

Date: 22 March 2013
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To: The Chairman and Members of the Cabinet
Other Members of the Council for information
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Cabinet
Wednesday 3 April 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 6 March 2013 as a true record.	6-17
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. <ul style="list-style-type: none">➤ 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 is one item 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 April to 31 July 2013.	18-21
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 28 February 2013.	22-25
10	To note or take appropriate action in respect of the minutes of the meeting of the Housing Review Board held on 7 March 2013	26-33
11	To consider the recommendations of the New Homes Bonus Panel held on 13 March 2013	34-38
Part A Matters for Decision – Key decisions		
12	Emergency Plan Plus Appendix	Deputy Chief Executive 39-94

13	Cranbrook – Community Governance Review Plus Apps 1 & 2	Chief Executive	95-108
14	Development of Cranbrook New Community	Projects Director	109-113

Part A Matters for Decision

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16	NNDR – Rate Relief Policies Appendix 1 – Local Discretionary Rate Relief policy Appendix 2 – Discretionary Relief for party occupied premises policy	Head of Finance	123-137
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18	Knowing East Devon – Community profile Plus Appendix	Corporate Organisational Development Manager	149-174
19	Monitoring of formal complaints and Local Government Ombudsman complaints – Quarter 3 2012/13	Information and Complaints Officer	175-178
20	Performance Monitoring Report until February 2013 The Month tracking appendix is attached – other appendices summarising performance provided as links under Background Papers in the report	Corporate Organisational Development Manager	179-181

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

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

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

The Vice Chairman to move the following:-

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

PART B – Matter for Decision

21	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 20 February 2013	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 action notes include reference to details of the relocation budget, progress with valuations, legal advice and expressions of interest	182-187
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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 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, 6 March 2013

Present: **Councillors:**
Paul Diviani (Chairman/Leader – arrived at agenda item 11)
Andrew Moulding (Vice Chairman in the chair until item 11)
Ray Bloxham
David Cox
Jill Elson
Graham Godbeer
Stephanie Jones
Ian Thomas
Phil Twiss

Also Present: **Councillors:**

Graham Brown	Sheila Kerridge
Bob Buxton	Frances Newth
Maddy Chapman	John O’Leary
Deborah Custance Baker	Helen Parr
Christine Drew	Geoff Pook
Martin Gammell	Philip Skinner
Steve Gazzard	Pauline Stott
Steve Hall	Tim Wood
Peter Halse	Tom Wright
Tony Howard	

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
Rachel Pocock, Corporate Legal & Democratic Services Manager
Dennis Boobier, Housing Needs and Strategy Manager
Charlie Plowden, Countryside and Leisure Manager
Diana Vernon, Democratic Services Manager

Apologies	Councillors	Councillors
	Cabinet Members	Non- Cabinet Members
	Iain Chubb	Geoff Chamberlain David Chapman Trevor Cope Alan Dent Vivien Duval Steer Stuart Hughes Mark Williamson Eileen Wragg

The meeting started at 5.30 pm and ended at 8.20 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.

***167 Public Questions**

Godfrey Harris, Exmouth asked for assurance that the Right of Way would be included within the new Elizabeth Hall site development. In response, Councillor Tim Wood, Exmouth Member Champion advised that the developer was aware of the Right of Way application. Richard Cohen, Deputy Chief Executive advised that this would be dealt with as part of Premier Inn's planning application.

Nickie King, Friends of Elizabeth Hall, asked when the Premier Inn plans would be open for public inspection. Richard Cohen, advised that the submission of the plans was imminent and would be subject to full consultation. He would speak with the Council's planners about timings.

***168 Minutes**

The minutes of the meeting of the Cabinet held on 30 January 2013 were confirmed and signed as a true record subject to:

1. the following replacement to Paragraph 6 of the preamble to Minute 158:

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 should be capable of achieving both cost savings and service quality improvements. However he cautioned that this would require top quality Strategic and Operational Management and further highlighted the high profile failure of SouthWest One, together with a recent critical Government report which had indicated that sharing of services by central government departments had actually resulted in an increase in costs and deterioration of service.

2. 100% being inserted before 'claw back' in the resolution at Minute 161.

***169 Axminster carpets**

Councillor Andrew Moulding (Deputy Leader, Portfolio Holder Strategic Development and Partnerships and Axminster Town Mayor) addressed the Cabinet at this point of the meeting.

Councillor Moulding advised that, the day before, Axminster Carpets Ltd had gone into administration. Two hundred of the nearly three hundred employees had been laid off. Councillor Moulding said that this news was a hard blow for the town and surrounding area. Axminster Carpets was a major employer in the area and its loss would have a significant impact on the community. He confirmed that staff from East Devon District Council's revenues and benefits teams were now working with JobCentre Plus, the Axminster Jobs Club and Citizens' Advice Bureau to help those affected by the situation.

The Cabinet acknowledged the news with sadness; the efforts being made were noted and appreciated.

***170 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.

***171 Forward Plan**

Members noted the contents of the Forward Plan for Decisions for the period 1 March to 30 June 2013.

***172 Matters referred to the Cabinet**

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

***173 Overview and Scrutiny Committee meeting – 24 January 2013**

Members received and noted the minutes of the meeting of the Overview and Scrutiny Committee held on 24 January 2013.

***174 Recycling and Refuse Partnership Board – 24 January 2013**

Members considered the minutes of the meeting of the Recycling and Refuse Partnership Board held on 24 January 2013

RESOLVED that the following recommendations be approved

Minute 41 that SITA's Contract Manager discuss options for the provision of WEEE recycling banks in East Devon with SITA,

Minute 42 that the Board's concerns about costs associated with the provision of waste containers for new homes be noted and considered by Cabinet during its discussions on the Community Infrastructure Levy policy,

Minute 43 that Mandy Jennings be invited to attend the next meeting of the Recycling and Refuse Partnership Board to provide an update on the Otter Rotters' activities.

Minute 51

- (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.

***175 Meeting of the New Homes Bonus Panel held on 1 February 2013**

Councillor Ray Bloxham, Portfolio Holder Corporate Business, and Chairman of the Panel advised that parishes were working well together to submit good quality funding bids. He praised the work of Jamie Buckley, EDDC's Community Engagement and Funding Officer and Ali Eastland, DCC's Locality Development Officer.

RESOLVED 1 that the following recommendations be approved

- (1) Ottery Help Scheme,
 - (2) Axminster Ring and Ride,
 - (3) Hawkchurch Community Shop,
 - (4) Upton Pyne and Cowley and Brampford Speke Parish Councils application to establish and develop a Community Land Trust.
- 2** 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.
- 3** that a press release be issued informing the district about what had been achieved through the New Homes Bonus and to encourage other parishes to come forward with applications. (This had already been actioned).

176 Homelessness Strategy 2013-2018 – key decision

John Golding, Head of Housing presented the Homelessness Strategy which the Council was required to publish every five years. The Strategy outlined:

- the measures in place to tackle homelessness in East Devon,
- the funding provided by the Council and Government, and
- the actions that the Council proposed to take over the next five years to continue to address homelessness in the area.

Members noted the success already achieved, the importance of effective multi-agency working and welcomed the positive prevention actions embedded in the new Strategy.

The Portfolio Holder – Sustainable Homes and Communities referred to increased pressures on the housing service largely as a result of Welfare Reform.

RECOMMENDED that the Homelessness Strategy 2013-2018 be approved.

REASON To seek approval to publish a new Homelessness Strategy for 2013-2018 – the Council was required to publish a Homelessness Strategy every five years - the current version was due to expire on 1 July 2013.

177 **Local Welfare Support (LWS) – a new scheme to tackle financial hardship – key decision**

Members considered the report of the Housing Needs and Strategy Manager which outlined the changes to the welfare system and its impact on the Council. The Community Care Grants and Crisis Loans were to be abolished by Government in April 2013. The Council had agreed to work in partnership with Devon County Council and had been invited to propose a local discretionary scheme to help people in crisis. However this was not a direct replacement of the former crisis scheme.

The approach being adopted through the Partnership Agreement was:

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

Government ring-fenced funding for the scheme was only certain for two years. Unlike the former Government crisis scheme, no cash award would be made; low income and vulnerable customers would be helped with essential living expenses through provision from food banks, second hand furniture outlets and clothes banks or using voucher scheme arrangements currently being put into place.

The proposed policy framework was set out in the report and guidelines to staff would be prepared to help with implementing the new arrangements. Part of the administration budget provided by Devon County Council would be used by this Council to appoint a full time money advisor from Homemaker Southwest.

Risks to the Council were identified in the report – including additional workload pressures, public expectation based on past arrangements and potential lack of funding beyond 2014. The report included details of arrangements and how identified risks would be mitigated.

Members recognised that the importance of a scheme that would give flexibility as demand was uncertain and practical arrangements may need to be adjusted. The Housing Needs and Strategy Manager and his team had worked hard to forge strong links with voluntary agencies and relevant charities. A detailed and valued equality assessment had been carried out and this would be kept under continual review to ensure that protected/vulnerable minority groups were not disadvantaged.

- RECOMMENDED**
- (1) that delegated authority be given to the Chief Executive to sign the Partnership Agreement with Devon County Council on behalf of the Council,
 - (2) that the principles and guidelines outlined in the report form the basis for the Council's Local Welfare Support policy from 1 April 2013,
 - (3) that delegated authority be given to the Sustainable Homes and Communities Portfolio Holder and Chief Executive to revise the LWS policy as and when required,

177 **Local Welfare Support (LWS) – a new scheme to tackle financial hardship – key decision (continued)**

- (4) that joint working and service provision within the Council to deliver this service be developed,
- (5) that £130,000 be included 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 be included in the Homelessness Budget for 2013/14.
- (7) that a report be referred to Cabinet following the first 6 months operation of the new scheme to provide Members with an up-date on progress, an opportunity to consider any risks or other matters and to monitor equalities issues.

REASON

To agree arrangements to be implemented for provision of a local discretionary scheme to provide financial assistance to customers who are in crisis. The 6 month report on progress will help to monitor implementation including geographical accessibility to advice and support.

178 **Health and Social Care reforms – key decision**

Consideration was given to the report of the Head of Housing in respect of major reform of the health and social care system in compliance with the Health and Social Care Act 2012; the changes were consistent with the Localism agenda with transfer of public health responsibilities to local authorities. There would be new opportunities for the Council to influence the local health agenda and priorities and contribute towards joined-up working where the Council's public health responsibilities integrated with the new duties of Devon County Council.

The outcomes of the Joint Health and Wellbeing Strategy for Devon 2013-2016, which the Council would help deliver, was around prevention, early intervention and links with health and social care. The Strategy's four priorities were:

- A focus on families
- Lifestyle choices
- Older people's independence
- Social capital and building communities

The report proposed that a lead member should be identified to achieve maximum influence with a proposed virtual team at officer level under the leadership and co-ordination of the Head of Housing. Health. This would help to identify and address any gaps in service provision.

It was further proposed that health and wellbeing be included within the core remit of the Overview and Scrutiny Committee as a way of monitoring delivery of the Strategy within the district.

178 **Health and Social Care reforms – key decision (continued)**

RECOMMENDED that 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 be agreed.

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

*179 **Exmouth Regeneration: Masterplan priority projects update– key decision**

Geoff Morris, Chairman of Exmouth Residents and Traders Association raised concerns about the possibly rerouting of Queen’s Road as part of the Exmouth Splash scheme. He raised safety issues and stressed the importance of achieving a safe solution. His paper setting out highway concerns was passed to Richard Cohen, Deputy Chief Executive.

The Deputy Chief Executive presented the report which gave an update on the progress, budgetary implications and future action in respect of the priority Exmouth Regeneration projects.

Exmouth Masterplan priority projects:

- Estuaryside Transformation
- Elizabeth Hall site
- Queen’s Drive – Exmouth Splash
- Mamhead/Pierhead Slipway

He advised that the Council was aiming to maximise its land assets to provide better local services and support Exmouth. The projects would help encourage use of water and leisure facilities; progress would be reported regularly.

Officers involved in progressing the projects were thanked and the importance of laying the foundations to support future economic growth was acknowledged.

RESOLVED

- (1) that progress to date in relation to the Exmouth Masterplan priority projects be noted,
- (2) that the Deputy Chief Executive be given 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.

*179 **Exmouth Regeneration: Masterplan priority projects update– key decision (continued)**

REASON

To 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 to 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 were now progressing which required officers being enabled to negotiate in detail on the Council's behalf and in consultation with the Exmouth Regeneration Project Executive. Key decisions would be brought to committee as appropriate.

*180 **Planning Policy: Neighbourhood Plans – key decision**

Members considered the report of the Senior Planning Officer which outlined progress being made in the production of community-led Neighbourhood Plans under the Localism Act. Before approval the Plans were subject to examination and referendum. When brought into legal force following this process, the Plans would be used to determine planning applications and guide planning decisions in the neighbourhood area, forming part of the Local Development Plan.

The first step was for the parish council to apply for designation of a Neighbourhood Area. The parishes of Chardstock, Dunkeswell and Lympstone had now been designated as Neighbourhood Areas and the Council had secured 3 x grants of £5,000 from the Department for Communities and Local Government (DCLG) to meet EDDC's administration costs associated with the initial stages of the Plan production.

Members were advised that a further application had been received from Broadclyst Parish Council.

To date the parish councils had not received any Council funding and only limited Officer support in respect of the Neighbourhood Plan production. It was proposed that the District Council transfer a sum of £2,000 from each successful DCLG allocation. The parishes had suggested that they could then progress quickly with production of the Plans.

Managing public expectation was raised as an issue as was concern that some parishes might produce their Plans to stop development. Further reports would come forward during the process to clarify a number of issues including use of Community Infrastructure Levy.

*180 **Planning Policy: Neighbourhood Plans – key decision (continued)**

RESOLVED that, out of the initial £15,000 funding to EDDC, Members agree to grant £2,000 to each of the three Parish Councils (Chardstock, Dunkeswell and Lympstone) currently undertaking a Neighbourhood Plan and that this be 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).

REASON To help progress the Neighbourhood Plan initiative. The grant of £2,000 will help parishes to meet the considerable production costs.

It was noted that the District Council was obliged to pay for the examination and referendum and therefore would retain part of the DCLG funding.

*181 **Financial monitoring report 2012/13 – Month 10 January 2013**

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 10 (31 January 2013). The report set out predicted over and under spends to Year End. Current monitoring indicated that:

- The General Fund Balance was being maintained at or above the adopted level. The predicted balance of £3.549m was £2.030 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 which was currently £2.1m. The predicted balance was well above the recommended level and would be carried forward into 2013/14 to ensure sufficient funds were available to make the first repayment of principal on the self-financing loans due in 2014/15. The June 2013 outturn report to Cabinet would show how much of this sum would be needed for the Capital repayments and a decision could then be made on the amount above the adopted level available for use to invest in housing stock and to offset any adverse effects of Welfare Reform.
- There was sufficient Capital Reserve to balance this year's Capital Programme and estimated that £2.300m would be available in the Reserve to support the programme from 2013/14 onwards.

RESOLVED: that the variances identified as part of the Revenue and Capital Monitoring process up to month 10 be acknowledged;

REASON To monitor the overall financial position of the authority at the end of month 10 – the decision reflected the inclusion of any recommended corrective action required for the remainder of the financial year.

*182 **Home Energy Conservation Act Plan**

Members considered the report of the Environmental Health Manager (Private Sector Housing) which set out the Council's 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 by 31 March 2013.

Guidelines provided under the Act required local authorities to identify practicable and cost-effective measures and recommended that they considered the role of local partners such as social housing providers and community organisations when developing their plan. This was consistent with the Council Plan and the Council's enabling role.

Local authorities were required to report every 2 years, with a sound evidence base, on progress in implementing the measures. To monitor the Plan effectively the Council needed to establish targets and clear measures to improve energy efficiency.

The draft Plan attached to the report set out options and proposed approach including partnership working, targeting areas of fuel poverty in the district and links to existing policies and practice.

- RESOLVED:**
- (1) that the Home Energy Conservation Act Plan be finalised and signed off by the Portfolio Holder for Sustainable Homes and Communities and the Chief Executive on or before 31 March 2013,
 - (2) that progress against the actions in the Plan be reported annually to Cabinet.

REASON 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 to be reviewed and reported every two years.

*183 **Cross Channel Declaration on Shipping Incidents**

The Chief Executive advised that the Council had been invited to support a County initiative and sign up to a Cross Channel Declaration on Shipping Incidents and Maritime pollution agreement. This was a way of facilitating co-operation and co-ordinating responses of local authorities on both sides of the Channel.

- RESOLVED:**
- (1) 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,
 - (2) that a further report be referred to Cabinet when the way in which the authorities propose to work together has been established.

REASON 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

***184 Performance Management report January 2013**

Members considered the report of the Chief Executive setting out performance information for the 2012/13 financial year for January 2013.

RESOLVED that the progress and proposed improvement action for performance measures for the 2012/13 financial year for January 2013 be noted.

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

***185 Exclusion of the Public**

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

***186 Thelma Hulbert Gallery progress report – key decision**

Members considered the report of the Countryside and Leisure Manager on progress made following the recommendations of the Arts Review Task and Finish Forum and subsequent Cabinet meeting on 5 September 2013.

The report set out the purpose of the gallery as identified in its Business Plan 2009/12, its operational performance since 2008/09 against forecast, changes already in place including layout, review of staff roles, improvements to processes and day-to-day operations, funding bids and the creation of an Arts and Culture Forum. The terms of reference for the Forum were attached to the report and membership included volunteers with relevant skill sets such as marketing. Its remit included the strategic direction of the gallery as well as the wider arts and culture initiatives in the district.

Members were advised that changes which would now be implemented aimed to increase the Gallery's income. Following discussion, the Cabinet agreed that the Gallery should continue to be supported. A full review of progress would be reported to Cabinet in a further 7 months. The significant Officer effort which had involved looking at all aspects of the Gallery's performance was acknowledged.

RESOLVED that the progress made in reviewing all aspects of the Thelma Hulbert Gallery's business operation and the year-to-date financial performance of the Gallery against its budget target for 2013/13 be noted.

*186 **Thelma Hulbert Gallery progress report – key decision (continued)**

REASON To provide an update to Cabinet to enable it to track progress made in reviewing the operational performance of the Thelma Hulbert Gallery.

*188 **Office Accommodation Working Party – action points**

Members noted the action points from the meeting of the Office Accommodation Working Party held on 16 January 2013.

*189 **Church Worker accommodation, Cranbrook**

Members considered the report of the Senior Estates Surveyor in respect of the church worker accommodation at Cranbrook which was being provided as part of the Section 106 agreement and transferred in the first instance to East Devon District Council. It was proposed that the building would be transferred to the Diocese of Exeter.

RESOLVED that the freehold transfer of the property to the Diocese of Exeter be approved, subject to a condition that the property is to be offered back to the Council in the event that it is no longer required for the specified purpose or if the Diocese should cease to have a presence in Cranbrook.

REASON Transferring the property to the Diocese on a freehold basis will allow the aims of the Section 106 agreement for Cranbrook to be delivered while removing the ongoing administrative burden on the Council.

Chairman

Date

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4 month period 1 April 2013 to 31 July 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)	Overview & Scrutiny Committee 25 April 2013 Development Management 7 May 2013 Extra Ordinary Council 22 May 2013	23 May 2013	Part A
2	Information Management Strategy		Corporate Services Portfolio Holder	Corporate ICT Manager (DL)	Information Management Group Cabinet 6 May 2013 Council 24 July 2013	25 July 2013	Part A
3	EDDC Office Relocation Viability Report		Council Leader	RC	Extra Ordinary Council 22 May 2013	23 May 2013	Part B [if commercially sensitive]

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)
4	Revised Partnership Policy and Compact		Strategic Development and Partnership Portfolio Holder	RC	Cabinet 10 July 2013 Council 24 July 2013	25 July 2013	Part A
5	Dog Warden Contract		Environment Portfolio Holder	Environmental Health & Parking Services Manager (DL)	Cabinet 3 April 2013	11 April 2013	Part B [if commercially sensitive]
6	Playing Field Strategy		Environment Portfolio Holder	Countryside and Leisure Manager (DL)	Cabinet 10 July 2013 Council 24 July 2013	25 July 2013	Part A
7	Local Welfare Reform Scheme		Sustainable Homes and Communities Portfolio Holder	Head of Housing	Cabinet 3 April 2013 Council 10 April 2013	11 April 2013	Part A
8	Review of Emergency Plan –Business Continuity and Disaster			Streetscene Manager And IT Manager (DL)	Cabinet 3 April 2013	11 April 2013	Part A
9	Boundary Review for Cranbrook			Chief Executive	Cabinet 3 April 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)
10	Discretionary Housing Payment Policy		Finance Portfolio Holder	Head of Finance & Revenues & Benefits Officer	Cabinet 3 April 2013 Council 10 April 2013	11 April 2013	Part A
11	CIPFA reports on Asset Management		Finance Portfolio Holder	Principal Estates Surveyor (RC)	Cabinet 6 May 2013	14 May 2013	Part A
	Other decisions to be taken in Part B						

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.	

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 March 2013

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the
Overview and Scrutiny Committee held
at Knowle, Sidmouth on 28 February 2013

Present: Stuart Hughes
John Humphreys
Mike Allen
Peter Bowden
Graham Brown
Peter Burrows
David Chapman
Deborah Custance Baker
Vivien Duval Steer
Tony Howard

Sheila Kerridge
David Key
John O’Leary
Brenda Taylor
Graham Troman
Tim Wood
Tom Wright

Officers:
Jamie Buckley, Community Engagement and Funding Officer
Karen Jenkins, Corporate Organisational Development Manager
Debbie Meakin, Democratic Services Officer

Also Present **Councillors:**

Ray Bloxham
David Cox
Christine Drew
Martin Gammell

Peter Halse
Ken Potter
Pauline Stott
Phil Twiss

Apologies: **Committee Members:** **Councillors:**

Derek Button
Roger Giles
Eileen Wragg
Claire Wright

David Atkins
Jill Elson
Steph Jones
Andrew Moulding

The meeting started at 6:30pm and ended 7.35pm.

*57 **Public Question Time**
There were no questions from members of the public.

*58 **Minutes**
The minutes of the meetings of the Overview and Scrutiny Committee held on 24 January 2013 were confirmed and signed as a true record.

*59 **Declarations of Interest**

Councillor/ Officer	Minute number	Type of interest	Nature of interest
Stuart Hughes	63	Personal	Cabinet Member for Highways at Devon County Council

*60 **Post Office Update**

The Chairman welcomed Councillor Ken Potter, Member Champion for Rural Communities (including Post Offices) to the meeting.

Councillor Potter updated the Committee on the latest in the ongoing changes in the Post Office Network. He highlighted a recent press article in the Western Morning News about post offices at risk in the South West.

A recent article in postmaster related publications had also highlighted a shift in view to allow post offices to diversify their business offer, including a look at the option of a Post Office Bank – a topic repeatedly lobbied for by Councillor Potter over recent years. The Committee welcomed this shift in view.

Councillor Potter has been working closely with the Local Government Association about the future of the Post Office Network, particularly looking at how the existing business of the Post Office could survive in the current economic climate. There had been a recent change of personnel in the Programme Team, but Councillor Potter had made contact with the new Senior Advisor to continue in this work.

Post Office Limited were working on securing interest in taking on the Sidmouth Post Office but had no further information to share with local Ward Members at this time; however it was important to note that the existing post offices would continue to operate until a suitable replacement operative was found and put into place. Laura Tarling, Senior Stakeholder Manager for the South West region, would be meeting with local Ward Members once suitable replacement arrangements were further progressed, to ensure their input was taken into consideration.

The Chairman thanked the Member Champion for Rural Communities for his continued efforts and looked forward to future updates.

61 **Sustainable Communities Act**

The Chairman welcomed Jamie Buckley, Community Engagement and Funding Officer. Her report outlined the Government decision to continue with the Sustainable Communities Act and the implications for the Council if they agreed to take part. The Committee heard of the number of applications the last time the process was run back in 2009.

Members questioned the merits of accepting and processing proposals under the act, including:

- Are any other local authorities in Devon taking part? No other Devon authorities were taking part that the Community Engagement and Funding Officer was aware of, mainly on the grounds of the time a resources needed measured against the chance of a successful proposal;
- Can local parishes put in a proposal? Any individual can submit a proposal, which would then be checked for eligibility before going onto a panel for consideration. If Members wanted the Council to take part in this legislation, she would set up the facility to submit proposals online with her as point of enquiry;
- Does a successful proposal mean more money for the authority? The legislation looks at providing another means of handling existing funds, for example collecting the money locally and keeping it to spend locally rather than going via a government department, or devolving a responsibility down to a local authority level. It would not raise additional funding;

61 **Sustainable Communities Act (continued)**

- What would the cost of taking part be to the Council? Resources from the Engagement and Funding Officer in terms of dealing with queries and submitted proposals, met from existing budget.

The Committee voted, with an overall majority that the Council should take part and assist any individuals wishing to submit proposals.

RECOMMENDED that the Council participates in gathering in and submitting further proposals under the Sustainable Communities Act.

*62 **Quarterly Monitoring of Performance – 3rd Quarter 2012/13**

No specific issues had been highlighted in the report for the third quarter that needed action. On the performance monitoring issues, Members discussed the balance of raising visitor numbers to assets such as the Wetlands against the cost of marketing.

The Committee took the opportunity to discuss the format of the report, which had been extensively reviewed and refined by the Committee over the past two years. They discussed:

- The value of no colour indication for the status of “normal”. The Corporate Development Management Manager explained that the status of normal indicated that work was progressing as expected, often used for long term objectives; with the green “Achieved” status showing clearly that an objective had been reached. Members felt that the “normal” status should be included in the traffic light system and be referred to as “on schedule”;
- No clear performance indicators were set out against the council promise of working in an outstanding place, whereas all other promises had indicators below them;

Other Members felt that the report had the desired outcome of showing exactly those issues that needed attention and did not wish to see further revision of the format. Councillor Graham Brown highlighted the need for more focus on tourism and informed the Committee on his work in visiting local Tourist Information Centres, which he would report back on in due course.

*63 **Forward Plan**

Members noted the forward plan with the addition of a report from the Democratic Services Officer on the role of the Committee on health issues, as alluded to in the Cabinet report on Health and Social Care reforms.

Councillor Roger Giles submitted a request to look at Police support to Community Speed Watch (CSW) for 20mph zones by e-mail. This was read out to the Committee, along with a response from the Police on the legality of enforcing breaches of 20mph zones. Councillors highlighted some local examples of the Police continuing to support CSW in their local area and were concerned in examination of an area of responsibility that fell to the County Council as Highway Authority.

*63 **Forward Plan (continued)**

They agreed for the Democratic Services Officer to clarify the legal position of 20mph zones with the County Council and report back to the Committee in due course.

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Housing Review Board held at Knowle, Sidmouth on 7 March 2013

Present:

Councillors:

Pauline Stott (Chairman)
Christine Drew
Douglas Hull
Jim Knight

Co-opted Tenant Members:

Pat Rous
Sue Saunders

Co-opted Independent Community Representative:

Julie Adkin

Officers:

Sue Bewes, Landlord Services Manager
Tina Cureton, Senior Housing Support Officer
Amy Gilbert, Support Services Manager
John Golding, Head of Housing
Sue Hodges, Home Safeguard Team Leader
Alethea Thompson, Democratic Services Officer
Mandy White, Housing Accountant

Also Present:

Councillors:

Jill Elson - Portfolio Holder for Sustainable Homes and Communities
Peter Sullivan

Tenant Scrutiny Panel Member:

Eric Howard

Apologies

Co-opted Tenant Members:

Victor Kemp
Christine Morrison

Co-opted Independent Community Representative:

Rob Finch

Councillors:

Stephanie Jones – Deputy Portfolio Holder for Sustainable Homes and Communities
Steve Gazzard
Chris Wale

Giles Salter, Solicitor

The meeting started at 6.00pm and ended at 8.10pm.

***59 Public question time**

Councillor Douglas Hull asked how much money had been received by the Council from selling Council houses this year, and with the receipts from this, how many houses the Council could realistically build.

The Head of Housing explained that the figures were contained within the agenda papers. £245,000 from the total capital receipts received (£857,000) had been retained for the provision of new social housing. He reported that 11 new homes had been purchased in Axminster and that it cost approximately £120,000 to provide a new two bedroom home, plus plot values. Councillor Hull felt that this was a terrible situation and requested that this be discussed at a future Board meeting. The Chairman replied that there was nothing the Council could do about the situation apart from put pressure on the Government, which it had already done. Members were concerned that if the Council continued to sell off its houses it would not be in a position to pay its debt repayments on the Government loan due to a reduction in rent receipts. However, the Head of Housing explained that the Council could not cut all ties from central Government and had a statutory obligation to sell homes under the Right to Buy scheme. The Portfolio Holder for Sustainable Homes and Communities assured Members that provision had been made in the Business Plan to take account of this.

Councillor Hull asked a second question relating to the timescale when land at St Andrews Drive Axminster would be ploughed in order to make it suitable for allotments. The Head of Housing replied that the Council had no plans to provide allotments in St Andrews Drive and that it did not normally provide allotments unless there was a statutory requirement to replace them. Councillor Hull urged the Council to consider the land at St Andrews Drive, Axminster.

Councillor Christine Drew expressed concern that as a Ward Member she had not been consulted in a case of damp in a Council home at Lower Brook Meadows, Sidmouth which had now been reported to the press. The tenant had gone to the press despite being given advice from housing officers and an expert damp company on how to deal with the damp in her home. The Head of Housing reported that the dampness was due to condensation, not a building defect and that the tenant had been carefully advised more than once about how to deal with the situation. The Council had responded to the press enquiry.

***60 Minutes**

The minutes of the meeting of the Housing Review Board held on 10 January 2013, were confirmed and signed as a true record.

***61 Declarations of interest**

Board Member	Minute number	Type of interest	Nature of interest
Jim Knight		Personal	His daughter lives in a Council owned property.
Jim Knight		Personal	Devon County Council Councillor
Douglas Hull		Personal	His sister lives in a Council owned property.
Sue Saunders		Personal	She is a sheltered housing tenant.
Tina Cureton (officer)		Personal	Her parents live in sheltered accommodation.
Peter Sullivan (Sidmouth Ward Member)		Personal	He is a sheltered housing tenant.

***62 Housing Review Board tenant representative vacancy**

The Chairman informed the Board that tenant representative Sally Lancaster had resigned due to health reasons. On behalf of the Board the Chairman sent her thanks and best wishes to Sally and circulated a card for Members to sign.

The Board enquired about the other tenant member who had also given her apologies and whether she intended to remain on the Board.

The Chairman welcomed Julie Adkin back to the Board following a period of ill health.

***63 Housing Review Board forward plan**

The Head of Housing presented the forward plan. He reported that several reports would be brought forward on complaints to the next meeting.

The Portfolio Holder for Sustainable Homes and Communities suggested a report be brought to a future meeting asking the Board to consider the provision of carbon monoxide detectors in sheltered accommodation properties. Consideration would be given to all the issues and implications involved.

RESOLVED: that the forward plan be noted, with the addition of a report on the provision of carbon monoxide detectors in sheltered housing to be brought to a future Board meeting.

64 **Changes to support services and contracts**

The Housing Review Board (HRB) received the report of the Support Services Manager and the Landlord Services Manager which brought members up to date with the work undertaken by the Sheltered Housing Task and Finish Forum. This included an update on progress towards a new Targeted Support contract, which was due to commence in April 2013. The report also outlined the progress towards a transformation of services in line with the new support based contract and the aspirations of the Support Service for the next 12 months.

The Landlord Services Manager reported that the reduction in Supporting People grant from Devon County Council was around 10% for an initial 12 month period, not 25% as originally anticipated. She went on to outline developing and administering the principles of the new contract, the transition of schemes/clients onto the new contract and choices that would be offered to tenants, retaining and protecting Sheltered Housing, reshaping support in 2013 and transitional arrangements and service provision for tenants under the age of 55.

The Landlord Services Manager explained the three categories of accommodation and the low, medium and high levels of support. These had been used by officers to produce an initial hourly rate and cost of support, which appeared competitive.

The service would be re-launched under the targeted support name and tenants would be invited to a series of events that would attempt to communicate the future changes to them. Mobile Support Officers would be a key part of assessing the needs of current tenants and training against the new eligibility criteria would be rolled out.

The Chairman of the Board thanked the Support Services Manager, the Landlord Services Manager and the Housing Accountant for all their hard work and also thanked Councillor Jim Knight for chairing the Task and Finish Forum. Councillor Knight replied that it was one of the best TaFFs that he had been on, with a lot of hard work involved. Staff, tenants and Members had worked well together.

