

Date: 28 May 2013
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To:
Members of the Overview and Scrutiny Committee
(Councillors Tim Wood (Chairman); Graham Troman (Vice Chairman);
Mike Allen; Peter Bowden; Derek Button; David Chapman;
Maddy Chapman; Deborah Custance Baker; Vivien Duval Steer;
Roger Giles; Peter Halse; John Humphreys; Sheila Kerridge;
David Key; Frances Newth; John O'Leary; Brenda Taylor; Chris Wale;
Eileen Wragg; Steve Wragg; Claire Wright)
Portfolio Holders
Chief Executive; Deputy Chief Executives

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Overview and Scrutiny Committee

Thursday 6 June 2013 at 6.30pm

Council Chamber, Knowle, Sidmouth

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

- There is a period of 15 minutes at the beginning of the meeting to allow members of the public to ask questions.
- The Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time. The Chairman is entitled to interrupt the speaker to ask for their question to be put.
- In addition, the public may speak on items listed on the agenda. After a report has been introduced, the Chairman (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 maximum period of 3 minutes – where there is an interest group of objectors or supporters, a spokesperson should be appointed to speak on behalf of the group.

Should anyone have any special needs or require any reasonable adjustments to assist them in making individual contributions, please contact Debbie Meakin (contact details at top of page). A hearing loop system will be in operation in the Council Chamber. Councillors and members of the public are reminded to switch mobile phones to silent during the meeting.

AGENDA

Page/s

1. **Public question time** – standard agenda item (15 minutes)
Members of the public are invited to put questions to the Committee through the Chairman. Councillors also have the opportunity to ask questions of the Leader and/or Portfolio Holders during this time slot whilst giving priority at this part of the agenda to members of the public
2. To confirm the minutes of the meeting of the Overview and Scrutiny Committee held on 28 March 2013. 4 - 9

Chief Executive: Mark Williams
Deputy Chief Executive: Richard Cohen
Deputy Chief Executive and Monitoring Officer: Denise Lyon

- | | | |
|-----|--|--------------------------------|
| 3. | To receive any apologies for absence. | |
| 4. | To receive any declarations of interest relating to items on the agenda. | |
| 5. | To consider any items which, in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances.
(Note: Councillors please notify the Chief Executive in advance of the meeting if you wish to raise a matter under this item, who will then consult the Chairman). | |
| 6. | To agree any items to be dealt with after the public (including the press) have been excluded. There are no items that the officers recommend should be dealt with in this way. | |
| 7. | Decisions made by the Cabinet called in by Members for scrutiny in accordance with the Overview Procedure Rules under Part 4.5 of the Constitution. There are no items identified. | |
| 8. | Cabinet Agenda
Members are asked to notify in advance the Chairman or the Democratic Services Officer any Cabinet items they wish to debate.
Members to debate any issues of concern on the current Cabinet agenda in order for the Chairman to feed this back to the Cabinet at its meeting on the 12 June 2013. The website link to the Cabinet agenda will be e-mailed to Members on 3 June 2013. | Please refer to Cabinet agenda |
| 9. | Portfolio Holder Update – Sustainable Homes and Communities
Councillor Jill Elson will update the Committee on her recent portfolio work. | Verbal presentation |
| 10. | Planning Enforcement Resource and Workload Update
A final update report following the implementation of the agreed resolutions from the Ward Member satisfaction with Planning Task and Finish Forum. | 10 - 13 |
| 11. | Quarterly Monitoring of Performance – Fourth Quarter 2012/13
Members are asked to consider the performance information against the Council Plan for the fourth quarter. | 14 - 24 |
| 12. | Local Plan – Next Stages
For information - The Planning Policy Manager has provided an update for Members on the ongoing and next stages in Local Plan production. | 25 |
| 13. | Forward Plan
Members are asked to note the Forward Plan. | 26 - 27 |

Decision making and equality duties

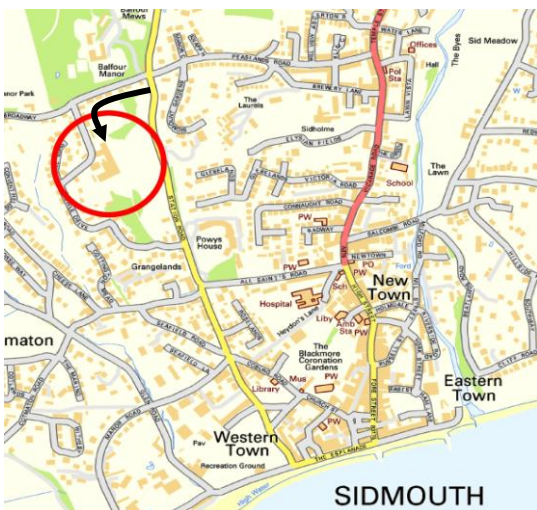
The Council will give due regard under the Equality Act 2010 to the equality impact of its decisions.

- An appropriate level of analysis of equality issues, assessment of equalities impact and any mitigation and/or monitoring of impact will be addressed in committee reports.
- Consultation on major policy changes will take place in line with any legal requirements and with what is appropriate and fair for the decisions being taken.
- Where there is a High or Medium equalities impact, Members will be expected to give reasons for decisions which demonstrate they have addressed equality issues.

Members and co-opted members remember!

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

Getting to the Meeting – for the benefit of visitors



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

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

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

From Exeter – 52A, 52B; From Honiton – 52B

From Seaton – 52A; From Ottery St Mary – 379, 387

Please check your local timetable for times.

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

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

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

Present:

Stuart Hughes	Tony Howard
John Humphreys	Sheila Kerridge
Mike Allen	David Key
Peter Bowden	Brenda Taylor
Peter Burrows	Graham Troman
Derek Button	Tim Wood
David Chapman	Eileen Wragg
Deborah Custance Baker	Claire Wright
Vivien Duval Steer	Tom Wright
Roger Giles	

Officers:

Mark Williams, Chief Executive
Matt Dickins, Policy Manager
Andrew Wood, Projects Director
Diana Vernon, Democratic Services Manager

Also Present

Councillors:

David Atkins	Douglas Hull
Ray Bloxham	Ben Ingham
Iain Chubb	Andrew Moulding
Alan Dent	Frances Newth
Paul Diviani	Helen Parr
Christine Drew	Pauline Stott
Jill Elson	Ian Thomas
Graham Godbeer	Phil Twiss
Peter Halse	Mark Williamson

Apologies:

Committee Members:

John O'Leary

Councillors:

David Cox
Stephanie Jones
Steve Hall

The meeting started at 6:30pm and ended 9.32 pm.

