

Date: 17 December 2012  
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To:  
Members of the Overview and Scrutiny Committee (Mike Allen, Peter Bowden, Graham Brown, Peter Burrows, Derek Button, David Chapman, Deborah Custance Baker, Vivien Duval Steer, Roger Giles, Tony Howard, Stuart Hughes, John Humphreys, Sheila Kerridge, David Key, John O'Leary, Brenda Taylor, Graham Troman, Tim Wood, Eileen Wragg, Claire Wright, Tom Wright)  
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## **Overview and Scrutiny Committee**

**Thursday 3 January 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.
- 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 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 off mobile phones 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 25 October 2012. 5 - 12

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** Please refer to 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 9 January 2013. The website link to the Cabinet agenda will be e-mailed to Members on 21 December 2012.
9. **Parking Services Operational Review**  
 This report was originally discussed at Overview and Scrutiny Committee on 25 October 2012 and resolved to defer the report to be considered alongside additional information.
- Original report on Operational Review to Cabinet 13 – 20
  - Additional information 21 - 27
10. **Neighbourhood Assessment Programme** 28 - 35  
 An update on the programme, reminding Members how they are conducted, and the outcome and achievements to date.
11. **Recording of Council Meetings** 36 - 42  
 Follow up report setting out equipment solution and draft protocol for audio recording of Council meetings originally prepared for the 22 November 2012 committee meeting.
12. **Update of Social Media Use Policy** 43 - 56  
 The Social Media Use policy was originally issued in June 2011 and this report outlines the changes - originally prepared for the 22 November 2012 committee meeting.

13. **Police Commissioner Election** verbal report  
An update on the result of the Police and Crime Commissioner election for Devon and Cornwall.
14. **Quarterly Monitoring of Performance Second Quarter 2012/13** 57 - 71  
Members are asked to consider the performance information against the Council Plan for the second quarter. Provided in the agenda papers is the summary report showing progress of the Council promises taken from the Council Plan 2012-16; and the specific objectives and performance indicators that show concern. The full report on all objectives and performance indicators can be viewed online at:  
[www.eastdevon.gov.uk/os\\_pmfullchartsq2\\_221112.pdf](http://www.eastdevon.gov.uk/os_pmfullchartsq2_221112.pdf)  
Originally prepared for the 22 November 2012 committee meeting.
15. **Forward Plan including TaFF update** 72 - 78  
Members are asked to note the Forward Plan.  
Minutes from the Business TaFF held on 11 December 2012 are included but are to be agreed at the next TaFF meeting.

**Decision making and equality duties**

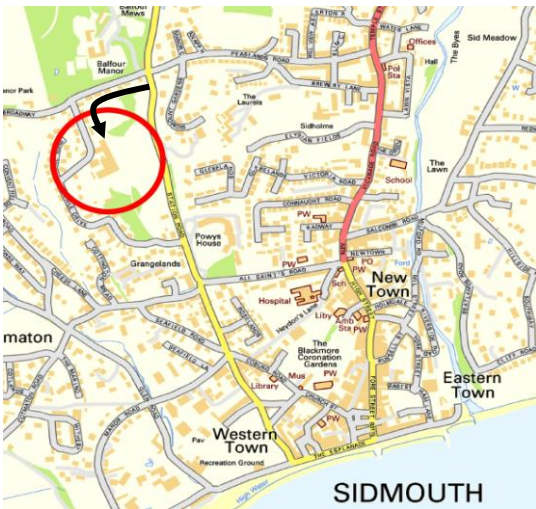
The Council will give due regard under the Equality Act 2010 to the equality impact of its decisions.

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

## Members and co-opted members remember!

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

## Getting to the Meeting – for the benefit of visitors



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

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

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

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

**From Seaton – 52A; From Ottery St Mary – 379, 387**  
Please check your local timetable for times.

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

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

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of a Meeting of the**  
**Overview and Scrutiny Committee held**  
**at Knowle, Sidmouth on 25 October 2012**

**Present:**

Stuart Hughes (Chairman)	Sheila Kerridge
John Humphreys (Vice Chairman)	David Key
Mike Allen	John O'Leary
Graham Brown	Brenda Taylor
David Chapman	Graham Troman
Deborah Custance Baker	Tim Wood
Vivien Duval Steer	Claire Wright
Roger Giles	Tom Wright
Tony Howard	

**Officers:**

Denise Lyon, Deputy Chief Executive & Monitoring Officer  
Debbie Meakin, Democratic Services Officer  
Mark Williams, Chief Executive

**Also Present**

**Councillors:**

Paul Diviani	Ken Potter
Graham Godbeer	Alan Dent
Stephanie Jones	Peter Sullivan
G Chamberlain	Pauline Stott
Ian Thomas	Jill Elson
Phil Twiss	David Cox
Frances Newth	Douglas Hull
Andrew Moulding	Peter Halse

**Apologies:**

**Committee Members:**

Peter Bowden  
Brenda Taylor  
Eileen Wragg

**Councillors:**

Ray Bloxham  
Steve Gazzard  
Steve Hall  
Mark Williamson

The meeting started at 6.30pm and ended at 8.58pm.

**\*28 Public Question Time**

There were no questions from the public at this point in the meeting.

The Chairman voiced his disappointment in learning of an amended outline planning application for the Knowle site via the media, which seemed to be a departure from standard procedure.

The Leader advised the Chairman that the consultants working on the Council's behalf had submitted the amended outline application. Following feedback from both consultees and public consultation, amendments were made to the application to reflect the additional data compiled and update the master plan of the application accordingly.

**\*28 Public Question Time**

The Chairman also asked the Leader about media coverage quoting the Leader as saying access to the Alexandria Industrial Estate from the B3176 would be problematic. He asked why this was the case when the Leader had attended the site inspection with the Chairman and Councillor Graham Troman, where the County officer said that there wouldn't be a problem creating the access. The Leader stated he could not recall making any such comment.

**\*29 Minutes**

The minutes of the meetings of the Overview and Scrutiny Committee held on 26 July 2012 were signed and confirmed as a true record subject to amending Minute 21 (1) to the following:

**RESOLVED** 1. that a Task and Finish Forum be set up to produce an in-depth report on the East Devon Business Forum to include all business engagement and its relationship with the Council;

**\*30 Declarations of Interest**

<b>Councillor/ Officer</b>	<b>Minute number</b>	<b>Type of interest</b>	<b>Nature of interest</b>
Tom Wright	33	Personal	Member of Budleigh Salterton Town Council as leaseholders of Upper Station Road Car Park
Sheila Kerridge	32	Personal	Business owner in Sidmouth
Graham Troman	32	Personal	Business owner in Sidmouth
Pauline Stott	33	Personal	Campervan owner
Alan Dent	33	Personal	Member of Budleigh Salterton Town Council as leaseholders of Upper Station Road Car Park

**31 Update on GP Commissioning**

The Chairman welcomed Tamara Powderley, Head of Locality Commissioning, to the meeting. She gave the Committee a brief presentation on the clinical commissioning groups across the County and their principles in dealing with patient care. The Committee heard statistics on the growing elderly population in the area, and how that impacted the service requirements of the NHS.

One example of GP commissioning at work presented to Members is the "Hospital at Home" scheme. This provides active treatment by health and social care professionals in patients' homes, for a condition that would otherwise require hospital in-patient care, for a limited time.

31 **Update on GP Commissioning**

Members questioned Mrs Powderley on a number of issues, including:

- Planning applications for homes and apartments marketed for retired people continued to be submitted to the Council as the Planning Authority. Requests had been made by Members to inform Health of both planning applications and planning permissions for developments of a significant size in the past. Mrs Powderley agreed that being advised of new development would help to plan service provision for those new residents;
- In answer to a question on deciding on the number of beds available in a hospital, Mrs Powderley explained that each hospital Matron decides on the number based on safety reasons; but the service now measured in episodes of care that last 14 days;
- In response to a question about press reports of moving the stroke unit at Budleigh Salterton to Crediton, Mrs Powderley advised that there was no case to move the unit. There had been discussion about the quality of care, and how the two units best addressed that, but no change was planned. Future discussion would take place with patients and communities before a decision was reached on the best provision of care from the stroke units;
- Pinch points for the service are:
  - Not enough quality providers of care at home, as regularly need more than is available (night-sitters for example)
  - Number of patients who are very elderly, frail, live alone and have some form of cognitive illness (such as dementia) who need one to one or even two to one care to ensure they are cared for in a compassionate way.
- There are no East Devon hospital closures planned; local practitioners positively cherished these facilities;
- A number of mechanisms exist for consulting with the public and patients, The WEB (Woodbury, Exmouth and Budleigh Salterton) area has two lay members of their Board and this is being monitored to see if this is a model to adopt for the other area Boards.

The Chairman thanked Mrs Powderley for her helpful presentation and welcomed her request to come back to the Committee before March 2013 with some of the commissioning group GPs for further discussions.

**RECOMMENDED** that Development Management Committee consider formalising notification to local health services of minor and major development applications to help inform health service planning.

32 **Parking Services Operational Review**

This item previously referred to Cabinet on 3 October had been deferred, to be considered alongside the next item on Strategic Car Park recommendations.

The Chairman welcomed John Lacey and Chris Hall, Assistant Parking Services Managers, to the meeting.

32 **Parking Services Operational Review**

Ian Mosley, a Sidmouth resident, spoke about his concerns of the recommendation “seek tenders for the 46 remaining Sidmouth town centre reserved parking spaces”.

The concerns raised by the resident included:

- Many streets in the town centre have restricted parking, long term parking is difficult for town centre residents so reserved spaces are valuable;
- Putting the spaces out for tender will make the cost of a reserved parking space beyond many local residents and impact on already struggling local businesses who pay for the spaces for their employees;
- Comparisons with those spaces and the Ham pay and display car park is disingenuous as the two areas serve different purposes and customers;
- Present reserved space customers have not been invited to comment, or be involved in any consultation.

Richard Eley from Sidmouth spoke on the decision to increase car park charges in recent years that had resulted in a fall in income, as compared with consistent income in West Dorset where a policy of lower fees had been put in place to deliberately attract more shoppers to the area. He made reference to a consultant report that highlighted a drop of more than £8m out of town centre economies as a result.

Members debated a number of issues, including:

- Trading in car parks proposed in the recommendation would be detrimental to already suffering town centre shops and take up valuable shopper car park spaces;
- Proposed increase in cost of remaining reserved spaces in Sidmouth would be damaging to local businesses that were already suffering because of the current economic climate, where they used the spaces for their employees;
- Any changes to the parking places order should be done on a case by case basis for each car park, as each had differing circumstances;
- Pay on exit option would be just as effective with a barrier system and also help towards improving community safety by preventing the use of nuisance drivers in car parks.

Members concluded that they could not recommend the report and its recommendations to Cabinet because more information should be provided on historical car park income, along with comparisons with neighbouring authorities with a similar composition of market/coastal towns and rural areas.

The Deputy Chief Executive advised the Committee that any review of car parking charges, which was not set out or the purpose of the report, could be considered as part of the Fees and Charges TaFF starting in the new year. The Portfolio Holder for Economy advised the Committee that they should, if comparing car parking charges from neighbouring authorities, also compare the council tax Band D charge.

**RECOMMENDED** that the report on Parking Services Operational Review be considered alongside additional car park income information (both historical and from neighbouring authorities);

33 **Strategic Car Park recommendations**

The Vice-Chairman took the seat of the Chairman, who left the meeting at this point,

This item previously referred to Cabinet on 3 October had been deferred for debate on the recommendations by the Committee, prior to a decision by Cabinet.

The Chairman allowed a statement from Ottery Town Council to be read out to the Committee relating to the recommendation “ that options for partial development of the Land of Canaan Car Park, Ottery St Mary, be considered following a three year period”. The Town Council wished to re-iterate their original response to the consultation that:

- Ottery St Mary Town Council supports making coach parking free of charge at the Canaan Way Car Park;
- Ottery St Mary Town Council unanimously opposes development on the site because of increased use by Coleridge Medical Centre patients and staff working at Sainsbury’s.