- RECOMMENDED:**
- 1 that the commencement of the new Targeted Support Spot Contract, from April 2013 be approved.
 - 2 that the contents of the report outlining the work of the Sheltered Housing Task and Finish Forum over the last 12 month be noted.
 - 3 that the closure of the Sheltered Housing Task and Finish Forum be approved.

*65 **Final report of the Sheltered Housing Task and Finish Forum**

Consideration was given to the final report of the Task and Finish Forum, which had been prepared by the Landlord Services Manager and the Democratic Services Officer. This report highlighted the vision, scope, approach and recommendations of the TaFF and provided an overall review of its work.

- RESOLVED:** that the report be noted.

66 **Sheltered housing equipment replacement and upgrade**

Consideration was given to the report of the Support Services Manager which outlined the current position with regard to the Home Safeguard equipment installed in the Council's sheltered housing. The recommendations contained in the report were based around the current need to upgrade some of the equipment in the properties due to its age, and proposed that equipment be replaced in all sheltered housing schemes in an upgrade programme that would be rolled out over the next five years.

The Support Services Manager explained the two types of equipment: hard wired and dispersed. Officers were assessing each sheltered housing scheme to establish the best solution for that scheme as well as a time frame for when the scheme would be upgraded. New equipment also incorporated the facility to add the provision of Telecare, which could be of great advantage to more vulnerable residents.

The Board discussed the provision of smoke alarms in sheltered housing properties. The current set up linked all these smoke alarms to Home Safeguard. This ensured that on activation of an alarm, Home Safeguard were aware and could access emergency services on behalf of the tenant, when they may not be able to do so themselves. It was noted that EDDC was only one of a handful of providers who operated this system, which was regarded as a 'luxury'. The Board felt that the smoke alarm service should be continued, especially due to the growing number of dementia patients in the community.

The Support Services Manager was thanked for her report.

- RECOMMENDED:**
- 1 that the upgrade or replacement programme over the next five years to scheme equipment in sheltered housing that is linked to Home Safeguard be approved.
 - 2 that EDDC work with the Northern Housing Consortium using their Procurement Framework solution to purchase equipment.
 - 3 that the provision of smoke alarms in sheltered housing be retained and these continue to be monitored through Home Safeguard.

67 **Safeguarding Vulnerable Adults policy**

The Support Services Manager's report presented an update to the Board on the Safeguarding Vulnerable People policy and the background to how the policy was being implemented on a day to day basis. The report outlined how the Housing Support Service managed the risks as part of the daily support service delivered to vulnerable adults who reside in the Council's sheltered housing. It was noted that the policy would be implemented Council wide, not just in relation to housing.

- RECOMMENDED:**
- 1 that the updated Safeguarding Vulnerable Adults policy be approved.
 - 2 that the progress being made in safeguarding vulnerable adults within the Housing Support Services be noted.

68 **Tenancy policy amendments**

The Head of Housing explained amendments to the Council's Tenancy Policy and changes to the secure and flexible tenancies from 1 April 2013.

The Housing Review Board approved the draft Tenancy Policy in June 2012 and recommended that it be reviewed prior to implementation in April 2013. Minor changes had been made to the policy and the report recommended that these be agreed.

The Board discussed changes to rules on storage of tenants' possessions for secure tenancies and one minor amendment was proposed in the report. The revised flexible tenancy agreement was included with the agenda papers and noted by the Board.

- RECOMMENDED:**
- 1 that the changes to the Tenancy Policy be approved.
 - 2 that the length of time the Council would store any items left at a property be reduced from 3 months to 28 days for flexible tenancies and secure tenancies granted after 1 April 2013.
 - 3 that it be noted that (from 7 November 2012) introductory tenants going into general needs properties have been told that they will go onto flexible tenancies after the initial introductory period.

*69 **Get Digital project update**

The Support Services Manager's report updated the Board on progress made over the past few years by the Housing Support Services team to ensure it maximised opportunities for tenants to become digitally educated. Work had been undertaken to embed such principles as part of the core service offered to sheltered tenants due to the proven benefits that the digital agenda could bring in ensuring residents were living as independently as possible. The report demonstrated how this had been done and aspirations for the future.

The Support Services Manager explained that the Get Digital project had gone from strength to strength and that there were now waiting lists for the programme, as well as ongoing plans for the future. Work would be based on ensuring that all sheltered housing tenants had access to this type of support and ensuring that the service was in a position to deliver it.

On behalf of the Board the Chairman congratulated all those involved with the Get Digital project.

- RESOLVED:** that the report be noted.

***70 Housing Revenue Account budget monitoring report**

The Board received a report from the Housing Accountant giving a summary of the overall financial position on the Housing Revenue Account (HRA), HRA Capital Programme and the Business Plan for 2012/13 at the end of month ten (January 2013). Regular monitoring would highlight any areas of concern or unforeseen expenditure in the HRA and associated capital programme and enable corrective action to be taken as required. Any significant variances would be reflected in the Business Plan.

Current monitoring indicated that:

- The Housing Revenue Account Balance would be maintained well above the adopted level.
- The position on the HRA Business Plan had not changed significantly and remained in a healthy position.

Members again asked for an explanation for the capital receipts received and how those receipts must be allocated. The Accountant reported that fourteen properties in total had been sold under the Right to Buy scheme during the current year. This resulted in a deficit of three Council homes for 2012/13.

The Accountant was thanked for her report.

RESOLVED: that the variances identified as part of the HRA revenue and capital monitoring process up to month ten be acknowledged.

***71 Fire Risk Assessment progress report**

Housing Needs and Strategy Manager's report set out the progress that had been made in undertaking Fire Risk Assessments (FRA) of block of flats in the housing stock. The FRA must comply with the requirements of the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005. The Council had a duty to ensure that appropriate fire precaution measures were put in place to ensure the safety of residents who reside in blocks of flats in its ownership.

The Council owned 225 'blocks' of flats and was required to undertake a FRA for each block. A common assessment form had been prepared and approved to be used for the assessment of each block. The assessment would identify the fire precaution measures in place and recommend any further changes or improvements to fire safety at individual blocks of flats. The assessment process was estimated to be completed within two years.

The Head of Housing explained that a zero tolerance approach had been taken to the storage of items in communal areas and staircases intended as a means of escape. There had been signage changes to doors and following consultation advice, fire extinguishers would not be provided in blocks of flats. The latest advice in the case of fire was to evacuate the building where it was safe to do so, do not wait to be rescued.

***71 Fire Risk Assessment progress report (cont'd)**

The Tenant Representative Group (TRG) raised concerns over the tone of the letter sent to some residents following a recent FRA. The Landlord Services Manager assured Members that she had looked into this and a more gentle and informative approach would be taken in future. Concern was raised and the Board discussed the issue of mobility scooters stored in communal areas. The Landlord Services Manager advised the Board that consideration was being given to options for the storage and charging of mobility scooters, and that officers had been investigating what other housing authorities were doing.

The TRG felt that each block of flats should be assessed individually and that there should be training, as well as laminated notices in communal areas giving advice on evacuation procedures. The Head of Housing reported that the latest fire safety advice was being relayed to tenants.

RESOLVED: that the progress made by officers undertaking Fire Risk Assessments in Council owned blocks of flats be noted.

***72 Housing Service Quarterly Performance Indicator report**

Consideration was given to the quarterly performance indicator report for quarter 3 of 2012/13.

The Portfolio Holder for Sustainable Homes and Communities thanked and congratulated tenants for allowing 99.4% of rents to be collected.

RESOLVED: that the report be noted.

73 Housing management software system procurement

Consideration was given to the Head of Housing's report concerning the housing management software system procurement. The Housing Service was currently operating on a number of software packages that were not integrated. There was a compelling case for procuring and implementing a new comprehensive housing management software system to help achieve service delivery aspirations.

RECOMMENDED: that expenditure of up to the amount identified in the report on a new housing management software system be agreed, with delegated authority being given to the Housing and Sustainable Communities Portfolio Holder and the Head of Housing to agree the final supplier.

Chairman

Date

EAST DEVON DISTRICT COUNCIL

Notes of a Meeting of the New Homes Bonus Panel held at the Knowle, Sidmouth on Wednesday 13 March 2013

Present: Councillors:
Ray Bloxham (Chairman)
Andrew Moulding
Graham Troman

Also Present: Councillors:
Brenda Taylor(Devon County Council)
Eileen Wragg(Devon County Council)

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

Apologies Councillors:
Trevor Cope
Douglas Hull
Stephanie Jones

The meeting started at 10.00 am and finished at 11.30 am.

***11 Minutes**

The notes of the previous meeting of the New Homes Bonus Panel held on 1 February 2013 were confirmed as a true record.

***12 Matters Arising**

Application from Dalwood and Shute for a project to work on drainage and other flooding issues (Minute 6 of 1 February 2013 refers)

The DCC Locality Development Officer reported that DCC was happy with this application subject to the Devon County Council Flood Team being involved in the planning and were happy with any works.

Application from Axminster Ring and Ride (Minute 7 of 1 February 2013 refers)

Members noted that both Colyton and Uplyme Parish Councils had added their money to the Axminster Ring and Ride project.

***13 Chairman's remarks**

The Chairman welcomed all those present to the meeting. A number of amendments were made to the applications as set out on an annex to the agenda:

- On page 24, Chardstock and All Saints application, of the agenda, change £1,203.60 to read £1,205.60.
- On page 26, Honiton and surrounding parishes application, change total cost of the project from £12,600 to read £12,597.20.

***13 Chairman's remarks (Cont)**

- Page 27, change grant requested from the PTF from £12,600 to £12,597.20.
- Page 27, Town and Parish Councils contributions, delete £12,593 and leave the box blank.
- Page 53, Exmouth Jurassic Coast Team, change of amounts contributed by each Parish after the closing date, Axmouth - £90, Beer - £240, Branscombe - £185, Budleigh - £1,900, Exmouth - £10,800, Seaton - £2,750, Sidmouth - £4,800. The total amount applied for stays the same.
- Page 72, Broadhembury and Payhembury, change £762.57 to read £814. Page 87, Woodbury and Lympstone the split of the £2,381 of funding is £2,282 from Woodbury and £100 from Lympstone.
- Page 96, Rewe and Stoke Canon – change 'grant requesting from the parishes together find' information to read - £950.40 (£342 Rewe and £520 Stoke Canon).

***14 Documentation**

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

15 Application from Budleigh Salterton and Exmouth for Sharing Street Cleaning and Handyman

The Community Engagement and Funding Officer outlined the project which was to purchase equipment and training for the current shared street cleaning and parish handyman service in Exmouth and Budleigh Salterton. The Exmouth Town Ward Members indicated a concern that they had not been sufficiently briefed on the project and felt that there should be follow up on the money spent to make sure that it had been used appropriately. Cllr Bloxham explained that this was part of the funding agreement that parishes sign.

RECOMMENDED: that the Budleigh Salterton and Exmouth joint application for sharing Street Cleaning and Handyman be supported.

16 Application from All Saints and Chardstock Parish Councils to improve transport links between two parishes in adverse weather conditions

This was a project to improve the transport links between the parishes of All Saints and Chardstock in times of adverse weather by the provision of grit bins and by the introduction of measures to reduce the effects of flooding at Kit Bridge. The Locality Development Officer reported that DCC would not provide maintenance for the 3 grit boxes and the proposed work to Kit Bridge would need to be agreed with the Flood Risk Team.

RECOMMENDED: that the All Saints and Chardstock joint project to improve transport links between the two parishes in adverse weather conditions be supported, subject to negotiations between the local Ward Member, both Parish Councils and the Highways Officer and Flood Risk Officer on the best way forward.

17 **Application from Honiton with surrounding parishes for equipment for various activities**

The Community Engagement and Funding Officer and the DCC Locality Development Officer outlined the application to buy full sets of equipment for a range of activities and age groups. Each set would be stored in a metal 'grab box' and would be available free to groups who were working to provide benefits to the people in the contributing parishes.

RECOMMENDED: that the application from Honiton with surrounding parishes for equipment for various activities be supported.

18 **Application for Jurassic Coast Tourism – promoting the Jurassic Coast as an all-seasons tourist destination**

The Community Engagement and Funding Officer and the DCC Locality Development Officer outlined the application to promote the Jurassic Coast as an all-seasons tourist destination. The project had a lot of community support and had encouraged the local councils to work together.

RECOMMENDED: that the application to promote the Jurassic Coast as an all-seasons tourist destination be supported.

19 **Application from East Budleigh with Bicton and Otterton extra works and visits by the Parish lengths-man**

The DCC Locality Development Officer explained the application from East Budleigh with Bicton and Otterton for extra works and visits by the Parish lengths-man. There was no facility to expand the current DCC Lengths man operation so this work would have to be undertaken by a private contractor.

RECOMMENDED: that the East Budleigh with Bicton and Otterton application for extra works and visits by the Parish lengths man be supported, subject to the work being undertaken by a private contractor and the parishes contacting the DCC Highways and Flood Risk Teams to discuss the best way forward.

20 **Application from Broadhembury and Payhembury to undertake repairs to the surface of Green Lane**

The DCC Locality Development Officer explained the application from Broadhembury and Payhembury Parish Councils to undertake repairs to the surface of Green Lane. Members noted that this work would help bring a lane back into use for local residents.

RECOMMENDED: that the Broadhembury and Payhembury Parish Councils application to undertake repairs to the surface of Green Lane be supported, subject to negotiations with the DCC Flood Risk Team.

21 **Application from Beer and Axmouth to undertake a trial programme of works for brook clearance & maintenance, using appointed contractors in Beer & Axmouth**

The DCC Locality Development Officer explained that the two parish councils wanted to work together to undertake a trial programme of works for brook clearance and maintenance, using contractors in Beer & Axmouth.

RECOMMENDED: that the Beer & Axmouth Parish Council application to undertake a trial programme of works for brook clearance and maintenance be supported, subject to them contacting the Flood Risk Team at Devon County Council.

22 **Application from Woodbury and Lymptone to restore two tombs at Guiliford Burial Ground**

The Community Engagement and Funding Officer explained that the two parish councils wanted to work closely together to restore 3 tombs at Guiliford Burial Ground which was situated in Woodbury Parish on the edge of the boundary between Woodbury and Lymptone Parish Councils. It was owned by Woodbury Parish Council and was open to the public at all times.

Members were concerned that there did not appear to be any demonstration of the two parishes working together or any substantial community benefit. Funding put aside for this project could be better used for the joint project to lay plastic mesh across the entrance to Cliff Field, Lymptone.

RECOMMENDED: that the Woodbury and Lymptone Parish Councils application to restore 3 tombs at Guiliford Burial Ground be not supported.

23 **Application from Woodbury and Lymptone to lay plastic mesh (grasscrete Type) across the entrance to Cliff field, Lymptone**

The Community Engagement and Funding Officer explained that the two parish councils wanted to work together to lay mesh (grasscrete type) across the entrance to Cliff Field, Lymptone. Members wished to see consideration being given by Woodbury Parish Council to provision of more funding for this project

RECOMMENDED: that Woodbury, Exmouth and Lymptone application to lay mesh across the entrance to Cliff field, Lymptone be approved, with delegated authority being given to the Chairman in consultation with the Community Engagement Officer and DCC Locality Development Officer, should Woodbury Parish Councils wishes to contribute more finding as their main application (12 above) was refused.

24 **Rewe and Stoke Canon**

a. Installation of a bus shelter at one end of the village at Rewe

The Community Engagement and Funding Officer explained that Rewe Parish Council wished to install a bus shelter at one end of the village at Rewe. Members noted that Rewe had already received Invest in Devon funding for the bus shelter.

RECOMMENDED: that the Rewe and Stoke Canon Parish Councils application to install a bus shelter at one end of the village at Rewe be not supported.

b. Renew the ground area of the play park in Stoke Canon

The Community Engagement and Funding Officer explained that Stoke Canon Parish Council wished to renew the ground area of the play park in Stoke Canon. Members discussed whether Rewe and Stoke Canon would wish to put all of their funding towards this project bearing in mind that the bus shelter project had been refused.

RECOMMENDED: that the Rewe and Stoke Canon Parish Council application to renew the ground area of the play park in Stoke Canon be supported, .

*25 **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 and producing useful projects for their communities. 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.

The EDDC part of the NHB funding would be available in 2013/14. It was yet to be confirmed whether the DCC part of the funding would be available in 2013/14, this would be decided after the May elections. There was currently £40,000 unspent from the 2012/13 funding. Members discussed the options from this funding.

The Chairman thanked those present for attending the meeting.

RESOLVED: that the £40,000 unspent from 2012/13 be rolled into 2013/14 as a separate fund to spend on providing extra funding for good projects for local communities.

Agenda Item 12

Cabinet

3 April 2013

DL/AH



Emergency Plan

Summary

The Council's Emergency Plan has evolved over the years and has been reviewed by officers on an ongoing basis. The Plan must comply with the requirements of the Civil Contingencies Act 2004, and the Civil Contingencies Manager we share with South Somerset District Council has now completed a fundamental review of the Plan to make sure it is compliant. We also intend to add it to the Policy Register so that it is formally reviewed each year.

Recommendation

Members note and adopt this plan, adding it to the Policy Register so it is reviewed annually.

a) Reasons for Recommendation

To keep our Emergency Plan relevant and legally compliant.

b) Alternative Options

We have to have an Emergency Plan.

c) Risk Considerations

The Emergency Plan has to be understood and in officers' minds. We will be organising regular updates and training for Strategic Management Team.

d) Policy and Budgetary Considerations

The Plan is produced within budget. There are links to the Disaster Recovery and Business Continuity Plans which are specific to the Council's business in an emergency rather than the District wide response covered by this report. Both of these are under review at the moment.

e) Date for Review of Decision

The Plan is to be reviewed annually.

1 Main Body of the Report

1.1 Historically, the role of local authorities in emergency planning tended to be fairly ad hoc. However, times have changed and the role of emergency planning has changed too. 2004 saw the introduction of the Civil Contingencies Act which placed a statutory duty on local authorities to prepare for emergencies, and as a result of this we wrote our first Emergency Plan.

1.2 The Civil Contingencies Act 2004 created two levels of responders - Category 1 and Category 2 Responders. Local authorities are included in the Category 1 along with the emergency services and the National Health Service. Category 2 responders include the utility companies, such as water, gas, electricity, telephone and the transport companies.

1.3 The duties placed on local authorities as Category 1 responders include:

- Assess local risks and use this to inform emergency planning;
- Put in place emergency plans;
- Put in place business continuity management arrangements;
- Put in place arrangements to make information available to the public about civil protection matters;
- Maintain arrangements to warn, inform and advise the public in the event of an emergency;
- Share information with other local responders to enhance co-ordination;
- Co-operate with other local responders to enhance co-ordination and efficiency; and
- Provide advice and assistance to businesses and voluntary organisations about business continuity management.

1.4 In 2011, we set up an arrangement with South Somerset District Council to share their Civil Contingencies Manager. This arrangement works well for the most part. She has the expertise and knowledge to manage and review the Emergency Plan, and is also very capable when emergency situations arise. The only difficulty with the arrangement so far has been when emergencies happen across the two counties at the same time (flooding for example) and, inevitably, her priority is with South Somerset. On these occasions, appropriate members of SMT have stepped in to coordinate and represent the Authority at Silver and Gold county-wide coordination telephone conferences.

1.5 Across Devon there are various agencies working with Town and Parish Councils on community resilience. For example, Devon County Council is working on a snow warden scheme and the Environment Agency is working in priority flood areas on Parish Flood Plans. Our Civil Contingencies Manager has suggested that the various plans need to come together as a 'Parish Emergency Response Plan' and this idea has been well received. Devon County Council will lead on this and make sure it dovetails with their work on Parish Rest Centre Arrangements. Once agreed, these will be supporting documents to our Emergency Response Plan for the District.

1.5 Once the Emergency Plan review is agreed by members, we will arrange a training session for Strategic Management Team to prepare then for various emergency scenarios.

Legal Implications

The Council's duties are set out in the Civil Contingencies Act 2004 and the Plan identifies how they are to be carried out.

Financial Implications

The financial responsibilities of accurately recording relevant expenditure in the event of an emergency, and subsequently claiming back where applicable are contained within the plan. A budget is in place for the shared emergency planning officer.

Consultation on Reports to the Executive

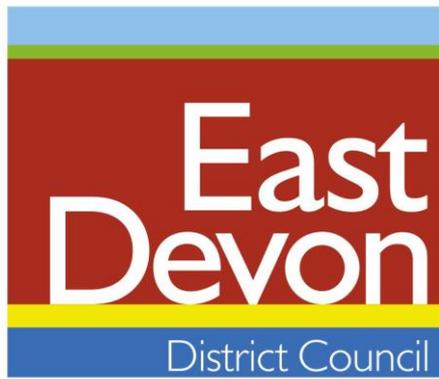
Strategic Management Team

Background Papers – open to public inspection

- [Emergency Plan on our website](#)

Denise Lyon dlyon@eastdevon.gov.uk
Deputy Chief Executive

Cabinet
3 April 2013



DRAFT

EAST DEVON DISTRICT COUNCIL

**CORPORATE EMERGENCY
RESPONSE PLAN**

VERSION 1.1

March 2013

EMERGENCY RESPONSE PLAN

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SECTION 4 EMERGENCY CONTACTS

Confidential not to be released to the public

SECTION 5 LOCAL RESOURCES

Bedding
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SECTION 6 REST CENTRE LIST & INVENTORY

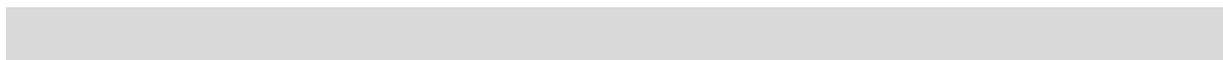
Rest Centre Details
Rest Centre Inventory

SECTION 7 EMERGENCY MANAGEMENT CENTRE

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ANNEXES

Annex A Risk Assessment



INTRODUCTION

In 2004, Parliament passed civil protection legislation in the form of the Civil Contingencies Act and associated statutory guidance. In addition to reinforcing existing good practice, this legislation “raised the bar” and placed several new duties on the emergency services, local authorities and other key responder agencies, with the aim of extending our abilities to meet a range of new challenges, as well as dealing with well-known and recurrent threats.

To reinforce this the Government also set out an ambitious “capability programme” designed to ensure that, no matter what the cause may be, the UK is better equipped to manage the consequences of a major disruption and recover quickly. Some of these capabilities have grim titles – “mass fatalities”, “mass evacuation” and “infectious diseases” - but Civil Contingencies is, after all, a serious business.

This District Emergency Plan has evolved over time and been fundamentally reviewed in 2013 to make sure that it is still fit for purpose and in line with the expectations of the Civil Contingencies Act 2004. The responsibilities placed on us by the legislation extend right across all services, not just those perceived to have an emergency role. We must all have a culture of risk awareness and readiness – a “what if” approach to our daily business - as well as being alert to what might arise from situations beyond our immediate control.

This means that mutual aid is a reality and not just a casual reference in various plans. We may suddenly be asked to go to the aid of a neighbouring authority under real pressure, and not just rely on them to come to our aid if we need it. We must work closely with the Police, our County and District colleagues and other local agencies to help our communities during times of emergency.

Another critical expectation is for key responder agencies to be able to maintain their core services whilst at the same time manage the consequences of an emergency in their community. Business Continuity Planning is afforded high importance in the Civil Contingencies Act, and as well as ensuring that our own plans are up to scratch we – local authorities – are required to encourage and assist the private sector to develop a similar degree of resilience.

Please ensure that you re-read this Plan regularly and keep it up to date and to hand.

Mark Williams
Chief Executive
East Devon District Council

Cllr Paul Diviani
Leader of the Council
East Devon District Council

April 2013

April 2013

IMPORTANT NOTES

DISTRIBUTION CONTROL

This plan is issued to selected post holders rather than to individuals. If/when the post holder leaves, or the scope of the post changes significantly; the Plan should be handed on to the new post holder or returned to the Civil Contingencies Manager for re-issue as appropriate.

ACCURACY OF CONTACT INFORMATION

The contact information in the plan (Section 4) is completely checked and re-issued every 6 months. However, the Civil Contingencies Manager holds abbreviated contact lists that are kept as up to date as possible and it is important that she is told of any changes to key staff and/or contact information as soon as it becomes available.

Please telephone Pam Harvey 01395 516551 or e-mail changes to:
pharvey@eastdevon.gov.uk

CONFIDENTIALITY

TELEPHONE NUMBERS CONTAINED IN THIS DOCUMENT ARE PROVIDED ON A CONFIDENTIAL BASIS FOR THE PURPOSE OF THIS PLAN AND SHOULD NOT BE DISCLOSED FOR ANY OTHER REASON WITHOUT CONSENT.

Other than the above, very little information in this plan needs to be restricted, and the bulk of the document will be published on the District Council's intranet & website. Where information held in the plan is sensitive, for reasons of security or commercial confidence, officers who are able to access that information, will be cleared for the purpose. This information will be set out in detail in the plan but it will be held separately & its circulation will be restricted. Nevertheless hard copies of the plan should not be reproduced or otherwise made available to unauthorised people without first discussing with the Civil Contingencies Manager.

ACTIVATION

Some elements of this plan are likely to be useful for less than major emergencies, and there is no reason why, for example, contact information may not be used as necessary. However, full deployment of all the components of the District Council response to a major emergency will only be triggered by the Chief Executive of the Council, a Deputy Chief Executive or the Civil Contingencies Manager. Where there is time, there is an expectation that consultation will take place between them prior to activation.

ROLES & RESPONSIBILITIES

SECTION 1

GENERAL

All services are required to plan for the quick and effective deployment of their staff and resources in an emergency. This must include arrangements for a co-ordinated response with other services that are linked to the Emergency Centre. Although not every service will be required in any single situation, all services must be able to provide, on request, an officer to attend the emergency centre for this purpose. Similarly, it may be necessary to deploy officers to work at County Emergency Centre (CEC) and other District Council, or multi-agency co-ordination points: Police Bronze (Operational)/Silver (Tactical)/Gold (Strategic) to provide specialist advice.

Depending on the gravity of the situation the Officer receiving the emergency call may decide to call together an Emergency Management Team (EMT) along with Heads of Service and key post holders. If not already actioned, the Officer may also instruct that the Emergency Centre be activated to help co-ordinate the Council's overall response and act as a focal point for partner organisations involved.

Requests for service-level response should be directed through Heads of Service. Out of hours call-out numbers are listed in the emergency contact directory in Section 4; which will also be available electronically. Extensive lists are carried at all times by the County Council Duty Civil Contingencies Officer and the on call District Duty Officer.

During an emergency each service is responsible for maintaining written records of events, actions and decisions undertaken by its staff. These records may be required at a later debriefing session or inquiry

Elected Members will be kept informed and involved according to the procedures outlined below.

Note

- the contact information in this Plan is designed to provide access to senior management and other key personnel, but cannot be expected to account for all staff. It is essential that managers in all services maintain their own comprehensive call out lists and Business Continuity Plans.
- the primary action lists in Section Three are designed to kick start the response, and not to provide exhaustive guidance through all the possible phases of a major emergency.

SPECIFIC ROLES

Chief Executive - Emergency Co-ordinator and initial Duty Officer

Make sure this Plan, for the co-ordination of essential Council services during a major emergency, is available to all officers having specific responsibilities. To keep the Plan under review and validated by periodic exercises (delegated to Civil Contingencies Manager).

- Co-ordinate, through a corporate Emergency Management Team, the involvement of essential District Council services and help from outside agencies.
- Authorise the activation of the Emergency Centre (at Knowle – see section 2) as a focal point for Council activities, if operational circumstances require this action.
- Help the activities of outside agencies such as public utilities, central government departments, commerce and industry by maintaining an Emergency Centre as a central point of reference and contact.
- Liaise with other County and District Councils as required.
- Ensure that elected Members representing areas in which a major incident has taken place are made aware and kept informed of action taken.
- Co-ordinate requirements for media representation on matters concerning local authority services during, and in the recovery period of, an incident.*
- Make sure that appropriate information is disseminated to the public.*
- Consider the institution of a hardship fund, through the agency of the British Red Cross Society Disaster Appeal Scheme.
- Maintain financial and operational records.
 - * Through the Communications Manager/Team

Head of Environment

- Lead the Emergency Plan review process and reports to Cabinet
- Coordinate the Council's involvement at Gold level emergency meetings
- On request provide an officer to attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Advise on storage of hazardous materials as appropriate to incident.
- Assist the corporate response of the Council by making available officers, appropriately qualified, to act as liaison officers within and outside the Council. The Emergency Management Team will task the liaison officers during the emergency.
- Maintain financial and operational records.

The Civil Contingencies Manager

- Provide a single point of contact available at all times if necessary through nominated duty officers, to receive and co-ordinate information and requests in the initial stages of a major emergency for the Council departments, County and other District Councils and outside agencies.
- Prepare, maintain and advise on the District Emergency Plan.
- Validate the plan by exercises and training programmes with the appropriate departments and organisations.
- Maintain the Emergency Centre and all relevant equipment to ensure their availability for immediate activation.
- Maintain a list of nominated Rest Centres across the District ***
- Maintain a list of rest centre personnel who can activate & run a rest centre ***
- Ensure representation in the District Emergency Centre to assist in co-ordination of information and liaison with outside agencies and organisations.
- Work with the Emergency Co-ordinator (EC) and act as EC if required.

- Advise as necessary on the co-ordination of local community and other voluntary groups responding to an emergency.
- In liaison with the Customer Service Centre Manager make provision for a public information/telephone answering service.
- Assist Council departments to prepare their respective contingency plans.
- Administer the Councils application for restoration funding through the Bellwin scheme if appropriate.
- If requested provide a liaison officer to attend on behalf of the Council, for example at Police Silver Control or other location on declaration of a major incident.
- Liaise with the County Council Civil Contingencies Duty Officer
- Maintain financial and operational records.

***** See notes on rest centres**

Street Scene

- Arrange for clearance and cleaning of all public areas once made safe and prior to re-opening.
- Arrange for removal of debris and general clearance.
- Provide/mobilise vehicles/operators/sandbags and provide a presence on the ground.
- Liaise with County Council Highways department to define safe transport routes for operational staff.
- Maintain financial and operational records.

Health and Safety Officer and Environmental Health Team

- On request attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Monitor the insurance and health and safety implications of the District Council response and advise as necessary.
- Assist with hazard analysis and the preparation of risk assessments for the emergency.

Waste Services

- On request provide an officer to attend the Emergency Management Team to help co-ordinate a corporate response by the Council.
- Liaise with Somerset County Council (Waste Disposal) to identify locations for the disposal of non-toxic waste material. The County Council will deal with toxic waste.
- Maintain financial and operational records.

Head of Housing

- On request provide an officer to attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Locate Rest Centre in consultation with Devon County Council
- Negotiate re-housing for the homeless as necessary
- Maintain a register of persons likely to be in need
- Maintain financial and operational records.

Home Safeguard

- On receiving notification of an emergency incident pass the information to the Civil Contingencies Manger for action

- Act as a first point of contact for the public for information relating to incidents outside of normal working hours
- Relay requests for assistance to the appropriate officers via mobile and private home telephone numbers as detailed in the Emergency Contact List

Communications Manager (See also action check sheet on page 26)

- Set up a news, information and media management centre to handle all press and media coverage.
- Liaise with Press Officers from other agencies as appropriate and in particular ensure a common line with the Police, County and other agencies.
- Liaise with the Emergency Management Team to establish a District overview of the information released.
- Ensure a presence as necessary is kept in the Emergency Centre, where there will be the most up to date information on Council involvement in the crisis.
- Consider reputational issues and draw to the attention of the CEO
- Maintain a media monitoring and recording service.
- Make sure Members receive appropriate information
- Maintain financial and operational records.

Head of Finance

Act as paymaster to the Council, including payments for hired labour or rented equipment or premises. Providing advice on all financial matters connected with the emergency, to include:

- On request provide an officer to attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Set up of separate codes for emergency expenditure.
- Keep accurate records of expenditure incurred.
- Support the Civil Contingencies Manager on application for funding through the Bellwin Scheme. Comply with the requirements of the Bellwin Scheme via the Local Government and Housing Act 1989 for qualifying expenditure.
- Co-ordinate the financial aspects of the emergency with County and other District Councils, (especially with regard to the Bellwin Scheme).
- Control the expenses incurred by volunteers (either established voluntary bodies or ad-hoc).
- Make sure insurance cover for Council officers or volunteers is adequate.
- Administer all costs arising from restoration operations.
- Liaise with British Red Cross Disaster Appeal Scheme (United Kingdom) or relevant appeal body, and set up and administer a hardship scheme if required.
- Provide a financial framework for the long-term recovery of affected areas.

