of extra deaths. There are no significant areas where Excess Winter Deaths occur in East Devon, however the likelihood of the occurrence or increase in the occurrence could be contributed to by poor heating, expensive heating, fuel poverty and the age demographic of the district.

IMD Health Deprivation and Disability Rank as % (100 = highest) (DCLG)



83.4 to 99.9
66.7 to 83.4
50 to 66.7
33.3 to 50
16.7 to 33.3
0 to 16.7

IMD Rank (all metrics) as % (100 = highest) (DCLG)

This map identifies areas within the district which have higher levels of deprivation (which includes health indices, income levels, and employment). The significantly higher levels of deprivation occur within the more urban areas of the district, although the rural areas around Axminister are also highlighted as a potentially deprived area. Areas which have 50% IMD ranking or higher indicate a higher than national average deprivation.

Agenda Item 20

Cabinet
6 March 2013
MW

Cross Channel Declaration on Shipping Incidents

Summary

The Council has been invited to sign up to a Cross Channel Declaration on Shipping Incidents and Maritime pollution agreement as a way of facilitating co-operation and co-ordinating responses of local authorities on both sides of the Channel.

Recommendation

That East Devon District Council signs up to the Cross Channel Declaration on Shipping Incidents as a starting point for closer working and communication with other local authorities on both sides of the Channel.

A further report will be referred to Cabinet when the way in which the authorities propose to work together has been established.

a) Reasons for Recommendation

The Declaration seeks to fill a gap in the current national and trans-national arrangements. Working with local authorities on both sides of the Channel will help to achieve a co-ordinated and more effective shoreline response and help identify the role of local authorities in dealing with shipping incidents.

b) Alternative Options

Not to sign the agreement or explore the potential benefits of a cross Channel local government network.

c) Risk Considerations

The Declaration is the starting point for closer working and what can or cannot be achieved will be discussed and agreed by the network. The existing risk to local authorities in the event of an incident is significant in terms of the incident itself and impact on local tourism industry and the environment.

d) Policy and Budgetary Considerations

There is no proposal to link the Declaration with a commitment to meet any costs such as subscriptions.

e) Date for Review of Decision

A cross Channel local government network has yet to be set up; when discussion has taken place on how the authorities propose to work together, a progress report will be referred to Cabinet.

1 Main Body of the Report

The letter from the Chairman of the LGA Coastal Special Interest Group is attached for information and is self-explanatory. The proposal is to set up a network of local authorities on both sides of the Channel to develop closer working and improved communication. Signing the agreement is the first step in helping to achieve a co-ordinated response to shipping incidents and help protect the interests of local authorities from the impact of such incidents.

The agreement recognises the common interest of French and English local government with the aim of ensuring that the threat from pollution as a result of shipping incidents in the Channel is minimised. The organisations signing up are agreeing to act together to achieve changes in the understanding of the problems and to press for change in policy and legislation where this will further safeguard the coastline and its communities.

The agreement will be for authorities to act together by:

1. Protecting the interests of local authorities and the communities they represent against the risks of maritime pollution through lobbying for changes in legislation and policy;
2. Continuing research into the risks associated with maritime activities in the Channel area and their impact on the environment, economic development and on the prevention and management of maritime pollution;
3. Providing information for Channel coastline elected representatives on the risks of maritime pollution and the best methods for preparing for such events;
4. Undertaking training for elected representatives and relevant personnel;
5. Delivering a more effective response by State departments (on the French side) and local government (on the English side) if pollution occurs by ensuring that communication channels are reviewed and improved between national maritime and local authorities;
6. Promoting continued improvement to Franco-British co-operation at the Channel level with regard to maritime safety, prevention and management of maritime pollution;
7. Undertaking any action which will improve local authorities' and maritime organisations' ability for co-ordinated intervention.

Legal Implications

The declaration is essentially a commitment to co-operation and as such does not at this stage involve financial resources or more specific obligations.

Financial Implications

There appears to be no financial commitment at this stage.

Consultation on Reports to the Cabinet

-

Background Papers

Cross Channel Declaration

Mark Williams mwilliams@eastdevon.gov.uk
Chief Executive

Channel Arc Manche integrated strategy

Coastal Issues Special Interest Group

E.D.D.C
CHIEF EXECUTIVE
RECEIVED
24 JAN 2013
PASSED TO | CIRCULATE | FILE

Mr Mark Williams
Chief Executive
East Devon District Council
Council Offices
Knowle
Sidmouth
Devon EX10 8HL

14 January 2013

Dear Mr Williams

Cross Channel Declaration on Shipping Incidents

Following growing concerns about the impact of shipping related pollution incidents, the Local Government Association's Coastal Special Interest Group (SIG) has been working closely with French local government colleagues to improve our understanding of these complicated and important procedures. This work has been helped by the participation of some local authorities in the SIG in the cross Channel 'CAMIS' (Channel Arc Manche Integrated Strategy) project.

The proposal to work together more closely has led towards the drafting of a Cross Channel Declaration on Shipping Incidents and Maritime Pollution. The Declaration will enable those local authorities, on both sides of the Channel to cooperate though an agreement on various aspects of the response to shipping incidents. In essence it highlights protecting the interests of local authorities, research, information for Members, training, communication, Franco-British cooperation and coordinated intervention as possible common areas of interest.

Mindful of the current structures and agreements that are in place at a national and trans-national level, the Declaration seeks to fill a gap in the current arrangements. In the UK the National Contingency Plan and Manche Plan provide for many aspects of the response. However, the shoreline response and particularly the role of local government could be delivered and coordinated more effectively. The LGA Coastal SIG feels also that there is an opportunity for mutual learning across the Channel and a role, potentially, for joint action to press for changes in legislation at a European and Global level.