***64 Public Question Time**

The Chairman welcomed Councillors and members of the public to the meeting and invited questions.

Barry Curwen referred to the Office Relocation project up-date report that the Committee had considered at its meeting on 26 July 2012. Mr Curwen said that the Committee's scrutiny had been superficial and he questioned the scope, management (including the risk management process) and monitoring of the project. He advised that the scope included the Manstone Depot employment site. He believed that the loss of two key employment sites would have a significant impact on the economy of the local area, particularly in the current time of recession. He questioned the benefits of the project and budget involved. He asked the Committee to undertake serious scrutiny urgently.

***64 Public Question Time**

Barry Sangster asked if the Committee was aware of any gagging orders for Contractors, Officers or Councillors leaving the Council. The Chief Executive replied that there had been no such orders in respect of Contractors or Councillors but in very specific cases and in certain circumstances, compromise agreements had been reached with a small number of staff.

Robert Crick questioned whether the Chief Executive's advice given to this Committee and the Business Taff constituted a conflict of interest. He said that the Chief Executive, as line manager to the Economic Development Manager, had failed to take up concerns in respect of abuse of EDDC's resources.

The Chairman advised that he would send a written reply to Mr Curwen and Mr Crick with a copy sent to the Committee members.

***65 Minutes**

The minutes of the meeting of the Overview and Scrutiny Committee held on 28 February 2013 were confirmed and signed as a true record.

***66 Declarations of Interest**

Councillor/ Officer	Minute number	Type of interest	Nature of interest
Peter Halse	67	Personal	Previous member of the East Devon Business Forum.

***67 Referral from Business Task and Finish Forum**

Richard Thurlow referred to a recent publication by Investigative journalist, Anna Minton: 'Scaring the Living Daylights out of people'. This included a section on conflicts of interest at East Devon District Council, and the East Devon Business Forum in particular, and recent controversial planning decisions made. Mr Thurlow said that it was essential for planning matters to be included in the scope of the Task and Finish Forum. This would help to allay public concern in respect of conflicts of interest.

Alan Darrant spoke of widespread disquiet over EDDC's management of the planning process. He said that the Council had doubled the quota of employment land without clear justification. He questioned who would benefit from the increase in allocation. He asked that the Business Task and Finish include planning processes in its scope. If there was a possible conflict of interest, it was EDDC's duty to undertake a full examination.

Damien Mills asked if the Council had sought independent legal advice on the scope of the Task and Finish Forum and if so what advice had been given. He referred to the importance of exploring the relationship between the Business Forum and the Council. The Chief Executive confirmed that independent legal advice had not been sought.

*67

Referral from Business Task and Finish Forum (continued)

Councillor Mike Allen asked for a typographical error to be corrected in the Business Task and Finish Forum notes of 12 March 2013: Paragraph 2 of 5 should read 'object' and not 'objection'. Councillor Giles advised that his name needed to be added to those present.

The Chief Executive replied to a question about whether the questionnaire (referred to in the notes of the 12 March 2013 meeting) had been sent out to businesses and Chambers of Commerce in East Devon. The purpose of the questionnaire was to ask what benefit the East Devon Business Forum was to business and to find out why business people who could attend did not. The Chief Executive advised that this had yet to be actioned; a budget would first need to be identified in order to carry out this additional work.

The Chairman invited Councillor Graham Troman as Chairman of the Business Task and Finish Forum (TaFF) to address the Committee. Councillor Troman said that this was a difficult Forum because of the resignation of Graham Brown as Chairman of the East Devon Business Forum and the withdrawal of the Economic Development Manager's support from that Forum. He believed that the Task and Finish Forum needed to interview both the former Chairman and the Economic Development Manager but that this was not possible due to Police investigation into the affairs of Graham Brown and associated planning issues.

Points raised included:

- Which aspects of the TaFF were affected by the investigation - what could be considered/scrutinised without interfering with the Police process? Should the TaFF be put on hold in the meantime? The Police investigation needed to run its course.
- Emphasis of the TaFF should be to learn lessons from the interaction between the Business Forum and the Council and how the Council can support the local business community.
- Concern over the Business Forum should have been addressed years ago.
- The remit/scope of the TaFF should include planning issues/processes (not individual applications) and business engagement.
- Increase the membership of the TaFF.
- The integrity of the Council's planning function had been brought into question through recent press revelations and it was important now for the Council to act openly and clearly and address concerns raised. The importance of an effective, transparent decision-making process was essential.
- Reference was made to the Council policy in relation to its work on the Local Plan of the target ratio of one job to one household. This was used as the basis for housing numbers and employment land calculations.
- It was vital not to delay the Local Plan process

The Chief Executive reminded Members of his advice as minuted at previous meetings of the TaFF. The TaFF had accepted that previous planning application decisions were outside their proper scope. The issue therefore was the ability of the TaFF to consider planning issues independently and impartially. To include planning issues within the scope of the TaFF could 'go behind' the Local Plan process and cause significant delays.

*67

Referral from Business Task and Finish Forum (continued)

He referred to the Council's employment land policy and questioned how the TaFF could examine land included in the Local Plan without stalling the process. He explained that the Local Plan had been out for final public consultation and the Council could now only make minor amendments/ alterations and clarify narrative before submitting it to the Inspectorate. If the Council wanted to make allocation changes, it would have to go out for further public consultation and this would result in further delays.

A proposal to suspend the work of the TaFF was put to the vote and lost (7:9)

The proposal to widen the remit of the Business Task and Finish Forum to include employment land planning issues (but not individual planning allocations) without delaying the development of the Local Plan or impinge on the Police investigation was seconded and put to the vote. The Committee voted to have a recorded vote.