Customer Service Centre

- On request provide an officer to attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Act as the initial collation point for information coming through the contact centre relating to incidents during opening hours (Monday – Friday 08.30-5.00).
- Relay messages as appropriate to the management team via office extensions during standard working hours (Monday - Friday 08.30-5.00)
- Relay messages as appropriate to the management team via mobile and private home telephone numbers as detailed in the Emergency Contact List
- Forward Fax or telephone messages to the relevant person/department.
- Consider the extension of operating hours if required.

Procurement

- On request provide an officer to attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Advise the Emergency Management team on the procurement of goods and services during the incident and recovery phase.

Building Control Manager

- On request provide an officer to attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Provide advice and information on building surveying and structural matters, including demolition, temporary repair or renovation.
- Provide technical advice as requested to facilitate the rescue of trapped casualties.
- Maintain financial and operational records.

Economic Development

- On request provide an officer to attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Provide advice to the business community during the incident & recovery phase

Corporate Manager - ICT

- On request provide an officer to attend the Emergency Centre such as is necessary to help co-ordinate a corporate response by the Council
- Provide assistance in securing or diverting, additional telephone lines and in minimising overloads on the system.
- Allocate technical staff to maintain all District Information systems for any aspects of an emergency.
- Procure and/or install additional computer equipment and technical support if required by any service involved.
- Procure and install radio & satellite TV equipment at the Emergency centre to enable the team to assess the media response to the incident.
- Provide in conjunction with the Communications Team a rapid update capability for the District Council's web site, for public information during an emergency.
- Maintain financial and operational records
- Provide maps and plans as required

Corporate Manager – Organisational Development

- On request provide an officer to attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Ensure that personal contact details of all District Council staff are kept up to date
- Co-ordinate the provision of extra staff in the event of a major emergency, including the use of temporary or agency staff as well as the redeployment of District staff to support services under the most pressure.
- Propose and advise on additional payment arrangements for staff working additional and/or unsocial hours in an emergency.

Corporate Manager – Legal & Democratic Services

- On request provide an officer to attend the Emergency Centre to help co-ordinate a corporate response by the Council
- Provide legal and procedural advice as required in any emergency.
- Offer Legal advice as required on steps to be taken during and after an incident.

- Ensure that all officers and volunteers understand the importance of preserving and protecting records to assist post incident investigation or enquiry.
- Maintain financial and operational records.

Elected Members

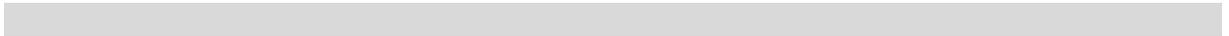
In the early stages of an emergency there is little direct action an Elected Member can take. The emergency services and officers of the Council must be allowed to get on and manage the situation.

In the first instance the relevant Cabinet Member will be kept informed by the Duty Officers/Emergency Management Team.

The decision whether to inform local Members, or the full Council, will be the decision of the Chief Executive and the Leader of the Council

In a crisis, it is vital to avoid controversial statements to the media such as allocating blame, or taking initiatives such as launching an appeal scheme without first consulting with the Chief Executive and Leader. Members will continue to be free to speak to the media in the normal way and can comment on the crisis to offer condolences and sympathies in conjunction with the Communications team.

The Communications team will be ensuring that there are regular and accurate updates posted on the website, social media accounts and intranet.



EMERGENCY RESPONSE PROCESS

SECTION 2

General

During working hours if an Emergency Centre is needed it will be set up in the Main Council Offices at the Knowle. Staff requested to work at the centre will be told of its location when contacted through the cascade system or as directed by email or message. For incidents out of hours, if requested to attend, staff should make their way to the Council Offices at the Knowle. The Committee Room will be the first choice for an emergency centre, and any IT equipment will be installed when necessary.

Minor Emergencies

If the incident is not declared as a major emergency then the full emergency management plan and procedures will **not** be implemented.

In this situation the duty officer (Civil Contingencies Manager) receiving the call will:

- Monitor the situation alerting the appropriate EDDC Services to be on standby.
- Have the delegated authority to take decisions on behalf of the Chief Executive (including decisions regarding financial expenditure)
- Have the delegated authority to require EDDC Services to respond to the emergency situation as appropriate.

Major Incident Emergencies

In this situation the Duty Officer will in addition to the above, have

- The authority to initiate the internal emergency procedures for a major incident.

The Civil Contingencies Manager (Duty Officer) is designated the **Emergency Co-ordinator** and will act as the Chief Executive's representative. This officer will provide an immediate senior management reference point for ensuring the management and direction of the EDDC emergency response until either the Emergency Management Team has been established or the District Council's Emergency Centre is fully implemented and operational.

Stages of Alert

Stand-by

This situation will occur when the Duty Officer believes that an emergency situation exists and needs to forewarn EDDC Services and members that there may be a need to respond to a minor/major emergency situation either:

- as it develops, or
- when the nature and scale of the emergency is known, or
- when the degree of Local Authority involvement required is determined.

This may be achieved by seeking more information from partner agencies or by the on-call Duty Officer seeking further information from Devon County Council Duty Civil Contingencies Officer.

Full Alert

Once a major incident situation has been recognised or declared, the emergency procedures will be activated at once.

The Duty Officer will determine which EDDC Service(s) should be initially involved and initiate call-out using the Call Out List in Section 4 and the Emergency Telephone Directory via the County Council Duty Civil Contingencies Officer.

Each Service may be required to establish its own incident team(s) and to notify the Emergency Co-ordinator when this has been done. The Emergency Management Team will meet, in the Chief Executive's office initially. If a decision has been made to open the Emergency Centre, an Emergency Centre Manager will be appointed to set up the centre and support the Emergency Management Team.

Stand-down

At the conclusion of the incident, the Emergency Co-ordinator will be responsible for deciding to scale down the response, closing the Emergency Centre and declaring a stand-down.

After the stand-down has been declared it may be necessary for some East Devon District Council Directorates/Services to progress the return to normality, maintaining a monitoring role until the situation is fully rectified.

A post incident de-briefing will usually be called to review all actions taken.

Emergency Management Team

In a major incident situation an Emergency Management Team, led initially by the Emergency Co-ordinator will manage the District Council's response. The make up of this team will depend upon the nature of the incident, the response that is required, and the particular phase of that response. Requirements might change during an incident and some team members will be able to stand down, or additional members might need to be introduced. Some members of the team might also come from other agencies and the County Council.

The need for an emergency structure to support the co-ordination and management of the Local Authority response may not be evident at the outset of a major incident or emergency and there may be a number of stages to reach before deciding to implement a full Emergency Centre structure.

Sources of Information

Experience has shown that the most effective way to deal with emergencies is to maintain a two-way communication flow with all EDDC Services. This way useful information that may be held in different parts of the District Council can be brought together.

Sources of information about an incident or its impact on the community are likely to come from:

- the County Council Duty Civil Contingencies Officer
- any routine Directorate/Service response to an emergency situation.

- Emergency Services and other Category 1¹ Responder organisations reporting on or seeking Local Authority support for an emergency situation.
- the former Utility companies and other Category 2² Responder organisations.
- information from Central and Regional Government Offices
- the Media
- Members of the public directly affected by the emergency situation
- Elected Members representing affected communities

The Graduated Response

Responding from Normal Service Office Facilities

In many cases the EDDC Services can and will respond to an incident from their normal offices. They will be comfortable in (and familiar with) their normal working environment and will have ready access to their staff and the resources of the Service. If only one Service is involved in the response this may be an ideal solution but, once additional Services and external agencies become involved, it may provide a fragmented solution. Overall co-ordination becomes difficult, liaison can be inhibited (particularly with external agencies represented in the Local Authority offices), and the response to matters requiring action from more than one Service can be delayed or obstructed.

Co-ordinating the Response from a Designated Office

Where more than one Service is involved, the Emergency Management Team may be established in the Chief Executive's or other Senior Managers office, the Team can then be supported by Services working directly from their office bases.

Whilst Service systems work well for dealing with the routine and ordinary, they are unlikely to be set up for keeping pace with the speed of decision making required for a developing major emergency.

There will be a need to 'fast track' all emergency information to the appropriate Emergency Management Team set up for the purpose, otherwise the Chief Executive and the Emergency Management Team will have great difficulty in both obtaining and providing a clear picture of what is happening. The same constraints will apply to others who need an overview, such as the Financial Service Manager, other Services and those dealing with the media, and the provision of public information and similar functions.

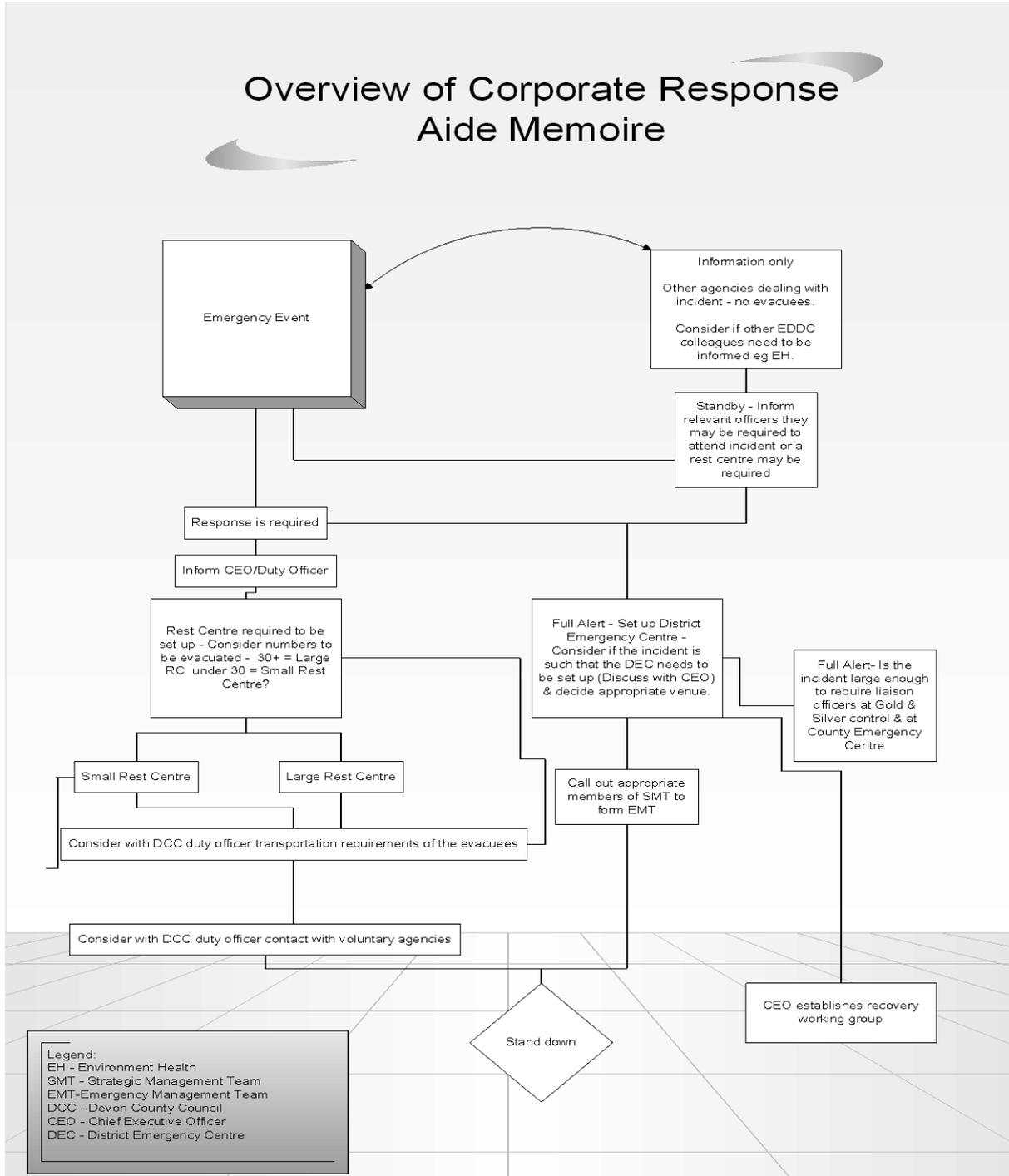
In these circumstances, the Service should consider how they can implement an internal, but parallel communications and administrative system at short notice, specifically to support the emergency set up.

¹ Police Forces, British Transport Police, Fire and Rescue Services, Ambulance Services, Maritime and Coastguard Agency, Local Authorities, Port Health Authorities, PCTs, Acute Trusts, Foundation Trusts, Health Protection Agency, Environment Agency.

² Electricity distributors, Gas distributors, Water and Sewerage undertakers, Telephone Service Providers, Network Rail, Train Operating Companies, Airport Operators, Harbour Authorities, Highways Agency (also London Underground and Transport for London), Strategic Health Authorities, Health and Safety Executive.

FIGURE 1 - OVERVIEW OF CORPORATE RESPONSE – AIDE MEMOIRE

**Crisis Management - Aide Memoire
First Response Guide for EDDC Local Authority
Staff**



EMERGENCY PLAN AIDE-MEMOIRE

	EVENT	Y/N/NA	NOTES
1	Emergency Incident		
	a. What is incident?		
	b. Where is the incident?		Grid Reference if possible
	c. When did it occur?		
	d. Who reported incident?		
	e. What action is required?		
	i. Information only. Other agencies dealing with incident		
	ii. Standby. You need to be prepared to respond		
	iii. Response is required		
2	Call out / notify (See contacts sheet)		
	Chief Executive		
	Civil Contingencies Manager		
	Appropriate Heads of Service		
	Communications Manager		
3	External Assistance		
	a. Adjacent Districts		
	b. County		
4	Rest Centre		
	a. Identify location based on numbers (more than 30 means DCC are responsible)		
	b. Arrange opening		
	c. Groupings <ul style="list-style-type: none"> i. Adults ii. Children iii. Elderly iv. Special Needs 		
	d. Transportation requirements		
	e. Liaise with DCC to Call out cascade of DCC Rest Centre Volunteers		
	f. Support from Voluntary		

	Agencies		
5	District Emergency Centre		
	a. Discuss with Chief Executive level of response/staffing		
	b. Open Committee Room at Knowle Office		
	c. Call out Management Team to form EMT		
	d. If required contact Deputies/Heads of Service/Managers nominated as Liaison Officers.		
	e. Support Staff as required		
6	Flooding		
	Open Knowle/Manstone depot for issue and delivery of sandbags (Streetscene Responder Directs)		
	EA/Met Office Forecasts		www.environment-agency.gov.uk/ www.metoffice.gov.uk
	Major Flooding Contact		

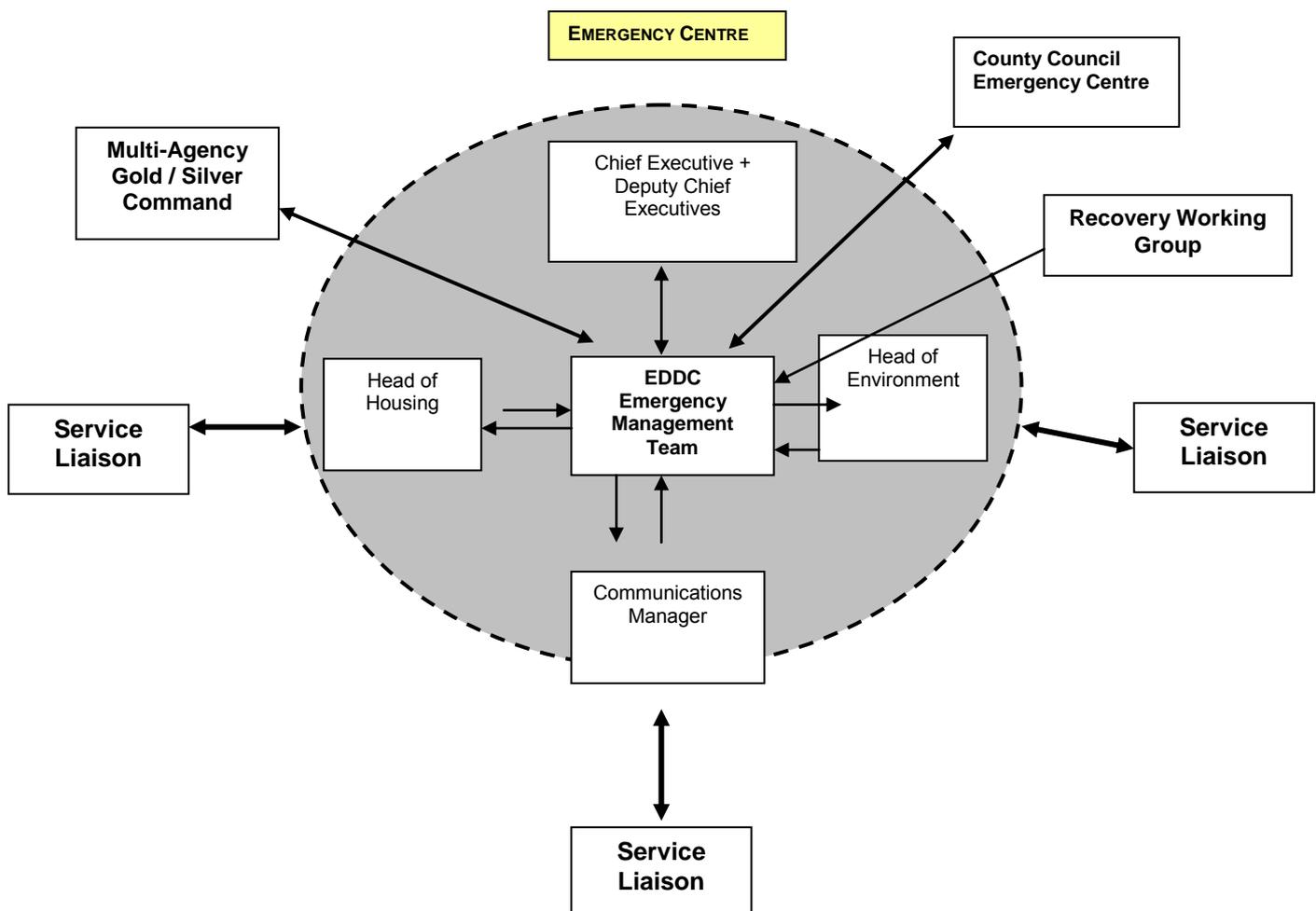
EMT = Emergency Management Team
Duty CCO = County Council Duty Civil Contingencies Officer

Establishing the Emergency Centre

In some instances, due to the magnitude or complexity of the emergency the need to establish an Emergency Centre structure is evident at the outset. In other cases it may be that there has been a gradual build up of the emergency and to start with the emergency may be handled from a single service area. If the emergency then escalates, becomes more complex or is handed over from police co-ordination for the recovery phase, a full Emergency Centre may be required. Much will depend on the scale of the emergency, timescales and how the emergency response needs to be co-ordinated within and across individual Local Authority departments.

The Emergency Centre structure is shown below at Figure 2.

FIGURE 2 – EMERGENCY CENTRE STRUCTURE



SETTING UP THE EMERGENCY CENTRE

EMERGENCY CONTROL CENTRE – USE OF THE COMMITTEE ROOM AT THE KNOWLE

In the event of an emergency requiring the establishment of an Emergency Control Centre, the preferred option is to use The Committee Room. These rooms are part of a complex of meeting rooms that will be used in an emergency. In the initial stages of an emergency it will be possible to operate just using the Committee Room, but as the situation develops and more staff are available or if the Chief Executive requires more internal support other rooms such as the Chamber and the Members' Area can be used from the outset.

For the initial response the staff requirement will be for a minimum of six staff, a manager, supported by an assistant and four information loggers/telephone operators. The initial equipment suite should include at least two laptops/ computer terminals. The room has several telephone connection points and it would be essential to have six connections in Council Chamber. As more staff become available, it may be an option for Liaison officers to be nominated from the Services to act as a direct link to the services. This enables the Incident Manager to concentrate on the broader aspects of the situation, rather than being tied down trying to get information to and from services. Once the situation stabilises it is probable that these liaison officers need only attend at briefings to collate the actions required by their respective services.

The information Logger should open up a Log facility, using a spreadsheet, on an allocated computer. It is important to establish an accurate log early, even if this is using handwritten logsheets.

The Emergency Control Centre is to be a conduit for information coming into and going out from the Council Offices on behalf on the Chief Executive. There will be calls on staff to carry out work in support of the response to the emergency and this is best achieved from their usual place of work. The emergency control centre will be the link from the requestor to the responder, using when necessary the liaison officers from the directorates.

The Communications Manager should keep a rolling brief prepared so that relevant and up to date information is readily available. The Committee Room should be used for briefings and as the meeting room for the Emergency Management Team; the Manager and one of the loggers, to record accurate minutes, should attend these meetings.

Equipment Required in Emergency Control Centre (this equipment will be made available as quickly as possible)

Chamber

Three laptop computers at least connected to EDDC Network

One projector

Television connected to Satellite (Sky) or a dedicated computer with TV card fitted

Five Telephone Connections, three for receiving incoming calls, two for making outgoing calls. Three telephones to be fitted/connected with headsets (noise reduction).

Charging facility for mobile telephones

Ordnance Survey Maps covering the District and adjacent areas

Portable White Board

Flipcharts (Two)

Supporting stationery including ringbinders, stationary punches, staplers, marker pens

Committee Room

Three telephone connections

One Laptop Computer Connection

Portable White Board

Supporting Stationery

Flipchart

The following is a listing of Service groupings and suggested Emergency Management Team representatives. The incident will determine which Services will be needed to support the Emergency Management Team.

Command and Control - EMT

- Emergency Co-ordinator
- Chief Executive
- Deputy Chief Executives
- Service Managers as required
- Legal Services
- Finance
- Communications Team
- Civil Contingencies Manager

Information and Support

- Customer Services
- ICT
- Human Resources
- Communications Team (Additional Resource)
- Procurement

Environment

- Streetscene Services
- Environmental Health and Health & Safety
- Waste and Recycling
- Engineering and Property Services

Economy

- Economic Development
- Planning
- Building Control Revenues and Benefits

Community

- Housing
- Revs and Benefits

Recovery Working Group

Membership of this group will be determined by the circumstances of emergency. The recovery working group will begin their work during the emergency.

Liaison Function

Critical to all emergency situations is the communications and information flow between partner responder organisations. In addition to liaison staff despatched from all partner

organisations to police Gold, Silver, and possibly Bronze forward control posts to co-ordinate the strategic, tactical and operational response to the emergency, there may be a need to have representative liaison officers situated in each of the partner responder organisations.

Inter-Agency Liaison to SSDC

In major incident situations, liaison officers from partner responder agencies may be despatched to attend the EDDC Emergency Centre to provide an essential communication link/information flow between partner agencies.

Inter Agency Liaison from EDDC

In a similar manner EDDC needs to dispatch (where possible pre-nominated staff) liaison officers to other partner agencies to provide the same information flow and communications link. EDDC staff will have specialist areas of Local Authority knowledge that will need to be taken into account in other agency response planning and preparations.

Pre-designated liaison officers (level of representation) will be provided as follows:

Gold/ Strategic	Deputy Chief Executive/Head of Service
Silver/Tactical	Head of Service/Appropriate Service Manager
Bronze/Operational	Specialist Officers (for example Housing Officer, Environmental Health or Building Control Officer, whichever is most suited to the type of emergency)
County Emergency Centre:	Service Manager

ACTION CHECK SHEETS

SECTION 3

QUICK REFERENCE GUIDE

ACTION CHECK SHEETS	PAGE
Emergency Co-ordinator	24-25
Communications Team	26
Officer nominated as Rest Centre Manger	27-29
District Emergency Centre Manager	30
Emergency Management Team Member	31
Local Authority Liaison Officer	32
Useful Documents	
Major Emergencies Information Card	33-34
Log Sheets	35
Message Forms	36
District Emergency Centre (DEC) and Car Park	?
Emergency Management Team – Standing Agenda	?

EMERGENCY CO-ORDINATOR ACTION CHECK SHEET

The Appointment

The On Call Duty Officer will fill this role in the first instance, until relieved by the Chief Executive or nominated officer.

The Task

- Overall co-ordination of the District response
- Liaison with the Emergency Services
- Obtaining resources
- Maintaining the normal services of the Authority
- Dealing with Elected Members and MPs
- Liaison with Central Government Agencies
- Liaison with other Local Authorities
- Briefing the Media

Initial Actions to Consider

The Duty Officer (Emergency Co-ordinator) will assess the situation and determine the initial level of alert/response required:

- Where? What? When? – Confirm all known details of incident/emergency (Use the Major Emergencies Card on P32.)
- Maintain a Log (P34). Write down everything – it may be needed weeks or months later at a Public Inquiry or similar proceedings.
- Who do you need to contact? See the aide memoire on P16
- Has a Major Incident/Emergency been declared, or likely to be declared?

If the answer is NO – Consider the following Actions;

- Is the situation one that the senior management team needs to be contacted?
- Is a Rest Centre required? If so, nominate a suitable Officer to activate and resource a Rest Centre. Ensure the Civil Contingencies Manager is aware of the need for a rest centre and liase in selecting an appropriate Rest centre in consultation with Devon County Officers. The rest centre list and contacts information is available at section 6, page 41, of this plan.

If the answer is YES – Consider the following Actions:

- By whom? (Declaration of a Major Incident/Emergency will trigger the EDDC Emergency Response Plan)
- Does a specific plan already exist, for example, Major Incident Plan for Flooding. If so follow that specific plan.

- Is a Rest Centre is needed. If so, nominate a suitable Officer to activate and resource a Rest Centre. (Ensure the Civil Contingencies Manager is aware of the need for a rest centre) Select an appropriate Rest centre from the Rest Centre List.
- If there is a need to activate the Emergency Management Team?
- What timescale is required for response?
- Is there a need to put staff and resources on stand-by?
- Does the Emergency Centre need to be activated? If so, nominate an Emergency Centre Manager to activate the centre. (The Emergency Centre Guide is an annexe to this plan (See index).
- Is a specialist local authority liaison officer needed? If so, where and who do they need to report to?
- Is support required from the County Council or other Districts? If so, liaise with Devon CC Duty Civil Contingencies Officer (see contacts sheet).

Other Actions to consider during the ongoing response phase of the incident

- Consider the legal implications and the availability of legal advice
- Advise all Departments involved in the response to keep a record of requests made to them and by them, and of actions taken
- Arrange and Chair regular Emergency Management Team Briefings
- Brief the Head of Finance and ensure that any necessary guidance is issued to staff on logging expenditure, for example cost centres and job codes to use.
- Ensure that regular briefings/updates are given to control room staff, telephonists and other personnel dealing with the incident
- Keep the Leader of Council informed of developments and as necessary any other elected Members
- Support from Central Government, other Local Authorities, Utilities, MoD and Voluntary Organisations
- Shift working to deal with the emergency and the need for essential routine work to continue
- Arrangements for visiting VIPs and appeal fund
- Production of the Post Incident Report

COMMUNICATIONS TEAM ACTION CHECK SHEETS

The Appointment

The Communications team will fill this role.

The Task

- Manage and co-ordinate the District's media strategy in conjunction with the Police and other responding agencies.

Initial Actions to consider

- Maintain a Log. Write down everything – it may be needed weeks or months later at a Public Inquiry or similar proceedings.
- Arrange for a member of the team to go to the Emergency Centre, if required.
- In conjunction with other agencies, determine the need for a media centre and co-ordinate if necessary.
- Arrange for a member(s) of the team to go to the multi agency media centre (if appropriate)
- Liaise with Devon County Council's public relations/media office and the Police where necessary to ensure a consistent message is accurately reported.
- Prepare rosters, briefings and debriefings for the communications team staff
- Review press statements of other organisations and monitor news channels
- Brief the Emergency Management Team and agree Council strategy
- Agree press statements and process for distribution
- Depending on the severity of the incident liaise with the Government News Network (GNN) for a consistent approach.
- Identify a Communications team and District Council Spokesperson(s) (if appropriate)
- Agree methods of communication with the local community
- Arrange all public appearances and statements by Elected Members and provide update information at regular intervals to Elected Members as agreed by the Police and Emergency Co-ordinator
- Agree process for briefing and communicating with staff, and other external service partners
- In conjunction with the Police, co-ordinate the media arrangements for VIP visits
- Instruct Officers not to make 'on the spot' comments to the public or the media. All requests for information should be directed to the Communications Officer.

NOMINATED OFFICER TO MANAGE A REST CENTRE ACTION CHECK SHEETS

The Appointment

A nominated Head of Service will fill this role (normally the Head of Housing)

The Task

Manage and co-ordinate the arrangements for activating, managing and staffing a small Rest Centre (30 or under)

Initial Actions to consider

- Maintain a Log. Write down everything – it may be needed weeks or months later at a Public Inquiry or similar proceedings.

If they have been moved from their homes:

- Where are they?
- How many are involved?
- Has DCC Civil Contingencies Unit been informed?
- Who is currently looking after them (School staff, WRVS, local people, Police)?
- How long can they remain there?
- If transport is required agree with the Police a suitable rendezvous point [RV].
- Is there radiation or chemical contamination involved?

If they have not been moved from their homes:

- How long before they must be moved?
- How many are involved?
- Has DCC Civil Contingencies Unit been informed?
- If they must be moved in the immediate future (say within half hour) ask the Police to select a place of safety with good access
- If transport is required agree with the Police a suitable rendezvous point [RV].
- Is there radiation or chemical contamination involved?

Other Actions to consider

SELECTING A REST CENTRE

- You must get permission from the owners before action is taken
- If a large Rest Centre (over 30) is required consult with the *Duty CCO
- If the premises are a Devon County Council building, the Duty CCO will make the arrangements. Otherwise contact the person in charge of the premises and arrange for them to be opened up and heating provided.

- It is important that the person ultimately contacted is able to arrange immediate opening, heating and lighting.
- Activate Rest Centre Volunteers from the County Council's internal volunteers list

FIND ADDITIONAL STAFF

In conjunction with the **DCC Duty CCO** call out other agencies as required:

- WRVS
- Red Cross/St John
- Social Services
- Scientific Services
- RSPCA (Pets Corner - warn if Screening and Cleansing required)
- Salvation Army
- British Telecom
- Animal Health (Pets Corner)
- Social Security Benefits (alert only)

IF TRANSPORT IS REQUIRED

- In the first instance contact local resources such as taxi or coach firms
- If numbers are large or if you have difficulty, for example, with out-of-hours numbers, contact the DCC Civil Contingencies Duty Officer

BEDDING AND CLOTHING

- Local sources will be contacted at the time.
- Vehicles for the collection and delivery of these are available from the Streetscene Team or otherwise from a private firm.
- If numbers are large or if you have difficulty, contact the DCC Civil Contingencies Duty Officer.

EMERGENCY FEEDING

The responsibility for feeding rests with the Rest Centre Manager or their Deputy.

- **Schools:**
 - Confirm with DCC Civil Contingencies Duty Officer that food is available on-site and that school staff will operate the kitchen. If school staff are not available, check that the WRVS have been called in for the task.

- **Small Hall or Other Premises:**
 - If support is needed from the WRVS, contact the DCC Civil Contingencies Duty Officer and request they contact the WRVS on your behalf [Pink Pages Section 1A.2]
 - if there is insufficient or no food and drink on the premises, purchase from local shops (see Section 5)
 - if the shops are shut ask Police to rouse the out-of-hours key holder of the shop concerned

- **Information Required by the WRVS:**
 - name of the organisation responsible for the callout
 - nature and location of the emergency
 - type of assistance required (numbers and any special skills)
 - officer (and location) to whom the WRVS Unit should report
 - equipment required
 - whether or not any of the agencies, other than the one calling on their service, has been informed

DISTRICT EMERGENCY CENTRE MANAGER

The Appointment

A nominated Head of Service will fill this role.

The Task

- Supervise the establishment and setting up of the District Emergency Centre
- Manage and co-ordinate the activities of the District Emergency Centre.
- Supervise and coordinate the work of staff manning the District Emergency Centre
- Ensure accurate and timely briefings to the Emergency Management Team

Before agreeing to deploy – consider the following

- Are you able/fit to respond
- Are you are fit to drive
- Do you have use of a vehicle - if so, have you got fuel
 - What other commitments do you have that may stop you deploying (work/personal)

On agreeing to deploy – ensure you have the following with you;

- Your medication, if applicable
- Your mobile phone, emergency response plan & contact list, PDA, Laptop.
- Appropriate clothing, money, keys, ID card

Initial Actions to consider

- Start a log with outline of incident/threat – where, what, when
- When and where will the Emergency Management Team meet
- What is your own capability;
 - are you local ?
 - what time will you be able to report in ?