Members debated a number of issues, including:

- Budleigh Salterton: Ward Members requested that the recommendation be deferred pending further investigation of the legal position of the car park on Upper Station Road;
- Some Members expressed concern on a lack of policy in how asset transfers were approached and that they should be tackled in a consistent manner to ensure that all the towns and parishes are treated fairly;
- Officers should have the freedom to include in their negotiations and exchange of responsibilities when negotiating an asset;
- Members should be mindful of the medium term financial plan and the Committee’s previous request for all assets to be assessed to maximise income;
- Concern that any town or parish offered an asset to take on may decline that offer because they are unable to finance it or it would require a large increase in their local precept;
- Any town or parish offered an asset must be provided with all detail of that asset, including maintenance and running costs in order to get a true picture of the cost of taking the asset on;
- Land of Canaan Car Park did not, in the option of the Town Council and the local Ward Member, have any capacity for partial development because of the demands on spaces;
- Investigation of development options of Silver Street Car Park in Honiton should not held back until the completion of the new community centre, as that investigation could take some time

- RECOMMENDED**
1. that Axminster Town Council is invited to identify possible opportunities to acquire sites to increase car parking available in the town, making proposals to improve arrangements for coach parking, and propose a signage plan in liaison with the District and County Council;

**Strategic Car Park recommendations (continued)**

**RECOMMENDED**

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2. that the Principal Estates Surveyor be given authority to enter into and conclude negotiations with the Co-op to secure a fee for advertising signage installed at West Street Car Park, Axminster;
3. that the under used coach parking spaces at Poplar Mount Car Park be converted to 5 car parking spaces;
4. that the Principal Estates Surveyor be given authority to negotiate and conclude the disposal of the Victory Hall Car Park at Broadclyst to the Parish Council in consultation with the Portfolio Holder for Economy;
5. that any decision on Upper Station Road Car Park, Budleigh Salterton be deferred until further investigation has been carried out;
6. that the Council continue to provide the car park facility at Colyton;
7. that the Principal Estates Surveyor be given authority to negotiate and conclude the disposal of the East Budleigh Car Park, along with the public conveniences, to the Parish Council;
8. to terminate the lease at Pines Road Car Park, Exmouth and sell on the open market;
9. to formalise the arrangements for LED to control and manage the Esplanade Car Park, Exmouth, in consultation with the Portfolio Holder for Economy;
10. that the Principal Estates Surveyor be given authority to negotiate and conclude the disposal of Jarvis Close Car Park at Littleham Cross, along with the public conveniences, to Exmouth Town Council;
11. to continue to provide free car parking to the users of the Elizabeth Hall public hall prior to any future redevelopment of the site;
12. to note that the majority of the Council owned car parks in Exmouth fall within the remit of Exmouth Town Centre and Seafront Masterplan, the planning framework adopted to support the regeneration of Exmouth;
13. that Silver Street Car Park, Honiton, be earmarked for a full investigation of development options;
14. to offer the freehold interest in the Underhill Car Park, Lympstone, along with public conveniences, to the Parish Council;
15. that options for partial development of the Land of Canaan Car Park, Ottery St Mary, be considered following a three year period monitoring demand;

33 **Strategic Car Park recommendations (continued)**

- RECOMMENDED**
16. to offer the freehold interest in the School Lane Car Park at Newton Poppleford, along with public conveniences, to the Parish Council;
  17. to note that the Council is in negotiation with Sidmouth Town Council with regards the future of the Manor Pavilion and car parking will be an integral part of these discussions;
  18. that a lease be offered to Sidmouth Town Council for Church Street Car Park, Sidford to enable the car park to be provided free of charge;
  19. to offer the freehold interest of Manor Estate Yard Car Park, Sidbury to Sidmouth Town Council.

(recommendations denoted with an # are worded differently than in the original report)

34 **Sustainable Communities Act updated arrangements**

Members reviewed the report of the Chief Executive outlining the new regulations made in June 2012 to improve the process of submitting local proposals to central government.

Members felt that the report did not contain any useful information about the practicalities of handling proposals under the scheme, or how they would be resourced. Portfolio Holder for Strategic Development & Partnerships spoke of one request he had received under the legislation and did not have enough information in the report to help him respond to that request.

- RECOMMENDED**
- That East Devon District Council
- (i) supports the bottom up process in the Sustainable Communities Act designed to allow local authorities and their communities to drive the action and assistance that central government gives in promoting thriving, sustainable communities;
  - (ii) notes that the Act gives local authorities the power to make proposals to government for action and assistance from government to promote sustainable communities, and that those proposals can be for, but are not restricted to, new powers or a transfer of powers or public money and function from central to local control;
  - (iii) notes that the Act defines sustainable communities broadly, that definition having the 4 aspects of the improvement of the local economy, protection of the environment, promotion of social inclusion, and participation in civic, political and democratic activity;
  - (iv) notes that new regulations for the Act made in June 2012 improve the process and make it more favourable for councils in the following ways:

34 **Sustainable Communities Act updated arrangements (continued)**

- councils' proposals are submitted directly to the government, there will no longer be short listing
- councils can submit proposals whenever they are ready as the process is now ongoing
- there will be a time limit of six months on the government to consult and try to reach agreement with the Selector (currently the Local Government Association) regarding councils' proposals and to then respond to those proposals
- councils that choose to submit proposals may now decide how to consult and try to reach agreement with representatives of communities in their areas on what proposals to submit;

(v) notes that the government has formally invited all Local Authorities to use the Act by submitting proposals; (vi) resolves to use the Act by responding to this invitation and submitting proposals for action and assistance from central government for the next three years and to then review the outcome of this activity and consider whether to continue to use the Act; and

(vii) further resolves to

- inform the local media of this decision;
- write to local MPs, informing them of this decision; and,

write to Local Works (at Local Works, c/o Unlock Democracy, 37 Gray's Inn Road, London WC1X 8PQ or info@localworks.org) informing them of this resolution to use the Act.

**RESOLVED**

That a further report with a presentation if possible be provided to the Committee outlining the practical implications of dealing with a submitted proposal and how that would be resourced.

\*35 **Forward Plan**

Members noted the Forward Plan for the Committee and the amendments to it.

Pending a DCC report on flooding, the Chairman requested that the recent flooding in Exmouth be placed on the forward plan.

Members discussed the implications of the CIL on the Local Plan, and the final report of the CIL TaFF is required as soon as completed so not to delay the Local Plan adoption.

The Committee would also like to hear from the newly appointed Police Area Commander.

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

## **Agenda Item 9**

**Cabinet Agenda Item 11**

**3 October 2012**

**AE/smep**



## **Parking Services Operational Review**

### **Summary**

In addition to a more strategic review of our car parking assets we have now carried out an operational review. We have identified a number of opportunities to make small changes in our operation that will improve the range of services on offer and at the same time will protect this important revenue stream.

### **Recommendations**

The following recommendations have been identified as ways in which we could make some relatively straightforward operational changes to the way in which we will manage our car parks next year. These are changes that can be implemented on a temporary and experimental basis. A more comprehensive strategic review of our car parking assets is being coordinated by the Principal Estates Surveyor and recommendations arising from that exercise will be presented to you separately after consideration by the Asset Management Forum.

- 1. Introduce a summer season half price tariff in Exmouth's under used long stay car park in Maer Road.**
- 2. Promote and manage the use of Maer Road car park for overnight parking by camper vans and motor homes (subject to obtaining any planning consent that may be required).**
- 3. Offer weekly East Devon car parking permits for sale through Sandy Bay and Ladram Bay to encourage holiday makers to visit Exmouth.**
- 4. Continue to restrict parking in all short stay car parks to a maximum stay of 3 hours.**
- 5. Carry out a review of permit charges.**
- 6. Introduce cashless payments in all pay and display car parks using a "start/stop" payment format.**
- 7. Modify the Parking Places Order to allow trading (but only by authorised or licensed traders) to take place in car parks.**
- 8. Modify the Parking Places Order to allow overnight sleeping in car parks in campervans and motor homes for a defined maximum stay.**
- 9. Remove the restriction that prohibits any vehicle from staying longer than 24 hours in any East Devon car park to enable long stay customers to park for more than one day at a time.**
- 10. Seek tenders for the 46 remaining Sidmouth town centre reserved parking spaces.**

**a) Reasons for Recommendation**

To respond to issues identified within the community, to seek to manage our parking assets in the best possible way and to protect the revenue derived from parking income.

**b) Alternative Options**

The car parking on offer throughout East Devon has grown and evolved over many years and there is a case for commissioning a comprehensive parking needs assessment combining both strategic and operational considerations.

This report makes no attempt to replicate that approach and it does no more than identify and evaluate a number of opportunities that should help us to better manage our parking services operations. The “do nothing” option clearly exists and must be viewed in the context of falling revenues over the last two years.

**c) Risk Considerations**

There will be risks associated with the proposed changes, in particular the suggestion that we should experiment with a half price tariff in Maer Road in Exmouth and the risks associated with the omission of any of the measures advocated by Sidmouth Chamber of Commerce. Rather than persuading people to park for longer or to use our car park in preference to other alternatives, the half price tariff may only displace existing customers from our full price tariff car parks with consequent further erosion of revenue income. In Sidmouth the costs and benefits of various charge scenarios are difficult to evaluate and with the exception of the cashless start stop option, the “do-nothing” at this stage is being proposed as the safest option for Sidmouth.

**d) Policy and Budgetary Considerations**

There are no policy or budgetary considerations.

**e) Date for Review of Decision**

October 2013

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**1 Main Body of the Report**

The Council’s Principal Estates Surveyor has been working with the Asset Management Forum and is bringing forward a series of strategic recommendations relating to the future of our car park assets under the asset management programme. In parallel with that, the Environment Health and Parking Services Manager has been asked to consider what can be done operationally in the short term to protect or improve the revenue income being generated by these assets.

This report has been written within the broad context of the ongoing economic downturn, the work of the Vitality of High Streets and Town Centres TAFF, representations made by Town and Parish Councils, Chambers of Commerce and individuals.

The Council’s public car parks portfolio currently amounts to 56 sites of which 43 are actively managed on a pay and display, permit or reserved bay basis and it is the ongoing management of these assets with which the remainder of this report is concerned.

The strategic value of these other car parks will be considered elsewhere.

## **2 Discussion - Responses**

In the autumn of 2011 we wrote to all Town and Parish Councils and Chambers of Commerce seeking their responses to a number of questions concerning car park management from both an operational and strategic point of view.

The consultation responses are considered below alongside other operational factors:

### **Exmouth**

Exmouth Town Council has suggested that the parking meters on Queen's Drive need to be managed by one authority to save confusion and unnecessary fines.

They also advocate a simple cross East Devon Tariff to encourage tourists. (note there is already a 7 day permit allowing parking in any East Devon car park for just £21.00).

They also request the standardisation of long stay fees for summer/winter rates. (note: The fees are reduced in the winter because demand is significantly less. If the charges were standard throughout the year, they would almost certainly be closer to the summer charges than the winter charges).

Exmouth Transport Partnership has suggested that a number of changes could prove to be of benefit for the town's traders, residents and visitors whilst still protecting or even enhancing the important revenue income currently being derived from parking:

The Town Council suggested that long stay car parks could be made more use of and recommended a charge of just £2-£3 per day with no overnight fee. The Transport Partnership has called for a half price (50p per hour) tariff in low use car parks such as Maer Road car park. The Town Council would support this view noting that car park revenue has reduced so suggest the short stay charges be reduced equating to 50p per hour to reduce customer resistance. (note: the falls in revenue were resultant mainly from seafront car parks. The two short stay shoppers' car parks at London Inn and Imperial Road are very well used and the London Inn car park in particular is usually at full capacity most days during the peak hours. This would seem to indicate that the charges do not necessarily deter use of the town centre car parks).