Councillors in favour of the proposal (10): Peter Burrows, Derek Button, David Chapman, Roger Giles, Stuart Hughes, Sheila Kerridge, Brenda Taylor, Graham Troman, Eileen Wragg and Claire Wright.

Councillors against the proposal (9): Mike Allen, Peter Bowden, Deborah Custance Baker, Vivien Duval Steer, Tony Howard, John Humphreys, David Key, Tim Wood, Tom Wright.

RESOLVED

that the remit of the Business Task and Finish Forum include employment land planning issues (but not individual planning allocations) without delaying the development of the Local Plan or impinging on the Police Investigation currently being carried out.

68

Five Year Land Supply in East Devon

Dr Margaret Hall of the Campaign to Protect Rural England challenged the base housing need figure used which she said was now out of date – this being evidenced through the Census which showed a lower population than had been predicted. She said it was important for the Council to also acquire an up-dated strategic housing assessment, as there had similarly been a fall in housing requirements compared with that predicted. Dr Hall said that the Council should include a disaggregated 5-year land supply within its policies so that this approach would have more weight.

The Planning Policy Manager advised that the Inspectors, who had considered planning appeals recently, had attached limited weight to the Council's disaggregated housing requirement approach. He emphasised the importance of progressing the Local Plan through the necessary processes to adoption.

The 5-year land supply was a rolling requirement. It was anticipated that Housing and Development statistics would be rigorously challenged when the Local Plan was at the enquiry stage.

The Development Management Committee (Minute 51 of 5.02.13) had endorsed the requirement for a 6-year land supply (5 years plus a buffer of 20%).

68 **Five Year Land Supply in East Devon (continued)**

The Audit and Governance Committee had considered the 5-year land supply issue at its meeting on 27 February 2013 from a governance/reputation point of view. The Committee had identified the lack of a 5-year land supply as a risk to the Council and recommended that the Council put in place processes to ensure that it had a rolling valid 5-year housing land supply.

The Portfolio Holder – Sustainable Homes and Communities had serious doubts that the Council would be able to meet its affordable housing target of 250 per year. Affordable accommodation was essential for balanced communities.

House building was particularly difficult in a time of recession but development allocation within an agreed Local Plan would help the Council to encourage development where it was most needed and most appropriate.

Councillor Roger Giles circulated a paper which emphasised that planning applications should continue to be determined on their merits. He asked the Committee to:

- recommend that Government be asked to extend the period allowed for Councils' Local Plans to be adopted,
- formally endorse the Council's disaggregated approach to housing provision,
- ask the Development Management Committee to make a condition in respect of progressing strategic housing planning approvals.

The proposal, subject to some amendment to wording, was seconded by Councillor Claire Wright.

- RECOMMENDED**
1. that Cabinet support the Local Government Association's current lobbying of Government to extend the period allowed for Councils' Local Plans to be adopted;
 2. that the Cabinet be requested to agree to the adoption of a disaggregation approach to housing provision;
 3. that the Development Management Committee consider a policy to require strategic housing planning approvals to be commenced within two years.

(Councillors Vivien Duval Steer and David Key abstained from voting due to their membership of the Development Management Committee).

*69 **Portfolio Holder up-date – Strategic Development & Partnerships**

The Chairman invited Councillor Andrew Moulding, Portfolio Holder Strategic Development and Partnerships to up-date the Committee on his recent work and forthcoming plans.

Councillor Moulding referred particularly to the exciting development of Cranbrook and its popularity. He said that Cranbrook new community was a success story for the Council. It was a good example of partnership working. Whenever possible he 'flew the flag' for East Devon.

*69 **Portfolio Holder up-date – Strategic Development & Partnerships**

The Clyst Honiton Bypass was critical to Cranbrook and the Growth Point – it was due to open in May. Councillor Moulding recognised the importance of improved rail and motorway links to the vitality of the district.

Other partnership working was in respect of the Local Enterprise Partnerships – the Council would develop projects with business partners and then bid for major funding. Currently EDDC had no seat on the LEP Board and would therefore need to be particularly proactive in working with its partners.

*70 **Forward Plan**

Members noted the forward plan.

The legal position of 20mph zones with the County Council would be reported to a future meeting.

Chairman Date

Agenda Item 10

Overview and Scrutiny Committee

6 June 2013

EF



Planning Enforcement Resource and Workload Update

Summary

This report has been prepared in response to the recommendation of the Overview and Scrutiny Committee of the 27th September 2012 that a further update on the planning enforcement service be brought before the committee.

Since the last report the Planning Enforcement Service has been running at full strength with 3 Enforcement Officers in post working hard to clear the remaining backlog of cases so that we can respond quickly to incoming cases. Since the last report the number of enforcement cases on hand has dropped from 328 to 241 representing a further 26% reduction on the previous reduction from over 450 cases in 2011 as reported in the 2012 update report.

The service is now running with a manageable caseload which is unlikely to reduce further now that it consists almost exclusively of recent and current cases with the number of historic cases now at a minimum. The service is now actively monitoring a number of key sites around the district to monitor compliance with the approved plans and relevant conditions.

Overall it is considered that an efficient and customer focused planning enforcement service is now being operated and the past issues with this area of the service have now all been resolved.

Recommendation

That the update report be noted

a) Reasons for Recommendation

The concerns raised by the TAFF have been addressed through the reorganisation of the Planning Enforcement Service as detailed in the report.

b) Alternative Options

N/A

c) Risk Considerations

That any concerns that Members have regarding the Planning Enforcement Service may not be addressed if not highlighted in response to this report.

d) Policy and Budgetary Considerations

The recommendations do not have any policy or budgetary implications. The reorganisation of the Planning Enforcement Service has already been carried out in accordance with established policies and within current budgets.

e) Date for Review of Decision

N/A

1 Main Body of the Report

Introduction

This report has been prepared in response to the recommendation of the Overview and Scrutiny Committee when considering the final report of the Task and Finish Forum into Improving Member interaction with the planning service where a further update report on Planning Enforcement was requested. The TAFF report highlighted concerns regarding delays in dealing with enforcement cases but acknowledged that there had been staff shortages and therefore this element of the service was not looked at. Concern was also expressed that the service was not pro-active in monitoring developments as they were constructed and only responded to complaints regarding whether works were being carried out in accordance with the approved plans. This report seeks to address these concerns.