Do you need support from any other members of your team. If so, advise the Emergency Co-ordinator that you will be activating other members of your team to support you.

EMERGENCY MANAGEMENT TEAM MEMBER

The Appointment

Deputy Chief Executives, Heads of Service and nominated Service Managers will fill this role.

The Task

Manage and co-ordinate the local authority response to a major incident/emergency

Before agreeing to deploy – consider the following

- Are you able/fit to respond
- Are you are fit to drive
- Do you have use of a vehicle - if so, have you got fuel
 - What other commitments do you have that may stop you deploying (work/personal)

On agreeing to deploy – ensure you have the following with you;

- Your medication, if applicable
- Your mobile phone, emergency response plan & contact list, PDA, Laptop etc.
- Appropriate clothing, money, keys, ID card

Initial Actions to consider

- Start a log with outline of incident/threat – where, what, when
- When and where will the Emergency Management Team meet
- What is your own capability;
 - are you local ?
 - what time will you be able to report in ?
- Do you need support from any other members of your team. If so, advise the Emergency Co-ordinator that you will be activating other members of your team to support you.

LOCAL AUTHORITY LIAISON OFFICER (Including Technical Officers)

The Appointment

Nominated Service Manager and Technical Officer from Environmental Health, Building Control as appropriate will fill this role.

The Task

- To deploy to a designated location (Silver and/or Bronze) in order to liaise with the Emergency Services and other responding organisations.
- Provide the District and other responding Local Authorities with information about what is happening.
- To anticipate adverse effects on Local Authority services and assets.
- Operate on own initiative to support the Local Authorities in their response.
- Provide Technical advice and guidance to the Emergency Services

Before agreeing to deploy – consider the following

- Are you able/fit to respond
- Are you are fit to drive
- Do you have use of a vehicle - if so, have you got fuel
 - What other commitments do you have that may stop you deploying (work/personal)

On agreeing to deploy - ensure you have the following with you:

- Your medication, if applicable
- Your mobile phone, emergency response plan & contact list, PDA, Laptop etc.
- Appropriate clothing, money, keys, ID card (Personal Identification for the Police)

Initial Actions to Consider

- Start a log with outline of incident/threat – where, what, when
- When and where do you need to report?
- Who should you report to on arrival (get name and contact number of Police Officer)
- Will anyone else from the Local Authority be assisting you
- Provide your vehicle details and estimated arrival time – so they can be passed over to the Police

MAJOR EMERGENCIES CARD

Purpose of Card

This card serves two purposes:

- acts as a guide to ensure the Duty Officer gets all the information he/she will require before making decisions, and
- provides a record of action taken

Information Required

Time/Date information received _____

Name and Organisation of person reporting Incident _____

Tel Number _____

Type of Incident/Emergency _____

Location (including Grid Reference if possible) _____

Date and Time Incident occurred (if known) _____

Extent of Emergency (area affected) _____

Is there a need for?

	Yes/No	
Rest Centre – for how many people		
Feeding – for how many people		
Transport – for how many people		
Equipment		
Labour		

Any other relevant information (including likelihood of situation worsening and number of known casualties, if any)

Action required/completed

Assessment of action required by District Council

Action
Taken

Other Organisations notified - including Names and Telephone Numbers of Contacts

HANDED OVER TO

Signature

LOG SHEET

Incident Log:

Name:

Sheet no.

Date / Time	From	To	

MESSAGE FORM

MESSAGES

To _____

From: _____

Tel:(_____)_____

Date: _____ Time: _____

Message:

Fax No: () _____

E-mail: _____

MESSAGES

To: _____

From: _____

Tel: (_____)_____

Date: _____ Time: _____

Message:

Fax No:() _____

E-mail: _____

EMERGENCY MANAGEMENT TEAM MEETINGS

NOTE: Meetings will last no more than 30 minutes

STANDING AGENDA

1. Introductions & confidentiality status
2. Situation Reports (from Civil Contingencies Officer, Heads of Service, Communications Team)
3. Update on current Gold strategy
4. Notes of previous meeting and update on action items
5. Priority actions for next phase
6. Staff information and welfare
7. Member involvement
8. Media strategy and public information:-
 - key messages
 - concerns
 - spokespersons
9. Finance and other resource implications
10. Business Continuity if appropriate issues not already covered
11. AOB
12. Time and place of next meeting, required attendance

Unless otherwise restricted, notes to be circulated the same day

EMERGENCY CONTACTS

SECTION 4

**STRICTLY CONFIDENTIAL EMERGENCY CONTACT NUMBERS
EMERGENCY PLAN
SECTION 4**

EDDC Management Team & Team Managers
Emergency Contacts List – excluded in public version.

Numbers are not to be released to the Public

	HOME / MOBILE TELEPHONE NUMBERS		X-DIRECTORY
Mark Williams Chief Executive	Home Mobile Office landline		
Denise Lyon Deputy Chief Executive	Home Mobile Office landline		
Richard Cohen Deputy Chief Executive	Home Mobile Office landline		
Heads of Service			
Simon Davey	Home Mobile Office landline		
John Golding	Home Mobile Office landline		
Corporate Managers			
Karen Jenkins	Home Mobile Office landline		
Rachel Pocock	Home Mobile Office landline		
Chris Powell	Home Mobile Office landline		

Numbers are not to be released to the Public

Numbers are not to be released to the Public

	HOME / MOBILE TELEPHONE NUMBERS	X-DIRECTORY
Team Managers		
Finance		
Libby Jarrett	Home Mobile Office landline	
Cherise Foster	Home Mobile Office landline	
Laurelie Gifford	Home Mobile Office landline	
Environment		
Andrew Hancock	Home Mobile Office landline	
Andy Harris	Home Mobile Office landline	
Andrew Ennis	Home Mobile Mobile Office landline	
Pam Harvey, Civil Contingencies Manager <i>NB: There can be problems with network reception on the mobile, please also try home number</i>	Home Mobile SSDC Mobile EDDC Office landline	
Economy		
Ed Freeman	Home Mobile Office landline	
Nigel Harrison	Home Mobile Office landline	
Paul Seager	Home Mobile Office landline	
Rob Edis	Home Mobile Office landline	

Numbers are not to be released to the Public

Numbers are not to be released to the Public

	HOME / MOBILE TELEPHONE NUMBERS	X-DIRECTORY
Nick Wright	Home Mobile Office landline	
Brian Kohl	Home Mobile Office landline	
Housing		
Dennis Boobier	Home Mobile Office landline	
Sue Bewes	Home Mobile Office landline	
Meryl Spencer	Home Mobile Office landline	
Organisational Development		
Sarah Bolt	Home Mobile Office landline	
Terry Wilson	Home Mobile Office landline	
ICT		
Paul Bacon	Home Mobile Office landline	
Steve Gammon	Home Mobile Office landline	
Martin Millmow	Home Mobile Office landline	
Pam Harvey, Civil Contingencies Manager <i>NB: There can be problems with network reception on the mobile, please also try home number</i>	Home (temp) Mobile EDDC Office landline	

Numbers are not to be released to the Public

LOCAL RESOURCES

SECTION 5

Insert Info

BEDDING

Name	Address	Contact Details

CLOTHING

Name	Address	Contact Details
British Red Cross		

TRANSPORT

Name	Address	Contact Details
Coaches		
Generators		
Compressors, Pumps		

FOOD

Name	Address	Contact Details
ASDA		
Tescos		
Somerfield		
Morrisons		
Co-op		

REST CENTRE INFORMATION

SECTION 6

Responsibility for the Management and running of rest centres in Devon is split between Devon County Council and East Devon District Council. The general rule of thumb is that East Devon DC will be responsible for rest centres up to 30 evacuees and the County Council for rest centres over 30 evacuees. Although East Devon staff will not be responsible for running a large rest centre the housing team will be asked to attend the rest centre to arrange for temporary housing for those residents who have no alternative accommodation.

Given that an incident could happen at any location across the East Devon District if there is a need for a rest centre a suitable location will be sourced in discussion with Devon County Council.

EMERGENCY MANAGEMENT CENTRE

SECTION 7

Contents:

1	Location of the Emergency Centre
2	Role of the Emergency Centre
3	Emergency Centre Facilities
4	Activation of the Emergency Centre
5	Staffing of the Emergency Centre
6	Telephone Network
7	Message Relaying/Log sheets
8	Confidentiality
9	Contact Lists
10	Faxes
11	Maps
12	Local Authority Services
13	Glossary
Annex A	Emergency Centre Activation Checklist (to be developed)
Annex B	Log Sheet
Annex C	Local Authority Services

1 Location of the Emergency Centre

1.1 The Emergency Centre is located in The Committee Room at the Knowle

2 Role of the Emergency Centre

2.1 The purpose of the Emergency Centre is to help co-ordinate the Council's overall response to a major emergency. It acts as the initial point of contact for external agencies and as a focal point for:

- Establishing what has happened
- Identifying the actual and possible consequences
- Establishing what the Council must do and what it can do
- Establishing what the other agencies are doing / not doing
- Providing accurate information to senior management
- Monitoring and co-ordinating action being taken by Council Services

3 Emergency Centre Facilities

3.1 Equipment / Facilities (Operations Room)

- 6 Telephones (2 dedicated to outgoing calls only) (with headsets to reduce noise)
- Access to a photocopier
- 3 Laptops with Network Access (Standard Build) (4 if a major Emergency declared)
- Portable facsimile machine (No portable machine available/use local MFD)
- Portable Whiteboard (s)
- Television (with Satellite connection) and Teletext (ITV teletext now discontinued)
- Projector
- Maps
- 2 x Flipcharts
- Stationery, telephone directories, emergency plans

3.2 Equipment Facilities Committee Room 3 Used as briefing room and EMT meeting room

- 3 Telephones
- Laptop Computer connection
- Portable Whiteboard
- Flip chart
- Supporting Stationary

4 Activation of Emergency Centre

4.1 The Chief Executive and/or the Emergency Co-ordinator will activate the Emergency Centre.

4.2 An Emergency Centre Manager will be tasked with setting up and opening the Emergency Centre. See **Annex A**.

- 4.3 When the Emergency Centre is ready to go “live” an activation fax/email should be sent circulated to all relevant CAT 1 responders confirming the contact details. A standard cover sheet is available for this purpose and these can be found on the Emergency Centre Activation Box.

5 Staffing of the Emergency Centre

- 5.1 An Emergency Centre Manager, relevant Service Managers and a team of Communications Operators will staff the Emergency Centre.
- 5.2 It is envisaged that the Communications Operators will act as assistants to the Nominated Managers who are called into the Emergency Centre to assess the situation and co-ordinate the Council response to the emergency. Their primary role will be to send and receive messages by various means, to keep an accurate log and ensure that information displays are updated.

6 Telephone Network

- 6.1 IT Services will make the necessary connections to bring telephones on line. Two of the telephones should be dedicated to outgoing calls only.
- 6.2.1 Telephone numbers within the Emergency Centre should not given out to the general public or media as this could lead to an influx of enquires that may prevent essential calls getting through.
- 6.3 Headsets – These will be issued to each operator and it is recommended that you use them, especially when the room is busy to reduce noise levels.

7 Message Relaying / Log sheets

- 7.1 **It is important that the essential parts of any message are accurately recorded and passed onto relevant parties. Details include**
- details of the caller / person / agency from / to whom the message is received / sent
 - job title if applicable
 - contact details for the caller
 - date & time of call
 - name of the person(s) the message is for
 - the message itself
 - what action, if any, is required / taken in response to the call
- 7.2 **Avoid using abbreviations unless they are recognised standards (see glossary). Your shorthand may not be common to others and may be open to misinterpretation when someone else reads your message.**
- 7.3 All incoming / outgoing calls must be logged. A standard format may be used for this purpose. See **Annex B**.
- 7.4 The whiteboards may be used to record common contact details or significant events

8 Confidentiality

- 8.1 Information received, discussed and relayed through the Emergency Centre may be of a sensitive and confidential nature and is vital that staff respect this at all times.

9 Contact Lists

- 9.1 Copies of contact lists, directories and emergency plans for relevant agencies and external organisations can be found in Emergency Centre Activation Box.

10 Faxes

- 10.1 There will be one facsimile machine in the Emergency Centre, which will be used for both incoming and outgoing faxes.

11 Maps

- 11.1 Maps of the District and adjoining areas are contained within the Emergency Centre Activation Box.
- 11.2 GIS (Geographic Information System) is also accessible through webmap.

Local Authority Services

Whilst the local authority is required to support the emergency services during the initial life-saving phase of an incident it must also continue to provide important daily services and to minimise the disruption to these. The county and district councils will work closely to provide an integrated emergency response and it is beneficial if the Emergency Centre team have some general knowledge of both the structure and functions of county and district councils. A summary of current responsibilities is provided in **Annex C**.

EMERGENCY CENTRE ACTIVATION CHECKLIST
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SERIAL	ISSUE	ACTIVATED		REMARKS
		YES	NO	
1	Is designated EC available			Council Chamber, The Knowle
2	Emergency Centre Manager and staff contacted and advised of location			
3	Have Emergency Services/DCC CCU been advised of location?			
4	Is there sufficient telephone / IT connections available			IT Helpdesk ext??. Out of hours via callout cascade.
5	Initial brief or message for Customer Services or Careline.			Out of hours dealt with via Home Safeguard
6	Is Emergency Centre Support Box available? (Maps, stationery)			In Civil Contingencies Managers Office
7	Has CE/nominated Deputy been advised of EC location?			Contact through OOH lists if necessary.
8	Have Emergency Management Team been advised of location?			
9	Do you require more support or facilities			Through CC & EP Manager
10	What is weather forecast?			For staff travelling/ reliefs etc.
11	Do you require reliefs.			Contact and advise of location.
12	Maintain Log and record of expenditure			For subsequent use.

Annex B

LOG SHEET

Incident Log:

Name:

Sheet no.

Date / Time	From	To	

LOCAL AUTHORITY SERVICES

Check lists

County Council	District Council
Archaeology Careers Service Civil Contingencies Planning Coast protection Community Safety Concessionary fees Coroners Economic development Education Grants to voluntary bodies Land use planning (structure plans, mineral extraction & waste disposal) Libraries Highways Maintenance & Engineering, Traffic Mgt Museum Service Passenger Transport Registration (Births, Deaths & Marriages) Social Care Tourism Trading Standards Waste Disposal Youth Service	Benefits Building Control Concessionary fares Cemeteries & Crematoria Community safety Council Tax Collection Civil Contingencies Economic development Electoral Registration Engineering & Property Services Environmental Enforcement Environmental Health Grants to voluntary bodies Horticultural services Human Resources Local land use planning (not mineral extraction & waste disposal) Local museums & Galleries Off Street Parking Parks & Open Spaces Planning Sports & Leisure facilities Refuse Collection Street Cleansing Tourism Waste Collection Welfare Benefits

ANNEXES TO EAST DEVON EMERGENCY PLAN

Introduction

The Emergency Plan is a generic plan for dealing with Emergencies within the District. A number of Annexes that contain incident/site specific plans are being developed and will be updated as information is available. These plans seek to identify the site, the risk, those that may be affected, the nearest rest centres and the locations for multi-agency control centres plus road closures where necessary (these will invariably be undertaken by the County Highways Department).

Depending on the circumstances, it is more likely that an incident at any of these sites will be identified as a major incident. It will be a multi-agency response and it will be the Police that take the lead. In real terms you will be involved in one of two Actions, assisting with the evacuation of people and/or the setting up of a rest centre.

Risk assessment:

There are a number of risks already identified generically across the district in the table below. More specific information will be built into site plans as they become available.

The following table identifies the main hazards within East Devon and those within neighbouring areas that may also have an impact.

This is not a formal risk assessment but serves as a guide for emergency planning purposes. The hazard list is not exhaustive.

Hazard		Location	Risk	Statutory Requirement For East Devon DC	Remarks
Transport	Maritime : Shipping	Lyme Bay & East Devon Coastline, Exe Estuary	Danger to life or property as a consequence of collision between vessels Collision between vessel and fixed installation Vessel grounding Anchorage Mechanical failure Fire		
	Maritime :	Lyme Bay and East Devon Coastline, Exe Estuary	Danger to public health, environment and property as a consequence of shoreline oil pollution	Civil Contingencies Act 2004 states that as Cat 1 Responders EDDC are responsible for clean up of coastal oil. In practice we would have assistance from Contractors ie. DRS with advice from MCA	
	Rail	Waterloo line Axminster – Pinhoe Exeter - Exmouth	Danger to life or property as a result of a passenger or goods transport incident		Dangerous goods

Hazard		Location	Risk	Statutory Requirement For East Devon DC	Remarks
Transport	Roads	A30 Monkton to Exeter New A30 Monkton to Exeter A3052 A376 A35 A373	Major incident on or adjacent to roads preventing traffic flow Unknown quantities of potentially hazardous substances transported by road throughout Snow Flooding		
	Airspace	East Devon	Plane crash Risks difficult to quantify as they are statistically small Much of East Devon in on the flight paths and Airport is within our boundaries.	To assist with any major emergency within east devon and within the Airport	
Natural Gas Distribution	High Pressure natural gas pipeline	Exe Estuary, Woodbury to Monkton	Split or rupture causing release of gas Danger to life or property caused by fire or explosion	Pipelines Safety Regulations 1996	Close to A30
Foul Sewage	Watercourses And shoreline	East Devon	Danger to public health, property and environment		
Industrial Premises (Howmet)	Chemicals	Sowton, Exeter	Danger to life or property caused by the accidental release of chemicals and/or release of toxins caused by fire, or the results of an explosion	No requirement for Local Authority off-site emergency plans under the Control of Major Accident Hazards Regulations 1999 Source Health & Safety Executive.	Devon Fire and Rescue Service have Tactical information Plans for premises that may present significant risk(s) to fire fighters. Also see Howmet Emergency Plan

Hazard		Location	Risk	Statutory Requirement For East Devon DC	Remarks
Public Events	Public gatherings	Westpoint Devon County Show Escot Sidmouth Folk Festival Honiton Show Smeatharpe	Danger to life and property caused by crowd related incidents	Health and Safety Act	Event organisers responsible for health and safety Emergency Action plan for Westpoint
Weather	Flooding	East Devon	Several main rivers and Critical Ordinary Watercourses within East Devon. Internal and external flooding to property, and flooding of highways caused by heavy and/or prolonged rainfall, and/or high tide conditions resulting in surcharged combined sewers, surface water sewers, watercourses and rising groundwater. Floodplains Sidmouth and Seaton		Ottery St Mary problems in past - new flood alleviation scheme in progress 2003/04 Recent Oct 08 Floods Schemes to reduce flooding throughout district
Geological	Land slips	East Devon	Danger to life and property caused by land slippage		Mainly Coastal cliffs, a number of public and private beaches between Lyme Regis and Exmouth

Hazard		Location	Risk	Statutory Requirement For East Devon DC	Remarks
Geological	Erosion	East Devon	Danger of life and property caused by erosion on the coastline and to watercourse banks		
Hotels, retirement and nursing homes and caravan sites	Fires	Numerous small and large hotels, retirement homes and caravan sites within East Devon			Problem potentially greater during the holiday season
Structures	Collapse	Sea Walls	Danger to life and property Caused by breach		
	Fire or collapse	Sports Halls Public Buidings	Danger to life and property		

Agenda Item 13

Cabinet

3 April 2013

MW



Cranbrook – Community Governance Review

Summary

Following a meeting between Broadclyst, Clyst Honiton, Rockbeare, Whimble Parish Councils and EDDC it was resolved that the District Council conduct a consultation (Community Governance Review) of all households and interested parties in the area inviting initial submissions and views on the draft proposals for a new parish council for Cranbrook. This report asks for the authorisation of Council to carry out that consultation.

Recommendation

- That the Council undertake a Community Governance Review of Parish arrangements for the parishes of Broadclyst, Clyst Honiton, Rockbeare, Whimble with a view to establishing a new parish of 'Cranbrook'.
- That the Terms of Reference be agreed, including the timetable and arrangements for public consultation.
- That further reports will be brought to Cabinet in order that decisions may be made in respect of draft proposals and final recommendations of the Review.

a) Reasons for Recommendation

In accordance with the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007; the principal legal framework within which councils must undertake these reviews.

b) Alternative Options

To not take any action and continue with current arrangements.

c) Risk Considerations

That objections are raised to the principle of a new Parish.

d) Policy and Budgetary Considerations

To be dealt with within current budgets.

e) Date for Review of Decision

N/A.

1 Introduction to Community Governance Reviews

1.1 A Community Governance Review is a review of the whole or part of a district to consider one or more of the following:

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style (i.e. whether to call it a town council or village council etc) of new parishes;
- the electoral arrangements for parishes – the ordinary year of election, the size of the council, the number of councillors to be elected and parish warding;
- grouping parishes under a common parish council, or de-grouping parishes.

1.2 Under the legislation the District Council must aim to ensure that community governance in the area under review:-

- reflects the identities and interests of the community in that area
- is effective and convenient
- takes into account any other arrangements for the purpose of community representation or community engagement.

1.3 When considering this, the Council should take into account a number of factors, including:

- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of any new local community or parish.

A review involves the following stages:

- (1) Setting terms of reference of the review (Cabinet recommends a review, suggested terms of reference are set out in Appendix 1);
- (2) Publicising the terms of reference (for the purposes of the Act, the review formally commences when the terms of reference are published);
- (3) Undertaking consultations with the local government electors for the area and any other person or body (including relevant Parish Councils) who appear to have an interest in the review;
- (4) Considering representations;
- (5) Preparing and publishing draft proposals;
- (6) Undertaking consultation on the draft proposals;
- (7) Considering representations;
- (8) Publishing recommendations;
- (9) Making an order to bring into effect any decisions arising from the review;
- (10) A review must be concluded within 12 months of the publication of the terms of reference.

1.4 When undertaking a CGR a principal council must have regard to guidance issued by the Secretary of State and the Electoral Commission. However, subject to this, it is for the Council to decide how to undertake the review.

Legal Implications

Section 81 of the Local Government and Public Involvement in Health Act 2007 provides that it is for the Council to decide the terms of reference of any community governance review.

The legal requirements for recommendations arising out of the community governance review are set out in Part 4 Chapter 3 of the 2007 Act. This includes recommendations as to what new parish or parishes (if any) should be constituted in the area under review, and its electoral arrangements. There must be recommendations as to the name of any new parish, and as to whether or not the new parish should have a parish council, and if so, its style [parish/town/community/neighbourhood/village].

The Council must have regard to guidance issued by the Secretary of State under s100 of the 2007 Act about carrying out community governance reviews and giving effect to any recommendations arising out of the review.

The Council must also have regard to guidance from the Electoral Commission on electoral recommendations arising out of the review.

Further legislative detail is include in the review terms of reference.

Financial Implications

There will be costs other than existing staff resources, although these are not expected to be significant, estimated to be in the region of £2,000. There is no existing budget provision for this amount.

Consultation on Reports to the Executive

None.

Background Papers

- [Local Government and Public Involvement in Health Act 2007](#)
- [The Electoral Commission Guidance on Community Governance Reviews, April 2008](#)

Mark Williams mwilliams@eastdevon.gov.uk
Chief Executive

Cabinet
3 April 2013

East Devon District Council

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

COMMUNITY GOVERNANCE REVIEW

TERMS OF REFERENCE

A review of parishes and related matters under the Local Government and Public Involvement in Health Act 2007

INTRODUCTION

Setting the Context

The Local Government and Public Involvement in Health Act 2007 provides for a principal council to conduct a community governance review at any time. The Council can undertake a review of the whole or part of its area.

East Devon District Council (“the Council”) has resolved to review Parish arrangements for the parishes of Clyst Honiton, Broadclyst and Rockbeare in the light of the new development at Cranbrook.

In undertaking the review the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and The Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the review: Local Government (Parishes and Parish Councils) (England) Regulations 2008, Local Government Finance (New Parishes) Regulations 2008. Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish its Terms of Reference in a review.

These Terms of Reference will be published by placing a copy on public deposit at the offices of East Devon District Council, Knowle, Sidmouth, EX10 8HL and on the Council’s website at www.eastdevon.gov.uk

What is a Community Governance Review (CGR)?

A CGR is a review of the whole or part of the district to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of new parishes;
- The electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding); and
- Grouping parishes under a common parish council or de-grouping parishes.

The Council is required to have regard to the need to secure that community governance within the area under review will be

- Reflective of the identities and interests of the community in that area; and
- Is effective and convenient.

In deciding what recommendations to make, the council must take into account any other arrangements (apart from those relating to parishes) that have already been made, or that could be made, for the purposes of community representation or community engagement in respect of the area under review. In doing so the CGR is required to take into account:

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

Who undertakes the review?

As the principal authority the District Council is responsible for undertaking any CGR within its electoral area.

The Council will approve the final recommendations before a Community Governance Order is made.

CONSULTATION

How the Council proposes to conduct consultations during the CGR

The Council has drawn up and now publishes this Terms of Reference document. This document lays out the aims of the review and the legislation that guides it.

In coming to its recommendations in the CGR the Council will need to take account of the views of local people. The Act requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007.

The Council intends to consult with all households and interested parties in the area inviting initial submissions and seeking views on the draft proposals.

The Council will also identify any other person or body who it feels may have an interest in the review and write to them inviting them to submit their views at both stages of consultation.

This will include

- Ward Members
- Tenants and Residents Associations
- Groups and Societies
- Schools and Colleges
- Members of Parliament
- Devon Association of Local Councils
- Local Political Parties
- The Police

The Council will also be pleased to receive comments from any other person or body that wishes to make representations; any such person that makes representations during the

initial invitation to submit proposals will be invited to make comments in respect of the draft proposals.

As required by Section 79(3) of the Local Government and Public Involvement in Health Act 2007, the District Council will notify Devon County Council that a review is to be undertaken, provide them with a copy of the Terms of Reference for the review and will consult them on the matters under review.

The Council intends to clearly publish all decisions taken in the review and the reasons for taking those decisions and will work towards the Government's view in undertaking the review that "Community Governance Reviews should be conducted transparently so that local people and other stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind these decisions."

In accordance with the Act, representations received in connection with the review will be taken into account and steps taken to notify consultees of the outcome of the review by publishing them on the Council's website at www.eastdevon.gov.uk , through general press releases, public notice advertisements in local newspapers, placing key documents on public deposit at Council offices and will communicate the final outcome of the review by writing to all households in the area affected by the review.

A timetable for the review

A CGR must, by statute be concluded within a twelve-month period from the day on which the CGR starts. A CGR starts when the District Council publishes its Terms of Reference and concludes when the District Council publishes the recommendations made in the CGR.

The following is the review timetable

Action	Timetable	Dates
Compiling Terms of Reference		March 2013
Terms of Reference report to Cabinet		3 April 2013
Council approves Terms of Reference		10 April 2013
Publication of Terms of Reference		13 May 2013
Preliminary Stage – Local briefings and meetings	2 month	14 May – 15 July 2013
Stage one – Invite initial submissions	3 months	16 July – 16 October 2013
Stage two – Consideration of submissions received and draft proposals prepared	3 months	17 October – 17 January 2014
Stage three – Draft proposals are published and consultations made	3 months	20 January – 21 April 2014
Stage four – Consideration of submissions received and final proposals prepared	3 months	22 April 2014 – 22 July 2014
Preparation of Recommendation and approval by Cabinet		Sept 2014
Preparation of Recommendation and approval by Council		October 2014
Publication of Recommendations		October 2014
Effective date of Order		November 2014
Town Council Elections		May 2015

ELECTORATE FORECASTS

The electorate forecasts for the district

The Council has used the Register of Electors as at February 2013 in providing the existing parish electorate figures

When the Council comes to consider the electoral arrangements of the parishes in its area it is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts.

Clearly the Cranbrook development will be particularly material in this regard.

THE PRESENT STRUCTURE OF THE PARISHES AND THEIR ELECTORAL ARRANGEMENTS

Present structures of parish governance in the areas to be reviewed

Parish	Number of Councillors	Electors per seat
Clyst Honiton	5	43
Broadclyst	15	161
Rockbeare	7	97
Whimble	9	156

PARISH AREAS

Introduction

The legislation requires that the Council must have regard to the need to secure that community governance within the area under review:

- Reflects the identities and interests of the community in that area, and
- Is effective and convenient, and
- Takes into account any other arrangements for the purposes of community representation or community engagement in the area.

Parishes

The Council is anxious to ensure that electors should be able to identify clearly with the parish in which they are resident because it considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

Viability

The Council is anxious to ensure that parishes should be viable and should possess a precept that enables them to actively and effectively promote the well being of their residents and to contribute to the real provision of services in their areas in an economic and efficient manner.

NAMES AND STYLES

The “name” of a parish refers to the geographical name of the area concerned whereas its “style” allows for that area to be known as a “town”, “community”, “neighbourhood” or “village” rather than as a parish.

Where new parishes are created, the Council will make recommendations as to the geographical names of the new parishes and as to whether or not it should have one of the alternative styles. The review cannot consider whether an existing parish should have an alternative style.

ELECTORAL ARRANGEMENTS

What does “electoral arrangements” mean?

An important part of the review will comprise giving consideration to “Electoral Arrangements”. The term covers the way in which a Council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purposes of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward;
- The name of any such ward.

Ordinary year of election

The Local Government Act 1972 states that ordinary election of parish councillors shall take place in 1976, 1979 and every fourth year thereafter (i.e. 2015, 2019, etc.) The Government has indicated that it would want the parish electoral cycle to coincide with the district council electoral cycle so that the cost of elections can be shared.

The next district council elections are due to be held in 2015

A council for a parish

The legislation lays down the different duties that the District Council has with regard to the creation of a council for a parish:

- Where the number of electors is 1,000 or more the District Council must recommend a parish council is be created;
- Where the number of electors is 151-999 a parish council the District may recommend a parish council be created with a parish meeting being the alternative;
- Where the number of electors is 150 or fewer a parish council may not be created

What considerations cover the number of parish councillors?

The Government has advised, and this council concurs that “it is an important demographic principle that each person’s vote should be of equal weight so far as possible, having regard to other legitimated competing factors, when it comes to the election of councillors”. Likewise the Council notes that the number of parish councillors for each parish shall not be less than five. There is no maximum number. There are no rules relating to the allocation of

councillors. However the following guidelines based on recommendations from the National Associations of Local Councils will be taken into consideration:

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	45,000	25
9,000	16		

The Government guidance is that “each area should be considered on its own merits, having regard to its population, geography and the pattern of communities”, and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter.

By law, the District Council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- The number of local government electors for the parish and;
- Any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

The Council will also take into account the following considerations:

- To ensure that the allocation of councillors to parishes is equitable across the district whilst acknowledging that local circumstances may occasionally merit variation
- To appreciate that there are different demands and consequently different levels of representation are appropriate between urban and more rural parishes in the district,
- The Council also acknowledges that there may be exceptions to the above, where some weight will be given to the following considerations in forming the proposals:
 - A high precept and high levels of service provision;
 - Where representation may be required to meet the challenges of population sparsity;
 - Supporting a warding arrangement in a particular parish and achieving a good parity of representations between wards

Parish Warding

The Act requires that in considering whether a parish should be divided into wards for the purposes of elections of the parish council the Council must consider the following:

- Whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient;
- Whether it is desirable that any area or areas of the parish should be separately represented on the council

If the Council decides to recommend that a parish should be divided into wards, when recommending the size and boundaries of the wards, it must have regard to

- (a) the number of local government electors for the parish;
- (b) any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the review starts;
- (c) the desirability of fixing boundaries which are, and will remain, easily identifiable;
- (d) any local ties which will be broken by the fixing of any particular boundaries.

In deciding to recommend the parish should not be divided into wards the Council shall have regard to a) and b)

The Government's guidance is the "the warding of parishes in largely rural area that are based predominately on a single centrally located village may not be justified. Conversely warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish."

The Council will be mindful of this guidance, noting further that "each case should be considered on its merits and on the basis of the information and evidence provided during the course of the review."

The Council notes that warding arrangements should be clearly and readily understood by and should have relevance for the electorate of the parish; they should reflect clear physical and social differences within a parish; one parish but comprising different parts.

District Warding and County Division Boundaries

Should the issues which are the subject of this review require any alterations to the boundaries of District Wards or County Divisions, the Electoral Commission is responsible for deciding whether boundary changes of this nature should be made and will require evidence that the Council has consulted on any such recommendations. If the need for changes become apparent during the course of this review the Council will endeavour to incorporate them within in the consultation at the earliest opportunity.

REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

The process will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the Order in detail, and the document(s) which set out the reasons for the decisions the Council has taken (including where it has decided to make no change following the review) will be deposited at the Councils offices and posted on its website.

In accordance with the Guidance issued by the Government, the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000. These maps will be deposited with the Secretary of State at the Department for Communities and Local Government and at the Council's offices. Prints will also be supplied in accordance with the regulations to Ordnance Survey, the Land Registry, the Valuation Office Agency, the Local Government Boundary Commission for England and the Electoral Commission.

It is proposed that the Order will take effect for financial and administrative purposes on 1 April [YEAR]

New or revised parish electoral arrangements come into force at ordinary parish elections, rather than parish by-elections, so they usually have to wait until the next scheduled parish elections, namely [DATE]. They can come into force sooner which will have the effect of cutting the term of the existing councillors. In addition the term of the new councillors will be shortened to ensure that the parish election cycle continues to correspond with that of the District Council (and other parish councils) so as to ensure that election costs continue to be shared.

CONSEQUENTIAL MATTERS

General Principles

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- In these matters the Council will be guided by Regulations that have been issued following the 2007 Act.

In particular the Council notes that Regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the Proper Officer of the Council as an appropriate proportion.

Furthermore, the Council notes that the regulations regarding the establishment of a precept for a new parish require the Council to calculate the first anticipated precept for a newly constituted parish council and for the amount of that precept to be included in the Reorganisation Order.

HOW TO CONTACT US

Should you wish to submit a written representation regarding this review please address this to

Electoral Services

East Devon District Council

Knowle

Sidmouth

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DATE OF PUBLICATION OF THESE TERMS OF REFERENCE

Date of Publication: [DATE]

Cranbrook Parish Timetable for the Review

Publication of these Terms of Reference formally begins the review, which must be completed within twelve months.

The table below details indicative timescales for the review.

Action	Timetable	Dates
Compiling Terms of Reference		March 2013
Terms of Reference report to Cabinet		3 April 2013
Council approves Terms of Reference		10 April 2013
Publication of Terms of Reference		13 May 2013
Preliminary Stage – Local briefings and meetings	2 month	14 May – 15 July 2013
Stage one – Invite initial submissions	3 months	16 July – 16 October 2013
Stage two – Consideration of submissions received and draft proposals prepared	3 months	17 October – 17 January 2014
Stage three – Draft proposals are published and consultations made	3 months	20 January – 21 April 2014
Stage four – Consideration of submissions received and final proposals prepared	3 months	22 April 2014 – 22 July 2014
Preparation of Recommendation and approval by Cabinet		Sept 2014
Preparation of Recommendation and approval by Council		October 2014
Publication of Recommendations		October 2014
Effective date of Order		May 2014
Town Council Elections		May 2015

Agenda Item 14

Cabinet

3 April 2013

ADW



Development of the Cranbrook New Community

Summary

Over the course of the last year the Cabinet has considered a series of papers on different topics associated with the delivery of the Cranbrook new community. This paper reviews progress to date and seeks endorsement for the establishment of an internal working group to consider the issues raised by the transfer of assets to be provided under the current section 106 agreement for Cranbrook and anticipated under future agreements. The intention is to report the outcome of this work to a future meeting of the Cabinet later this year.

Recommendation

It is recommended that the Cabinet:

- Note the progress made with delivering the Cranbrook new community to date
- Endorse the proposal to create a corporate working group to assess the issues raised for the Council by the future transfer of assets to be provided under the existing section 106 agreement and the preferred approach to asset transfers linked to future agreements and the further expansion of Cranbrook
- Consider a further paper on the outcome of this work later this year
- Endorse a supplementary estimate of £20k to deal with costs and fees to be incurred in managing the transfer of assets in relation to the first phase of development

a) Reasons for Recommendation

To ensure that the issues associated with the transfer of assets are fully analysed and reported to Cabinet for consideration.

b) Alternative Options

The main option would be not to establish the working group in which case it would be difficult to consider these issues on a corporate basis which could compromise delivery of facilities that are essential to making Cranbrook a sustainable town. The group will ensure that it considers all the options related to the transfer of assets and the role of other partners.

c) Risk Considerations

The proposed group will consider all relevant risks.

d) Policy and Budgetary Considerations

The working group will consider the budget considerations associated with the transfer and future operation and maintenance of assets alongside the role that can be performed by the District Council and its partners.

e) Date for Review of Decision

The intention is to prepare a further report for consideration by the Cabinet later this year.

1. The Cranbrook New Community

The vision for Cranbrook is for it to be a sustainable, vibrant and attractive town which combines the rich urban fabric of a historic Devon service centre or market town whilst meeting the needs of 21st Century lifestyles. The critical intention is for Cranbrook to develop as a new community. Whilst there is no rule book for how to set about achieving this, it implies consideration of issues well beyond just physical appearance if the creation of a sustainable and functioning community is to be nurtured.

This is a theme that has been carefully considered throughout the planning stages for Cranbrook and is reflected in the section 106 agreement accompanying the planning permission for the first 2,900 homes. This took 5 years to conclude and covers over 20 topic areas including the following:

- Affordable housing
- Play areas and open spaces
- Sports pitches
- Country park and resource centre
- Off site highway landscaping
- Drainage
- Public conveniences
- Street furniture
- Youth centre land
- Permanent library and town council offices
- Police station and ambulance
- Health and well being complex
- Place or worship land and church worker accommodation
- Multi-purpose building

Each of these involves the creation of some form of physical asset, either in the form of land or a completed building, which needs to be delivered and then managed and maintained. The s.106 agreement is clear on the route by which these assets are initially offered for transfer by the development consortium, including to the new Cranbrook town council when it is established (this is the subject of the paper at agenda item 13). However, not all of the assets come with maintenance contributions and there are also potential hidden costs such as the fit out of buildings. This is considered more fully below.

2. Progress with Delivery

Construction of Cranbrook began in June 2011. Following initial enabling infrastructure works the first show homes were constructed and there was a full marketing launch on the weekend of 12/13 May 2012 with circa 2,000 people visiting the site. The first home was occupied in July of the same year and there are now over 120 households living at Cranbrook including the first Affordable Housing tenants. In January of this year it was reported by the Consortium that to date 400 slabs had been poured in terms of the foundations of individual homes and that of these all but five were either sold or reserved. Part of the success to date has been due to the early delivery of critical infrastructure, not least the St Martin's Primary School which opened for the 2012/13 academic year. Housing sales have been reported as being double initial expectations.

Overall this represents very rapid progress. This was further bolstered in December 2012 with the visit of the Housing Minister Mark Prisk. He announced a further £20m package of investment in to Cranbrook to accelerate the delivery of phase 2 including bringing forward the secondary school and second primary school (there is currently a live planning application for this). Overall this is expected to increase the delivery of housing from 300 units p.a. up towards 500.

Cranbrook is the first place nationally to benefit from investment under the Government's new Local Infrastructure Fund. The package includes revenue funding to support the appointment of a Project Manager and to commission design advice which will help to support this accelerated delivery. More broadly this pace of delivery is fundamental to supporting the achievement of the Local Plan, with circa. 60% of the remaining strategic housing requirement due to be accommodated at Cranbrook with expansion up to circa 6,500 homes over the plan period.

3. Transfer of Assets

To date there has been experience of trying to transfer two assets that have come forward under the terms of the s.106 agreement for the first phase of development. These are the Younghayes Centre and the Church Worker Accommodation. Both of these have flagged up wider issues that will be pertinent to future transfers. For the Younghayes Centre the paper that was considered by Cabinet on the 9th January highlighted a revenue cost of up to £74k per year that will need to be met until the building is transferred to the Town Council. Equally issues of parking provision have been the subject of considerable negotiation. For the Church Worker Accommodation there are ongoing negotiations in terms of the interpretation of the s.106 agreement and the restrictions it places on the occupation of the building for the purposes originally intended. The recommendation seeks endorsement for a supplementary estimate of £20k to cover the costs and fees associated with managing this process.

Some of the difficulties that have been experienced to date have been due to the assets coming forward at an earlier stage than originally anticipated including in advance of the relevant trigger in the s.106 agreement. This is likely to be a recurring theme as the pace of delivery of housing accelerates. It is also important to recognise that the financial and institutional landscape within which assets are brought forward has changed significantly since the s.106 agreement first began to be negotiated in 2006. Due to the pressure now placed on budgets there is an increasing tendency to look at physical assets first and foremost as a potential financial liability and some of the planned for requirements have now changed. For example the County Council

has confirmed that it does not want to provide a library in the Younghayes Centre as was originally intended, relying instead on mobile provision in the first instance. This is affecting how the building will be operated from the outset as is the fact that Primary Care Trusts are in the process of being abolished which has made it more difficult to establish how the doctor's surgery component of the building will be occupied and how plans for the Health and Wellbeing centre can be brought forward.

A recent internal meeting (which included the Portfolio Holders for Finance and Economy and the Chair of the Development Management Committee) took stock of the lessons of the transfer process to date and the implications of the remaining s.106 requirements for the future. It is fair to say that these are significant and the meeting quickly flagged up some substantial issues, such as how the Country Park and associated resource centre is to be operated, that will need to be carefully resolved. Questions were also raised over how the issue of asset transfer is to be taken forward in future 106 negotiations, the first of which will be likely to take place this year in association with the proposed full application for an additional 600 houses.

This will require a corporate approach that cuts across many of the service areas of the Council including estates, planning, countryside, street scene, legal and finance. This paper seeks endorsement for the establishment of a corporate working group to be chaired by the Deputy Chief Executive that will look at all of the remaining assets that are due to be transferred, the potential costs and how these can be managed and the role of key partners including the Town Council. This will compliment the work of existing project groups (for example the monthly meeting chaired by the Cranbrook Officer) that are designed to engage external partners in the development of Cranbrook. It would also provide a valuable steer on future 106 negotiations and the opportunity to incorporate the actual costs to EDDC of taking on these assets.

It is anticipated that this work will form a substantial part of the job description for the new Cranbrook Project Manager and that the outcome of this analysis will be reported to a meeting of the Cabinet later this year. This will help to work through some of the 'known unknowns' at present, such as what the role the Town Council can potentially perform. The paper contained at item 13 on the Agenda sets out a timeline for holding elections for the Cranbrook parish/town council which are anticipated in May 2015. By this time there may be circa 1,000 households on site giving rise to a potential precept of circa £30,000 (based on the average parish tax across the District). This is unlikely to be sufficient to resolve all future management and maintenance requirements.

Conclusion

The s.106 agreement for Cranbrook identifies a range of critical infrastructure that must be delivered in step with housing to support the development and creation of the new community to the size currently proposed. Looking ahead, future expansion of the town to 6,500 homes (equivalent in scale to Honiton) will require additional and enhanced infrastructure to support that level of growth. Without these facilities there is a risk that Cranbrook does not fulfil the vision for it to be a sustainable, vibrant and attractive town where people will want to live, work and play and that instead it acts more as a dormitory to Exeter. There is powerful evidence already of the importance of this infrastructure-led approach as demonstrated by the impact of the early delivery of the St Martins Primary School in phase 1.

The recent initial review of the transfer of assets has flagged up some substantial corporate issues that will need to be carefully addressed. It is proposed that the working group is the forum for

achieving this and that the analysis is reported back to a future meeting of the Cabinet later this year.

Legal Implications

As with the negotiation of the s.106 agreement, there will be a need for significant legal resources to support the project. The section 106 planning work was outsourced to private practice as developers pay for this work and because its scale would have adversely impacted on keeping the in house legal service running for other parts of the council's operation. The consortium will not meet the costs of the land transfer and allied work and it is recommended on costs grounds that this work is carried out in house where possible.

The majority of land transfers will follow the Council exercising an option to acquire the property within set timescales. Adequate legal resources will be needed to respond promptly. There will also be a need to negotiate allied agreements such as collateral warranties so the Council has the benefit of build quality guarantees.

The corporate working party is a good way forward to resolve issues of principle [such as future management and funding of some Cranbrook facilities] which need clarification before legal agreements can be finalised.

Financial Implications

This report outlines a process that needs to be undertaken in order to understand the financial implications involved with the public assets associated with Cranbrook. Further work will be required on determining the effects and costs on council service such as recycling and waste and street cleansing. There is however a request for a supplementary estimate of £20k to cover the expected legal costs for immediate asset transfers.

Consultation on Reports to the Cabinet

This paper follows an initial meeting with various Members (including the Portfolio holders for Finance and Economy and the Chair of the Development Management Committee) and officers of the Council.

Background Papers

- [Multi-Purpose Building \(Younghayes Place\) – Cranbrook, Cabinet Paper 9 January 2013](#)
- [Cranbrook Development – Phase 2 Acceleration, Cabinet Paper 31 October 2012](#)
- [Development of the Cranbrook New Community, Cabinet Paper 2 May 2012 \(Agenda item 14\)](#)

Andy Wood x1743 awood@eastdevon.gov.uk
Projects Director

Cabinet
3 April 2013



Agenda Item 15

Cabinet

3 April 2013

MW



Proposals to balance the 2014/15 to 2016/17 General Fund Budget

Summary

In setting the 2013/14 budget it was agreed by Members in light of future budget shortfalls predicted in the Medium Term Financial Plan that work would begin early in preparing the 2014/15 budget.

This report considers the latest 5 year estimated position on the Council's General Fund and considers an approach and process for members to consider in balancing the budget going forward.

As part of this approach members are asked to consider proposals of a management team restructure as detailed in the report.

Recommendation

Members to endorse the approach and processes being suggested in balancing the 2014/15 to 2016 /17 General Fund Budget; or to amend as considered appropriate.

That the Chief Executive in consultation with the Leader and Deputy Leader of the Council consider a management restructure with discussions/negotiations to be held with those affected and to make final proposals to Cabinet .

To engage with the LGA and work together on a "pilot" approach to a peer challenge with a focus on the future financial viability of a council.

a) Reasons for Recommendation

In setting the 2013/14 budget it was with the understanding that this would be a two year process with further work necessary in order to meet a projected deficit for 2014/15. Work has started at officer level to address the projected budget shortfall and now recommendations are being made to Members in order to progress the steps necessary for the Council to adopt balanced budgets for future years.

b) Alternative Options

Members may wish to amend and offer alternative approaches to those outlined in the report.

c) Risk Considerations

In the actions proposed there will be risks that the financial savings do not materialise as estimated. Once savings proposals have been agreed by members then the Strategic Management Team (SMT) will be responsible for delivering the proposals and individual officers will be accountable for specific work streams with regular monitoring on progress through SMT meetings. Flexibility will be required within the proposals as they progress but the overall programme will be monitored to deliver the necessary savings or income projections as a whole and this will be reported through Cabinet on a regular basis through the Financial Monitoring reports.

d) Policy and Budgetary Considerations

The proposals and process outlined in this report are designed to delivery a balanced General Fund budget from 2014/15 to 2016/17.

e) Date for Review of Decision

It is proposed that a Cabinet led Working Party is formed who make proposal to Cabinet, who in turn if required will make recommendations to Council. The Overview and Scrutiny Committee will through the Cabinet Agenda see items being proposed to Cabinet from the Working Party and if felt appropriate could debate issues with their consideration fed through to the Cabinet meeting.

1 Financial Position

1.1 The Medium Term Financial Plan (MTFP) has been refreshed in light of the budget set for 2013/14. The position is outlined below.

MTFP - Updated 1/2/13	2014/15	2015/16	2016/17	2017/18	2018/19
	£000	£000	£000	£000	£000
Predicted Budget Requirement	13,971	14,323	14,599	15,179	15,570
Funding/Income	12,093	11,899	11,559	11,458	11,597
Shortfall	1,878	2,424	3,040	3,721	3,973

1.2 Some key factors relating to these figures:

- This represents a cumulative position, so the overall picture is that in 2018/19 if no action is taken then the Council expenditure will be greater by £3.973m than the income it has available.
- They include budgets for all posts in the current management structure; including the two vacant Head of Service posts.
- The current levels of services and customer demand is assumed with pay and price inflation included in line with Government targets.
- Additional costs have been assumed on Cranbrook for recycling and refuse collection and street cleaning only.

Further work will be required to determine costs relating to asset transfer and other service implication of the new town.

- No assumption has been made in these figures for the use of New Homes Bonus monies in funding the above shortfall. This is considered below.

2. New Homes Bonus (NHB)

- 2.1 The shortfall above does not include any income from New Homes Bonus monies. As previously outlined in financial reports to Members this is a significantly income stream to councils and has been funded from reductions in local authorities Formula Grant income. The expected level of NHB is shown below. The first set of figures represents a realistic projection of housing growth across the District, including Cranbrook. The second set assume an additional 100 properties a year will be developed at Cranbrook which reflects the £20m investment agreed by Government in order to facilitate faster housing growth, 100 additional properties is seen as a figure at the lower end of the estimated increase.

New Homes Bonus income	2014/15	2015/16	2016/17	2017/18	2018/19
	£000	£000	£000	£000	£000
Base projection	1,916	2,709	3,501	3,983	4,328
Base + Cranbrook accelerated by additional 100 properties a year	2,030	2,936	3,842	4,438	4,896

- 2.2 It is considered appropriate to use an element of NHB in funding General Fund services as to cut expenditure to meet the level of resources available without NHB would mean significant service cuts to the detriment of the residents of East Devon.
- 2.3 The risk of using this income stream to fund core day to day service delivery is that this is a reward grant based on housing growth, the sum received maybe less than expected or there is a change in Government policy. A reduction in the income would leave services unfunded. This income in part will also be needed to support the Council's Capital Programme.
- 2.4 It is therefore proposed to use an element of NHB but to restrict the sum in order to mitigate the risk if income falls or even ceases. It is suggested that a level is used whereby our budgets could be reshaped over a period of two years to deal with this loss of income. The amount considered appropriate is 50% of NHB up to a maximum of £1.5m. This will allow sums to be also directed to the Capital Programme.
- 2.5 It is assumed that if NHB would cease or reduce through a policy or Government change then the Council would see an increase in its Formula Grant to at least the level it is seeing top sliced to pay for the scheme nationally. In order to set aside enough money in a reserve to give a two year period to reshape the budget under the worst case scenario of NHB ceasing then it is proposed a sum is held in reserves representing the difference between the amount that is calculated to be top sliced from our grant and the

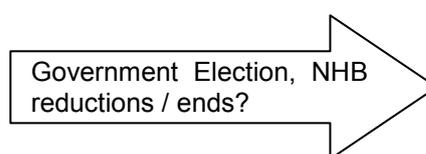
amount we actually use in NHB multiplied by 2 (therefore giving us a two year window of funding).

2.6 The amount set aside could be met from a combination of remaining NHB and excess monies held in our General Fund Balance over the adopted level. The split between these two areas can be determined when considering the Council's balances in the 2012/13 Outturn report to Cabinet in June 2013.

2.7 To illustrate this position details are given below.

Risk: *There is a risk of funding day to day services from a reward grant, what happens if there is a change in policy or Government, or there is reduced funding than expected?*

Risk Mitigated by: *Limiting the amount used to fund services and set aside money to pay for services for a two year period to give time to reshape budget if reduced or ceased funding*



NHB income to be used to Fund General Fund Services	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000	2018/19 £000
50% of NHB monies, up to £1.5m	958	1,355	1,500	1,500	1,500
% of NHB	50%	50%	43%	38%	35%
Allowing a 2 year safety margin	1,916	2,709	3,000	3,000	3,000
Estimated top slice of Council's funding for NHB (figs supplied by LG Futures)	750	1285	1569	1,569	1,569
Reserve sum required (G.F bal currently £1.5m above adopted level)	1,166	1,424	1,431	1,431	1,431
Top Slice amount + Reserve	1,916	2,709	3,000	3,000	3,000

2.8 Below is a revised MTFP using NHB income as proposed above.

MTFP - Updated 1/2/13	2014/15	2015/16	2016/17	2017/18	2018/19
	£000	£000	£000	£000	£000
Shortfall	1,878	2,424	3,040	3,721	3,973
NHB Income	958	1,355	1,500	1,500	1,500
Revised MTFP Shortfall	920	1,070	1,540	2,221	2,473

It is also suggested that in terms of proposals to balance the Council's budget going forward then it this revised position that is used as a target to achieve. It is also suggested that the period considered in terms of balancing the budget is up to and including 2016/17 which would be the first year of a new Council.

This therefore gives a savings target (or a combination of income generation and savings) in total to find of £1.54m.

3. **Proposals to Balance the Budget from 2014/15 to 2016/17**

- 3.1 Through work undertaken by an extended SMT and suggestions from staff it is considered that this savings target of £1.5m can be achieved through specific initiatives.
- 3.2 These initiatives need consideration by members and it proposed that a Cabinet Working Party is set up to consider the proposals. It is suggestion the Working Party comprise of 12 members; political balanced 9:2:1.
- 3.3 It is proposed that minutes of the Working Party will go to Cabinet with recommendations on proposals. It is envisaged that members will be able to agree certain proposals fairly quickly which means Cabinet can consider these at an earlier stage and if agreed officers can take steps in order to start delivering the necessary savings. Depending on the proposal some recommendations may then require Council approval.
- 3.4 Other proposals may require further information and details of implications in order for the Working Party to reach a conclusion; these items can be reported through to Cabinet at a later stage. It is suggested that all proposals are presented to Cabinet for consideration by the July/September meeting.
- 3.5 By including the notes of the Working Party on to the Cabinet Agenda papers with any recommendations, then the Overview and Scrutiny Committee could consider items before Cabinet make its decision.

3.6 Listed below are the areas of savings/income generation in broad streams that are being proposed in order to meet the £1.5m budget deficit, these will come forward in more detail for debate during the process.

	£000
✓ Automate services / self service	100
✓ Renegotiate with contractors & Service Level Agreements	120
✓ Realignment of resources to HRA	125
✓ Income Review – Task & Finish Forum	50
✓ Asset Income	50
✓ Service delivery structure	55
✓ Management Restructure	100
✓ Business Rate Relief – income & accounting adjustments	231
✓ Shared services	80
✓ Procurement Target (for 3 year period)	210
✓ Budget Managers' Target (equivalent to a 3% savings on direct costs of an annual budget)	600
✓ Other suggestions	64
	<u>£1,785</u>

4. Management Restructure

4.1 Currently there are two Heads of Service posts vacant (a budget is included for the posts in the MTFP), as part of the saving proposals there is an indicative saving sum of £0.1m that arises from a management restructure. It is believed that savings can be achieved of at least this sum but further discussions and considerations are required.

4.2 Members are asked to agree that the Chief Executive in consultation with the Leader and Deputy Leader of the Council consider a management restructure with discussions/negotiations to be held with those affected and to make final proposals to Cabinet.

5. Corporate Peer Challenge – Local Government Association (LGA) led.

5.1 With the demise of the Audit Commission and their reviews of local authorities there is a concern that councils could become inward looking and lack external challenge. With this in mind and linked to the financial challenging facing the Council the Chief Executive approached the LGA with an idea of Corporate Peer challenge at East Devon which is finance focussed.

5.2 This idea was well received by the LGA and fitted in with work they had been considering as an offer to local authorities going forward with a focus on future viability of a council. It has therefore been suggested that they work with us to “pilot” an approach to work on a programme that could then be offered to other councils.

5.3 A meeting was held with two local representatives of the LGA, the Chief Executive, the Leader and Deputy Leader of the Council, Portfolio Holder for Finance and Head of Finances to discuss a likely approach. An email from Paul Clarke (LGA) is attached outlining the outcome of that



meeting with a proposed way forward on a peer challenge. We are keen to progress this with Members approval.

Legal Implications

To be advised

Financial Implications

Details are contained in the report.

Consultation on Reports to the Executive

Details contained in this report have been discussed by the Strategic Management Team

Background Papers

Mark Williams – Chief Executive mwilliams@eastdevon.gov.uk
Simon Davey – Head of Finance sdavey@eastdevon.gov.uk

Cabinet
3 April 2013

From: Paul Clarke [<mailto:Paul.Clarke@local.gov.uk>]
Sent: 04 March 2013 09:07
To: Mark Williams
Cc: Andy Bates; Howard Davis
Subject: Follow up to our discussions last week

Dear Mark,

Thank you to you and your colleagues for meeting with Andy and I last week to discuss the corporate peer challenge at East Devon. I thought it useful to summarise what we agreed as regards the scope, timing and make-up of the peer team

We jointly recognised that we will work together to 'pilot' a particular approach and emphasis within the corporate peer challenge programme which has an overriding focus on future financial viability of a council. Thank you for doing this and given we are 'testing this out' with you, as well as taking a planned approach to the challenge it could also be iterative as we jointly explore this style and emphasis of challenge. Your involvement in this is most welcome.

Scope and focus:

East Devon is a well-regarded local authority. Through sound financial stewardship, strong political and managerial leadership and a focus on continuous improvement the council is in 'good shape'. As a consequence you are already looking ahead at the opportunities and challenges that the next 2-5 years presents.

For these reasons you are seeking to undertake a corporate peer challenge with a strong emphasis on the financial sustainability of the council going forward. You are acutely aware that the strategic intent of East Devon must be underpinned with a realistic and sustainable resource base. As outlined above the LGA is keen to explore this too.

You are wisely embarking on your future financial planning now and with a view to completing this current exercise by late summer 2012. The corporate peer challenge will provide a useful milestone, reflection and importantly challenge your existing paradigms as you explore ways through which this future plan might be achieved. We would advise that the challenge should focus on up to 3-4 main areas of focus and exploration to ensure you get tangible benefits.

Four potential areas are outlined below and we would encourage you to hone these now with us so that when the team arrives everyone is crystal clear. At this stage we suggest:

- A reflection upon and challenge to East Devon's particular approach to prioritisation and resourcing (relative to others and within the context of the developing funding mechanisms for local government)
- Medium Term Financial Modelling within a rural district but in the context of growth
- A focus on income generation including asset management planning and being open to inward investment
- Exploring with but also challenging the council on how cost effective its services really are

Underpinning this focus and as a core component of all corporate peer challenges will be five key questions which will in my view simply reinforce the substance of the main areas outlined above. Specifically:

1. Does the council understand its local context and has it established a clear set of priorities?
2. Does the council have a financial plan in place to ensure long term viability and is there evidence that it is being implemented successfully?
3. Does the council have effective political and managerial leadership and is it a constructive partnership?
4. Are effective governance and decision-making arrangements in place to respond to key challenges and manage change, transformation and disinvestment?
5. Are organisational capacity and resources focused in the right areas in order to deliver the agreed priorities?

Exploring these areas will help provide reassurance and an indication about the organisation's ability and capacity to deliver on its plans, proposals and ambitions.

Timing:

You would like the peer challenge to take place ideally during June 2013 but definitely before September so it informs the next steps of your planning process. We propose that the peer team will spend 3 consecutive days onsite at East Devon during one of those weeks. You are happy for peer availability to help determine the exact week and days. We also agreed, given that this is a 'pilot' that we might follow this up with further 'deep dive' exploration of a specific issue(s), possibly within the context of the LGA's productivity programme but we would explore this with you as we progress

Peer Team:

To deliver the above, we discussed and agreed a peer team made up of the following but your suggestions and guidance on this would be most welcome:

- Chief Executive Peer: a chief executive of a district council who has an understanding/experience of: shared services, approaches to transformation, rurality and track record for financial innovation. You suggested David Clarke as a potential chief executive
- Member Peer: a Leader of a Conservative controlled district council – as with all member peer deployment, we will work with our political group office to identify potential member peers, but will feed in the names and places discussed.
- Senior officer peer: a corporate director level officer with knowledge and experience relevant to the scope of the peer challenge in this case with a focus on finance and resources

Thank you all for taking the time to meet with us Mark and as you know we are keen to provide something that works for you and tests out this new approach so we are happy to work with you closely with you throughout to deliver something very valuable for both East Devon and the sector too.

Paul Clarke
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Local Government House, Smith Square, London, SW1 3HZ
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Agenda Item 16

Cabinet

3 April 2013

SD/LJ



NNDR – Rate Relief Policies

Summary

The Council currently gives National Non Domestic Rate (NNDR) rate relief under differing circumstances. These reliefs are detailed in the report for background information and members are not being asked to consider them unless Cabinet feel there is wish to do so. Members are being asked to consider two particular policy areas relating to rate relief which have become necessary to review because of requests, or likely requests, from business in the District;

- The Localism Act brought in a change to allow billing authorities to grant discretionary rate relief in any circumstances provided it is in the interests of the local council tax payers to do so. The purpose of this new power is to give authorities the ability and scope to encourage, sustain and improve economic performance by having the power to lower the business rate burden.
- Section 44a of the Local Government Finance Act 1988 gives discretion to an authority to apply to the Valuation Officer for a certificate to grant the equivalent empty relief for a short period for “part occupied property”. Requests are unusual and the cost until 1 April 2013 fell to the Government in a reduction in business rates collected.

From 1 April, under Business Rate Retention, 40% of the costs incurred through these reliefs will fall to the billing authority (EDDC) and the Council Tax Payer (9% to Devon County Council, 1% to the Fire Authority and 50% to central Government).

Attached to this covering report is a Policy for each of these two areas for Members consideration.

Recommendation

To recommend to Council the adoption of the following policies:

- **Local Discretionary Rate Relief Policy**
- **Part Unoccupied Property Rate Relief Policy**

a) Reasons for Recommendation

In order to consider applications from Business it is deemed appropriate for a clear policy to be agreed by the Council so business can understand when such reliefs maybe given and what the Council will consider in making its decision and to enable the decisions to be made in a consistent manner.

b) Alternative Options

Members may wish to amend or not to adopt the policies attached.

c) Risk Considerations

The purpose of having policies in these areas is to be transparent in what matters the Council will consider in granting relief, who will make decisions and the appeal process. Decisions will be made on a case by case basis but in line with the policies. There is however a risk by having such policies this could raise unrealistic expectations of businesses to receive rate reductions where such awards will be given only in exception circumstance.

d) Policy and Budgetary Considerations

No separate budget exists for these reliefs; a general rate relief budget does exist in 2013/14 of £111,000. This sum is to be reviewed for the 2014/15 budget as changes made under the Business Rate Retention scheme suggest that this budget will not be required, sums will be needed if we grant additional reliefs over the Governments assessment of our baseline net business rate income.

Therefore it is assumed if existing reliefs are given roughly to the same levels as previous years and the reliefs granted for these two new policies are limited and only given in exceptional circumstances then the existing budget level could be substantially reduced.

As stated the cost to this Council of any reliefs granted would be 40% of the reduction given.

e) Date for Review of Decision

The position will be monitored and an updated Policy presented to members if considered necessary.

1 Discretionary Rate Relief

1.1 The Council currently grants rate relief on NNDR in the following areas:

- Charities and Community Amateur Sports Clubs (CASCs) receive 80% mandatory relief. In these cases the Council may award discretionary rate relief on the remaining 20% payable as per the criteria previously approved by Members.
- Non profit making organisations – can receive up to 100% discretionary rate relief. Where cases fall outside existing agreed criteria they are considered on a case by case basis by the Finance Portfolio Holder.

- Rate relief is available for certain qualifying businesses situated in a “rural settlement”. These are settlements with populations of 3,000 or fewer inhabitants (76 rural settlement areas with East Devon). These are businesses such as post offices, general stores, food shops, petrol filling stations and public houses and can qualify for 50% mandatory rate relief but need to fulfil certain conditions such as being the only outlet in the village. In these cases the Council have agreed to grant 50% top up relief. Where rural businesses don't qualify for the mandatory relief these cases are considered on a case by case basis by the Finance Portfolio Holder.
 - The Council has the discretion to remit all or part of a Business Rates bill under Section 49 of the Local Government Finance Act 1988 on the grounds that the occupier of a non domestic property is expecting financial hardship caused by the business rates liability. These again are considered on a case by case basis and it is in the interest of the Council Tax Payer needs to be taken into account.
- 1.2 The aim is to bring all the discretionary rate reliefs under one policy document but that will take time to prepare. Members may also wish to revisit some of the existing criteria to ensure that they are still in agreement with the basis with which they are granted. It should be noted that the majority of relief granted is mandatory which Members do not have discretion over.
- 1.3 Members are being asked however to consider two particular policy areas which have become necessary to review because of requests, or likely requests, from businesses in the District;
- The Localism Act brought in a change to allow billing authorities to grant discretionary rate relief in any circumstances provided it is in the interests of the local council tax payers to do so. The purpose of this new power is to give authorities the ability and scope to encourage, sustain and improve economic performance by having the power to lower the business rate burden.
 - Section 44a of the Local Government Finance Act 1988 gives discretion to an authority to apply to the Valuation Officer for a certificate to grant the equivalent empty relief for a short period for “part occupied property”. These are unusual request and the cost until 1 April 2013 fell to the Government in relation to a reduction in business rates collected.
- 1.4 From 1 April, under Business Rate Retention, 40% any costs incurred through these reliefs will fall to the billing authority (EDDC) and the Council Tax Payer (9% to Devon County Council, 1% to the Fire Authority and 50% to central Government).
- 1.5 Attached to this covering report is a Policy for each of these areas above in 1.3 for Members consideration.