1. Encourage the use of Maer Road car park for overnight use by camper vans and mobile homes
2. Offer weekly East Devon car parking permits for sale through Sandy Bay and Ladram Bay to encourage holiday makers to visit Exmouth
3. Remove the restriction that prohibits any vehicle from staying longer than 24 hours in any East Devon car park
4. Allow short stay parking in the main town centre car parks (London Inn and Imperial Road) to be extended to 4 hours from 3 hours (to enable shoppers to spend more time exploring Exmouth's range of shopping facilities)

Budleigh Salterton Town Council requested pay and display machines where drivers can pay by the hour or for 30 minutes with a minimum of 50 pence being preferable. This is now in operation in most East Devon pay and display car parks.

## **Sidmouth**

Sidmouth Chamber of Commerce and Sidmouth Town Council have both made a number of suggestions as to how the Council's off-street parking offer could be improved for the benefit of the town:

The Chamber of Commerce has described the perception of our car parks as "...desolate areas of uniform tarmac that are simply a cash cow for the local authority..." If this is correct, we need to try to change this perception. It is common ground that Sidmouth's car parking offer needs to be seen as part of the town centre shopping experience.

The Chamber has recognised that there are difficulties in accurately presenting and interpreting car park use data particularly in respect of spaces occupied by permit holders and has called for a "...degree of experimentation..." in terms of our current charging regimes.

They add that they "...cannot stress too strongly that this is not a case of the Council's finances versus the traders' aspirations. We are convinced that many of our proposals will achieve increased income for the Council and for business..."

They comment on the last district-wide price increase in 2010 and claim that it was almost exclusively responsible for a significant decline in car park usage and, by extension.

"...East Devon's loss of customers and business..." adding to this anecdotal evidence from Sidmouth traders who have "...reported a big increase in complaints from visitors concerning car park charges, often saying how much cheaper things were in their locality. One local camp site operator confessed that he felt obliged to tell visitors that parking in Lyme Regis was much cheaper than in Sidmouth when they requested suggestions for how they should spend their day..."

They conclude by stating:

"...car park charges in East Devon have reached a tipping point: any increase in charges would produce a corresponding drop in usage. In other words, increasing charges would bring no benefit to the EDDC budget, and would cause considerable damage to our town centre economies..."

Our consultation asked the Chamber of Commerce a number of specific questions and their response has been formulated by a number of contributors including 54 businesses who all completed the questionnaire and they present the responses on the basis that they are "...very likely to be representative of business opinion in the town..."

The full report is available on request but their recommendations are summarised below:

Should the short stay parking restriction stay as 3 hours maximum stay or could it be increased to 4 hours?

The Chamber is clear in its view that an increase would be extremely popular for traders and they also claim that our revenue income would rise by perhaps £20,000.

Should there be a pay and display system in operation at the Manor Pavilion?

The Chamber concluded that there is no logical reason for charging at Manor Road whilst offering free parking at the Manor Pavilion, and 66% would support this operational change provided there is a double ticketing arrangement for customers of the Manor Pavilion, as any disincentive to use the facility is very undesirable.

We have been advised by the Town Council that there is a perception in the town that the charges in Manor Road remain the same throughout the year. In fact, during the winter, charges are reduced from 1 November to 31 March. In the winter months the Chamber of Commerce recommend that collecting parking fees in Manor Road is "...a very inefficient way of raising revenue..." and they suggest that Manor Road should be made free from 1 November each year with charging starting again on 1 March the following year, adding that the offer of free parking in Sidmouth would also appeal to shoppers, especially in the run-up to Christmas, and could stimulate considerable extra business.

Finally, the Chamber strongly advocates the introduction of a dedicated summer shuttle bus operating between the Manor Road car park and the seafront. They estimate the cost of providing the shuttle at £26,000 per year but suggest that they would anticipate "...a significant increase in usage..." although they acknowledge some uncertainty over displacement from other paying car parks. They conclude that:

"...the cost of running the service might be completely offset by the increased revenue from the car park. More realistically, the required 'subsidy' might be somewhere in the region of £5-10,000."

### **Axminster**

In response to the consultation there was support from Hawkchurch Parish Council for offering double ticketing to enable local businesses to refund their customers parking charges. We understand that an informal customer parking refund arrangement is currently in place at the CO-OP but we have also investigated the feasibility of introducing double tickets into the machines in West Street car park.

Our initial enquiries suggest that the additional cost to the Council of simply purchasing the extra tickets required has been estimated on the basis that we currently buy around 3 million tickets per year at £0.00405 per ticket issued (£4.05 per 1000) to service all of our car parks and in recent years we have sold a little over 120,000 tickets per year from the West Street short stay machines, so the estimated cost of this initiative in broad terms would be around £500 per annum.

### **Honiton**

In response to the consultation, Honiton Town Council suggested that Silver Street car park is underused. However, the development of the new Community Centre on the site of the existing Dowell Street car park is due to start in January 2013. With no on-site parking available throughout the construction phase, which we expect to be the majority of 2013, the use of Silver Street may well increase.

The Town Council also suggested that some local businesses would take up an opportunity for discounting car park costs against purchases in their shops. They also long stay parking represented good value for money but thought that permits should be better advertised. They felt that our information boards are currently confusing. The Town Council also stated that they would welcome the opportunity

to supply weekly car park permits as well as the local tourist information centre. Finally, we are asked to consider whether free of charge parking days could be introduced on “down days”.

### **Ottery St Mary**

The Town Council queried how many coaches use the car park as they were concerned about the charges. At present, it is claimed that coaches tend to use Otter Nurseries rather than the car park. Could this be related to the charges or the facilities available at Otter Nurseries? Both Payhembury Parish Council and Ottery St Mary Town Council would support the Council in making coach parking free.

### **Permits**

East Devon’s parking permits are currently among the least expensive in the county. They are also valid for use in a number of car parks so it is actually very difficult to accurately estimate the extent to which any one car park is being used by permit holders and therefore difficult to accurately estimate the true revenue income being earned from each individual car park.

It is proposed that we should begin a review of the way in which we sell parking permits and we will now open up a short period of consultation with existing permit customers to better understand the way in which they currently use their permits and to assess the impact of any review.

In principle I will be suggesting that permits will be valid only in a specified car park or specified car parks and that the permit cost will be a function of the actual pay and display income currently being generated per space in the car parks in which it allows the holder to park. The permit will continue to offer regular customers a cheaper alternative to pay and display but is likely to generate significant revenue.

In 2011/12 we sold 6744 permits generating a net income of £401,500. Pay and display is generally charged at £1 per hour. The cost of an annual permit for one area is only £109 which in pay and display terms is just over £2 per week. For an extra £1 per week customers can extend this to enable them to park in every car park in East Devon. This provides an opportunity for further revenue generation in 2013/14.

It is currently possible to purchase a permit for a period of either six or twelve months and there is a very significant peak in demand each spring, primarily from repeat customers buying a like for like replacement for the coming season (April to September) or year. It is therefore proposed that from 1 April 2013 customers will be offered the option of purchasing their seasonal or annual permit with a validity extending into a second and third year. The advantages to the Council are the likelihood of increased revenue in 2013/14 along with a significant reduction in the admin burden with lower postage and printing costs. The benefit to the customer is a guaranteed “no price increase” in 2014 and 2015.

### **“Cashless” Payment Options for pay and display car parks**

Payment by mobile phone has now become established as an inexpensive way of offering our customers flexible cashless payment options. The competition that has emerged in the market has now begun to drive down the set-up and operating costs to the extent that we are now recommending that East Devon enters into a contract with a mobile phone payment service available for all pay and display car parks. There are a number of options but the one that offers most flexibility to visitor and shoppers is the “start-stop” option currently being offered by [Parkmobile](#).

This will effectively allow our customer to use our existing pay and display car parks as they would a “pay on exit” car park, right up to the maximum stay period for that car park as defined in our Parking Places Order. Customers start their parking session on arrival and end their session when they leave. They are then charged according to the current tariff for precisely the amount of time they have used. If they wish to stay for the maximum permitted period they do not need to “end” their session and the computer ends it automatically and debits the maximum daily charge from their account. The collection costs amount to around 2% of revenue which compares favourably with costs associated with ticket machines and coin handling. Unlike pay on exit there are no initial infrastructure costs.

### **Motor homes and Campervans**

The representations suggesting that overnight sleeping in motor homes and campervans could be accommodated in Maer Road car park could be equally relevant for other coastal long stay car parks. It is suggested that if successful in the first year, we could then explore the option that some of these facilities might be developed into a fully serviced option with electric hook-ups, water supply, sewage pump out and on-site showers and toilets on offer in future years.

### **Allowing “trading” within our car parks.**

We have had a number of approaches from small local enterprises seeking to acquire a “car washing” concession to offer car wash/valeting services to our car park customers.

The existing East Devon Parking Places Order prohibits such activities, in fact prohibiting any vehicle from entering any car park for any purpose other than to park their car within it.

### **Reserved Parking in Sidmouth**

Following the recent sale of the small York Street car park and the development of the Northcotts car park, the number of town centre reserved parking spaces in Sidmouth has now gone down from 73 to 46. All 46 remaining spaces are currently let on licences for a fee of £480 per year to residents (£960 to non-residents). More than 50 people, some of whom were recently displaced from the Northcotts car park are now on the waiting list for one of these premium spaces. In the town centre we provide a further 340 short-stay and over 300 long-stay spaces in off street car parks for pay and display and permit holder customers. The issue was discussed at Asset Management Forum on 12 July where it was agreed that mindful of the revenue income currently being generated in the nearby Ham car park from pay and display customers (over £1400 net per space per year), there is now an opportunity to review the allocation and charging regime for these spaces. The suggestion is now that we now give notice to existing customers and formally invite tenders from persons interested in the remaining 46 spaces with a recommendation that tenders should be of a minimum value of £1500 per space.

### **Maximum stay in short stay car parks**

Representation from both Sidmouth and Exmouth have advocated an increase in the maximum permitted stay from 3 hours to 4 hours. This is based on both anecdotal evidence from businesses suggesting that customers have said they have to leave because their parking ticket is about to expire along with informal inspections revealing that car parks have spaces available during the afternoons. Both of these observations are not disputed but the availability of some spaces is

clearly beneficial to the town and the risk of blocking these spaces by longer stay customers increases in proportion. Finally, experience elsewhere suggests that all day parking by people working in the town is possible with a 4 hour maximum stay, enabling cars to be move from one short stay car park to another during lunch breaks whereas the 3 hour restriction is more likely to encourage all day customers to use long stay alternatives.

### **Legal Implications**

There are no specific legal implications contained within the report however Legal Services is currently reviewing changes to the Parking Places Order with the Environmental Health and Parking Services Manager and these will be reported at a later date.

### **Financial Implications**

The financial implications are contained within the report, with the exception of;

Recommendation 1 – Introduction of the summer season half price tariff may see an increase in revenue, but adversely a reduction.

Recommendation 2 – The use of overnight parking for Camper Vans & Mobile homes will possibly see an increase in revenue, though this may be off-set by the additional staffing costs to monitor the car parks overnight. Currently there is no provision in the budget for such costs, and it would be subject to the Special items process for 2013/14. If this is successful the possibility of providing shower & toilet facilities etc in these car parks, would require the Capital Bids process.

Recommendation 5 – Review of parking permit fees will require additional comments at a later stage.

### **Consultation on Reports to the Cabinet**

SMT; All Town/Parish Councils; Chamber of Commerce; Exmouth Transport Partnership; Asset Management Forum

### **Background Papers**

[Car Parks Review](#)

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Andrew Ennis – ext. 1583  
Environmental Health & Parking Services Manager

Cabinet  
3 October 2012

## Agenda Item 9

### Overview and Scrutiny

3 January 2013

AE/smep



## Additional information - Parking Service Operational Review -

### Summary

A report providing supplementary information to accompany the Operational Car Park Review

### Recommendation

The report has been produced at the request of the Committee to assist their consideration of the recommendation of the Parking Service Operational Review.