Resources

The Planning Enforcement service is now operated for the first time by 3 full time Enforcement Officers who investigate alleged breaches of the planning legislation with the support of their respective planning team of planning and admin officers. The service therefore has the highest number of dedicated enforcement officers it has ever had.

The Enforcement Officer for the central area team left the Council in early 2012 at short notice following a long period of sickness. This left the service with only two enforcement officers trying to do the work of 3 for several months. In August a replacement officer started. She has settled in well and is now dealing with a full caseload. Unfortunately at the end of August the Enforcement Officer for the western area team left the Council for employment elsewhere for the reasons of career progression. A replacement officer started on the 17th September 2012.

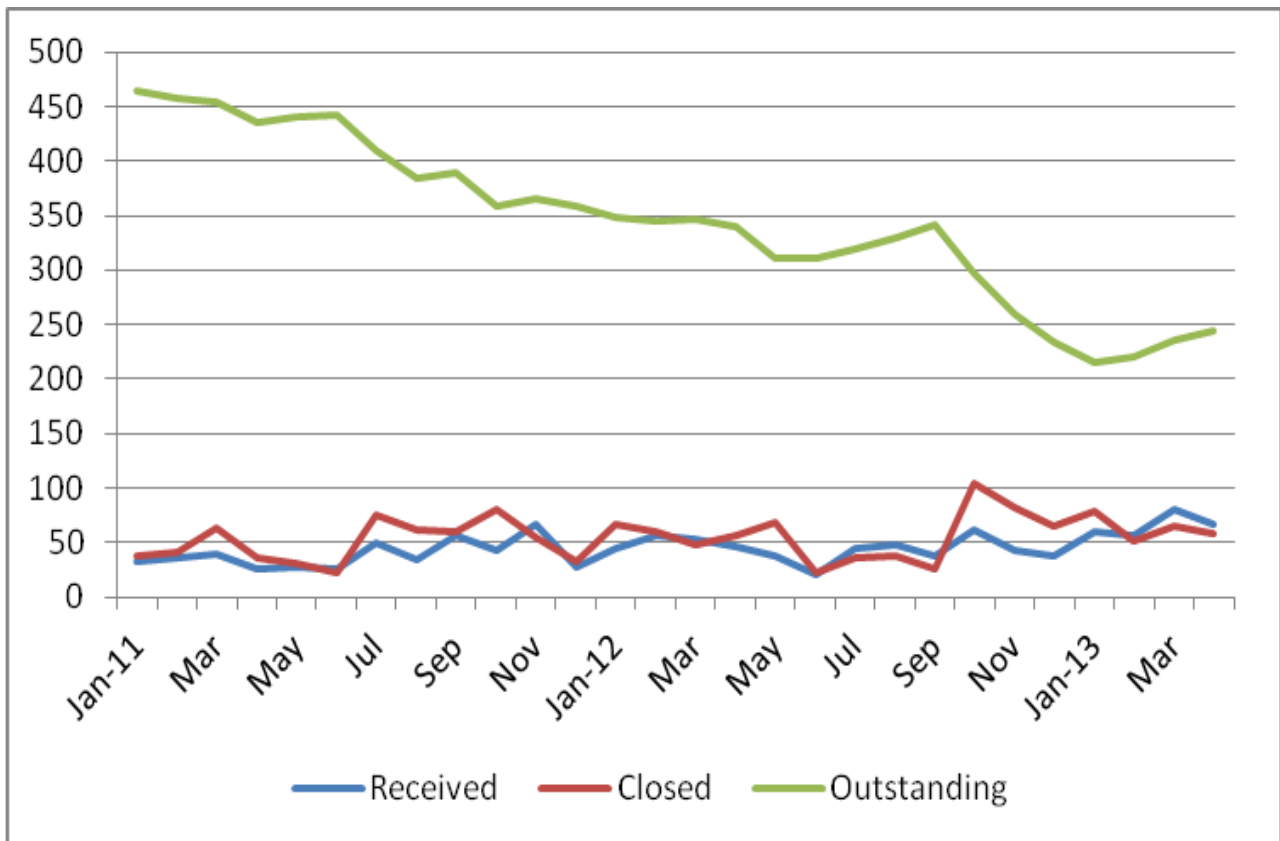
The three enforcement officers are now well established in their respective posts and are doing an excellent job in investigating new alleged breaches of planning control as well as clearing the remaining backlog of cases. They are working well within the team working established by Systems Thinking such that they can quickly access professional planning advice from their fellow team members to avoid delays through requesting applications for developments that have no realistic chance of gaining permission and are able to take swift action where a development clearly causes significant harm in planning terms. The Enforcement Officers are now being managed by the Principal Planning Officers/Team Leaders who sit within the teams ensuring a more hands on and pro-active form of management than was possible under the previous structure.

Workloads and Performance

Since 2011 the number of cases has gradually reduced from about 450 cases on hand to 241 at the time of writing this report. The figure has now plateaued at between 200 and

250 since the start of this year having previously been gradually dropping over the preceding two years. See graph below:

Graph 1: Numbers of Enforcement Cases received, closed and outstanding over time



It is considered that we have now reached the point of having a manageable number of cases in the system with very few long running cases. The number on hand is made up of current cases that are being actively worked on whereas in the past the numbers had reached a level that was unsustainable with some long running cases not being actively pursued.

At the time of writing cases are generally being resolved in around 60 days albeit some longer running cases where formal action has been necessary can skew the figures towards a longer average period.

The service is now actively monitoring a number of key development sites throughout the district including the current housing developments in Axminster and Cranbrook as well as a number of smaller developments. This involves checking compliance with the approved plans as well as ensuring that conditions are complied with. This more proactive approach has enabled us to be aware of a number of issues before residents have raised them with us.