The Declaration is a starting point. It will provide for a vehicle for joint working. It is hoped that through the Declaration a network will be established for further development of the concept and closer working and communication. The means by which this is achieved is still up for discussion. However, until those voices who favour such an approach have come forward, the conversation cannot start. An opportunity may exist within a cross Channel local government network called Channel Arc Manche but this is for discussion and agreement by them.

Mindful of the severe pressure under which local government finds itself in currently, there is no proposal to link the Declaration with a commitment to meet any costs such as a subscription. It will be for those local authorities who wish to participate to agree how they will cooperate. It is worth noting however, that the liabilities and costs to local government in the event of an incident can be considerable, not to mention the cost to the local tourism industry and environment. Compensation mechanisms do not often seem to take into account the true costs.

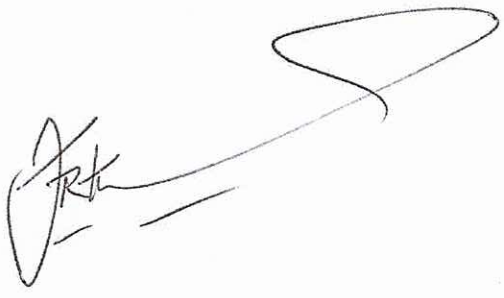
I would like to ask you to consider offering your Council's support for the Cross Channel Declaration and your agreement, in principle, to participate in any further discussion on taking it forward. It is not clear at present how we will undertake this. However, a launch event is being planned for the 20th March 2013, in Caen, which is relatively easily accessed via the Portsmouth to Caen ferry link. This will not be the only opportunity to stay in touch with this initiative but will provide an occasion to meet colleagues from the French and British sides of the Channel with similar concerns and interests.

In the first instance please respond to Aidan Winder, Devon County Council, Lucombe House, County Hall, Exeter, EX2 4QW (Tel. 01392 383019 or aidan.winder@devon.gov.uk) who will collate responses and pass them to me.

A copy of the Cross Channel Declaration is enclosed and it can be downloaded from the LGA Coastal SIG web site (http://lgacoastalsig.com/resources/cross-channel-declaration-on-shipping-incidents/). The SIG exists to provide a platform for discussion and action on issues relating to the coast and is currently reviewing its overall strategy and preparing a series of position statements. Membership is open to all coastal local authorities in England.

I look forward to hearing from you.

Yours sincerely



Councillor Roger Thomas
Chairman, LGA Coastal Special Interest Group

Agenda Item 21

Cabinet

6 March 2013

Performance Report January 2013

Monthly Performance Report January 2013

Summary

Performance information for the 2012/13 financial year for January 2013 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

Recommendation

That the Cabinet considers the progress and proposed improvement action for performance measures for the 2012/13 financial year for January 2013.

a) Reasons for Recommendation

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

b) Alternative Options

None.

c) Risk Considerations

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

d) Policy and Budgetary Considerations

None

e) Date for Review of Decision

Performance information is provided on a monthly basis. In summary all measures are showing satisfactory performance.

1. A monthly Performance Snapshot is attached for information in Appendix A.

2. A full report showing more detail for all the performance indicators mentioned above appears in Appendix B.

3. Rolling reports/charts for Housing, StreetScene, Planning and Revenues and Benefits appear in Appendix C.

4. An explanation and definitions of these measures can be found in Appendix D.

Legal Implications

There are none arising from the recommendations in this report.

Financial Implications

There are no direct financial implications.

Consultation on Reports to the Executive

Relevant Heads and officers have contributed to the appendices.

Background Papers

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

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

Cabinet
6 March 2013

Exclusion of the Public

The Vice-Chairman of the Committee to move the following:-

"that under Section 100(A)(4) of the Local Government Act 1972, the public (including the press) be excluded from the meeting as exempt information, of the description(s) 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)."

Monthly Performance Snapshot - February 2013

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

- **99.6 %** of rent due on council owned homes collected
- **6 days** to process your Housing or Council Tax Benefit claims
- **3 days** to clear fly tipping cases, dealing with 46 cases this month, up from 32 cases last month
- **52.3%** of all waste collected was recycled in January
- **98%** of invoices received by us are paid within 30 days

Latest headlines:

- Countryside rangers continue to deal with the demands of the weather conditions: 12 windblown trees were made safe in Holyford woods after the recent high winds, and 1km of fire breaks strimmed (in hail and snow) on Trinity Hill in readiness for the blazing hot summer we are all looking forward to in 2013.
- On January 26th the Countryside team volunteers reported a record attendance of 30 visitors to the Meet the Birds session at Axe Estuary Wetlands.
- The volunteers for the East Devon District Council Countryside team put in 243 hours of work during January on the nature reserves, in the office and with the water vole project. In monetary terms this is equal to £1944 – many thanks once again to all our volunteers for all their valuable help.
- The Thelma Hulbert Gallery will now be making a saving of over £1,000 (per year) by sending the majority of exhibition invitations by email, saving on both printing and postage costs. To receive email invitations to exhibitions at the gallery please email info@thelmahulbert.com
- 'Present Makers' (the annual Christmas exhibition selling work by local crafts people) at the Thelma Hulbert Gallery saw the impressive increase of 15% on last years figures (our previous best).
- Our Housing Service undertook an 'estate walkabout' in Otterton, a housing Drop-in in Churchill Court, Lympstone and ran an 'X Box Challenge' with residents of Supported Housing in Lymebourne, Sidmouth

INVESTORS IN PEOPLE | Gold