#### a) Reasons for Recommendation

For information.

#### b) Alternative Options

None

#### c) Risk Considerations

Our portfolio of car parks has evolved over a number of years to provide both a valuable community service and a useful revenue income for the Council. Clearly there are a number of influences in play and the direct consequences of introducing changes are not clear. For example, our parking charges and enforcement of restrictions provides a mechanism for ensuring a good turnover of customers who might wish to shop in our towns. Direct comparisons or charging regimes and restrictions with car park provision in other areas clearly carried a significant risk that important local factors are either missed or not given due weight and the introduction of changes in car park operational management beyond those recommended in the Operational Review run the risk of unintended consequences that may adversely affect both the community and revenue value of these assets.

#### d) Policy and Budgetary Considerations

In common with many other Councils, the revenue income derived from Parking Services is important in delivering a balanced Council budget each year.

#### e) Date for Review of Decision

None

## 1 Main Body of the Report

A report proposing a number of operational changes to the way in which the Council's car parks are managed was presented to this Committee on Thursday 25 October 2012. Following a debate, Members requested further information and this supplementary report seeks to provide that information under the following headings: ticket and permit sales as an indicator; inspection and enforcement costs; comparison of fees and charges with others; alternative tariff options; consideration of alternatives to the "pay and display" format.

In addition, Exmouth Town Council has requested that the Exmouth Transport Partnership be given the opportunity to update their position which is reported on the basis of the consultation that took place last autumn. Following a meeting of the Partnership on 29 November 2012 specifically they now wish to note that:

- i. They are now aware that EDDC act as the enforcement authority for DCC so both sides of Queens Drive are patrolled by a single enforcement service. However they would prefer that either DCC amend their Order to permit free of charge parking during the winter months or that EDDC amend theirs to introduce charges between 1 November and 1 April in order to avoid confusion.
- ii. They do not advocate a simple cross East Devon tariff at all and they do not see any reason why a small car park in small town should be the same rate as a seaside resort. The car park regime should be appropriate for the locality and be led by demand and conditions, not administrative ease. This fits in with the recommendations from the Vitality of the High Street TAFF. They are in favour of the introduction of a cheaper tariff for less well used car parks on a trial basis and are happy with the proposal for Maer Road Car Park.
- iii. The Transport Partnership proposed that the winter reductions in fees are removed so fees are standard. This reflects a belief that people park their cars and pay a fee for the amenity of doing so. The value is therefore equal throughout the year. Charging less due to less demand suggests market forces can be employed to increase car parking in winter by reducing prices. This would potentially increase our revenues, which may then enable us to cross fund other measures but there is a clear reputational risk if we run-on our high season charges throughout the year although on the positive side there would be administrative savings associated with altering tariffs and signage twice each year and no additional running costs.
- iv. Long stay car parks are no cheaper than short stay ones. The challenge from the Partnership was where is the incentive to use them? The Partnership were interested in the concept of leaving the present long stay tariff alone (with our coastal long stay car parks charged at £6 for 24 hours) but altering the short stay tariffs to allow say the first hour for 50p (currently £1) the second hour for £1 (no change), the third hour for £1.50, followed by £3 for each additional hour effectively dealing with those customers who wish to use the more convenient short stay car parks but wish to stay longer than 3 hours but are prepared to pay a premium for it rather than using an alternative long stay car park.
- v. Maer Road: Encourage the motorhomes to go there overnight requires some advantage, so the proposal was for electric hook ups from the word go. We do not believe they will shift otherwise. The discussion suggested that drainage and a water supply might also be important to attract customers as might an on-street prohibition via a DCC Order to prevent or at least discourage the on street alternative although DCC felt that this would be difficult to achieve with campervans

and motor homes difficult to distinguish from other vehicles in a traffic regulation order.

- vi. We do support the sale of weekly ticket carnets, but they need to be presented with some form of marketing to promote the delights of the locality. So standard tickets across the district, but presentation tailored geographically.
- vii. Remove restriction that prohibits 24 hour stays: I don't think my members quite meant this. The discussion was the ability to legally stay and pay for longer than 24 hours – the suggestion was to buy multiple tickets? We do have problems with people staying forever on-road on permits, so it is vital that there is charging, so vehicles that are not being paid for can be removed. The Partnership was in favour of allowing customers to park in long stay car parks for several days in succession if that was their wish (provided appropriate payment is made) and agreed that we should remove this unnecessary restriction.
- viii. Short stay parking increased to 4 hours – yes, but the preference was for pay on exit but they do acknowledge the limitations and ultimately the unsuitability of that format for East Devon's car parks.
- ix. Recommendations 1, 2, 3, 8, & 9, would probably be supported by Exmouth Town Council subject to the comments above, but have not been formally proposed and adopted.
- x. Recommendation 4 – Exmouth Members are unlikely to support this given their concern that the pay and display regime is ill-suited to our town centre serving car parks.
- xi. Recommendation 7 – Exmouth members expressed some alarm at this and wondered how it fits with the review of trading regulations in Exmouth by licensing officers. The suggestion is to allow only trading by the express consent of the Council, for example this may be the granting a specific car wash concession on strict terms and conditions within a named car park.
- xii. Recommendations 5 & 6 – no opinion has been expressed on these matters.

### **1.1 Car park ticket and permit sales as an indicator**

I understand that it has been reported that our car park customers are being discouraged from visiting East Devon's towns by the cost of parking there.

It has been suggested that East Devon businesses are losing out to a very significant extent because of the way in which the Council manages its car parks and that it is further suggested that our own data shows a 16% reduction in car park usage between 2009/10 and 2011/12 following our price increase of 17.5%.

It is interesting to note that EDDC's charges did increase from 85p to £1 per hour on 1 April 2010 which is of course an increase of 17.5%. However, from 1 December 2008 our prices included VAT at 15%, but the rate increased to 17.5 % on 1 January 2010 and further increased to 20% on 4 January 2011 which clearly also needs to be taken into consideration.

We have looked more carefully at our data for this period and I can report that over this period we have actually consistently sold around 1,800,000 tickets to pay and display

customers using our current car parks (Hind Street in Ottery St Mary closed during 2011) in each of those accounting periods. In addition we saw a significant upturn in our permit sales. A deliberate marketing campaign to promote our weekly, 6-monthly and annual permits has without doubt resulted in a shift from pay and display to permit transactions by what must have been some of our best pay and display customers.

Our pay and display car park in Hind Street Ottery St Mary was “closed” during the 2011/12 year resulting in a loss of annual revenue from the pay and display income account of around £60,000 arising from around 70,000 to 80,000 ticket sales. (There has been a commensurate increase in rental income arising under terms agreed between Sainsbury’s and the Council and the car park continues to be used by residents and visitors to the town, now on a free-of-charge basis).

Overall it is too simplistic to conclude that our pay and display ticket sales income demonstrates a reduction in usage of 16%. Our own figures suggest usage is broadly similar over the period and in fact gross income from pay and display sales has actually gone up and not down despite the closure of Hind Street Car Park and ticket sales (corrected for Hind Street) have remained more or less the same.

Table 1 data provided by Cedar Financial systems.

Table 2 shows the VAT breakdown for Table 1

**Table 1**

Figures taken from Cedar financial systems:

Year	Number of transactions	Gross income pay and display	Gross permits	Gross rental
2009/10	1,936,246	£2,729,077	£413,974	£42,114
2010/11	unreliable data	£2,904,220	£480,223	£40,427
2011/12	1,884,920	£2,881,725	£481,682	£118,745
Change	-51326	+£152,648	+£67,708	+£76,627

**Table 2**

Figures taken from Cedar financial systems:

Year	Number of transactions	Gross income pay and display	Gross permits	Gross rental
2009/10	1,936,246	£2,729,077	£413,974	£42,114
		NET £2,367,325	£358,754	£36,612
		VAT £361,752	£55,220	£5,502
2010/11	unreliable data	£2,904,220	£480,223	£40,427
		NET £2,494,684	£406,985	£34,168
		VAT £409,535	£73,237	£6,259
2011/12	1,884,920	£2,881,725	£481,682	£118,745
		NET £2,401,375	£401,424	£100,567
		VAT £480,349	£80,257	£18,177

(NB. The transaction data for 2010/11 became corrupted due to a problem with the communication technology and our database is now corrupted with several hundred thousand duplicate transactions)

## 1.2 Inspection and enforcement costs

The on-street civil parking enforcement service provided on behalf of Devon County Council is cost neutral to this Council. However, the costs of running our car parks is significant and includes a range of maintenance, inspection and enforcement costs along with external costs and internal overheads.

The employment costs are those of the service manager (which are apportioned on a shared basis with the on-street enforcement operation and the Environmental Health service). The budget for day to day operations and back-office management is shared with the on-street operation. Back office administrative staff are funded 50:50 between the on and off-street accounts. We currently fund five full time equivalent Operational CEOs and Devon County Council fund eight.

We fund five vans from our car park inspection and enforcement budgets.

In addition to collecting almost £600,000 in VAT on our income and paying almost £226,000 in business rates on our car park assets, the service costs also include over £230,000 of corporate overheads and a variety of other expenditure including grounds maintenance, re-surfacing, white-lining, cleaning, way-lighting, tickets, machine servicing etc. etc.

The gross income received by the service during 2011/12 was over £3.5million and the "net" outturn for the service overall was £2,301,812.

## 1.3 Comparison of fees and charges with others

I understand that the previous meeting was advised that East Devon's car parks income for the last three years was as follows:

2009/10	£2,367,325
2010/11	£2,494,684
2011/12	£2,401,375

and it has been suggested that the corresponding figures for West Dorset District Council were as follows:

2009/10	£2,461,329
2010/11	£2,460,026
2011/12	£2,440,130

This is about net pay and display income and I would suggest that this is only ever going to present one part of the whole picture and whilst I can see the attraction of advocating its use as an important indicator of some kind, I think it is certainly of importance to have regard also to permit sales and income as outlined in table 2 above.

Data supplied by West Dorset District Council confirms that their figures are actually:

Year	net income (pay and display)	ticket sales
2009/10	£2,438,972	3,921,930
2010/11	£2,397,215	3,816,915
2011/12	£2,498,933	3,578,779

We have tried to clarify the differences between those figures reported to your previous meeting and those more recently supplied by West Dorset but at the time of writing we still await their response. Assuming these latest figures are the more accurate, although their net income appears to have risen over this period by around £60,000 the actual number of tickets sold has clearly decreased by over 350,000. In addition, their permit income has gone up very slightly (+£7000) but the number of permits sold has not increased significantly (an increase of just 15 permit sales to 3,615). In contrast East Devon's net pay and display income increased by around £34,000 and the actual number of tickets sold increased by around 26,000. East Devon added an additional £42,000 of net permit income and last year sold over 6700 permits to visitors, residents and local businesses.

The analysis presented to Members suggested that these figures show that our income has risen by 1.43% whilst West Dorset's has fallen by 0.8% but because of our 2010 price increase (taking our standard tariff from 85p to £1 per hour) the conclusion drawn was that this indicated a 16% fall in usage compared to a drop in West Dorset of less than one per cent. I acknowledge the similarities between West Dorset and East Devon but for the reasons outlined in section (c) and 1.1 above, I am not satisfied that this conclusion is correct.

I have however obtained benchmarking data from Torridge District Council, South Hams District Council, and South Somerset District Council. With the exception of South Somerset District Council which reports a very small increase in gross pay and display income, South Hams and Torridge both exhibit similar trends with net pay and display income falling slightly between 2009/10 and 2011/12.

#### **1.4 Alternative tariff options**

We have been asked to consider making car parks free at times of the year when they are little used.