The Future

Now that the number of cases has reduced to a sustainable level and the monitoring of cases has started it is hoped that more and more monitoring of major and controversial developments in the district will be possible. We will continue to look at ways of working more closely with Building Control to deliver an effective development monitoring service

albeit it must be acknowledged that the different roles of the two services and the cost recovery way in which Building Control is funded limit the extent to which the two services can work together.

We will also continue to work with and engage Ward Members in the enforcement service responding quickly where they raise issues with us and keeping them informed of progress with cases in their ward.

Legal Implications

There are no legal implications

Financial Implications

There are no further financial implications; the enforcement officers are included within the current budget.

Consultation on Reports to the Cabinet

N/A

Background Papers

- [Task and Finish Forum: Improving Ward Member interaction with Planning – Final Report – Report to Cabinet 30th November 2011](#)

Agenda Item 11

Overview and Scrutiny Committee

6 June 2013

Quarterly Monitoring Report



Quarterly Monitoring of Performance – 4th Quarter 2012/13 January to March 2013

Summary

This report provides performance information and progress against our promises and priorities as outlined in the Council Plan. This cumulative quarterly information will be used to provide an annual review of our performance against the Council Plan in the Annual Report.

Recommendation

It is recommended that Members consider performance against delivery of the promises/priorities in the Council Plan, Key Service Objectives from Service Plans and Performance Measures for the 4th quarter of 2012/13 so that issues can be addressed in a timely way.

a) Reasons for Recommendation

So that Members can gain a clear view of progress against what we said we would deliver in the Council Plan and deal with performance issues arising.

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 quarterly basis.

1 Main Body of the Report

1. Appendix A is a report showing progress of the Council promises taken from the Council Plan 2012-16 and key performance indicators from our services. The report also highlights Service achievements and performance from the last quarter of the year.

2. Appendix B shows progress against service plan objectives and performance indicators in the form of bar charts. A supplementary page to Appendix B will provide information for Members on all performance indicators and objectives and draw attention to any areas that are showing as a 'variation' or 'concern'.

3. There are five objectives showing a status of concern. These are:

1) **Work with partners to ensure bathing water quality meets national standards** - This is still of concern because there is a risk that certain beaches may not meet criteria, work ongoing with EA to assess agricultural run off and domestic misconnections. The Environment Agency recently published a press release highlighting the problems that exceptional heavy rainfall like that seen over the last year has on bathing water quality.

<http://www.environment-agency.gov.uk/news/143989.aspx?page=2&month=11&year=2012&coverage=South+West>

2) **Complete our redesign of all our major frontline services during 2012 – 2013** -

Progress on going and members have received regular reports on this work. Implementation has been delayed to ensure robust testing on the scenarios.

3) **Maintain our statutory monitoring programmes and commitments for air quality control** -

The next stage of this project is to develop an action plan but with this area of work is competing with other priorities within the service. Government predictions suggest local air quality may improve anyway as newer cleaner vehicles replace older vehicles at the end of their life.

4) **Ensure absence levels remain under 8 days (national upper quartile)** - We ended the year on just over 9 days. The increase in absence has been attributable to a rise in short and long term absences. Short term absence increased due to the number of incidences of cold and flu in the last quarter pushing up the overall absence levels for the year.

5) **Percentage of minor planning applications determined within 8 weeks** – Currently there are large numbers of major applications being submitted to us which take a lot of time to deal with. In this quarter January to March 2013 we received 33 major applications for the same period last year we received 9. As a result applications are not moving through the system as quickly as we would like and we are accruing a backlog. The new Principal Planning Officer is starting in May which should help reduce the numbers.

Legal Implications

No legal comments are required.

Financial Implications

No direct financial implications.

Consultation on Reports to the Executive

Relevant Heads of Service, Corporate Managers and Officers have contributed to the appendices.

Background Papers

- [Appendix A – Detailed report showing progress against all of the Council Promises, key performance indicators and service achievements.](#)
 - [Appendix B – Bar chart summary for service plan objectives and performance indicators with a detailed report for areas of ‘concern’ or ‘variation’.](#)
 - [Appendix C Explanation and definitions](#)
-

Karen Jenkins Ext 2762
Corporate Organisational Development Manager

Overview and Scrutiny
6 June 2013



Quarter 4 Performance Report 2012-13

April 2013

Document Key

Promise Status classification

- Red (Concern) highlights targets with serious problems or significant delays.
- Amber (Variation) indicates actions with mild concerns or minor setbacks.
- Green (Achieved) displays special achievements or early completions.

Performance Indicators (PI)

- The 'Previous Year End' column reports performance at the end of 2011/12, if that information is available.
- The 'Current Target' column represents the annual target some measures no longer have targets or are not suitable for targets.
- The columns 'Q1 Act', 'Q2 Act', etc. show the actual year to date situation for each Performance Indicator. The key for the colours is as follows:
 - Red (Concern) – if the PI is 10% or more below the target.
 - Yellow (Variation) – if the PI is between 10% and 0.1% below the target.
 - Green (Achieved) – if the PI and the target match exactly or the PI is above the target.
- The Direction of Travel column shows if the PI has improved since the same period last year. An up arrow showing improvement, a down arrow showing deterioration and a level arrow showing a static trend.

Council Promise - Living in an outstanding place

Outcome - Make more affordable, good quality homes available for our residents

Council Promise 2012-13	Status	Comments
Bring at least 10 private sector empty homes back into use each year	Achieved	This past year has seen 5 long standing Empty Homes sold and brought back into use and with the cleansing of the Council Tax data this has produced significantly more than 10 empty homes brought back into use. We continue with our enforcement action, the Enforced Sale Order which we successfully applied for means that the property will be sold at auction in 2013.
Have all the infrastructure in place to start building homes at Cranbrook in 2012	Achieved	Home building commenced in 2012 and the first residents have moved in.
Manage and maintain our council homes to our adopted local standards	Achieved	Our latest Annual Report to Tenants (October 2012) shows how we are delivering on our local offers and meeting the commitments in our various housing plans and strategies.
Produce at least 100 new affordable homes per annum	Achieved	124 new homes have been built in 2012/13
Set a baseline and improve the thermal efficiency of homes in the District	Variation	The Home Energy Conservation Act Future Plan provides data regarding the energy efficiency of properties in East Devon. Further research is underway in order to provide a baseline which can be used to measure carbon savings and energy efficiency measures in the future. The Plan must be updated every 2 years however a report will be prepared for Cabinet annual on progress. Objective on going for 2013/14

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Number of affordable homes delivered	148	100	0	7	44	124	↓	

Notable Service Achievements

- This quarter estate walkabouts have achieved improvements in Otterton, Hawkchurch, Allsaints, Chardstock, Stoke Canon, Nether Exe and Poltimore. An amnesty has also been held in Lower Brook Meadow, Sidford, to encourage the clearance of litter, bulky household items & general rubbish from gardens and communal areas.