Legal Implications

The statutory scheme is reflected in the report and policies.

Financial Implications

Financial details are contained within the report



Consultation on Reports to the Cabinet

Details of the Local Discretionary Rate Relief Policy have been circulated the Business Improvement Point

Background Papers

[Discretionary Housing Payments Policy – Equalities Impact Assessment](#)

[NNDR Partly Occupied Premises Section 44a Policy – Equalities Impact Assessment](#)

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Simon Davey – Head of Finance sdavey@eastdevon.gov.uk

Cabinet
3 April 2013

East Devon District Council – National Non Domestic Rates Local Discretionary Rate Relief Policy

1 Previous Policies/Strategies

N/A

2 Purpose of the Policy/Strategy

- 2.1 This policy sets out the criteria, the conditions that need to be met and the type of information to be provided when a ratepayer applies for a reduction in their business rates bill under this discretionary provision. EDDC only anticipate granting relief in exceptional circumstances.
- 2.2 Section 69 of the Localism Act 2011 amends Section 47 of the Local Government Finance Act 1988 with effect from 1 April 2012 to allow billing authorities to grant discretionary rate relief in any circumstances provided it is in the interests of the local council tax payers to do so. The purpose of this new power is to give billing authorities the ability and scope to encourage, sustain and improve economic performance by having the power to lower the business rate burden.
- 2.3 This policy:
- Makes clear to specific and limited criteria under which discretionary rate relief will be awarded by EDDC.
 - Anticipates that relief will only be granted in exceptional circumstances and for a limited period.
 - Will ensure that all ratepayers making application for this discretionary rate relief are treated in a fair, consistent and equal manner.
 - Sets a framework for how businesses/organisations can apply for this relief.
 - Sets out the delegated authority for dealing with applications.
 - Seeks to safeguard the interest of local council taxpayers by ensuring that funds allocated for discretionary rate relief are used in the most efficient, effective and economical way.

3 Terms Explained

Billing Authorities have the power to grant discretionary rate relief to ratepayers that meet certain criteria. The relief granted is used to reduce the amount the ratepayer has to pay in National Non Domestic Rates.

4 Specific Policy Areas

4.1 Awarding Local Discretionary Rate Relief

4.1.1 The Council recognises the importance of having a thriving, competitive local economy and seeks where it can to help retain existing and encourage new employment. It is anticipated that relief will only be granted in exceptional circumstances and for a temporary period. When considering an application for rate relief the following factors will be taken into account:

- That relief is for a temporary period
- The significance of potential loss of employment in the area
- The measurable impact on other businesses & the local community
- Opportunities for new business growth, expansion and employment within the area
- The positive effects on business cash flow and evidence of positive impact on future viability
- Sufficient evidence of likelihood of recovery of the applicant's business
- The capacity of EDDC intervention to secure further investment and retained and/or new employment opportunities
- Reassurance of duration of retained employment and continued production/operation in the area.
- Uniqueness of service/commodity being provided within the community/district
- Whether relief is for occupied or unoccupied rates
- What proactive measures the business/organisation is taking to reduce overheads, etc
- Measures being taken to reduce their rate liability, for example occupying smaller premises, letting out parts of the building, etc
- Consideration will also be given to rate deferral, reprofiling of instalments, arrangements as an alternative method of support.
- Cost of funding relief and the constraints on EDDC's finances
- It is in the interests of council tax payers as a whole to give relief

4.1.2 Giving rate relief to a business/organisation must be balanced against whether this creates unfair market conditions to the detriment of others. See also section 4.4 State Aid.

4.1.3 It should also be recognised that one of the main overheads of any Business is Non domestic rates and therefore it is reasonable to expect that Businesses have made provision to pay this.

4.1.4 Businesses can appeal against the rateable value or where there is a material change can apply to the Valuation Office Agency to have the rateable value reassessed. EDDC would expect Businesses to use this mechanism first, as relief under this policy will only be given in very exceptional circumstances and for a temporary period.

4.1.5 Payment record history will also be taken into account.

4.1.6 Relief will be withdrawn/ cancelled if:

- the conditions or circumstances on the basis of on which the relief was granted change or fail to materialise, or the information submitted as part of the application proves to be misleading
- the applicant ceases to be the ratepayer
- business/organisation ceases to trade (in case of occupied rates) or downscales operations and workforce in contravention of any agreement
- the use of the property changes.

Where relief is cancelled this will normally take effect from the actual date of change. However, in certain circumstances this may be withdrawn in full. A revised rates bill will be issued for payment.

4.1.7 Ratepayers are required to notify the Council of any change in circumstances that may affect entitlement to discretionary rate relief.

4.2 Funding

4.2.1 From 1 April 2013 the cost to East Devon District Council of funding discretionary rate relief is 40% as it forms part of the business rate retention scheme.

4.3 Legal Background

4.3.1 Section 69 of the Localism Act 2011 amends Section 47 of the Local Government Finance Act 1988 with effect from 1 April 2012 to allow billing authorities to grant discretionary rate relief in any circumstances provided it is in the interests of the local council tax payers to do so.

4.3.2 A decision to award discretionary rate relief must be made during or within six months after the end of the financial year to which it relates.

4.3.3 There is no provision within the Regulations to withhold payment whilst an application for relief is pending therefore recovery action may continue.

4.4 State Aid

4.4.1 There are European Union (EU) regulations that restrict the award of state aid under certain circumstances. Relief from taxes, including non-domestic rates, can constitute state aid. State aid rules aim to ensure fair competition and a single common market. Discretionary rate relief must at all times fall within the criteria specified by the relevant Articles of "Functioning of the EU" for it to be treated as "de minimis aid".

4.4.2 The total de minimis aid which can be given to a single recipient is currently €200,000 over three fiscal years. This ceiling takes into account all public assistance given to the applicant or any linked organisation (such as another group company) and includes the monetary amount of any aid given in respect of operational locations outside East Devon.

4.4.3 Discretionary rate relief will not qualify as de minimis aid if given on condition that use of domestic materials is to be preferred over imported materials, or if given to an organisation defined by the EU as “an undertaking in difficulty” (which EU defines as a company in respect of the absence of “outside intervention by public authorities will almost certainly condemn it to go out of business in the short or medium term”).

4.4.4 The Council must ensure that it is complying with State Aid rules when awarding discretionary rate relief.

4.5 Administering the Scheme

4.5.1 Local Discretionary rate relief must be applied for in writing by the ratepayer.

4.5.2 It is expected that the ratepayer will need to provide:

- The period and percentage of relief being sought
- Reasons why relief should be given and how this meets our policy
- Details of all other support/recovery measures the business /organisation is undertaking or receiving
- Audited accounts
- Business Plan including growth forecasts (to suggest that the Council is helping an organisation/business that is demonstrating potential to become sustainable)
- Explanation as to how it meets the interests of the local council tax payer as a whole.
- Its declaration as to the amounts that it or any other organisation in its group has received under either the “de minimis aid scheme” and/or “notified scheme” and/or “block exemption scheme” (as prescribed by the EU) in the last three years

4.5.3 The Council will reserve the right to request any other information it feels appropriate in order to consider an application.

4.5.4 Successful applicants will be notified in writing of the amount and period Discretionary Rate Relief has been awarded for. Any entitlement is applied to the rate account and a revised bill is sent.

4.5.5 Unsuccessful applicants will be notified in writing together with the reason for the decision.

4.5.6 The Council will aim to make a decision within 14 days of receiving all the information required.

4.6 Right of appeal

4.6.1 There is no statutory right of appeal against a decision made by the Council regarding discretionary rate relief. However, the Council recognises that ratepayers should be entitled to have a decision reviewed if they are dissatisfied with the outcome.

- 4.6.2 A review of a decision will be dealt with by Chief Executive in consultation with the Leader or Deputy Leader of the Council. There is no right of appeal.
- 4.6.3 A request for review must be made within one calendar month of the date of the decision letter.
- 4.6.4 This review process does not affect a ratepayer's legal right to seek leave to challenge a decision by way of Judicial Review.

5 Outcomes

- 5.1 The Policy is intended to ensure that discretionary rate relief contributes to the Council's priorities, which is to have a thriving, competitive local economy and to create investment and paid jobs.
- 5.2 Awarding discretionary rate relief is in the interests of the council tax payer.

6 Who is responsible for delivery?

- 6.1 Delegated authority is given to the Head of Finance in consultation with the Portfolio Holders for Finance and Economy (if available) for deciding applications for rate relief. In the absence of the Head of Finance it will be delegated to the Financial Services Manager.
- 6.2 Cases of review will be conducted by the Chief Executive, in consultation with the Leader or Deputy Leader of the Council.
- 6.3 The Council are responsible for approving changes to the Policy.
- 6.4 The Non Domestic Rates Team are responsible for administering and promoting this policy.
- 6.5 The Economic Development Team are also responsible for promoting this policy.

7 Performance Monitoring

- 7.1 We will monitor the effectiveness of the policy through:
- The impact of giving or not giving relief
 - Types of businesses/organisations and amounts awarded
 - Applicant's requests for review of decision
 - Feedback received including any complaints

8 Policy/Strategy Consultation

- Strategic Management team
- Economic Development Manager

- Members of the Devon Rate Retention Pool (subject to East Devon District Council's inclusion)

9 Equality Impact Considerations

- 9.1 When applying the content of this policy to determine a discretionary rate relief application, the decisions will be based solely on the criteria in this policy and will not discriminate against or in favour of any particular group or groups.
- 9.2 Consideration will be given to any impact on equality and diversity issues in the community of the business / organisation applying for rate relief.
- 9.3 As each case will be considered on an individual basis the equality impact of this policy has been assessed as neutral. See equality impact assessment.

10 Policy/Strategy Review

This policy will be reviewed periodically but no later than 2016.

11 Related Policies/Strategies, Procedures and Legislation

Local Government Finance Act 1988
Localism Act 2011
EU Regulations - State Aid
Council Plan
Local Plan
Equality and Diversity Policy

East Devon District Council – National Non Domestic Rates – Discretionary Rate Relief for Partly Occupied Premises

1 Previous Policies/Strategies

N/A

2 Purpose of the Policy/Strategy

- 2.1 This policy sets out the criteria, the conditions that need to be met and the type of information to be provided when a ratepayer applies for a reduction in their rates bill due to part occupation.

Section 44A of the Local Government Finance Act 1988 gives Billing Authorities discretionary powers to require the Valuation Officer to apportion the rateable value of a property between the occupied and unoccupied parts where it appears to the Billing Authority that part of it is unoccupied but will remain so for a short time only. This is a discretionary provision, and full rates will remain payable on a partly occupied property if the Billing Authority chooses not to exercise its power in this respect.

- 2.2 The purposes of this policy is to:

- Ensure that all ratepayers making application for this discretionary rate relief are treated in a fair, consistent and equal manner.
- Set a framework for how ratepayers can apply for this relief
- Make clear the limited criteria under which relief will be awarded
- Highlight that it only granted for a short period.
- Set out the delegated authority for dealing with applications.

3 Terms Explained

- 3.1 Unoccupied is where a property is empty. In certain circumstances fixtures and fittings can remain

- 3.2 Unoccupied properties are normally exempt from non domestic rates for up to 3 months (for qualify industrial property up to 6 months). After the exemption period full rates become payable.

4 Specific Policy Areas

- 4.1 Awarding S44A Partly Occupied Discretionary Rate Relief

- 4.1.1 When considering an application for discretionary rate relief the following factors will be taken into account:

- The circumstances leading to the partial occupation

- What is the intention of the business in relation to the unoccupied parts
- Evidence that the unoccupied part will be empty for a short term only.

4.1.2 East Devon will not normally give relief under this provision where:

- Part occupation is likely to exceed a short time
- Part occupation is seasonal
- It appears there is no effort being taken to let, sell, re-occupy or totally vacate
- It is for a retrospective period

4.1.3 Any relief awarded will end when either:

- There is a change in the partial occupation (more or less); or
- It is the end of the financial year (though we can use our discretion to request a further certificate if the circumstances permit it); or
- There is a change in the rateable value (through revaluation or an appeal).

4.1.4 Ratepayers are required to notify the Council of any change in circumstances that may affect entitlement to this relief.

4.2 Administering the scheme

4.2.1 Relief must be applied for in writing (including email) and will need to include the following:

- The period for the relief
- The reasons for why relief should be given and the circumstances leading to the partial occupation (see 4.1.1)
- A plan of the rated premises which clearly identifies the occupied and the unoccupied areas.
- Its declaration as to the amount of de minimis aid it or any other organisation in its group under the “notified scheme” or “block exemption scheme” as prescribed by the EU in the last three years

4.2.2 The premises will need to be inspected in order to verify the information that has been provided

4.2.3 The maximum period will normally only be granted for up to 6 months. This mirrors the statutory exemption for empty premises where you normally get either three or six months depending on the description of the property. Beyond that in the majority of cases there would be no financial benefit to the customer exceeding the exemption period as full rates are payable whether it's occupied or not.

4.2.4 Delegated authority is given to the Revenues & Benefits Manager for deciding applications for this discretionary rate relief.

4.2.5 The Council will aim to make a decision within 14 days of receiving all the information required.

4.2.6 Unsuccessful applicants will be notified in writing together with the reason for the decision.

4.3 Right of Appeal

4.3.1 There is no statutory right of appeal against a decision made by the Council regarding discretionary rate relief. However, the Council recognises that ratepayers should be entitled to have a decision reviewed if they are dissatisfied with the outcome.

4.3.2 A review of a decision will be dealt with by the Head of Finance. There is no right of appeal.

4.3.3 A request for review must be made within one calendar month of the date of the decision letter.

4.3.4 This review process does not affect a ratepayer's legal right to seek leave to challenge a decision by way of Judicial Review.

4.4 Legal Background

4.4.1 Section 44a of the Local Government Finance Act 1988 allows billing authorities to grant rate relief on a property that is partly unoccupied, so long as the situation exists for a short time only.

4.4.2 The decision to exercise our discretion must be taken before a certificate is requested from the Valuation Office Agency, because the 'occupied value' once certified becomes the Section 42 rateable value for the purpose of the Act.

4.4.3 The discretion given to Billing Authorities only extends to deciding whether or not to allow relief and what is a short period in relation to the premises or ratepayer.

4.4.4 Discretion does not extend to selecting categories of property or ratepayer where relief will be favoured.

4.5 State Aid

4.5.1 There are European Union (EU) regulations that restrict the award of state aid under certain circumstances. Relief from taxes, including non-domestic rates, can constitute state aid. State aid rules aim to ensure fair competition and a single common market. Discretionary rate relief must at all times fall within the criteria specified by the relevant Articles of "Functioning of the EU" for it to be treated as "de minimis aid".

4.5.2 The total de minimis aid which can be given to a single recipient is currently €200,000 over three fiscal years. This ceiling takes into account all public assistance given to the applicant or any linked

organisation (such as another group company) and includes the monetary amount of any aid given in respect of operational locations outside East Devon.

4.5.3 Discretionary rate relief will not qualify as de minimis aid if given on condition that use of domestic materials is to be preferred over imported materials, or if given to an organisation defined by the EU as “an undertaking in difficulty” (which EU defines as a company in respect of which the absence of “outside intervention by public authorities will almost certainly condemn it to go out of business in the short or medium term”).

4.5.4 The Council must ensure that it is complying with State Aid rules when awarding discretionary rate relief.

4.6 Funding

4.6.1 From 1 April 2013 the cost to East Devon District Council of funding discretionary rate relief is 40% as it forms part of the business rate retention scheme.

5 Outcomes

5.1 The Policy is intended to ensure that discretionary rate relief contributes to the Council’s priorities, which is to have a thriving, competitive local economy and to create investment and paid jobs.

5.2 Awarding discretionary rate relief is in the interests of the council tax payer.

6 Who is responsible for delivery?

6.1 Delegated authority is given to the Revenues & Benefits Manager for deciding applications for Section 44a Discretionary Rate Relief. In the absence of the Revenues & Benefits Manager it will be delegated to the Financial Services Manager.

6.2 Cases of review will be conducted by Head of Finance.

6.3 The Council are responsible for approving changes to the Policy.

6.4 The Revenues team are responsible for administering and promoting this policy.

7 Performance Monitoring

- 7.1 We will monitor the effectiveness of the policy through:
- The impact of giving or not giving relief
 - Types of businesses/organisations and amounts awarded
 - Applicant’s requests for review of decision
 - Feedback received including any complaints

8 Policy/Strategy Consultation

9 Equality Impact Considerations

- 9.1 When applying the content of this policy to determine a discretionary rate relief application, the decisions will be based solely on the criteria in this policy and will not discriminate against or in favour of any particular group or groups.
- 9.2 As each case will be considered on an individual basis the equality impact of this policy has been assessed as neutral. See equality impact assessment.

10 Policy/Strategy Review

This policy will be reviewed periodically but no later than 2016.

11 Related Policies/Strategies, Procedures and Legislation

- Local Government Finance Act 1988
- EU Regulations – State Aid

Agenda Item 17

Cabinet

3 April 2013

DHP



Discretionary Housing Payment (DHP) Policy

Summary

Under the Welfare Reform Act there are a number of reforms being introduced from 1 April 2013 which will mean a reduction in the amount of Housing Benefit which some of our customers will be eligible to receive. As part of these changes the Government has increased the amount of funding it gives under DHP and has also published new guidance. Our policy has needed to be updated to reflect these changes.

Recommendation

That the draft policy be adopted.

That delegated authority be given to the Head of Finance, in consultation with the Finance Portfolio Holder to make amendments to the Policy to reflect changes in legislation, Government guidance and policy.

a) Reasons for Recommendation

To ensure that we are dealing with customers fairly, reasonably and consistently.

b) Alternative Options

Not to have a formal policy.

c) Risk Considerations

By not having a policy we are at risk of being challenged that we are not awarding DHP's in a fair and consistent way.

d) Policy and Budgetary Considerations

N/A

Positive Impact Overall

Excellent Customer Service.

Meeting our Diversity and Equality duties.

e) Date for Review of Decision

See draft policy.

1 Background

- 1.1 As part of the welfare changes the Government have steadily been increasing the amount of funding for DHPs, as shown below:

	DWP Funding £
2013/14	176,239
2012/13	138,478
2011/12	70,921
2010/11	59,432

- 1.2 We have been experiencing a significant increase in the numbers of customers applying over the past several months and we expect this trend to continue as more of the welfare reforms take effect.

- 1.3 The DHP policy has been updated from experiences of the current policy and taking into account new guidance and best practice. The main changes include:

- DHP can no longer be used for Council Tax
- The under occupancy changes being implemented from April. The Government expects that with the additional funding that some of this will be prioritised for people with disabilities who need to have an extra bedroom or have had their existing accommodation adapted to meet their needs or foster families.
- Benefit Cap which is now due to come in from 15 July 2013. Again, it is expected that with the additional funding that some of this will be prioritised to support claimants where there are complex issues which means they cannot immediately move into work or move to more affordable accommodation.
- Can be used for people on Universal Credit due to start in October 2013.
- As part of the application process we will expect customers to be engaging for assistance with budgeting and money management advice. This is to ensure that customers are maximising income and prioritising expenditure and are able to sustain tenancies.
- To help a customer move into more affordable accommodation by paying the deposit for the new property and/or rent in advance.

- 1.4 We are already working very closely with Housing and welfare agencies to ensure that we are providing an holistic approach to addressing financial difficulty when dealing with applications for DHP as well as supporting customers to move to more affordable accommodation. We recognise that this joined up approach is key to the success of delivering the outcomes of this policy. DHPs will also link into the new local welfare support scheme that comes in from 1 April 2013 which has been reflected in this policy.

- 1.5 As the Government are making late changes to the welfare reforms being introduced from 1 April 2013, it is important that we can update our Policy to reflect them.

Legal Implications

Section 69 of the Child Support, Pensions and Social Security Act 2000 and regulations made thereunder give the Council power to make discretionary housing payments to persons who are entitled to housing benefit or council tax benefit, or [when universal credit comes in] to those on universal credit.

The power applies where a person needs further financial assistance (in addition to the benefit or benefits to which they are entitled) in order to meet housing costs. Subject to this, and some restrictions in regulations, the council has broad discretion as to how to operate its scheme, but it must stay within the overall statutory limit on expenditure and the limits on the weekly amounts of discretionary payments that apply in certain circumstances

The Council can restrict the period for which discretionary housing payments may be made to such period as it considers appropriate in the particular circumstances of a case.

The council has discretion as to how it requires people to make applications for help and may accept applications, where it considers it appropriate, from relatives, friends or others assisting the applicant. Payment of assistance may be made to a third party.

The regulations provide for a review from the original decision following a request which sets out the grounds for review. Written notice of the Council's decision in respect of the review and the reasons for that decision shall be given as soon as is reasonably practicable.

Financial Implications

There currently exists a budget to pay for DHPs however this has to be monitored carefully against demand.

Consultation on Reports to the Cabinet

We have consulted with Citizens Advice Bureau, Christians Against Poverty, Homemaker Southwest and our Housing Service.

Background Papers

- [Equality Impact Assessment](#)
- [DWP Discretionary Housing Payment Guidance Manual – Local Authority Good Practice Guide](#)

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Revenues & Benefits Manager

Cabinet
3 April 2013

East Devon District Council

Discretionary Housing Payment Policy

1. Reasons for updating this Policy

This policy reflects East Devon District Council's role in assisting customers to sustain their tenancies whether they have been affected by some key welfare reforms or changes in their household or financial circumstances.

There have been significant Welfare Reform changes which have impacted on our customer's ability to meet their rent payments in full. Examples of some of these reforms include:

- The introduction of a Benefit Cap.
- Size restrictions for customers living in social rented sector accommodation.
- The introduction of the shared accommodation rate for single customers under 35 years of age.
- The change to uprating Local Housing Allowance in 2013/14 by the Consumer Price Index (CPI) and by 1% in 2014/15 and 2015/16.

2. What are Discretionary Housing Payments - Terms Explained

- 2.1 Discretionary Housing Payments (DHPs) are paid on top of Housing Benefit (HB) or Universal Credit (UC) if a customer has a rental liability and requires further assistance to help with housing costs.
- 2.2 They can only be awarded if customers already receive either HB or UC and need further financial support to pay rent. DHPs are not payments of HB or UC.
- 2.3 Customers receiving UC will not receive a specific amount towards housing costs therefore the amount of DHP to award can be decided on an individual case basis, providing it does not exceed the weekly eligible rent.
- 2.4 A customer who is receiving local Council Tax Support only, with no rental liability, for example an owner occupier, is not eligible to apply for a DHP. These customer may be eligible to make an application from the Council's Exceptional Hardship Fund.
- 2.5 Payments are discretionary and it is up to East Devon District Council to determine how to operate the scheme. There is no statutory right to a payment but the council must be satisfied that a customer is genuinely in need of further financial assistance with their housing costs.
- 2.6 The amount we have to spend on DHPs is limited. The DHP fund can be up to a maximum of two and a half times the amount of the Government grant.

3. Purpose of this Policy

- 3.1 This Policy is intended to ensure that DHPs contribute to the Council's aims and objectives for the development of the East Devon area and to promote social and financial inclusion.
- 3.2 Each case will be treated strictly on its merits and all customers will be treated equally and fairly when the scheme is administered. All payments will be made in line with our purpose in the delivery of HB to pay the right person, the right amount at the right time.
- 3.3 We need to manage the expectations of customers and welfare agencies successfully as, regrettably, for the majority of those affected by the cuts in benefit, DHPs will not be able to meet the full shortfall.
- 3.4 The Revenues and Benefits service is committed to working with other council services and the wider community, such as housing, landlords and the voluntary sector, to provide an inclusive approach to addressing financial difficulties. We will deal with claims for DHP in a professional and fair manner that shows respect for customers, members of staff and anyone else involved in the process.
- 3.5 East Devon District Council is committed to equality of opportunity and to the elimination of unfair and unlawful discrimination in our policies, practices and procedures. We have a duty to act fairly, reasonably and consistently when considering awards of DHP. Our aim is to provide equality of access to each customer regardless of their age, disability, gender, language, marital status, pregnancy and maternity, race, religion or sexual orientation.

4. Statement of objectives

- 4.1 The Council will treat each application for a DHP on its merits, in line with the Council's corporate aims and objectives, and seek to:
 - alleviate poverty;
 - safeguard residents in their own homes;
 - safeguard children and foster children;
 - sustain tenancies and help prevent homelessness ;
 - help customers through personal crises and difficult events over which they have no control;
 - keep families together;
 - support vulnerable disabled or elderly customers in the local community;
 - help those who are trying to help themselves;
 - encourage customers to obtain and sustain employment;
 - support vulnerable young people, such as those leaving care or foster care, in the transition to adult life;
 - work holistically with Housing Services, who administer Local Welfare Support, to ensure that customer's receive the right help and are assisted to support themselves.
 - signpost customers seeking advice and guidance about debt to the appropriate agencies.

4.2 The DHP scheme is a short-term emergency fund.

5. Awarding DHPs

5.1 We will consider awarding a DHP (if there is some benefit entitlement already), in a wide variety of circumstances. Some examples of when we may give temporary help are:

- reductions in HB or UC where the benefit cap has been applied;
- reductions in HB or UC for under-occupation in the social rented sector especially in the following cases:
 - where disabled people are living in significantly adapted accommodation (including any adaptations made for disabled children) ; and
 - Foster carers, whose Housing Benefit is reduced because of a bedroom being used by, or kept free for foster children.
- reductions in HB or UC as a result of local housing allowance restrictions;
- rent shortfall to prevent a household becoming homeless whilst Housing Needs explore alternative options with the customer;
- rent officer restrictions such as local reference rent or shared room rate;
- non-dependant deductions;
- income tapers;
- a customer experiences unexpected changes in their income/expenditure which they have no control over but are still tied into the terms of their current tenancy;
- to help a customer to move into work after a period of unemployment;
- if benefit is less than the full rent because a customer's disability or vulnerability makes it hard for them to move to cheaper accommodation;
- a person has moved to cheaper accommodation and there is an unavoidable overlap in rent costs.
- to help a customer move into more affordable accommodation by paying the deposit for the new property and the first month's rent in advance.

5.2 The above list is not exhaustive and in addition to these situations DHPs can be considered for rent deposits and rent in advance for customers already receiving Housing Benefit for their current home in the East Devon area who are looking to move to a more affordable property. These payments may be awarded only in exceptional circumstances. These will be considered in consultation with the Housing Team.

5.3 In all cases we will look carefully at a customer's circumstances before coming to a decision.

5.4 DHPs cannot cover:

- Ineligible service charges. Service charges which are not eligible for HB or UC cannot be covered by DHP;
- Increases in rent due to outstanding rent arrears;
- Sanctions and reductions in benefit from Jobcentre Plus;
- Benefit suspensions;
- Rent when the customer is getting Council Tax Support but not Housing Benefit or help with housing costs in UC; and
- Shortfalls caused by Housing Benefit overpayment recovery.

6. Claiming a DHP

6.1 Customers can claim DHP by:

- telephoning
- emailing
- writing in
- visiting our offices or at the customer's home.

It is particularly important that the most vulnerable customers know how to apply (see Section 14 Publicity).

6.2 The Revenues and Benefits Service may request evidence in support of the application and reserves the right to verify any information or evidence provided by the customer.

7. Duties of the customer

7.1 A person claiming a Discretionary Housing Payment is required to:

- Give the Council such information as it may require to make a decision.
- Tell the Council of any changes in circumstances that may be relevant to their ongoing claim.
- Give the Council such other information as it may require in connection with their claim.

8. Awarding a DHP

7.1 In deciding whether to award a DHP, the Council will take into account the following criteria:

- Whether the customer has already accessed or is engaging for assistance with budgeting and financial/debt management advice. A DHP award may not be made until the customer has accepted assistance either from the Council or a third party, such as Citizens Advice Bureau, Homemaker southwest or similar organisations, to enable them to manage their finances more effectively, including the termination of non-essential expenditure.
- the shortfall between HB or UC and the actual housing costs;

- any steps taken by the customer to reduce their rental liability;
- household income and expenditure, including savings and capital;
- regular debt repayments;
- exceptional circumstances (including ill health and disability);
- the possible impact on the Council of not making such an award, e.g. the pressure on priority homeless accommodation;
- the period that the customer anticipates the DHP will be needed for;
- any other special circumstances brought to the attention of the Council; and
- the amount available in the DHP budget at the time of the application.

3.4.2 We will work with the Housing Service Team in order to address wider support issues. For example, customers may need to apply under the Rent Deposit Scheme for help in moving to smaller and/or cheaper accommodation more appropriate to their circumstances and away from reliance on DHPs.

8. Length of awards

8.1 No award can be made past the end of the financial year in which the award starts. In general, short term awards may be appropriate if a customer just needs time to sort out their financial circumstances; longer term awards may be appropriate depending on the customer's circumstances and the likelihood of change.

9. The right to seek a review

9.1 Customers have no statutory right of appeal against DHP decisions because DHPs are not payments of benefit and therefore cannot be appealed to the HB tribunal.

9.2 If a customer (or their appointee or agent) disagrees with a DHP decision we will review it. The review will always be undertaken by someone other than the original officer in order to mitigate against the risk of legal challenge or allegation of maladministration.

9.3 If a customer's application has been reconsidered and they are still not happy with the outcome they can:

- seek a Judicial Review
- make a complaint through the Council's complaint policy, which explains how it can be escalated to the Ombudsman.

10. Notification

10.1 The Council will normally make a decision about awarding a DHP within 14 days of receiving all the information required.

10.2 We will tell all customers the outcome of their application for DHP, whether successful or not, and let them know:

- the reason for the decision
- that they can ask us to look at our decision again

- that they have the right to take the application for judicial review

10.3 For successful applications, our letters will include the following information;

- the amount of the award
- the period of the award
- the need to notify of any changes in circumstances
- advice that we cannot guarantee that any future applications for help will be successful, even if circumstances have not changed because DHP is cash limited and the threshold set by Government cannot be exceeded.

11. Payment

11.1 The Revenues and Benefits Service will decide on the most appropriate person to pay DHP to based upon the circumstances of each case. Payments of DHP will be made in line with the frequency of Housing Benefit payments.

12. Change of circumstances

12.1 The Revenues and Benefits Service may revise an award of DHP where the customer's circumstances have changed, which either increases or reduces their HB or UC entitlement.

13. Overpayments

13.1 The Council cannot recover overpaid DHPs from ongoing Housing Benefit because they are not benefit awards. The Council can recover overpayments from ongoing DHPs or by issuing an invoice to the person to whom the DHP payment was made.

13.2 Overpayments will be recovered in-line with the Council's Corporate Debt Policy.

14. Fraud

East Devon District Council is committed to fighting fraud and therefore we will always aim to investigate any DHP applications which are suspected of being fraudulent. Submitting a fraudulent claim for DHP is a criminal offence and offenders may be prosecuted.

15. Publicity

15.1 We will raise awareness of DHPs in a wide variety of ways including:

- the Council's website
- leaflets
- in letters advising customers about their Housing Benefit awards
- when customers come to us to discuss a claim
- by working closely with our Housing team
- by making landlords and Social Services aware of the scheme

- by involving key voluntary sector organisations such as CAB, Smartmove, Homemaker, Christians Against Poverty, etc.

15.2 The Council will publish the criteria that we will consider when making decisions about DHP claims. This will promote the overall aim of linking the scheme to the council's vision.

16. Outcomes

See 4 Objectives

17. Who is responsible for delivery

17.1 The Revenues and Benefits Service are responsible for administering, determining and awarding DHPs.

17.2 The Revenues and Benefits Manager will monitor the overall budget spend.

18. Performance Monitoring

In order to monitor and manage the DHP budget effectively and fulfill its duty to act fairly, reasonably and consistently the Council will keep records on:

- amounts awarded
- type of accommodation
- reason for the award
- duration of the award
- customers' characteristics

19. Policy Consultation

Consultation with Housing service, Citizens Advice Bureau, Smartmove, Westcountry Housing and Christians Against Poverty.