We are also asked to consider targeted reductions e.g. free parking after 4.00pm on a weekday chosen by each town.

There has been a clear request from both Sidmouth and Exmouth representatives to consider whether the maximum permitted stay in our short-stay car parks should stay at 3 hours or be increased to 4 hours.

The main report gives consideration to the issues that this proposal raises and the officer recommendation remains that the maximum stay should not be increased.

Alternative options have been considered including the possibility of discouraging longer stays in premium short stay car parks by clearly advertising the location of the nearest long stay but allowing customers to stay longer if they so wish but introducing a "premium" rate after to apply after the first 3 hours, an approach already in place elsewhere.

It is further suggested that there are clearly periods of the day and days of the week when car parks are less well used. This is the case and whilst it would be possible to introduce more flexible tariffs more closely tuned into supply and demand, operational staff have commented that customers already find the charging regime confusing and the introduction of a cheaper tariff after say 2pm would add to that confusion. Nonetheless our pay and display revenue is heavily weighted to mornings and much of the visible underuse of car parks does begin after 2pm so the idea does have some merit.

For discussion purposes it is therefore proposed that the Council could introduce on a trial basis a simple off-peak half-price (after 2pm) tariff in certain car parks which would enable us to evaluate whether this is sufficient to change shopping habits and whether there might be a corresponding upturn in car park use after 2pm.

## **1.5 Consideration of alternatives to the “pay and display” format**

The [car park review](#) already discusses in some detail the options including barrier controlled pay on foot and pay on exit options. The British Parking Association has produced a Parking Practice Note entitled [“Pay on foot or pay and display – a comparison”](#) which is particularly helpful in setting out in great detail the relevant considerations. On balance the relatively small size of East Devon’s car parks and the limited opportunities to create separate in and out lanes with queueing capacity of the highway, combined with the need to have operational staff on-site to deal with equipment malfunctions immediately suggest that the pay and display format is, for the time being the most appropriate payment regime for our car parks. In addition the proposed stop start mobile phone payment solution that should be in place by the time this report is published will enable customers (if they so wish) to use all of our car parks on a pay on exit basis up to the maximum permitted stay in that car park.

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### **Legal Implications**

No comment from Legal Services on the contents of this report.

### **Financial Implications**

The financial implications are indicated within the report.

### **Consultation on Reports to the Cabinet-**

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### **Background Papers**

- [car park review](#)

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Andrew Ennis – Ext. 2382  
Environmental Health & Parking Services Manager

Overview & Scrutiny  
3 January 2013

## Agenda Item 10

**Overview and Scrutiny**

**3 January 2013**

**AE/smep**



## Neighbourhood Assessment Programme

### Summary

This report sets out a history of our Neighbourhood Assessment programme and highlights a number of ways in which we are engaging with our communities.

### Recommendation

**That the report be noted.**

#### a) Reasons for Recommendation

Following the very first neighbourhood assessment in 2007 this report has been produced to remind Members of the work that the Environmental Health team has continued to do in partnership with others to consult and engage with our communities.

#### b) Alternative Options

The neighbourhood assessment has no statutory basis and may be discontinued or modified at any time.

#### c) Risk Considerations

The Environmental Health team currently meets the Cabinet Office's Customer Service Excellence Standard and the assessment for that award formally noted that Neighbourhood Assessments were an example of good practice that were to be applauded and went on to recommend that they should be brought to the attention of the Cabinet Office as evidence of transformational practice.

#### d) Policy and Budgetary Considerations

Initially the development of Neighbourhood Assessments required a full time officer but they now run alongside mainstream statutory Environmental Health work and do so entirely within existing resources.

#### e) Date for Review of Decision

January 2014

# **1 Main Body of the Report**

## **What is a neighbourhood assessment?**

Neighbourhood Assessments are organised and co-ordinated by Environmental Health and generally carried out in partnership with Devon and Cornwall Police.

Officers from EDDC, Devon and Cornwall Police and The British Red Cross carry out a door to door survey with East Devon residents to hear their views about local issues, and any concerns they have about the services they receive. All service requests are logged or passed to the relevant organisation for appropriate action or comment. Issues such as anti-social behaviour, traffic problems or crime can be discussed with the Police at the time or referred on, and Environmental Health staff are able to discuss concerns about pollution, pests, noise, bonfires, litter, fly-tipping, dog fouling, waste and recycling.

Officers will also offer advice and information about applying for grants for insulation & heating. Application forms are distributed to apply for assistance by Devon Care & Repair and Home Safeguard personal alarms. Some householders are referred to Devon Fire and Rescue for free smoke alarms and safety advice and in some locations Police Officers are able to offer free home security advice.

Following the survey all the information received is collated and a newsletter produced to provide feedback to the local community. This will highlight which issues were raised and what action has been taken to date. In some cases we also take the opportunity to explain why no action has been taken about certain issues, usually those that fall outside the powers and duties of any of the regulatory services.

The Parish Clerk and East Devon District Councillors for the assessment area are contacted prior to the Neighbourhood Assessment and the Parish Clerk usually puts an article in the parish magazine advertising the event. An important component of the assessment is the open surgery that is held on the same day, usually in the village hall. There is an open invitation to any interested party to call in to speak to a Council Officer. Posters are also displayed locally advising residents about the forthcoming event

We carried out our first neighbourhood assessment in 2007 and although the exact format, style and content have evolved over the last five years, the basic concept of engaging with people on their own doorsteps to genuinely seek their views in a stress-free one-to-one interview remains strong.

The story so far:-

### **1) Phase 1 - 2007/2008**

#### **Axminster, Seaton, Sidmouth, Exmouth, Ottery St. Mary, Budleigh Salterton and Honiton**

7 Neighbourhood Assessments were carried out in selected areas of the largest towns in East Devon during 2007/08. This was our first phase and a total of 459 properties were visited and 203 residents were asked for their views on Council services and their community's issues.

The top five issues raised were:

1. Speeding/parking
2. Litter and Weeds

3. Dog fouling
4. Anti-social behaviour and crime
5. Waste and recycling

## **2) Phase 2 - 2008/2009**

### **All Saints/Smallridge, Offwell/Cotleigh, Upton Pyne, Aylesbeare, Plymtree, Musbury, Woodbury Salterton**

For our second round we wanted to explore the views of East Devon communities that had actually had the smallest number of previous contacts with our services. These assessments were therefore held in the seven relatively remote parish locations which had fewer reported Environmental Health problems than anywhere else in East Devon. During this phase we also began to offer specific advice about a number of other services that we felt may be relevant to the residents including Home Safeguard, Devon Care and Repair's small repairs service, home insulation and energy efficiency advice. We had a supply of free-of-charge energy efficient light bulbs which we were able to give away to local households. 1287 properties were visited and 364 residents completed the survey.

The top five issues raised were:

1. Dog fouling
2. Recycling and waste collections
3. Litter, fly tipping and road sweeping
4. Speeding
5. Pests

## **3) Phase 3 - 2009/2010**

### **Uplyme, Lympstone, Honiton (PCT St. Pauls), Whimble and Beer**

During phase 3 a representative from the Primary Care Trust joined the group and we began to develop a suggestion that we should use our neighbourhood assessments as a vehicle to raise awareness about Type 2 Diabetes in the Honiton area. During the assessment local residents were each offered a free-swim voucher for Honiton Swimming Pool to encourage fitness. Unfortunately the outcome was that our diabetes awareness leaflets and doorstep discussions were not well received by residents. We found that the content of advice and information relating to diet and exercise quickly became rather too personal for an unplanned doorstep conversation with a Council Officer. With only limited input available from the PCT, we decided not to continue with this initiative at the other neighbourhood assessment locations.

After committing almost a full time equivalent post to developing our neighbourhood assessment programme during the previous 2 years, we were committed to maintaining a programme of engagement and consultation using the doorstep model. Now with less than a half-time equivalent post available we decided to carry on with phase 3 by seeking the views of people in some of our larger villages which had populations of around 1000. In total 300 residents completed the doorstep survey.

The top five concerns raised were:

1. Dog fouling
2. Waste/Recycling
3. Litter and fly tipping
4. Crime and anti-social behaviour
5. Noise/pollution

Number of doorstep surveys completed:

▪ Uplyme	=	74
▪ Lympstone	=	74
▪ Honiton	=	60
▪ Whimple	=	39
▪ Beer	=	<u>53</u>
		<u>300</u>

#### **4) Phase 4 20102011**

##### **Stoke Canon, Kilmington, Colyton, Clyst St. Mary and Feniton**

Following a Partners and Communities Together (PACT) event the British Red Cross became aware of our Neighbourhood Assessment programme and asked to be involved in future projects. Their aim is to raise awareness of basic life saving skills in areas where there is a poor ambulance response time. They are now active participants in assessment days and offer a free-of-charge, 2 hour first-aid life saving course as a follow-up to each assessment date. These have subsequently been carried out in a number of local village halls and have been very well received.

A total of 307 households were interviewed during this phase.

The top five concerns raised were:

1. Dog fouling
2. Recycling/waste
3. Litter/fly tipping
4. Speeding and parking
5. Crime/anti-social behaviour

Number of questionnaires completed in phase 4 Neighbourhood Assessment survey:

▪ Stoke Canon	=	56
▪ Kilmington	=	49
▪ Colyton	=	90
▪ Clyst St. Mary	=	62
▪ Feniton	=	<u>50</u>
		<u>307</u>

## 5) Phase 5 2011/2012

### Broadclyst, Dunkeswell, Chardstock and Woodbury

364 residents completed our survey during phase 5. During the last 3 neighbourhood assessments (in Dunkeswell, Chardstock and Woodbury) we decided to add to our formula with a simplified survey form which the team left at each property where there was no one home. Around 100 of these were delivered in each village and the responses from the communities was encouraging. We achieved a response rate between 33% to around 70% and whilst the level of engagement and feedback from a posted return does not compare to the value of face to face contact, this was still a worthwhile exercise that enabled the views of a larger section of the community to be included in the survey and is something that we will continue to do.

The five top concerns were:-

1. Recycling and waste
2. Dog fouling
3. Speeding and parking
4. Litter and fly tipping
5. Crime and anti-social behaviour

Number of questionnaires completed in phase 5 were:

▪ Broadclyst	=	82
▪ Dunkeswell	=	92
▪ Chardstock	=	60
▪ Woodbury	=	<u>130</u>
		<u>364</u>

## 6) Overall outcomes and achievements

The various comments, complaints and concerns expressed by those members of the communities we engaged with were passed to the most appropriate authority for further investigation, due consideration, appropriate action or simply to make contact. Any community issues that were able to be addressed by our own Environmental Health teams (such as noisy neighbours or commercial premises, dog fouling problems, smoky bonfires, untreated infestations of rats, etc. etc.) were all logged as a new case for one of our Environmental Health Officers.

Following each Neighbourhood Assessment a newsletter is produced setting out the issues that have been raised along with our response to those issues. This enables us to highlight the outcomes and to explain any changes that have been achieved. Unfortunately in some cases we also have to explain that the regulatory services involved do not have the resources and may not even have the legal powers necessary to help with that issue.

A copy of each newsletter is emailed to all district Councillors and a complete set of all newsletters produced to date can be found [here](#).

We also carry out a limited print run of newsletters which are sent to each household that participated in the survey to acknowledge their particular contribution and a small number of copies are also supplied for distribution by the Parish Council. Mindful always of reducing waste and keeping down costs balanced with the benefits of reaching as many members of the community as possible, a limited supply of newsletters is also given to local shops, libraries, hairdressers and doctor's surgeries.

## **7) Achievements**

A summary of our achievements over the last few years are listed in Background Papers

## **8) Future Neighbourhood Assessments**

We have been asking ourselves what worked well and what didn't? There has been continual support for partnership working with Devon and Cornwall Police from the onset of the Neighbourhood Assessments. Police Officers and Police Community Support Officers have attended assessment days and carried out the door to door surveys to discuss police matters with the members of the public during the event. They have also provided feedback for the newsletters about follow up work carried out as a result of information received during the Neighbourhood Assessment days. This is an example of an effective partnership in practice.