- The Cosy Devon Scheme has now expired. In its place there is a new government scheme called Green Deal and the Energy Company Obligation (ECO). We have produced a Home Energy Conservation Act Future Plan as required by the Department of Environment & Climate Change. This will provide the evidence and the reporting requirements for energy efficiency and carbon savings.

The action plan for our Empty Homes Strategy has been monitored and revised and links with the action plan attached to the Service Level Agreement with Exeter City Council for the Empty Homes Partnership Officer. One of the projects that the Housing team have successfully brought back into use was an empty house in Exmouth. The Council's Empty Homes Partnership Officer, and Faye Thompson in the Housing Needs team worked closely with the owner to bring the derelict terraced property in Charles Street back into use. The house had become uninhabitable and the owner was unable to move back in. Faye worked with the owner to help find him more suitable accommodation in a supported housing scheme. Hilary was then able to work with him to sell the property to a new owner who has completely renovated it.

Council Promise - Living in an outstanding place

Outcome - Maintain residents' high satisfaction with their area and home as places to live

Council Promise 2012-13	Status	Comments
Reduce the low amount of waste sent to landfill in the District so that we are amongst the 10 best performing councils in England.	Achieved	In 9th place with waste to landfill
Complete the Eon combined heat and power plant to service Cranbrook, Skypark and the Intermodal Freight Terminal	On track	On target for completion in May 2013. Objective on going for 2013/14
Finalise the Strand redevelopment and blueprint for creating new, attractive places to enjoy, live and do business in Exmouth in 2012	On track	Strand active usage increasing, completion of final structure / bus shelter awaiting County proposals to come forward. Objective on going for 2013/14
Help Seaton achieve its Visitor Centre during 2012 - 2013	On track	Preferred provider selected project extended to allow for further planning and Heritage Lottery Funding bid. Heads of terms signed and development scheme in place. Objective on going for 2013/14
Implement a District-wide survey to help us track satisfaction over time and make plans to address key issues for residents	On track	Prepared and awaiting Cabinet approval. The district wide survey will be sent out in 2013. Objective on going for 2013/14

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Number of households living in temporary accommodation	20	40	19	22	23	17	↑	
Improved street and environmental cleanliness – fly tipping	3	3 (2/4)	2	2	2	2	↑	

Notable Service Achievements

- Home Safeguard has achieved continued accreditation with the Telecare Services Association. We have produced an annual report for the service and are now commencing our latest project which is to completely review and refurbish our approach to publicity and promotion of the service. We are working on a new contract for the upgrade of all community alarm equipment on sheltered schemes, enabling our customers to enjoy telecare services appropriate to their support needs. Lone Worker monitoring service has been rolled out to all Landlord Services staff and training of staff in Repairs is now underway.

- SWITCH projects for young people and young mums continue to run sessions each week in Exmouth and Axminster, plus extra one off events for children have been held across the district during the school holidays. We continue to work with the local community church to run homework clubs on the Heathpark estate in Honiton. We are also working on a 'targeted support for families' project along with the police, DCC, Careers Devon, etc which will include the possibility of relevant training and employment opportunities for younger people within identified 'troubled' families in the Exmouth area.

Council Promise - Working in an outstanding place

Outcome – Deliver a thriving, competitive local economy

Council Promise 2012-13	Status	Comments
Hold talks in Honiton, Axminster and Sidmouth to explore the potential for regeneration opportunities	On track	Beehive Community Centre under construction, completion by end of March 2014. Discussions underway with Axminster landowners re the Town Centre revised planning application expected May 2013. Objective on going for 2013/14
Economy Strategy to increase the number and variety of job opportunities within and throughout East Devon by building on the benefits emerging from the development taking place in the West End of the District by 2013	On track	Sainsbury's distribution Centre in construction with 400 jobs to emerge from this. Skypark user planning applications expected. Science Park Construction commencement expected. REG and Growth Point Funding secured equalling £12.5 million, projects to follow. Objective on going for 2013/14
To help secure the necessary infrastructure to create and support sustainable agricultural, business and visitor economies in East Devon.	On track	Funding continues for BIP and Seaton business support. Premier Inn Exmouth and Splash Zone public consultation completed. Continue to fund inward investment supports via Exeter. Objective on going for 2013/14
To provide business support, innovation ideas, networking opportunities and training for small and medium size businesses. To look to provide or facilitate suitable premises for all stages of their development.	On track	Follow up to 2012 High Street TAFF. Continued funding to support Seaton Small Business Advisor. Ongoing negotiations on agreement to develop Science Park Innovation Centre. Ongoing management of Council workspace. Objective on going for 2013/14
To use the natural assets of the District to strengthen and widen the visitor economy throughout the year by aiding new and existing tourism businesses to provide high quality facilities and accommodation, without damaging the outstanding beauty of the East Devon environment.	On track	Economic impact of countryside team, their activities include continued Wetlands expansion, Seaton Visitor Centre progress, Exmouth seafront development and continued high quality management of our parks and open spaces. Objective on going for 2013/14

For 2012/13 there are no performance indicators for this Council Promise. Progress is being monitored through Service and individual objectives in SPAR.net. This will be reviewed for 2013/14.

Notable Service Achievements

- The East of Exeter Growth Point Team have been working hard throughout 2012/13 to promote and encourage business development in the area.

Application for the first building at Skypark is now live and construction on the site is expected to commence in the summer 2013.

The first building at the Science Park is now on site and the Science Park Centre is due to commence construction in the summer 2013.