20. Assessment and Appraisals

Equality Impact Assessment

21. Policy Review

This Policy will be managed by the Revenues and Benefits Manager and will be reviewed at least every 3 years and updated as appropriate to ensure it remains fit for purpose. However, the review may take place sooner should there be any significant changes in legislation.

22 Related Policies/Strategies, Procedures and Legislation

22.1 Strategies

- Corporate strategy
- Homeless Strategy 2013-2018

- Homes and Communities Plan 2012-16
- Corporate Debt Recovery Policy

22.2 Legislation

- Section 69-70 of The Child Support, Pensions and Social Security Act 2000.
- The Discretionary Financial Assistance Regulations 2001
- Article 7 of The Discretionary Housing Payment (Grants) Order 2001
- Schedule 1 to the Housing Benefit Regulations 2006 and Schedule 1 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006
- Regulation 11(3) of the Housing Benefit Regulations 2006 and Regulation 11(2) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006
- The Human Rights Act 1998
- Data Protection Act 1998

Agenda Item 18

Cabinet

3 April 2013

KJ



Knowing East Devon – a community profile

Summary

In May 2012, Members agreed the updated Communications Plan following a review of East Devon's communications function. One of the recommendations of this review was that we needed to understand the profile of our community better and develop a factual understanding about the place, people and economy of East Devon.

The Knowing East Devon profile has now been produced and this covers a full range of statistical information about East Devon. This document will be used by Members and officers to help inform decision making going forward.

Recommendation

That Members consider the community profile report Knowing East Devon and highlight if there is further information they require.

a) Reasons for Recommendation

To provide helpful, factual information which will support decision making going forward.

b) Alternative Options

None

c) Risk Considerations

None

d) Policy and Budgetary Considerations

None

1 Knowing East Devon – a community profile

1.1 This profile pulls together information and data from a range of sources including the Census 2011, Office of National Statistics, East Devon Health profile and Local Futures.

1.2 This information will help develop a shared narrative of the East Devon community and ensure that Members and Officers understand what characterises East

Devon in terms of the population, the environment, the economy, housing and much more.

1.3 As well as helping East Devon meet its equalities duties in publishing information about its service users, this information and trend analysis will be helpful in allowing EDDC to apply factual, rather than anecdotal information to decision making.

Legal Implications

The reproduction of other parties' data may be subject to licence or other conditions and/or the requirement for acknowledgements and the report should be checked by the originating service for compliance before formal publication.

Financial Implications

The Local Futures licences have already been budgeted for and will be requested in future years in order to access the latest data.

Background Papers/Appendix – open to public inspection

- Knowing East Devon 2013
-

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Corporate Organisational Development Manager

Cabinet
3 April 2013

Knowing East Devon

2013

A Community Profile

Version 1.3

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1. Purpose and introduction

The Knowing East Devon – A Community Profile has been collated to provide us with an overview of the communities that live here to create a shared narrative of the district. The purpose of the report is to provide us with a comprehensive and up to date community profile that will support our strategic thinking and decision making.

The information in the report will help to inform our strategic and operational planning and target setting and our equalities agenda and assessments.

The report pulls together information and data from a range of sources including the Census 2011, Office of National Statistics, East Devon Health profile and Local Futures. Local Futures provide a geographical perspective on economic, social and environmental change through analysis of national and local data.

We will update the report on a yearly basis where new data is available.

We have also in conjunction with Local Futures produced ward profiles for each of the wards within the district.

If you have any feedback on this report please contact Joanne Avery at East Devon District Council on 01395 516551 or email javery@eastdevon.gov.uk.

2. Place

2.1 Location and Geography

The district of East Devon lies at the east of the county of Devon between Exeter to the west and bordering Somerset and Dorset on the East. It is one of eight Devon districts and, in population terms, it is the largest in the County. The district has a dispersed and mainly rural population. The rural nature of the area is emphasised by the low population density of 1.6 persons per hectare (the England average is 4.1)¹.

East Devon is blessed with beautiful countryside. In fact two thirds of the district are recognised as being nationally important for its high landscape quality and designated as Areas of Outstanding Natural Beauty (AONB) - the East Devon AONB covers some 270sq km of stunning landscape between Exmouth, to Lyme Regis and up to Honiton, whilst to the north of Honiton you will find the Blackdown Hills AONB. East Devon also has a stunning coastline that runs the length of its southern border. A high proportion of the coastline is part of a World Heritage Coast that starts at Exmouth and runs to Swanage in Dorset.

The main settlements are the coastal resorts of Exmouth (Devon's largest town – population 35,989)², Budleigh Salterton, Sidmouth and Seaton and inland are Honiton, Ottery St Mary, and Axminster.

2.2 Transport

East Devon is connected to Bristol and the north of the country by access to the M5 via Exeter and London and the South East by the A30/A303. London can be reached in about 3 hours by road

The main rail route from the district to London is via the Honiton to Waterloo line which takes on average 3 hours. However there are efficiency issues with this route not being a dual track line. The main Great Western line to London Paddington can be accessed via Exeter St Davids station and takes about 2 1/2 to 3 hours to reach the capital city. The rest of the rail network in Devon and Cornwall can be accessed via Honiton, Axminster, Exmouth and Exeter stations.

The district contains the main airport for Devon with Exeter International Airport at Clyst Honiton. The airport offers both scheduled and holiday charter flights within the UK and Europe to destinations such as Manchester, Edinburgh, France, Austria, Italy, Spain and Turkey.

The levels of car ownership reflect the rural nature of the district with 84.1% of households owning at least one vehicle, nationally the figure is 74.4%, The average number of cars per household is 1.37, the England and Wales average is 1.17 and 39% of households have more than one vehicle again above the national average of 32%.¹

The rural nature of some parts of the district is such that 13 of our wards have less than one person per hectare living there. The accessibility to public transport is vital to those without a car living in such areas.

At the 2001 Census there was a large flow of workers out of the district with 30% (15,407) of the working population commuting out of East Devon to work primarily by car (86%). Over 62% of those that were working outside of the district were travelling to Exeter with significant numbers also going to Mid Devon, South Somerset, Teignbridge and Taunton Deane. Of the 8423 people that were travelling into East Devon for work 86% did so by car, such commuters were mainly from Exeter, Mid Devon and Teignbridge.³

At the last census in 2011 67.3% (40,301) of commuters within East Devon recorded that they travelled to work by car or van. Only Teignbridge is higher with 42,184 of its commuters travelling by car or van. 15.3% travel on foot or bicycle to work which is just above the national average of 13.6%. Only 5.3% of commuters travel to work by public transport, this is slightly below the Devon average of 5.4% and well below the national average of 16.9%.¹ The number of commuters using public transport has only increased slightly from the 2001 census when the proportion was 4.5%.³ There has also been a decline in the number of people working from home which has fallen from 7,932 in 2001 to 5,835 in 2011.¹

2.3 Housing

There are 63,881 homes in East Devon the highest number of all the Devon districts.¹ The proportion of homes that are owner occupied is quite high with 74.9% being owned compared to the national average of 63.6%, of these 47.1% are owned outright, compared

to 30.6% nationally. Of those homes that are not owner occupied 23% of the homes are rented, with 9.3% defined as social rented housing (17.6% national average) and 13.6% privately rented.¹

The Dunkeswell ward has the highest percentage of homes that are owner occupied at 88.03% compared to the lowest Exmouth Town at 65.02%. Axminster Rural ward has the highest percentage of social rented housing at 27.56%.³

East Devon along with the South Hams has some of the highest proportions of houses in the top three most expensive council tax bands (F, G and H) in Devon. 15.7% of the dwellings in East Devon are in bands F, G and H. At the other end of the council tax banding East Devon has the lowest proportion of houses in band A at 9.0% which is far below the Devon average of 15.8%.⁴

Table 1: Proportion (%) of dwellings in each council tax band by area (Sept 2009)⁴

	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
East Devon	9.0	19.4	22.1	18.5	15.3	9.3	6.1	0.3
Exeter	19.1	27.8	26.0	15.0	7.2	3.3	1.6	0.1
Mid Devon	16.8	24.9	18.4	17.4	12.7	6.7	2.9	0.2
North Devon	22.4	24.2	21.3	17.2	9.4	4.0	1.4	0.1
South Hams	11.5	19.9	19.8	18.5	14.8	8.2	6.8	0.6
Teignbridge	13.9	22.7	22.0	18.9	12.7	6.2	3.5	0.2
Torrige	25.7	21.7	20.2	17.4	10.1	3.5	1.3	0.1
West Devon	13.3	25.5	19.7	16.7	13.1	7.1	4.2	0.4
Devon	15.8	23.0	21.59	17.53	12.02	6.18	3.63	0.24
National Avg	25.1	19.4	21.7	15.3	9.5	5.0	3.5	0.6

East Devon housing types follow that of Devon as a whole with the vast majority of dwellings being either houses or bungalows. The majority of houses or bungalows, over 24500 in number are detached, the highest number in Devon.

Table 2: Number of dwellings by type by area (2011)¹

	All Dwelling type	Detached house or bungalow	Semi-detached house or bungalow	Terraced house or bungalow	Flat, Purpose-built block of flats	Flat converted or shared house (including bed-sits)	Flat, in a commercial building	Caravan or other mobile or temporary structure
East Devon	63,881	24,567	16,399	12,484	6,067	3,057	969	413
Exeter	50,716	6,926	13,072	16,707	10,363	3,002	571	379
Mid Devon	33,972	13,079	9,700	7,811	2,133	720	358	189
North Devon	44,424	17,113	9,744	10,011	4,043	2,435	795	418
South Hams	43,238	16,624	11,043	9,417	3,218	2,019	602	322
Teignbridge	57,720	21,165	13,883	13,082	4,874	2,919	719	1,174
Torrige	30,698	13,071	6,608	7,535	1,992	905	412	206
West Devon	24,677	10,662	6,197	5,158	1,549	626	324	181

In East Devon we have about 2,400 second homes that are used as holiday homes which is about 3.8% of the homes in our district. 40% of those are owned by those aged 65+. The district has the second highest amount of holiday homes of the Devon districts with South Hams above at 8.6%.¹

The average house price in the district is £266,781.19⁵ this is the second highest in Devon only the South Ham is higher, it is also above the national average of £238,637.99. East Devon is in the top 25% of all Local Authority areas for house prices. Alongside this the average weekly wage for those living in the district is £471.60⁶ making East Devon one of the lowest wage areas in England. This discrepancy between wages and house prices puts us in the bottom 25% of districts in the affordability index which is the ratio between average earnings and average house prices.

Table 3: Average house prices (2011)⁵

	House prices: average July-Sept 2012	House prices: detached July-Sept 2012	House prices: semi-detached July-Sept 2012	House prices: flats July-Sept 2012	House prices: terraced July-Sept 2012	House prices: change (ST) June 2011 - June 2012	House prices: change (LT) Sept 2002 - Sept 2012
East Devon	£266,781.19	£362,183.00	£216,125.00	£179,012.00	£202,463.00	-0.74	53.99
Exeter	£217,070.65	£326,468.00	£235,742.00	£138,033.00	£215,249.00	1.01	69.92
Mid Devon	£222,215.32	£307,003.00	£192,133.00	£106,649.00	£166,373.00	-1.53	33.33
North Devon	£231,208.13	£292,998.00	£230,850.00	£148,724.00	£167,070.00	8.22	64.79
South Hams	£311,466.53	£437,021.00	£256,620.00	£226,307.00	£226,661.00	6.04	70.89
Teignbridge	£233,119.32	£335,843.00	£207,683.00	£123,844.00	£168,655.00	2.66	52.71
Torrige	£201,207.27	£262,843.00	£177,815.00	£138,523.00	£152,044.00	-3.94	40.03
West Devon	£227,059.51	£318,603.00	£185,368.00	£115,970.00	£160,968.00	-0.95	37.19
National Avg	£238,637.99	£343,105.13	£209,097.56	£245,532.85	£209,807.87	-1.17	63.22

2.4 Environment

East Devon is the sixth largest local authority area in Devon, with almost 823,732 m² within its realm. The largest proportion of land in East Devon is classified as green space, accounting for 748,938 m² or 91% of its total area.⁷

The natural environment of East Devon is a mainly rural one with wonderful countryside, stunning coastline, important wildlife habitats and a rich natural heritage. There are two Areas of Outstanding Natural Beauty (AONBs) within East Devon the [Blackdown Hills AONB](#) and [East Devon AONB](#) which together occupy some 66% of the district. East Devon works with other interested agencies and land owners in the AONB to conserve and manage these important landscapes

This natural environment makes East Devon one of the most attractive places for people to live. In its scores for Natural Beauty^a and Natural Environment^b Local Futures put East Devon in the top 10% of all the districts nationally.

The natural environment also makes East Devon a wonderful place to visit and our natural economy brings significant employment and business opportunity to East Devon. The South West Tourism data for 2003 shows the financial contribution of visitors to the economy of East Devon²⁵:

- £20,405,000 spend by staying visitors;
- £34,832,582 spend by day visitors;
- £2,235,000 other tourism related spend;
- 1,487 jobs related to tourism spending;
- 2,480,000 day visits;
- £185.67 average spend per staying trip;
- £38.65 average spend per night;
- £14.05 averages spend per day visit.

SW Coast Path generates approx £300million for the region's economy and supports more than 7,500 jobs – 27% of visitors to the region are drawn because of the Coast Path. In 2006 this equated to £18million into East Devon's local economy for the 37 mile stretch of the Coast Path.²⁵

The Axe Wetlands which are managed by us bring in an extra 25,000 day visits per year to the area which adds £250,000 into local economy.

East Devon has the lowest per capita (head of population) carbon footprint of all the districts in Devon. In 2011, this amounted to 6.94 tonnes of CO₂ emissions per capita, the Devon average was 7.7 tonnes and England average was 7.62 tonnes. This is a reduction of 8% from 2005 although nationally the reduction achieved from 2005 is 13.6%.

An average of 4,244kWh was used per customer in East Devon during 2011, below the regional average of 4,318kWh but 3% (149kwh) higher than the national average of 4,095kWh. This is the second lowest usage recorded by a local authority in Devon, behind Exeter with 3,705kW. East Devon has seen a reduction from 4837kWh in 2005.⁸

Fuel poverty can impact on health and quality of life and is defined as such, that in order to heat its home to an adequate standard of warmth, a household needs to spend more than 10% of its income on total fuel use. Fuel poverty is caused by a convergence of four factors:

- low income, which is often linked to absolute poverty
- high fuel prices, including the use of relatively expensive fuel sources (such as electricity in the UK, aggravated by higher tariffs for low-volume energy users)

^a This indicator takes into consideration: National Parks; AONBs; Heritage Coasts; 'Blue Flag' beaches; Ancient Woodland; Nature Reserves; and Environmentally-Sensitive Areas.

^b This indicator takes into consideration: housing density; road density; air quality; tranquillity; natural beauty (see distinct indicator); green space; and water.

- poor energy efficiency of a home, e.g. through low levels of insulation and old or inefficient heating systems
- under-occupancy: according to UK government statistics, on average those in the most extreme fuel poverty live in larger than average homes

Levels of fuel poverty in East Devon area are 17.4% which is just above the national average of 16.4% although just below the Devon average of 18.2%.⁸

Table 4: Fuel Poverty levels (2010)⁸

	Fuel Poor number of households	Fuel Poor % of households
East Devon	10,112	17.4%
Exeter	6,559	13.0%
Mid Devon	5,934	18.6%
North Devon	7,521	19.2%
South Hams	6,603	18.3%
Teignbridge	8,823	16.3%
Torridge	6,050	21.6%
West Devon	4,714	21.1%

More information on the environment of East Devon can be found on the South West Observatory Website at - <http://www.swenvo.org.uk/local-profiles/devon-profiles/east-devon-profile/>

3. People

3.1 Population

At the last census in 2011 the population in East Devon stood at 132,457 that was a rise from 125,700 in 2001, a percentage change of 5.4%.¹

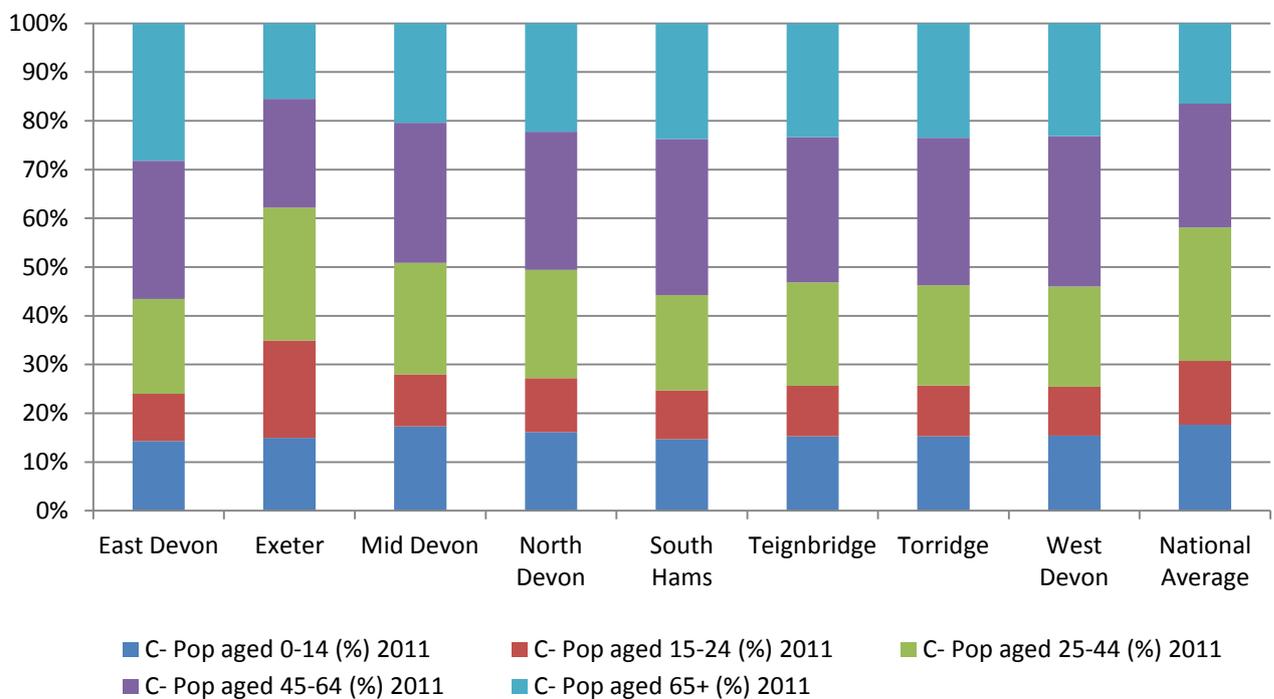
Although East Devon is a predominantly rural ward with a much lower than national average population density at 1.6 persons per hectare (national figure is 4.1) we are one of the highest density areas of Devon districts. Exeter has 25 persons per hectare and Teignbridge 1.8 persons.¹

The population of East Devon has an older age profile with the average age of its residents being 46.9 years (national average is 39.4 years) East Devon has a highest age profile of all of the districts in Devon with the largest percentage of those aged 65+ at 28.19%, this equates to 37,346 people. East Devon also has 2,300 people aged 90+ more any other district in the county (Teignbridge is next with 1,611).¹

Table 5: Proportion (%) of the population by age range¹

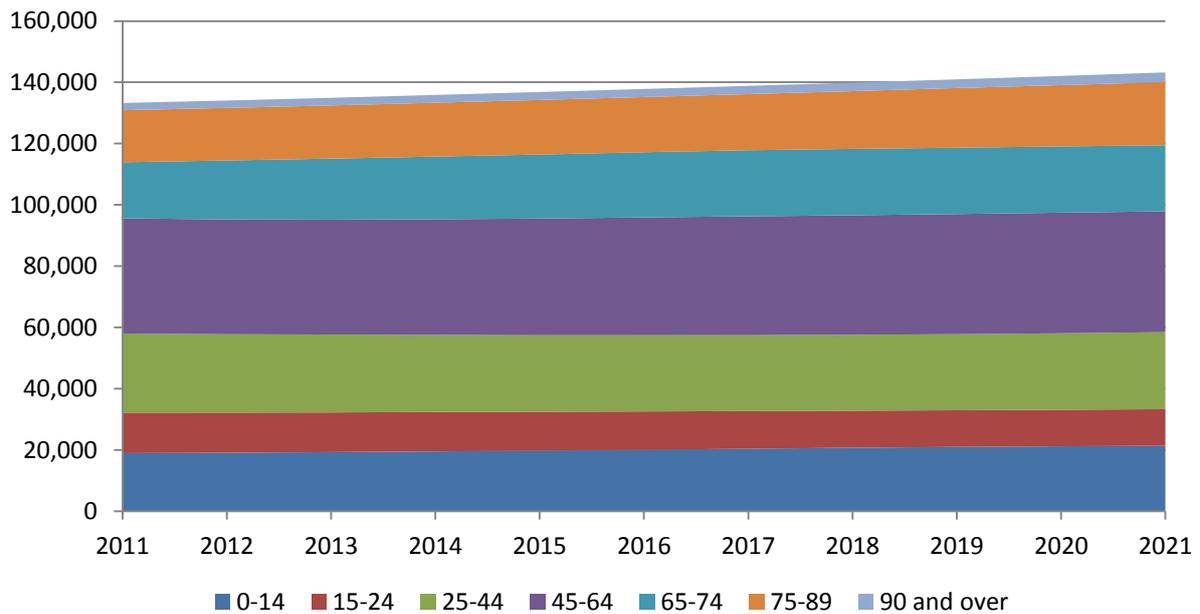
	Pop aged 0-14 (%)	Pop aged 15-24 (%)	Pop aged 25-44 (%)	Pop aged 45-64 (%)	Pop aged 65+ (%)	Average age (years)
East Devon	14.29	9.69	19.44	28.38	28.19	46.9
Exeter	14.95	20	27.2	22.34	15.51	38.1
Mid Devon	17.3	10.72	22.81	28.76	20.41	42.3
North Devon	16.12	11.1	22.16	28.4	22.21	43.3
South Hams	14.72	10.03	19.49	32.01	23.76	45.3
Teignbridge	15.29	10.35	21.24	29.76	23.36	44.6
Torrige	15.26	10.43	20.58	30.27	23.46	44.6
West Devon	15.43	10.04	20.51	30.89	23.14	44.6
National Avg	17.64	13.1	27.38	25.44	16.45	39.4

Chart 1: Proportion (%) of the population by age range¹



The high age profile of the district looks set to continue as 65+ age range looks set to grow more than any other over the next 10 years growing from 28.2% of the population in 2011 to 31.6% of the population in 2021 and up to 37% by 2031. The overall population is expected to increase by 9962 people between 2011 and 2021, a rise of 7.5%.⁹

Chart 2: East Devon population change by age 2010-2021⁹



An ageing population will have an impact on the provision of health care, housing requirements, the labour market and economic growth.

The ward with the highest number of 65+ year olds is Seaton with 2,914. The ward with the highest proportion of 65+ population is Sidmouth Town with 45.13% of its residents being 65+. The proportion of 85+ residents in Sidmouth is 10.99% compared with the East Devon average of 4.8% and the English average of 2.2%.¹

The ward with the highest number of 0-14 year olds is Exmouth Withycombe Raleigh with 1,271. The Ward with the highest proportion of 0-14 population is Ottery St Mary Town with 18.2%.¹

One of the effects of the ageing population is the impact it will have on the dependency ratio (the ratio of economically dependent people to those who are economically active). In East Devon this is 0.91 which is already very high by national standards. By comparison, the Devon figure is 0.78 and the national figure is 0.62. With the increase in the ageing population this dependency on the economically active will increase.¹⁰

The birth rate is also fairly low in the district by national standards with the number of births per 1000 of the resident population in 2010 being 8.16. By comparison, the Devon figure was 9.83 and the national figure was 12.93. There doesn't look to be a significant change in the birth rate for the next 20 years.¹⁰

3.2 Households

The size and structure of households within an area has implications for planning, housing demand and entitlement to benefits. The average household size in the district is 2.2 residents. The main household composition for East Devon is a one person household with a resident aged 65 and over, making up 18.3% of all households. Since the 2001 census the

household type that has grown the most is the one person household which has grown by 2.7% which is nearly 2000 households. Only 22.6% of households in East Devon have dependent children living in them this is below the Devon average of 24.7% and the England figure of 29% of households. The proportion of lone parent households in East Devon is 7.36% which is low by national standards. By comparison the Devon figure is 8.2% and the national figure is 10.65%.¹

3.3 Ethnicity

Predominantly East Devon residents are from a white British background. Just 1.59% of the district's population is from an ethnic background, this is a slight increase on the 2001 census at which 0.74% of the population were from an ethnic background. This is very low by national standards with the England and Wales average standing at 14.03% but is in common with the other districts in Devon.¹

3.4 Religion

Christianity is the largest religion practiced in East Devon at 65.6% (86,934 adherents). The largest non-Christian religion practiced in East Devon is Buddhism with 351 adherents. 10,796 people (8.2% of the population) said that they followed no religion at the 2011 Census.¹

3.5 Migration

Population change has an impact on levels of economic growth through the size of the resident workforce and on the demand for services such as health, education and housing. With such a stable birth rate in the district one of the other factor on the age of the population can the movement in and out of the area. The migration of population into East Devon from other parts of the UK show that in 2011 there were 1130 more people moving into the area than out. The largest age group moving out were in the 16-24 age group and the largest moving in were in the 25-44 age group.¹

Chart 3: Migration inflow to East Devon by age range from other UK areas¹

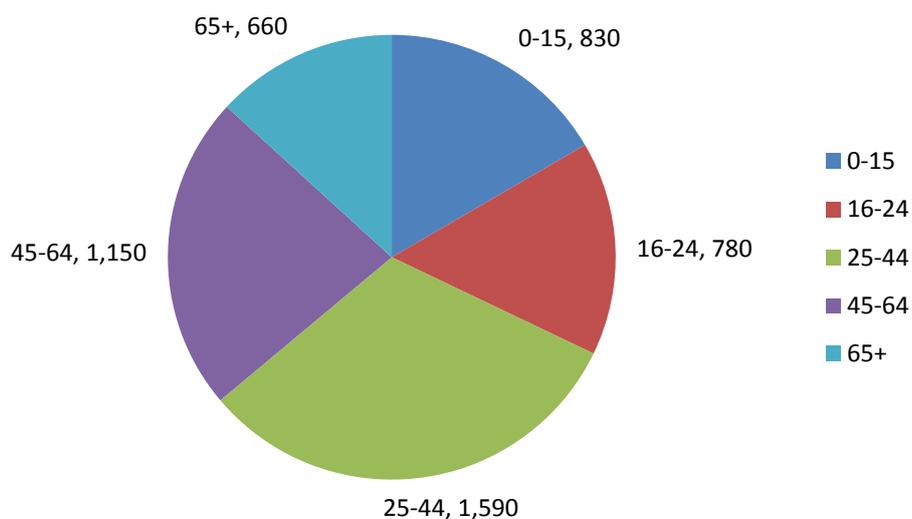
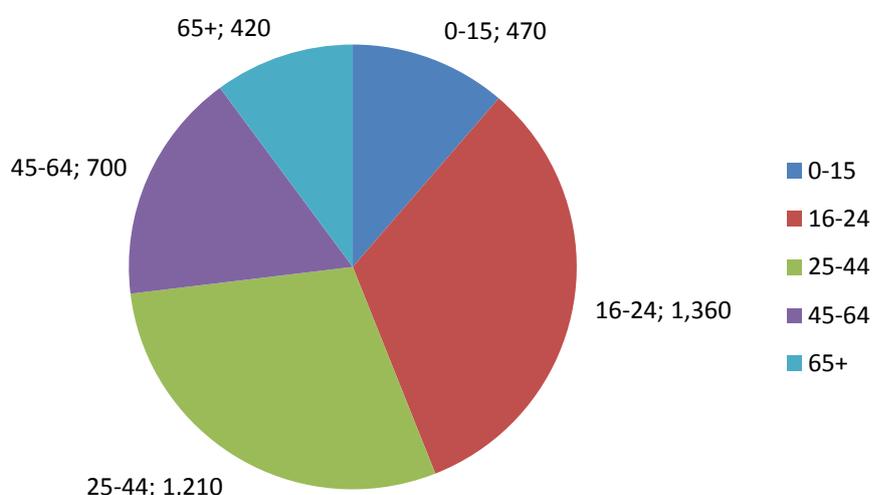


Chart 4: Migration outflow from East Devon by age range to other UK areas¹



Of those moving out of the area 64% stayed within the larger South West region 16% moving to Exeter. Of those aged 16-24 14% moved to Exeter and 10% moved to London. Of those moving into East Devon 58% were from the wider South West region and 28% were from the South East, East and London areas.¹

Table 6: Inflow to East Devon by age and area¹

Inflow	0-15	16-24	25-44	45-64	65+	All ages
North East	0.00%	1.28%	0.00%	0.00%	0.00%	0.32%
North West	2.41%	2.56%	1.89%	0.87%	0.00%	3.04%
Yorkshire and the Humber	1.20%	2.56%	0.63%	0.87%	0.00%	1.44%
East Midlands	0.00%	2.56%	0.63%	0.00%	0.00%	1.60%
West Midlands	1.20%	1.28%	2.52%	3.48%	4.55%	4.33%
East	1.20%	1.28%	1.26%	3.48%	3.03%	5.29%
London Areas	6.02%	3.85%	10.06%	6.96%	3.03%	7.69%
South East	6.02%	11.54%	10.69%	19.13%	16.67%	15.22%
South West	81.93%	66.67%	70.44%	64.35%	72.73%	58.65%
Wales	0.00%	6.41%	1.89%	0.87%	0.00%	2.40%

Table 7: Outflow from East Devon by age and area¹

Outflow	0-15	16-24	25-44	45-64	65+	All ages
North East	0.00%	1.47%	0.00%	0.00%	0.00%	0.59%
North West	0.00%	2.94%	0.00%	0.00%	0.00%	1.76%
Yorkshire and the Humber	0.00%	3.68%	0.00%	0.00%	0.00%	2.15%
East Midlands	0.00%	2.21%	0.83%	0.00%	0.00%	1.57%
West Midlands	2.13%	4.41%	0.83%	2.86%	7.14%	4.31%
East	0.00%	0.74%	0.00%	1.43%	4.76%	3.72%
London Areas	0.00%	9.56%	4.13%	0.00%	0.00%	5.68%
South East	6.38%	12.50%	9.09%	4.29%	4.76%	11.94%
South West	91.49%	55.88%	84.30%	91.43%	83.33%	64.97%
Wales	0.00%	6.62%	0.83%	0.00%	0.00%	3.33%

East Devon has limited migration from outside of the UK. At the 2011 census only 4.6% (6018) of the residents from East Devon were born outside of the UK with 38% of those originating from Europe.¹

3.6 Income and earnings

The average income for households in East Devon in 2010/11 was £24,200 which was just above the Devon average of £23,800 but below the England average of £28,000. The South Hams has the highest income levels of the Devon districts at £25,700.¹¹

The average pension income for those paying tax in 2010/11 was £15,900 which is the highest pension income in Devon. The Devon average was £14,000 and the England average was £13,900. East Devon is in the top 20% of districts for pension income across England.¹¹

The Pension Credit raises the minimum income for people aged over 60 with disability, caring responsibilities or housing costs, the number receiving this per 1000 of the population in East Devon is 134.6 this is very low by national standards (national average is 219.4) and is the lowest of all of the Devon districts. The wards with the highest number of claimants for pension credit are Exmouth Town at 344.8 per 1,000 Exmouth Withycombe Raleigh at 284.8 per 1,000. The ward with the lowest claimant rate is Sidmouth Rural at 55.62 per 1,000.¹²

Attendance allowance is also paid to those aged over 65 years and who require assistance with day to day care of themselves. The number receiving this per 1000 of the population in East Devon is 156.9 which is below the national average of 157.9 but above the Devon figure of 134.3. The wards with the highest number of claimants for pension credit are Exmouth Littleham at 199.2 per 1,000 Exmouth Town at 194.8 per 1,000. The ward with the lowest claimant rate is Whimble at 72.5 per 1,000.¹²

The average weekly pay for those living in East Devon is £471.60 this is the highest in Devon with the Devon average at £416.30 but is below the England average of £499.30.⁶

Despite the lower than average wages in East Devon we have a low rate of claimants for Income Support which assists those on low incomes, with a rate of 23.7 per 1,000 population with the national average being 40.4 per 1,000 population. The ward with the highest claimant rate is Exmouth Town at 40.6 and the lowest is Trinity at 3.8 per 1,000.¹²

3.7 Deprivation

The Index of Multiple Deprivation (IMD) is based upon seven domains of deprivation: income, employment, health and disability, education skills and training, barriers to housing and services, living environment and crime. These are weighted and combined to create the overall IMD. Overall, the district is relatively well-off and is in the 40% least deprived districts nationally. East Devon's ranking in the Indices of Multiple Deprivation is 216 out of 326.