The British Red Cross have been an active participant in assessment days over the last 3 years. One of our priorities is to help our residents to continue to live in this outstanding place and this coincides with the work of the British Red Cross who are keen to continue to providing staff and volunteers for future neighbourhood assessments that take place in remote, rural locations so they can offer free life saving training for quick response first aid. Our Community Safety and Anti-Social Behaviour Coordinator has provided support at almost every Neighbourhood Assessment since they began. His background as a police officer is a great asset in making the partnership work as well as it does.

Our initial partnership with Devon and Somerset Fire and Rescue Service has not continued, primarily due to the lack of staff support now available in areas where there is only a retained fire service, and partly due to financial constraints meaning they are no longer able to offer services like free fire-safety checks or to supply free smoke detectors for all households. However we are still able to refer vulnerable residents with no smoke detectors to them in high risk properties.

The PCT were keen in principle to support us with health advice in Honiton during 2009 concerning the risks of Type 2 Diabetes, but on the day could only provide one person for half a day. The response from the public regarding questions about health, lifestyle and risks of Diabetes was very negative and they found it intrusive and unrelated to the rest of the survey about their neighbourhood and community.

Our own Building Control team were keen to include a question in our survey about dangerous structures and building works, but they were mostly unable to spare staff to assist in the actual assessment day. Only a relatively small number of Building Control issues were raised during the assessments and there is often confusion surrounding whether an issue is really going to be about Building Regulations or Town and Country Planning legislation.

A good many comments about planning are received, frequently from the Parish Council Members themselves. Unfortunately these comments are often that East Devon District Council fail to listen to Parish Council wishes but in feedback it is also often necessary to explain in the newsletters that whilst comments are listened to, it is often not legally possible or perhaps not seen to be in the best interests of East Devon as a whole to act on them.

Overall the issues raised most during the last 5 years and 29 Neighbourhood Assessments have been:-

1. Dog Fouling and dog control
2. Waste and recycling
3. Speeding and Parking
4. Litter & Fly tipping
5. Crime & anti-social behaviour

To highlight the good work the Council are already doing in these areas, it would be beneficial to have representatives from the following sections at future Neighbourhood Assessments. This would enable the public to speak directly to the most appropriate person on the day and for that Officer to publicise the good work that is already being undertaken such as:-

1. Dog Warden – offer information on the number of FPNs issued this year for fouling and off lead. Discuss areas of patrol. Offer advice about dealing with stray dogs, nuisance barking, fouling and dangerous dogs etc.
2. Police could arrange enforcement at areas of concern regarding speeding, illegal parking, antisocial behaviour and crime prevention.
3. Parking Enforcement Officer – could provided advise about loading bays, double yellow lines, inconsiderate parking, parking tickets etc
4. StreetScene Recycling Officer – in attendance to offer up to date advice and information about what can be recycled and what can't. Additional bins, assisted collections and the future likelihood of cardboard and plastics
5. StreetScene React – Continue to be present to tackle areas highlighted for litter picks, collect fly tipping, remove graffiti and clean the streets.
6. Planning Officer - on hand for a morning to deal with the any planning issues raised at N.A.s. Frequently questions are raised about planning permissions from the Parish Council and interested bodies, which E.H. are unable to answer or comment on.

The next four Neighbourhood Assessments in 2012/2013 are planned for the following areas.

East Budleigh		Autumn 2012
Sidbury	-	Winter 2012
Wilmington	-	Spring 2013
Axmouth	-	Spring 2013

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## **Legal Implications**

There are no legal implications on which to comment.

## **Financial Implications**

The Financial implications are indicated in the report.

## **Consultation on Reports to the Cabinet**

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## **Background Papers**

Appendix	1	<a href="#">Dogs</a>
	2	<a href="#">Waste Recycling</a> (StreetScene)
	3	<a href="#">Environmental Health</a>
	4	<a href="#">Housing</a>
	5	<a href="#">Building Control</a>
	6	<a href="#">Police</a>
	7	<a href="#">Devon County Council</a>
	8	<a href="#">Other agencies</a>

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Andrew Ennis - 2382  
Environmental Health & Parking Services Manager

Overview & Scrutiny  
3 January 2013

## Agenda Item 11

### Overview and Scrutiny

3 January 2012

DM



## Recording of Meetings Second Report

### Summary

This report has been produced for the Overview and Scrutiny Committee in response to their debate on the 7 June 2012. This report covers audio recording options, and the Audio Recording Protocols required, to allow recording to take place. It has been updated since published for the 22 November 2012 committee meeting.

### Recommendation

1. That Council requests the Monitoring Officer to review the Constitution with a view to making recommendations for the changes that would be required to Council proceedings to enable audio recording to take place;
2. To implement audio recording of specified Council proceedings using existing equipment;
3. To adopt and implement the Audio Recording Protocol;
4. To permit audio recording of Council; Cabinet; Development Management Committee; Planning Inspections Committee; Overview and Scrutiny Committee; Audit and Governance Committee; Housing Review Board; Licensing and Enforcement Committee and Standards Committee (when held in the Chamber) for the public parts of the meetings only. Private (Part B) sections and closed meetings will not be recorded;
5. To publish recordings online to be publically available within seven days of each recorded meeting. Post production editing to be limited to the separation of a meeting recording into individual agenda items, for ease of access.

### a) Reasons for Recommendation

The Council is committed to being open and transparent in its dealings. The provision and publication of an audio recording of Council meetings is supportive of this commitment, by extending the reach of public meetings to individuals who cannot attend to listen in person.

Recognising prevailing budget pressures, and uncertainty of demand for audio meeting recordings, use of our existing equipment provides high quality audio recordings at a modest cost.

The proposed audio recording protocol supports the Central Government wish to encourage citizen access to local democracy (Bob Neill MP advice to Councils 23 Feb 2011).

The recording of Council proceedings obviates the need for 'citizen recording' and reduces the risk of disruption to Council proceedings in premises ill suited to such activity.

Recording of Council proceedings adds the facility to resolve any possible post meeting query, quickly, accurately and inexpensively.

**b) Alternative Options**

i) Webcasting, or video recording can provide an enhanced meeting experience but at considerable cost and adaption of an unsuitable room. Audio recording provides a lower cost option that still opens up meetings to a wider audience, meeting the requirement for transparency equally well. Subject to a decision on relocation, webcasting can be reviewed a new location if demand is sufficient and value for money considered attractive. Evidence from other authorities, including DCC and Stoke On Trent, suggests that demand for webcasting is low, falling and expensive to deliver.

ii) The Committee makes no recommendation to change the current practice of minutes as the only method of recording meetings.

**c) Risk Considerations**

Minutes may be queried more frequently to request more detail be recorded in the written minutes. By direct reference to proceedings, queries can be resolved quickly, accurately and inexpensively.

**d) Policy and Budgetary Considerations**

The equipment option recommended can be provided from existing equipment with a nominal expenditure for software.

**e) Date for Review of Decision**

May 2013

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**1. Background**

1.1. On 7 December 2011 Council resolved that the Overview and Scrutiny Committee consider the implications, including cost and control, of allowing the recording of council meetings.

1.2. Overview and Scrutiny Committee considered webcasting as one method of recording council meetings at its meeting of 7 June 2012. The Committee resolved for a further report on the recording of meetings, covering both the Council's own recording of the meeting and the recording by others.

**2. Current record of meetings**

2.1. Meetings of the Council are currently recorded with written minutes, containing recommendations and/or decisions, along with a flavour of debate. This will continue, as required by the Local Government Act 1972. Any recording of meetings will enhance the current process and records.

**3. Webcasting**

3.1. At the meeting of the Overview and Scrutiny Committee on 7 June 2012, many Members welcomed the concept of webcasting but had concerns on the cost implications. The suggestion of audio recording as a cheaper alternative was made and this report covers delivering this as an interim step, pending the decision on the office relocation project.

3.2. Devon County Council continue to have low levels of viewing figures for their webcasting facility despite some publicity on the service.

#### **4. Audio recording of meetings**

- 4.1. The Committee, at their meeting on 7 June 2012, debated at length the value of holding an unedited recording of meetings. Such recordings would allow the public to make up their own mind on a topic rather than relying on how the meeting was reported or commented on via social or traditional media. The recordings may also be of use to the Standards Committee when considering any possible complaint.
- 4.2 I have researched the use of the Council Chamber's existing equipment, working with ICT to see if can be used to obtain an audio recording. The existing Philips equipment is no longer supported by the manufacturer and spares are few and far between. That aside, testing with better computer equipment has produced a high quality recording, better than any individual would be expected to achieve from the public gallery, or without the risk of disruption to Council proceedings. This solution will not be portable. This means that only public meetings held in the Chamber will be recorded. The incremental equipment cost of this proposal is £3.50 for a cable coupled with the use of low cost or free audio recording software.
- 4.3 Management of the recording process will require the Chairman to ensure that every Member uses a microphone when speaking. With the number of microphones available, this may result in some Members having to change seat to speak in line with current practice. In addition the Chairman will need to introduce the speakers to allow easy identification. Training and guidance will be provided to all Chairmen and Vice Chairman of the Committees for which recording is proposed.
- 4.4 Alternate recording options would involve the purchase of secondary equipment to replace/enhance existing equipment. This would involve additional cost, varying from £300 to £5,000 depending on the make and quality of the equipment used. Alternate or additional equipment risks adversely impacting on Council proceedings through physical intrusion. Recognising Member concerns expressed in the 7 June 2012 meeting on keeping costs to a minimum, the purchase of such equipment is not thought necessary or to represent good value at this time.
- 4.5 Meeting recordings will be stored digitally. They will be published on the EDDC website within seven days of the meeting taking place. Post production editing will be limited to the separation of a meeting recording into individual agenda items for ease of access. Recordings will be published alongside the minutes in the appropriate Committee section of the EDDC website. Publication will be in MP3 format to ensure compatibility with all popular audio playback systems.
- 4.5 Councillors will not need reminding of their compliance with the Code of Conduct in speaking at meetings. An audio recording of the public part of the meetings may be considered by the Monitoring Officer and the Standards Committee in considering a complaint relating to discussion at a committee meeting. Qualified privilege will still exist as a defence to an action for defamation to show it was made at a privileged occasion, regardless of an audio recording. As a reminder, qualified privilege will often attach to statements made at a meeting, whether spoken or in a report. It will be a complete defence to prove that the person had a duty or interest to make the statement, that there was a corresponding duty or interest on the part of the recipient to receive it, and that it was not motivated by malice.

## **5. Procedural requirements for audio recording meetings**

- 5.1. As identified in the previous report, in particular in the legal comments, an agreed procedure is required before audio recording by the Council can take place.
- 5.2. A draft protocol is set out in Appendix A covering the requirements that the Council will have to undertake, and setting out the obligations on press and public should they wish to record a Council meeting. Consultation has been carried out on draft protocol, through the Staff Joint Forum. The clause on officer right not to be recorded has been removed as a result.
- 5.3 The proposed audio recording equipment will only allow recording meetings held in the Council Chamber. Recording of main public committee meetings is proposed, comprising Council; Cabinet; Development Management Committee; Overview and Scrutiny Committee; Housing Review Board; Audit and Governance Committee; Licensing and Enforcement Committee; Standards Committee.
- 5.4 Any session where the public and press are excluded (part B) will not be recorded.

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### **Legal Implications**

The council is not obliged to allow a recording of their proceedings but may allow it if they wish. Currently the recording of council meetings is not allowed. The Council's Constitution would need review and amendment before any change takes place.

The Protocol has been prepared in consultation with the legal team. As can be seen from the report members of the public who do not wish to be recorded will have this option. The written minutes of a meeting will continue to offer the primary and most complete record of decisions and officer advice at meetings.