- We have achieved through our work to prioritise locations and sectors of greatest opportunity or need, the following specific projects. - Exmouth Master Plan this priority project is ongoing and in addition we are working on the feasibility of redevelopment of Mamhead Slipway. Further Town Centre design work is proposed for Axminster alongside Council engagement with Axminster Carpets to support recovery plans. We are also focusing on stronger engagement with Local Enterprise Partnerships (LEP) to secure further funding and support for the economic resilience of the district. This work will be on going for 2013/14

Council Promise - Enjoying this outstanding place

Outcome – Provide cultural and leisure activities accessible to all residents and visitors

Council Promise 2012-13	Status	Comments
Develop ideas and income generating projects to keep creative art workshops and international art exhibitions available and accessible in our District	On track	The appointment of a Marketing & Fundraising Officer to the THG in April 2013 will enable many aspects of this objective to be taken forward. Objective on going for 2013/14
Fund Leisure East Devon to the tune of £1 million a year	Achieved	Funding in place
Support healthy lifestyles through our play provision, beaches, cycle routes and footpaths	Achieved	Countryside Team worked with Leisure East Devon, NHS Devon & Consortium of Seaton GPs to develop a series of health walks around the Axe Wetlands that are part of a GP referral scheme. The validation of these by the medical profession has been pioneering in that it links directly to patient well being and GP monitoring. The success of this approach is to be monitored with a view to extending it further across other sites.

For 2012/13 there are no performance indicators for this Council Promise. Progress is being monitored through Service and individual objectives in SPAR.net. This will be reviewed for 2013/14.

Notable Service Achievements

- We continue to work towards the introduction of Community Infrastructure Levy (CIL) with a first consultation process held on a draft charging schedule. Work continues on amending the charging schedule for a future further consultation while the infrastructure list is being formulated. In the meantime we continue to secure appropriate infrastructure funding through Section 106 agreements and to manage and monitor the use of these funds through established processes.

An example this quarter of the Section 106 money in action is at the improved Elizabeth Road play park in Seaton. With £42,000 of section 106 money available, residents including local children have been involved throughout the process of deciding what improvements should be made. The new play equipment includes a new Olympic basket swing, climbing walls and frames, spinning swings, a rota roka, and many more exciting features for children to enjoy.

- Our Countryside team have held a wide range of activities and events throughout 2012/13 including a 'Meet the Birds' session at Axe Estuary Wetlands; Christmas wreath making at the Wetlands Centre; a bird box making session and a complete programme of healthily walks. 2013/14 will also be a busy year for the team with a full schedule of events and activities for year. See <http://www.eastdevon.gov.uk/countryside> for more details.

- Volunteers clocked up 892 hours of work for the countryside team in from January to March – equivalent to £7136 in monetary terms – their enthusiasm and hard work is, as always, invaluable to us.

Council Promise - Enjoying this outstanding place

Outcome – Protect and enhance East Devon’s natural environment and its habitats and wildlife

Council Promise 2012-13	Status	Comments
Complete and promote the Axe Estuary Wetlands as a regionally important wildlife destination, attracting 60,000 new visitors by 2013	On track	Considerable amount of progress being made in upgrading the infrastructure and visitor facilities to the Axe Wetlands, currently new toilet facilities being planned and improvements to access and car parking due to be installed by Autumn 2013. This will make the site fully DDA compliant and also accommodate the growth in visitor numbers. The Wetlands has featured on BBC Countryfile, BBC Spotlight, BBC Radio Devon & in all the local media outlets. Meetings have been held with all the local Tourist Information Centres and accommodation providers to link the site to their business. Visitor numbers are up significantly in last 3 months year on year - data to be published.
Review our green and open spaces and plan to ensure we are delivering best value and community access	Variation	This has been temporarily suspended until Head of Environment recruitment decision has been formally decided upon. The Steetscene Manager and Countryside & Leisure Manager recognise this is a potentially important piece of work which does require actioning – objective ongoing in 2013/14.
Put in place a Local Nature Reserve Strategy and action plan in 2012 to involve more young people	Variation	Review process is likely to extend into 2013/14 as the process is more complex than anticipated with the need to collate data from each of the 12 LNRs and will be reviewed in 2013 as to whether it is a necessary document.

For 2012/13 there are no performance indicators for this Council Promise. Progress is being monitored through Service and individual objectives in SPAR.net. This will be reviewed for 2013/14.

Notable Service Achievements

- We are working to complete the delivery of new inter tidal habitat scheme on Sheep’s Marsh on Axe Wetlands & develop strategic Axe Wetlands Management Plan. The Sheep's Marsh land transfer was completed in December 2012 from Tesco's. Flood risk modelling just completed for Environment Agency approval so planning application for creation of new inter tidal habitat can be submitted Spring 2013 and delivery completed by March 2014.

- Our new Sustainable Procurement Strategy is in place, available for viewing through the intranet. We now have a framework upon which to develop the way in which we procure our goods, services and works over the coming years.

- The delivery of an environmental education programme to involve all local schools in East Devon is going well this year with more attending this year than in previous years. Numbers of school children are up on last year in Secondary Schools by 54% and Primary by 18% with schools now also coming from out of district - Somerset & Dorset. New outdoor classroom is proving a significant factor in drawing schools to the site.