Across the district, there is just one Lower Super Output Area (LSOA)^c in the most deprived 20% of all areas across England which is contained within the Ward of Exmouth Littleham. There are areas of Honiton St Michael`s and Exmouth Town which are in the top 30% most deprived nationally.¹³

Table 8: The top 10 most deprived LSOA's in East Devon¹³

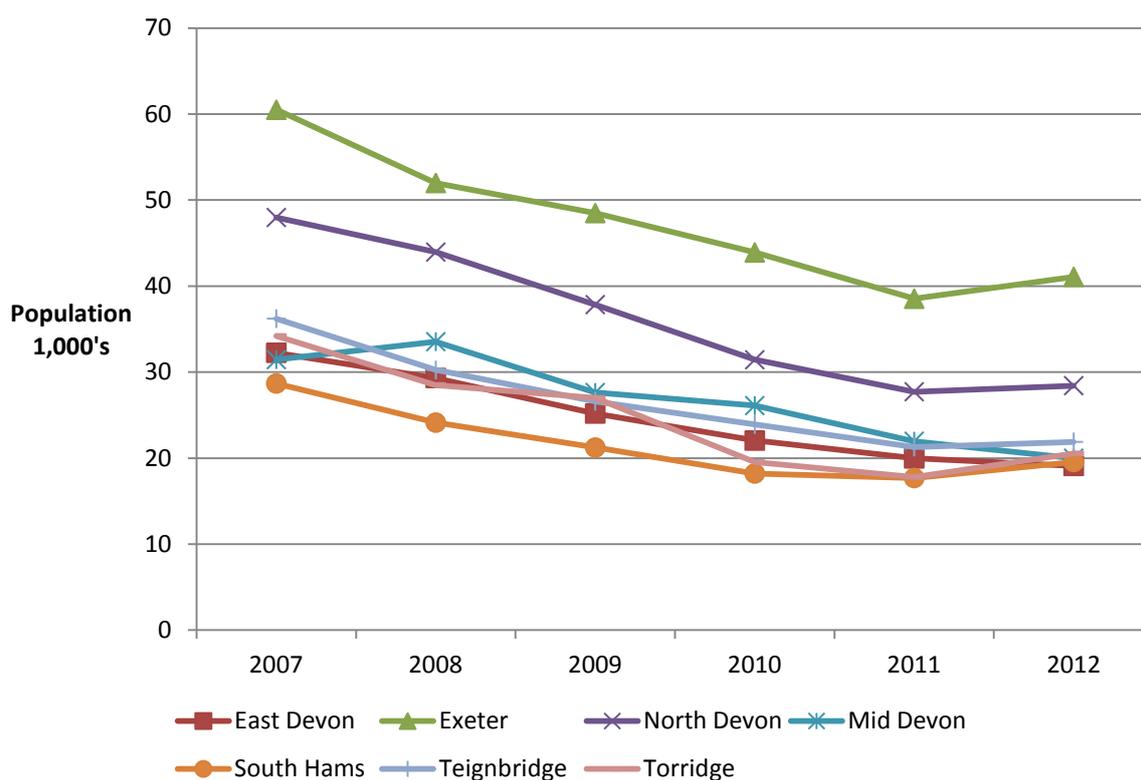
Rank	LSOA	Ward	Deprivation score	Nat. Rank
1	East Devon 020C	Exmouth Littleham	167.75	5754
2	East Devon 002A	Honiton St Michael`s	126.81	9378
3	East Devon 019A	Exmouth Town	125.29	9554
4	East Devon 002B	Honiton St Paul`s	118.28	10333
5	East Devon 019C	Exmouth Town	115.65	10639
6	East Devon 018C	Exmouth Withycombe Raleigh	107.62	11707
7	East Devon 018E	Exmouth Withycombe Raleigh	101.39	12559
8	East Devon 007D	Newbridges	101.06	12594
9	East Devon 019D	Exmouth Town	100.69	12651
10	East Devon 018D	Exmouth Withycombe Raleigh	99.31	12850

3.8 Crime

East Devon is one of the lowest crime rate areas in Britain with 19.1 offences per 1,000 residents in 2012. By comparison the Devon figure 27.49 was and the national figure was 37.63 offences per 1,000 residents.¹⁴

^c Lower Super Output Areas (LSOAs) were developed for the 2001 Census as small area geographical units. LSOAs have between 1,000 and 3,000 people living in them, with an average population of 1,500. There are 82 in East Devon and 32,482 nationally.

Chart5: Recorded crime per 1,000 population 2007-2012¹⁴



The levels of recorded crime in East Devon have fallen for the last 6 years, following a similar pattern to the rest of the Devon districts. East Devon has very low rates of crime for dwelling burglaries, vehicle crimes and violent crimes making East Devon one of the safest districts to live in, in one of the safest counties to live.

Table 9: Crime rates by crime types 2012¹⁴

	Burglaries (per 1000 population)	vehicle crimes (per 1000 vehicles)	violent crimes (per 1000 population)
East Devon	1.43	5.23	8.6
Exeter	3.6	15.63	18.77
Mid Devon	1.87	4.51	8.49
North Devon	1.81	7.37	14.43
South Hams	1.66	5.85	7.27
Teignbridge	1.44	6.33	9.83
Torridge	1.5	4.69	11.23
West Devon	1.15	3.56	7.41
Devon	1.85	7.69	9.6
National Avg	4.44	16.38	13.57

3.9 Health Overview

At just over 82 years old the life expectancy for residents in East Devon is very high with the area ranking in the top 10% of districts nationally and is top of all the Devon districts.¹⁵ The

ward with the highest average life expectancy is Yarty at 85 years and the lowest is Trinity at 77 Years old.¹⁶

The proportion of the working age who are economically inactive due to suffering from long-term sickness is about the national average at 2.29% of the work age population. The national average is 2.29%, although the Devon average is 1.25% which is low by national standards.¹⁷

At the last census residents were asked what their general health had been like in the past 12 months. In East Devon 79.81% of residents said that they were in good or very good health. This is below the national average of 81.19% and one of the lowest of the Devon districts. The figure in the 2011 census was a rise from the 2001 census when 67.1% of residents said they were in good health, with 24.2% in fairly good health and 8.7% who's health was not good.¹

Table 10: Health of the resident population - self reporting¹

	Good Health: good (pop)	Good Health: fairly (pop)	Good Health: not good (pop)
East Devon	79.81	15.07	11.68
Exeter	83.28	11.95	9.57
Mid Devon	82.08	13.37	9.75
North Devon	80.23	14.16	12.1
South Hams	81.78	13.32	10.34
Teignbridge	79.83	14.68	12.22
Torrige	78.37	15.42	14.28
West Devon	80.58	14.28	11.21
National Avg	81.19	13.2	11.9

The East Devon Health Profile and the Locality Health Improvement Plan for 2012/13 highlighted the following issues for East Devon.

- The health of people in East Devon is generally better than the England average. Deprivation is lower than average. Life expectancy for both men and women is higher than the England average.
- The growth in the older age (65+) population which is predicted increase significantly over the next 15 years will have a significant impact on service design and delivery.
- Over the last 10 years, all cause mortality rates have fallen. Early death rates from cancer and from heart disease and stroke have fallen and are better than the England average.
- Priorities in East Devon include working in partnership to address skin cancer prevention, reducing teenage conceptions, emotional health promotion and falls prevention.
- Priority groups & communities are: 1. Exmouth particularly Littleham ward. 2. New community of Cranbrook. 3. Vulnerable young people. 4. Older people with complex needs.

More information about the Health of East Devon can be found at the [Devon Health and Wellbeing website](#) including

4. Economy

4.1 Economic Performance

Gross Value Added (GVA) is the value of goods and services produced by an area giving an indication of the productivity of that area. The level of GVA per person in East Devon is low, with the area ranking in the bottom 40% of districts nationally. GVA per head in East Devon is £37,129, compared with £46,668 in Exeter and £46,046 nationally. The share of national GVA in East Devon is also low by national standards, with the area ranking in the bottom 40% of districts nationally. It accounted for 0.13% of all GVA in Great Britain. Exeter accounted for 0.36% of all GVA.¹⁸

The average gross weekly earnings of those working in East Devon are low, with the district ranking in the bottom 20% of districts nationally. Average gross weekly earnings in East Devon are £386, compared with £492 nationally. In comparison with all of the Devon districts East Devon fares better being the second highest weekly wage only Exeter is in front with £456.⁶

The low wages help to explain the large out flow of commuters to areas such as Exeter, South Somerset and Taunton Deane who all have much higher workplace wages than East Devon. By working in higher wage areas this helps to raise the residence based earnings to £471.60 which is the highest in Devon with the Devon average at £416.30 although it is still a way below the England average of £499.30.⁶

Throughout the global economy, the critical structural trend is the growth of the knowledge economy which supports higher wages and better employment. Knowledge intensive business^d in East Devon accounted for 13.69% of total employment in 2010. This is very low with East Devon in the bottom 20% of districts nationally. By comparison, the Exeter figure was 22.25%, and the national figure was 21.74%.¹⁹

The main types of employment are in the services industry which accounts for 83% of the employment in East Devon with a large section of this being in the retail, hospitality and health sectors all of which are predominantly lower paid sectors.²⁰ At the last Census in 2011 retail and human health industries accounted for 30% of all industries worked in by the residents of East Devon.¹

^d knowledge-based industries include aerospace, electrical machinery manufacture, printing and publishing, and chemicals and energy, telecommunications, computing, R & D, finance and business services, and recreational and cultural services. These industrial groupings are based on European Commission and OECD definitions, where individual industries are classified as knowledge-based if graduates make up at least 25 per cent of their workforce.

Table 11: Employee jobs by industry²⁰

	East Devon (employee jobs)	East Devon (%)	Exeter (%)	Teignbridge (%)	Mid Devon (%)	South West (%)	Great Britain (%)
Manufacturing	2,900	7.1	4.3	8.4	16.4	10.7	10.2
Construction	2,300	5.6	4.2	7.0	5.7	4.4	4.8
Services ^e	34,800	83.2	89.1	80.8	71.9	82.5	83.5
Distribution, hotels & restaurants	12,800	30.7	21.3	32.0	24.0	25.2	23.4
Transport & communications	2,900	6.9	6.5	3.9	7.4	4.8	5.8
Finance, IT, other business activities	5,200	12.5	20.3	12.8	11.7	19.1	22
Public admin, education & health	11,600	27.9	36.8	26.4	23.3	28.7	27
Other services	2,200	5.2	4.2	5.7	5.5	4.7	5.3
Tourism-related [†]	5,400	12.9	5.8	12.0	7.7	9	8.2

Despite the low GVA and the low wages between 2001 and 2011, the total number of employees in East Devon changed by 8.43%. This reflects a relatively strong level of economic growth by national standards, placing East Devon in the top 30% of districts nationally. %.²⁰

4.2 Business and Enterprise

A dynamic local enterprise culture is vital for the long-term competitiveness and overall success of any local economy. The measures that Local Futures uses to assess the extent of an enterprise culture is composed of the new business formation rate, growth in business stock over the last 5 years, average business size and the business survival rate.

The new business formation rate in East Devon is very low, with the area ranking in the bottom 20% of districts nationally. In 2011, 8.72% of all businesses registered for VAT which is about average for a Devon district but is low compared with 9.81% in Exeter and 11.27% nationally.²¹

Between 1998 and 2012, the total business stock in East Devon changed by 39.77%. This change places the area in the bottom 40% of districts nationally, although places East Devon above the other Devon districts excluding Exeter. Over the same time period, the number of businesses in Exeter changed by 93.67%.²² However both the new business formation rate and the business stock change measures exclude very small businesses and the self employed which here in East Devon make up the vast majority of business types so growth in these areas is not shown.

^e † Tourism consists of industries that are also part of the services industry

Notes: % is a proportion of total employee jobs

Employee jobs excludes self-employed, government-supported trainees and HM Forces

East Devon has a high number of micro and small businesses as well as a high level of self employment. The proportion of all businesses in East Devon that are classed as micro, with 9 or less employees is 85.51% this places the area in the top 30% of districts nationally for the number of micro businesses. The average business size is 6.6 employees is just below the Devon average of 7.4 and the national average of 10.8 employees.²²

Table 12: Business size²²

	Average Business Size (No. of employees)	% of micro business (employing 9 or less)	% of small business (employing 10-49)	% of medium business (employing 50-249)	% of large business (employing 250+)
East Devon	6.6	85.51	12.67	1.59	0.23
Exeter	17.1	73.66	20.89	4.75	0.69
Mid Devon	4.9	89.07	9.62	1.09	0.22
North Devon	7.3	85.65	11.8	2.36	0.19
South Hams	6.4	85.75	12.44	1.52	0.28
Teignbridge	7.4	83.85	13.57	2.41	0.17
Torridge	4.8	88.77	9.74	1.35	0.14
West Devon	4.6	88.69	10.11	1.06	0.15
National Average	10.8	82.86	13.77	2.92	0.45

The self-employment rate in East Devon is also very high by national standards, with the district ranking in the top 20% of districts nationally. In 2012, the self-employment rate was 14.34%, compared with 1.83% in Exeter and 11.17% nationally.¹⁷

The business survival rates within the district are very good. The 36 month business survival rate in East Devon is very high by national standards, with the district ranking in the top 10% of districts nationally. Of all of the VAT registered businesses in 2008, 69.23% were still trading in 2011.²¹

Table 13: Business survival rates 2011²¹

	Survival rate: 12 mths %	Survival rate: 24 mths %	Survival rate: 36 mths %
East Devon	88.31	78.57	69.23
Exeter	87.69	75.34	58.9
Mid Devon	86.05	77.78	64.41
North Devon	87.04	80.36	57.33
South Hams	91.18	80	68.75
Teignbridge	87.5	76.19	61.86
Torridge	91.89	75.68	61.7
West Devon	88.57	82.86	67.44
National Avg	86.73	73.9	58.2

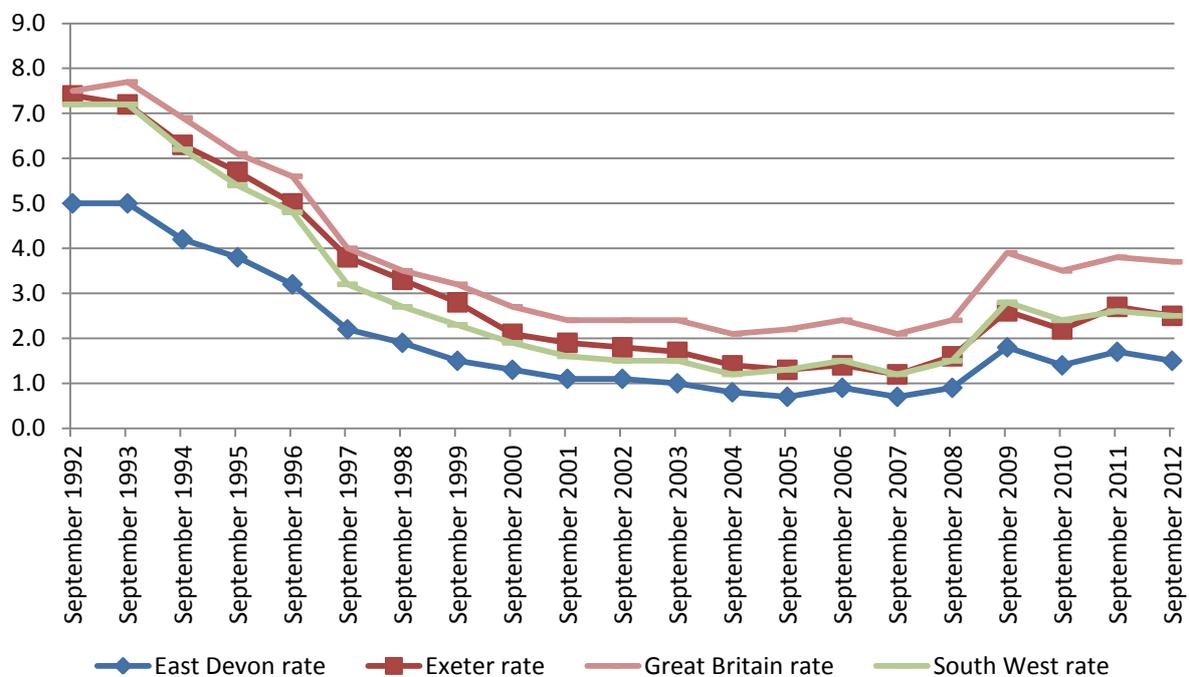
4.3 Labour Market

The labour market in East Devon is good with low levels of unemployment and good qualification levels. However we have to remain aware of the impact that the aging population will have on the labour market reducing the levels of the economically active.

The proportion of the resident working age population who are in employment in East Devon is about average, with the area ranking in the top 40% of districts nationally. In East Devon, 72.6% of the resident working age population are in employment, compared with 76.1% in Exeter and 70.5% nationally.¹⁷

The proportion of the working age population who are unemployed in East Devon is very low, with the district ranking in the bottom 20% of districts nationally. In East Devon, 1.6% of people were claiming job seekers allowance in 2012, compared with 2.3% in Exeter and 3.7% nationally.²³

Chart 6: Unemployment rates 1992 – 2012²³



The ward with the highest proportion of residents claiming Job Seekers Allowance is Exmouth Town with 3%, the ward with the lowest proportion is Raleigh with just 0.5% of the population claiming the allowance.²³

The proportion of the working age population who are in long-term unemployment in East Devon is very low, with the district ranking in the bottom 20% of districts nationally. In East Devon, 18.96% of people who are unemployed have been claiming job seekers allowance for at least 12 months, compared with 25.92% in Exeter and 26.59% nationally.²³

The unemployment rate for 16-24 yr olds is 2.7% which is very low by national standards and Devon standards with East Devon having the second lowest rate of all the Devon districts with just Exeter in front with 2.4%.²³

Table 14: Unemployment rates for 16-24 yr olds as a proportion of those unemployed²³

	Unemployment rate 16-24 yr olds Dec 2012
East Devon	2.7
Exeter	2.4
Mid Devon	4.1
North Devon	4.4
South Hams	2.9
Teignbridge	3.3
Torridge	6.5
West Devon	3.5
National Avg	5.9

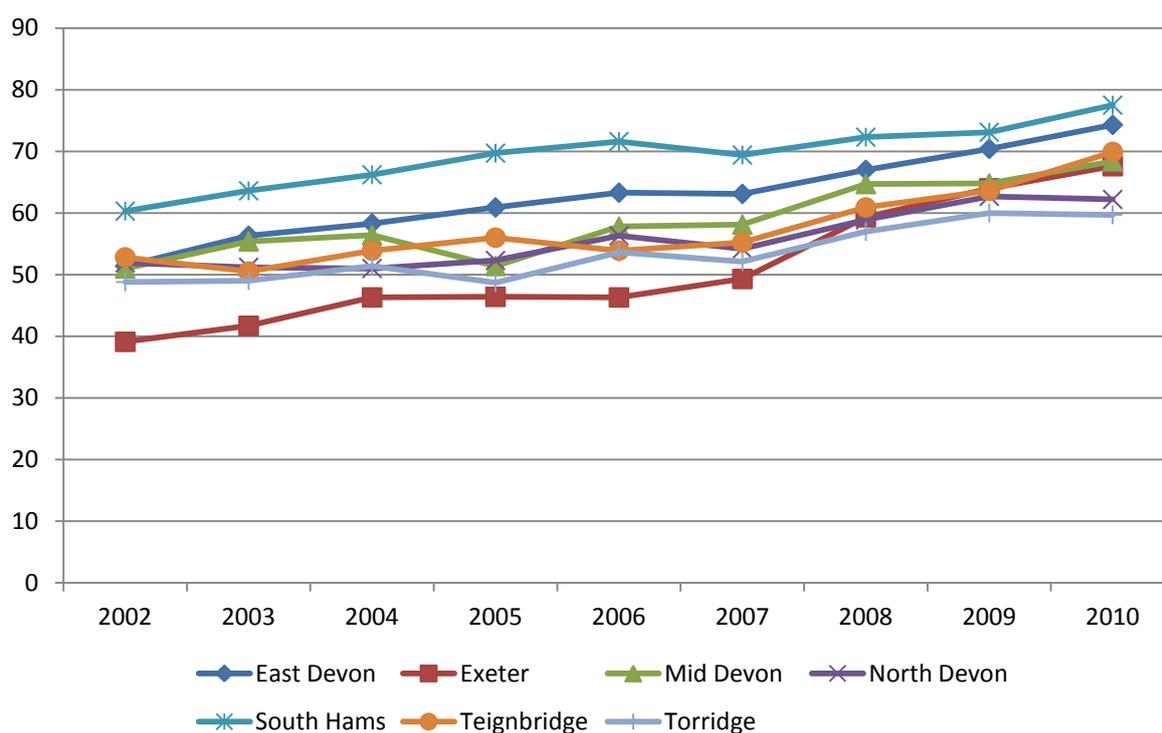
4.4 Skills and Qualifications

The workforce in East Devon shows a good level of education with a mix of academic and vocational skills. The proportion of the working age resident population with no qualifications in East Devon is very low, with the area ranking in the bottom 30% of districts nationally. In 2011, 7% of the working age population had no qualifications, compared with 9% in Exeter and 11% nationally.¹⁷

The proportion of 15 year olds achieving 5 or more GCSE's at grades A*-G in East Devon in 2011 was 96.5% with the area ranking in the top 20% of districts nationally.²⁴ The proportion of 15 years olds achieving 5 or more GCSE's at grades A*-C including English and Maths in East Devon in 2011 was 64.5 % with the area ranking in the top 10% of districts nationally.²⁴

The proportion of students gaining 5+ GCSEs (A*-C) in East Devon has been improving since 2002 following the national trend. East Devon along with Exeter has seen the biggest improvement in numbers gaining 5+ GCSEs and is catching up with the best performing district in Devon.²⁴

Chart 7: Proportion of students gaining 5+GCSEs (A*-C) 2002-2010²⁴



The proportion of the working age resident population qualified to NVQ level 2 in East Devon is high, with the area ranking in the top 40% of districts nationally. In 2011, 23.29% of working age residents were qualified to NVQ level 2, compared with 22.26% in Devon & Cornwall and 21.11% nationally.¹⁷

The proportion of the working age resident population qualified to NVQ level 3 in East Devon is very high, with the area ranking in the top 20% of districts nationally. In 2011, 22.71% of the working age population held 2 A-Levels or equivalent, compared with 20.92% in Devon & Cornwall and 18.69% nationally.¹⁷

The proportion of the working age resident population qualified to NVQ level 4 and above in East Devon is average, with the area ranking in the middle 20% of districts nationally. In 2011, 30% held a degree or equivalent, compared with 30.44% in Devon & Cornwall and 33% nationally.¹⁷

Table 15: Proportion of the 16-64 population qualified to NVQ level including trade apprenticeships¹⁷

	NVQ Level 1	NVQ Level 2	NVQ Level 3	NVQ Level 4+ (degree level and above)
East Devon	13.76	23.29	22.71	30
Exeter	12.92	19.78	21.6	34
Mid Devon	8.08	22.66	14.26	39
North Devon	15.83	28.19	22.36	26
South Hams	15.22	16.3	16.5	43

Teignbridge	12.4	24.54	21.74	32
Torridge	24.74	21.22	21.35	16
West Devon	16.11	26.41	17.01	33
National Avg	13.03	21.11	18.69	33

DRAFT

Sources of evidence

- 1 Census 2011 (LF)
- 2 PPSA Population Estimates
- 3 Census 2001
- 4 Valuation Office 2009 (LF)
- 5 Land Registry (LF)
- 6 ASHE 2012 (ONS) (LF)
- 7 South West Observatory Environment Module Local Profiles 2011
- 8 Dept of Energy and Climate Change
- 9 Office National Statistics: Population Projections 2011 (LF)
- 10 Office National Statistics: Mid year population estimates 2011 (LF)
- 11 HMIC (LF)
- 12 Department for Work and Pensions (LF)
- 13 Office National Statistics: LA Summaries ID 20102012
- 14 Office National Statistics: Recorded Crime 2012
- 15 Office National Statistics: Life expectancy at birth 2008-2010 (LF)
- 16 Office National Statistics: Life expectancy at birth 1999-2003 Ward Level (LF)
- 17 Office National Statistics: Annual Population Survey Sept 2012 (LF)
- 18 Office National Statistics: GVA by NUTS 3 2009 (LF)
- 19 The Business Register and Employment Survey (BRES) 2011 (LF)
- 20 Office National Statistics: Annual Business Inquiry Employee Analysis 2008 (LF)
- 21 Inter Departmental Business Register (IDBR) 2011 (LF)
- 22 Inter Departmental Business Register (IDBR) 2012 (LF)
- 23 Office National Statistics: Claimant count - age duration with proportions Dec 2012 (LF)
- 24 Department for Education (LF)
- 25 South West Tourism

(LF) – Available on Local Futures for more information on Local Futures please contact Joanne Avery on email javery@eastdevon.gov.uk

Agenda Item 19

Cabinet

3 April 2013



Monitoring of formal complaints and Local Government Ombudsman complaints – Quarter 3 2012/13

Summary

This report provides information on formal complaints for the period September - December 2012. It also considers complaints referred to the Council or decided during that time.

This is part 1 of a two part report, the second part of which will look at requests received under the Freedom of Information Act during 2012/13. This report will be presented to a later Cabinet meeting.

Recommendation

That Cabinet considers the nature of complaints dealt with and learning points arising. That Cabinet also notes the new arrangements for dealing with Housing related complaints.

a) Reasons for Recommendation

To continue to improve the way we handle complaints and to learn from them.

b) Alternative Options

To deal with complaints as they are received with no further consideration of numbers or service areas to be improved.

c) Risk Considerations

Potential criticism, deterioration of reputation and failure to improve. Lack of Credibility in the complaints procedure.

d) Policy and Budgetary Considerations

Policy implications are contained in the report. There are no significant budget considerations.

e) Date for Review of Decision

The complaints procedure is reviewed annually. The numbers of stage 2 and Ombudsman complaints is monitored quarterly.

1 Background

- 1.1 The Information and Complaints Officer considers the Council's responses to complaints which reach stage 2 of our formal complaints procedure and prepares responses for consideration by the Monitoring Officer. In most cases, where a complaint reaches stage 2, this indicates that the complainant has already received a response from the service manager but remains dissatisfied.
- 1.2 The Monitoring Officer deals with complaints at stage 2 and if a complainant is not happy after the stage 2 consideration, they can refer their complaint to the Local Government Ombudsman.
- 1.3 Complaints, feedback and compliments should be regularly considered by Cabinet and appropriate action taken, including learning from mistakes.

2 Summary of formal complaints received and learning points

- 2.1 Between 1 September 2012 and 31 December 2012 15 formal complaints were received as follows:
 Housing: 8
 Planning: 4
 Revs and Bens: 1
 StreetScene and Env Health: 2
 This brings the total number of stage 1 complaints to 41 in the year to date.
- 2.2 During the same time period 13 complaints were dealt with at stage 2. This brings the total number of stage 2 complaints to 32 in the year to date compared with 19 at the same point last year.

One Q3 complaint is now being resolved through mediation. The other complaints were not upheld.

These can be broken down as follows:

Service	Type of complaint		
	Service failure	Staff conduct	Policy/decision making
Housing	Disappointment at length of time it took to fix faulty smoke alarm		Disagreement with housing priority banding review decision (X2)
Environmental Health	Length of time taken to resolve noise dispute		Disappointment at Council's perceived inaction in stopping neighbour from feeding seagulls/pigeons
Planning	Complaint re handling of Knowle planning application (X2) Perceived inaction over flooding caused by planning permission granted		Disappointment with planning decision/planning process (X5)

3. Local Government Ombudsman complaints received

- 3.1 2 new complaints were referred to us by the Ombudsman and investigations into both have now been discontinued. 6 complaints were referred back to the Council as premature complaints – the complainants had not yet complained to the Council. These are generally considered at stage 2.
- 3.2 Initial enquiries were made into one complaint which was then not pursued due to the planning application being complained of, being withdrawn and one complaint was closed as being outside the Ombudsman’s jurisdiction.
- 3.3 A new complaint was referred to us by the Parliamentary and Health Service Ombudsman. This complaint has been made against the Council and also the Environment Agency – hence the different Ombudsman investigating – and concerns drainage issues primarily. We are working with the Environment Agency in seeking resolution of this complaint.
- 3.4 One complaint was re-opened when a complainant provided further information to the Ombudsman but was quite quickly closed again once the Council had responded.

4 Local Government Ombudsman complaints decided

- 4.1 4 complaints were closed during this time period, and no findings were made against us.

5 Other matters

Below is an extract from a report presented to the Housing Review Board which outlines forthcoming changes to the way Housing complaints will be considered from 1 April 2013.

- 5.1 The Localism Act 2011 states that from April 2013:

The Local Government Ombudsman will no longer handle housing related complaints unless they are connected to allocations or the housing waiting list. The Single Ombudsman (for all housing providers) will be taking on Local Authority complaints.

Once complaints have been through a housing provider’s internal complaints procedure, they will go to a ‘designated person’ who will then decide whether the complaint should go to the Housing Ombudsman or not.

Tenants may go direct to the Housing Ombudsman but must wait for a period of 8 weeks before doing so. The designated person can be any local elected Councillor (a county, district, and Town or Parish Councillor), any MP (not necessarily the tenant’s own MP) or a tenant panel. Groups of tenants can apply to their landlord to become a ‘recognised tenant panel’, and landlords can recognise more than one such panel.

- 5.2 There is no legislative clarity for designated persons/tenants panels, other than to make or decline referrals to the Ombudsman. We anticipate that some guidance will be issued in due course.

Local Authorities will have to acknowledge tenant panels, if tenants wish to set these up, and will need to consider how they will operate bearing in mind that they will be handling confidential complaint information. It is important that tenants on such a panel receive training so as to be able to act with the appropriate integrity, confidentiality and in accordance with legal requirements.

The aim of these changes is to help complaints to be resolved locally and reduce the number of complaints going to the Ombudsman.

Legal Implications

The complaints process may offer a separate, more informal means of redress even where there is no legal liability.

Financial Implications

There are no financial implications unless a complaint is upheld and compensation has to be paid.

Consultation on Reports to the Executive

Background Papers

- Complaint letters and correspondence with the Ombudsman

Kate Symington ksymington@eastdevon.gov.uk
Information and Complaints Officer

Cabinet
3 April 2013

Agenda Item 20



Cabinet

3 April

Performance Report February 2013

Monthly Performance Report February 2013

Summary

Performance information for the 2012/13 financial year for February 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 February 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 February 2013](#)
- [Appendix B - The Performance Indicator monitoring report for the 2012/13 financial year for February 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

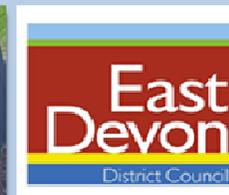
Cabinet
3 April 2013

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:

- **99.57%** of rent due on council owned homes collected
- **6 days** to process your Housing or Council Tax Benefit claims
- **2.5 days** to clear fly tipping cases, dealing with 58 cases this month, up from 32 cases last month
- **38.83%** of all waste collected was recycled in January
- **98%** of invoices received by us are paid within 30 days

Latest headlines:

- We brought back to a good 'lettable' standard, an abandoned council home where we found over 200 dead rats, cleared tons of rubbish, applied treatments to exterminate fleas on four separate occasions, re-plumbed, re-plastered, re-skimmed, re-insulated, fitted new doors, stairs bathroom and kitchen and serviced the solid fuel heating system and added new radiators. In terms of its condition this property was probably the worst we have ever seen.
- We took 11 cases of non payment of rent to court; were awarded an eviction warrant on one of these properties and this property we repossessed.
- We carried out estate walkabouts with customers, police and members in Hawkchurch, Allsaints and Chardstock.
- Community Development (Housing) worked with Thelma Hulbert Gallery & Double Elephant to run a day with 30 children from across the district, making prints and then animating them. Video will be available on vimeo soon!
- Thelma Hulbert Gallery Shop sales for February were up 53% on last years and visitor numbers were up 36.5% to 783 (an incredible 244 of these visitors were Young People)