In view of the organisational adjustment and learning to make the best use of this proposal it may be wise to trial it for one committee initially and then evaluate its impact and usefulness in terms of take up from the website as against resources used. Members and officers in general, not just the Chairman, may feel the need for further discussion and training.

### **Financial Implications**

Using the existing equipment will incur minimal costs. Purchasing additional equipment would cost from £300 to £5,000. In light of current and future budgetary constraints, this is not seen as necessary.

### **Background Papers**

[Canterbury City Council protocol](#) for audio recording of council and other meetings  
[Dumfries and Galloway Council protocol](#) for audio recording of meetings  
[Cambridge City Council protocol](#) on audio/visual recording and photography at council meetings and [reports on complaint on filming North Area Committee in September 2010](#)

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Debbie Meakin  
Democratic Services Officer

Overview and Scrutiny Committee  
3 January 2012

## **Draft Protocol for Audio Recording of Council Meetings**

The Council is committed to being open and transparent in the way decisions are made. Recording is permitted at certain council meetings but restrictions apply to protect confidential information and those individuals who do not wish to be recorded.

The following protocol sets out how recordings are permitted and managed.

### **Main provisions**

1.1 A recording will be made by the Council for the following meetings:

- Council
- Cabinet
- Development Management Committee
- Planning Inspections Committee
- Overview and Scrutiny Committee
- Audit and Governance Committee
- Housing Review Board
- Licensing and Enforcement Committee
- Standards Committee

where held in the Council Chamber of the Council Offices at Knowle, Sidmouth, Devon. At the start of the meeting, the Chairman will remind all present that a recording is being made for subsequent publication online. Press representatives, members of the public and elected Councillors are permitted to make their own audio recordings of these meetings from the public area, subject to the provisions of this protocol, but must notify the Chairman of their intent to record prior to the start of the meeting.

1.2 Recording will not be made by the Council, or any elected Member or any other individual for any part of the meeting where the public and press are excluded.

1.3 The Council understands that some members of the public attending its meetings may not wish to be recorded whilst using their right to speak during the public question session or in speaking about a planning or licensing application. The Chairman of the meeting will remind all present at the start of the meeting of the right not to be recorded; and will take all reasonable steps to ensure that any request not to be recorded is complied with.

1.4 Any press representative, member of the public, officer, or elected Councillor wishing to make their own audio recording of the meeting, must do so overtly from the public area and inform the Chairman of their wish to record. A press representative or member of the public or elected Councillor making a personal recording must comply with any request to cease recording, as instructed by the

Chairman – for example when a request is made by a member of the public not to be recorded. Any member of the public recording the meeting must do so from the public gallery.

- 1.5 Visual recording with audio, and photography, at all meetings is prohibited.
- 1.6 All agendas for the meetings listed in 1.1 above will contain information about recording, both of the Council's recording and that individuals can record. Signs will be displayed at the meetings listed in 1.1 outlining this information.
- 1.7 The Chairman of the meeting has the absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings. This could include but not be restricted to:
  - Public disturbance or other suspension of the meeting
  - Exclusion of the public and press being moved and supported
  - Recording by an individual or individuals considered to be disrupting the proceedings of the meeting
  - Recording by an individual or individuals considered to be preventing any other individual from viewing and listening to the meeting
  - Recording by an individual or individuals is not stopped upon request for a member of the public wishing not to be recorded.
- 1.8 Subject to 1.10 below, all archived audio recordings made by the Council will be available on the Council's website.
- 1.9 Published recordings or part of published recordings shall only be removed by the Monitoring Officer if she considers that it is necessary to do so because all or part of the content of the recording is likely to be in breach of any statutory provision such as Data Protection and Human Rights legislation, or libel and defamation laws. Inappropriate language may also be removed. It is anticipated that the need to edit content will only occur on an exceptional basis.
- 1.10 Press representatives, members of the public or individual officers or elected Members making their own full or partial recordings of meetings must respect the law including Human Rights and Data Protection legislation and intellectual property rights. They will be responsible for any allegations of breaches of the law which may result from their use of recorded material and are admitted to the Council Chamber on the basis that they accept this responsibility.
- 1.11 The Council takes no responsibility for any recording made by a third party or its subsequent use. Any third party making a recording of a meeting shall in doing so be taken to have indemnified the Council against all actions, proceedings, costs, claims, demands, liabilities, losses and expenses whatsoever relating to the making of that recording.

### **Audio recording notice wording**

This meeting may be recorded for subsequent publication on the Council's website. At the start of the meeting, the Chairman will confirm if all or part of the meeting will be recorded.

The Council is a Data Controller under the Data Protection Act. Data collected during this recording will be retained in accordance with the council's practices under this Act.

Audio recording is permitted by press representatives and members of the public from the public area, subject to their notification to the Chairman prior to the start of the meeting of a wish to record all or part of that meeting.

Recording must cease at the request of the Chairman.

Making a recording must not be disruptive to the meeting.

Photography, and Visual recording with or without audio, is prohibited at all meetings.

If you are exercising your right to speak during Public Question Time, or to an application, but do not wish to be recorded, please inform the Chairman who will instruct those taking a recording to cease while you speak.

## Agenda Item 12

**Overview and Scrutiny Committee**

**22 November 2012**

**CP/KJ**



### Update of Social Media Use Policy

#### Summary

The Social media Policy, originally released in June 2011 as part of the Information Security Policy, has been updated to cover:

- Change of ownership from ICT to the Corporate Communications Team
- Compliance with Terms and Conditions of many social media sites
- Emphasis on complying with the Council's Acceptable Behaviour Policy when using social media sites
- Use of social media during Council meetings.

#### Recommendation

**That members note the policy update**

#### a) Reasons for Recommendation

Identified in the summary

#### b) Alternative Options

None.

#### c) Risk Considerations

Need to ensure that the Council complies with the terms and conditions of use of social media sites.

Users of social media, in both a business and personal context, must understand the implications of publishing content on the internet.

#### d) Policy and Budgetary Considerations

#### e) Date for Review of Decision

1. The Social Media Policy was first published in June 2011 as part of the wider Information Security Policy. The ownership of the policy is now passing to the Corporate Communications Team.
2. We have learnt that we have been breaking the terms and conditions of at least one social media site by creating corporate user accounts and then sharing this amongst the authorised Council users. Facebook requires personal logins to be used which can

then be “hidden” behind administration accounts so that no personal details are made visible.

3. We need to emphasise the importance of understanding the implications for employees and councillors of publishing content on the internet, including when acting as a private individual, that could :
  - Bring the Council into disrepute
  - Breach Council policies such as Acceptable Behaviour Policy or Code of Conduct
4. Accessing social media sites by councillors during council meetings or events must not interfere with proceedings.

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### **Legal Implications**

Advice has been given as to what content should be included in the policy.

### **Financial Implications**

There does not appear to be any direct financial implications

### **Consultation on Reports to the Cabinet**

SMT

Overview and Scrutiny

### **Background Papers**

Council's existing [Social Media Policy](#)

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Chris Powell  
Corporate ICT Manager

Overview and Scrutiny  
22 November 2012

East Devon District Council

# IT16

## Social Media Policy

October 2012

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Target Audience:
<b>Everyone</b>

## **Contents**

1. Introduction
2. Purpose
3. Scope
4. Legislation, Regulations and Standards.
5. Using Social Media on behalf of the Council
6. Security and Safeguarding Issues
7. Responsibilities
8. Using Social Media in a personal capacity
9. Breaches of this policy
10. Review and Revision
11. Authorisation

### 1. Introduction

- 1.1. Social media is the term commonly given to websites which allow users to interact with each other in some way, by sharing information, opinions, knowledge and interests.
- 1.2. As the name implies, social media involves the building of communities or networks, encouraging participation and engagement. Examples of Social Networking Sites include Facebook, Twitter and LinkedIn
- 1.3. The widespread availability and use of social media brings opportunities to understand, engage and communicate with the council's audiences in new ways. It is important that these technologies and services are used effectively and flexibly, whilst balancing this with our duties to our service users and partners, our legal responsibilities and our reputation.
- 1.4. Access to Social Networking Sites is restricted from council computers to mitigate the risks that such web sites present.
- 1.5. The Council's current objectives in using social media are:
  - Assisting customers to access Council services
  - Respond to concerns about the council's policies and services and engage in debates about service provision where we consider it appropriate.
  - Target hard to reach and single issue groups such as young people who are heavy web users and those who may be dissatisfied with the council.
  - Update Facebook with our press releases.
  - Create opportunities to engage with our customers in different ways by asking staff who are 'out there' to connect to communities through social media.

### 2. Purpose

2.1. The purpose of this policy is to:

- ensure that the reputation of the Council is enhanced through effective use of social media
- ensure that council employees, councillors and third parties involved in the promotion of, or who speak for, the council are aware of, and fully comply with, all relevant legislation, policies and regulations relating to the professional use of social media
- ensure that users are able to clearly distinguish where information provided via social networking applications is legitimately representative of the council
- support and be consistent with the council's Information Security Policy with regard to the risks of using social media sites

2.2. Anyone found to be in breach of this policy may be subject to the Council's disciplinary procedures.

### 3. Scope

3.1. This policy applies to all employees, councillors, partners, contractual third parties and agents of the council.

3.2. This policy applies to the use of social media for both Council business and personal purposes.

3.3. This policy must be considered by employees and councillors who are commenting in social media sites on the Council, its employees, councillors or policies as private individuals.

3.4. Social media includes, but is not limited to, blogs, podcasts, wikis (such as Wikipedia), message boards, social bookmarking sites (Delicious), social networking sites (Facebook, My Space), blogging and microblogging (Twitter) and content sharing websites (flickr, YouTube).

3.5. It is the responsibility of all employees, but especially managers, to exercise appropriate controls to minimise the risk of misuse and where misuse is found to report it to ICT.

3.6. Breach of this policy may result in disciplinary action. Lack of co-operation by employees or councillors in any investigation of a breach of this policy may also result in disciplinary action.

### 4. Legislation, Regulations and Standards.

4.1. The council could be held liable for material published by its employees, councillors and third parties connected with the council, so it is vital that they are aware of and strictly comply with all relevant legislation, regulations, etc.

## Social Media Policy

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- 4.2. It is recognised that social media can be used for investigatory purposes such as identifying fraud, illegal events etc. It is important that employees who use social media for this purpose comply with relevant guidance and legislation.