Council Promise - Outstanding Council

Outcome – Efficiencies: financial and time-saving

Council Promise 2012-13	Status	Comments
Complete the viability exercise analysis in 2012 for a potential Council office relocation	Variation	Outline planning application completed alongside viability exercise. - Objective ongoing in 2013-14 reworded - Take forward the Council Accommodation Review
Development and implementation of "Paperless Committees and member IT" project	Variation	The original solution was discarded as too clumsy for users. Focus has since been on commercial "cloud" solutions from Microsoft and Google. Both are being trialled at present with a view to choosing the best system by the end of April. The system will play a major part in reducing the amount of paper used in agendas.
Explore the potential for sharing or outsourcing our support services during 2012 - 2013	On track	The shared service company, Delt, is being investigated with 3 other councils and a CCG. This Detailed Business Case is expected to be ready for review in June. Objective on going for 2013/14
Maximise our use and sale of assets to fund our priorities for East Devon	On track	

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Percentage of Council Tax collected	98.71	98.80	30.67	58.14	87.29	98.67	↓	The end of year collection rate of 98.7% is the same as this time last year. This is an excellent achievement considering the tough economic climate and reflects our ongoing proactive debt prevention initiatives that are now firmly embedded in the way we work.
Percentage of Non-domestic rates collected	99.11	99.10	32.59	60.19	87.53	98.66	↓	The end of year collection rate of 98.6% is down compared to last year. There are two high value non-payers which can account for this. One of these is on an arrangement and is currently repaying.
Working days lost due to sickness absence	8.19	8.5	2.39	4.58	6.84	9.19	↓	
Percentage of planning appeal decisions allowed against the authority's decision to refuse	25.6	30.0	0	21.0	22.6	25	↑	
Proportion of outstanding debt that is more than 90 days old from date of invoice	11	No Target	13	34	23	24	↓	

Council Promise - Outstanding Council

Outcome – Improved service through understanding our customers and making good use of web & mobile technology

Council Promise 2012-13	Status	Comments
Achieve our equality objectives during 2012 - 2013	Achieved	Some of our achievements include the publication of Knowing East Devon 2013, meeting regularly with our equalities partners including groups representing those with visual impairments, disabilities, race and faith groups, new training for front line staff on visual awareness and incorporating equalities into the Cabinet agendas so equality impacts are considered in decision making.
Complete our redesign of all our major frontline services during 2012 - 2013	Concern	Progress on going and members have received regular reports on this work. Implementation has been delayed to ensure robust testing on the scenarios.
Improve communications and our knowledge of our customers' needs (use our 2012 action plan to monitor)	Achieved	Communications Action Plan achieved including the development of an on-line magazine, reaching our customers through social media by improving our presence on facebook and twitter and the delivery of the Knowing East Devon 2013 profile.
Select and implement new open source content management system for website as part of a larger communications project.	Variation	Project initially delayed awaiting confirmation of budget. Objective ongoing in 2013/14
Integrated Mobile Working Project	On track	The apps for Streetscene have been further refined and rolled out to the wider Streetscene team. The apps will be demonstrated to a wider audience in April. This mobile framework will then be applied to the next council service. The purchase of the SITA in-cab and the citizen app has been delayed awaiting the final approval of budgets. Procurement is now in process.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Percentage of minor planning applications determined within 8 weeks	63.90	65	62.04	52.90	51.70	52.41	↓	There are large numbers of major applications being submitted to us which take a lot of time to deal with. In this quarter January to March 2013 we received 33 major applications for the same period last year we received 9. As a result applications are not moving through the system as quickly as we would like and we are accruing a backlog. The new Principal Planning Officer is starting in May which help reduce the numbers.
Percentage of other planning applications determined within 8 weeks	81.61	80	75.82	73.90	73.55	73.87	↓	As above
Days taken to process Housing Benefit/Council Tax Benefit new claims and change events	5.69	5.49	6.03	6.03	5.91	5.79	↓	
Creditor days - % of invoices paid within 30 days	99	99	99	97	98	99	↓	
Annual Staff Survey I am happy with EDDC as my employer - %	84					88	↑	We know that the more engaged staff are the better the service to our customers.

Item 12 - Update for Members

Local Plan – Next Stages

The Planning Policy Manager has provided an update for Members on the ongoing and next stages in Local Plan production.

- The Planning Policy Team are currently collating representations on the Local Plan and these have been added to the our database;
- Everyone that has made comments on the Local Plan has been sent a summary of their comments and been asked to let us know if they do not consider the summary to be reasonable and accurate;
- A feedback report on comments received will be presented to Development Management Committee in July 2013.
- In late July it is envisaged that the Local Plan, and all comments made and supporting paperwork, will be submitted to the Planning Inspectorate for Examination.
- On this timetable the oral hearing sessions of examination should be later this year and the Inspectors report/plan adoption will be in 2014.

A report on the latest position in respect of Council's Five Year Land Supply will also be presented to the Development Management Committee in July.

Details of comments made on the plan at can be viewed at:

<http://www.eastdevon.gov.uk/localplan>

Matt Dickins
Planning Policy Manager

Agenda Item 13

Overview and Scrutiny Committee

6 June 2013



Overview and Scrutiny Committee

Forward Plan 2013/14

Date of Committee	Report	Lead Officer
11 July 2013	<ul style="list-style-type: none">CIL TaFF report	Cllr Graham Troman
25 July 2013	<ul style="list-style-type: none">	
29 August 2013	<ul style="list-style-type: none">Performance monitoring Quarter 1 2013/14	
26 September 2013	<ul style="list-style-type: none">Fees and Charges TaFF reportReviewing the general terms of reference for working parties and task and finish forums	Cllr Tim Wood Debbie Meakin
24 October 2013	<ul style="list-style-type: none">	
21 November 2013	<ul style="list-style-type: none">Performance monitoring Quarter 2 2013/14	
2 January 2014	<ul style="list-style-type: none">	
30 January 2014	<ul style="list-style-type: none">	
27 February 2014	<ul style="list-style-type: none">Performance monitoring Quarter 3 2013/14	
27 March 2014	<ul style="list-style-type: none">	
24 April 2014	<ul style="list-style-type: none">Draft Overview and Scrutiny Annual Report	

Topics for scoping and allocation to the Forward Plan:

- Health and Social Care Reforms – role for Overview and Scrutiny. An invitation has gone to Devon County Council scrutiny team and Chairman to present to the Committee their scrutiny plans for health and how the District can assist in this work, whilst avoiding duplication of effort.
- Updates from Portfolio Holders
- Youth service provision
- Flooding – partner agencies
- Flooding pollution – impact on beaches
- Police Area Commander visit

- Local Plan production (moved to take into account staffing resources on the current Local Plan process)

Task and Finish Forums Update

- Business TaFF - next meeting scheduled for 24 June 2013.
- Fees and Charges next meeting 14 June 2013.
- HRB Grounds Maintenance TaFF continues.