### 5. Using Social Media on behalf of the Council

- 5.1. Approval for development or use of a social media site requires a business case.
- 5.2. The business case for social media development or use can be in the form of an email and must:
- show how it will be used to engage with target audiences
  - be authorised by the Head of Service or Corporate Manager
  - be time limited with a defined exit strategy or proved to be sustainable
  - identify the users and administrators
  - be subject to evaluation and agreement by the Corporate Communications Team
- 5.3. Social media sites may only be accessed using Council IT systems by those employees listed in the business case, or subsequently approved by their Head of Service or Corporate Manager.
- 5.4. The Communications Team will maintain a register of authorised social media users. The Team will have top administration rights to all Council social media sites and be able to disable and remove other administration access as required.
- 5.5. The Terms and Conditions of use of many social media sites require that:
- each user has a single, personal login
  - Corporate shared accounts are not permitted
- 5.6. Each user of the particular social networking site may therefore need to use their personal account for Council business. However, the preference is always for a separate account and user name for Council business.
- 5.7. Advice on setting security and protection for individuals on each social media site used by the Council is available from the Communications Team.
- 5.8. Employees acting as representative of the Council making comments on a social media site not specifically branded as belonging to the Council must clearly identify their name and employment status.
- 5.9. All access to Social Networking Sites from the Council's IT systems will be monitored and logged by ICT

## Social Media Policy

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5.10. Content published on social media must be positive and respectful and employees must not:

- publish any content which may result in actions for defamation, discrimination, breaches of copyrights, data protection or other claims for damages. This includes but is not limited to material of an illegal, sexual or offensive nature that may bring the Council into disrepute.
- Publish content for the promotion of personal financial interests, personal commercial ventures or personal campaigns
- Publish content in an abusive or hateful manner, or in a way which contravenes the Council's acceptable behaviour policy

5.11. Any social media development must:

- fully identify the council and its branding and link to any corporate social media presence and provide links to the council's website [www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)
- comply with relevant legislation, regulations, etc. (see Appendix 1)

## 6. Security and Safeguarding Issues

6.1. While a very useful mechanism for engaging with our customers and the wider world, use of social media carries some risks. The Communications Team will advise Council users on request but the basic precautions are:

6.2. Never give out personal details such as home address and telephone numbers

6.3. Ensure that any personal or sensitive information is handled in line with the Council's Data protection Policy.

6.4. Safeguarding children and vulnerable adults... it is essential that any sites set up by the Council that target this particular customer group is monitored closely and moderated. Advice on safety can be found at Devon County Council website:

[www.geturvoiceheard.co.uk/docs\\_sn.php](http://www.geturvoiceheard.co.uk/docs_sn.php)

6.5. Advice, information and resources about online safety, including how to use custom settings can be found at

[www.thinkuknow.co.uk/](http://www.thinkuknow.co.uk/)

### 7. Responsibilities

- 7.1. The business case owner for each area of the council's social media presence must ensure arrangements are in place to cover the event of site users leaving, being on annual leave, or being off sick.
- 7.2. The Communications Team must keep a register of who has administrative access to which Council pages.
- 7.3. The business case owner who is the main "owner" of that particular social media site must manage the access to the site according to this policy. They must have a procedure in place to ensure that administrator permissions are removed immediately for persons who have left the Council's employment.

This is to ensure the risk of pages being edited by persons no longer authorised to do so is minimised. Remember that administrators will be using their own personal logins, which the Council has no authorisation to deactivate.

- 7.4. Councillors and employees to comply with this policy being aware that each user of any social media site is personally responsible for the content they publish.

### 8. Using Social Media in a personal capacity

- 8.1. Access to social media sites for personal use using the council's IT systems is not allowed.
- 8.2. When councillors and employees use social media in a personal capacity they must:
  - not share sensitive or confidential information about the Council or its employees or councillors
  - not bring the Council into disrepute
  - comply with the requirements of the Council's Acceptable Behaviour Policy with regard to other employees and councillors noting:

"Any unacceptable behaviour directed towards another, including harassment based on age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race (colour, nationality and ethnic or national origins) religion or belief, sex and sexual orientation is unlawful and will not be tolerated in any form by EDDC. Action including dismissal may be taken using our Disciplinary Policy".

- 8.3. **Further to the above**, when employees use social media in a personal capacity outside of work and **they make reference to their relationship to the council**, they must:
- use a disclaimer such as “The postings on this site are my own and do not necessarily represent East Devon District Council’s position, strategies or opinion.”
  - take great care how they present themselves online as the distinction between public and private, professional and personal may be blurred
  - before uploading any photos or videos of colleagues check that those colleagues are in agreement
  - ensure that the language they use is acceptable and respectful of others
  - not make negative comments about the Council, its employees or Councillors
  - at all times ensure their actions do not bring the Council into disrepute
- 8.4. When a councillor uses social media in a personal capacity and makes reference to their role as an elected member of the Council or makes reference to a Council issue they must:
- Use a disclaimer such as “*The postings on this site are my own and do not necessarily represent East Devon District Council’s positions, strategies or opinions.*”
  - adhere to the Code of Conduct to ensure that the language they use is acceptable and does not bring the Council into disrepute
  - be mindful, if utilising social media in a personal capacity during an official council meeting or event, that the use of it does not impact on the proceedings of that meeting or event, or contravene the Council’s constitution or other Council protocol.

### 9. Breaches of this policy

- 9.1. Users who do not adhere to this policy will be dealt with through the council disciplinary process.
- 9.2. Where an individual suspects that this policy is being violated, then he/she must report this immediately to his or her Head of Service, who, in appropriate circumstances, must liaise with the Corporate Manager (ICT) or Corporate Manager (Organisational Development).
- 9.3. For councillors, the Monitoring Officer will ensure appropriate action is taken.
- 9.4. Where external service providers, agents or contractors breach the policy, this should be addressed through contract arrangements.

## Social Media Policy

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- 9.5. Where the public have access to the councils IT systems, that access will be withdrawn if there is an actual or likely breach of information security, until adequate controls are in place.

### **10. Review and Revision**

- 10.1. This policy will be reviewed annually by the Corporate Organisational Development Manager and revised according to developments in legislation, guidance, accepted good practice and operational use.

**11. Authorisation**

This policy has been authorised by:

Signature ..... Date .....

Name:

Position :

### Appendix 1

#### Legislation, regulations, etc.

- a. **Consumer Protection from Unfair Trading Regulation (2008)** - These regulations set out how commercial practices can be unfair through misleading or aggressive practices and lists 31 practices which are banned. Examples include ghosting (creation of fake blogs), falsely representing oneself as a customer and falsely advertising on social media sites. In addition Astroturfing – the practice of falsely creating the impression of independent public support by means of orchestrated and disguised public relations practice (in social media via blogs, postings on sites and “amateur” video) and Flogs – fake blogs by PR professionals that poses as a customer to promote goods or services are no longer permitted
- b. **Advertising Standards Authority (ASA)** – The ASA Code of Practice has certain legal powers to protect consumers from new forms of social media. All marketing communications must be legal, decent, honest and truthful and if a complaint is made evidence will be required to substantiate any claims made.
- c. **Intellectual Property (IP)** – IP includes copyright, trademarks, patents and designs. Before using any images, music, information or content, which is protected by IP, permission must be gained by the publisher. Short quotations of text usually require citation. This may also include links to websites (check the website’s Terms of Use and Copyright section before making links)
- d. **Disclosure/confidentiality** – employees and councillors may have access to information, which is confidential with regards to contracts, clients, customers, staff or other councillors. Any disclosure of such information could constitute a breach of terms and conditions or of the officers or members codes of conduct.
- e. **Data protection** – employees and councillors may also have access to personal information, which is subject to the Data Protection Act 1998. This relates to data from which a living individual can be identified and includes photos and videos. Before any such data can be used in a social media context full written permission must have been obtained.
- f. **Defamation** – this is the act of making a statement about a person or company that is considered to harm reputation. If it is written down (in print or online) it is libel and if spoken known as slander. Companies can be held responsible for something an employee or councillor has said if it is on behalf of the company or in company sanctioned space. Action can also be taken for repeating libellous information from other sources and for content generated by users on company space.
- g. **Invasion of privacy** – This is a complex area covered by several laws, however the Human Rights Act incorporates the right of privacy for individuals and companies. Practical areas where this could be of concern are disclosing information about colleagues on a personal blog or personal social network site and collecting information about visitors to your sites and using it inappropriately.

## Social Media Policy

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- h. **Professional standards** – Those PR and marketing professionals employed by the council as employees or as contractors should be mindful that both the Chartered Institute of Public Relations and Chartered Institute of Marketing have professional codes of conduct, which relate to social media and that breaches of these codes could lead to removal of accreditation or membership status. Other Institute's may have similar rules.

## Agenda Item 14

**Overview and Scrutiny Committee**

**22 November 2012**

**Quarterly Monitoring Report**



### **Quarterly Monitoring of Performance – 2nd Quarter 2012/13 July to September 2012**

#### **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 2nd 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.

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'.

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### 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'.

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Karen Jenkins Ext 2762  
Corporate Organisational Development Manager

Overview and Scrutiny  
22 November 2012



## Quarter 2 Performance Report 2012-13

### October 2012

#### 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	Normal	The Empty Homes Partnership Officer has brought back into use 2 significantly difficult long term Empty Properties along with other less difficult. A report will be submitted towards the end of the financial year in order to identify how many properties have been brought back into use.
Have all the infrastructure in place to start building homes at Cranbrook in 2012	Achieved	Off site - highway infrastructure all commenced on schedule. On site - School opened Sept 2012, station planning permission now approved, multipurpose building also opening soon.
Manage and maintain our council homes to our adopted local standards	Achieved	Our Annual Report to Tenants 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	Variation	May not be achieved in 2012/13 due to the down turn in the housing market. Cranbrook is starting to make a contribution towards the target.
Set a baseline and improve the thermal efficiency of homes in the District	Variation	The cosy Devon scheme is still operating until December 2012 and possibly will continue into the new year depending on Central Government rolling out Green Deal and ECO. The Home Energy Conservation Act 1996 is being refreshed and there is a requirement for all Local Authorities to produce a HECA by March 2013 setting out targets and how it will achieve the targets to reduce fuel poverty and reduce carbon and increase energy efficiency in all residential and commercial premises.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Direction of travel	Management Notes
Number of affordable homes delivered	148	50 (2/4)	0	7	↓	We expect the main affordable housing delivery output to show in Q3 / Q4. It is expected that the numbers of affordable housing delivered in East Devon this year will be lower than last. This is a reflection of the significantly reduced grant levels and reduced house building. We remain hopeful that Cranbrook will start to deliver in Q2/ Q3.

## Service Achievements

- This quarter we held a community festival on All Hallows Playing Field in Honiton, held estate inspections in Musbury and Shute, and encouraged and judged gardens for our annual garden competition across the district.

- The first affordable homes for local people become available at Cranbrook in September. In the first phase of construction, 328 new homes will be provided for affordable housing. These homes, which will benefit from £15.6m in investment from the Homes and Communities Agency (HCA), will be allocated equally between Sovereign Housing Association and Devon and Cornwall Housing group (DCH). Sovereign took possession of its first 24 homes in September. The first homes for DCH will be delivered in early 2013.

- Cranbrook's first school opened its doors to pupils for the first time on 7 September. The £3.6 million St Martin's C of E Primary will serve the new Cranbrook community in East Devon. Children from families who have already bought homes on the new development will join pupils from the former Clyst Honiton primary which closed this summer. St Martin's will grow with the new community and will eventually accommodate 420 children with a 26-place nursery.

# 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	Awaiting final confirmation from Defra on figures but believed to have been achieved
Complete the Eon combined heat and power plant to service Cranbrook, Skypark and the Intermodal Freight Terminal in 2012	Normal	Energy Centre building now complete and ready for fit out. Due to be operational April 2013. Temporary energy centre is operational.
Finalise the Strand redevelopment and blueprint for creating new, attractive places to enjoy, live and do business in Exmouth in 2012	Variation	Strand public realm in place. Cleaning and maintenance underway. Licensing agreed. Outstanding issues to be resolved – final design of building and construction to be resolved. Ongoing maintenance of Strand to be agreed between authorities.
Help Seaton achieve its Visitor Centre during 2012 - 2013	Variation	Revised timetable of May 2014 for completion Seaton Discovery Centre progress – Devon Wildlife Trust identified as preferred operator, EDDC and DCC funding secured, project management in place, HLF bid in progress.
Implement a District-wide survey in 2012 to help us track satisfaction over time and make plans to address key issues for residents	Normal	It is anticipated that this survey will be sent out before the end of the financial year.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Direction of travel	Management Notes
Number of households living in temporary accommodation	20	40 (2/4)	19	22	↑	We are managing to keep numbers down despite an increase in homelessness approaches and a national trend of increased homelessness.
Improved street and environmental cleanliness – fly tipping	3	3 (2/4)	2	2	↑	

## Service Achievements

- During September, members of East Devon District Council's Waste Management team visited Honiton and Axminster with a Refuse and Recycling roadshow. These roadshows gave residents an opportunity to talk to the staff about any waste and recycling issues that they had.

- SWITCH sessions continue to run each week for children, young people and young mums in Exmouth and Axminster. We are also embarking 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 the Exmouth area.

- Work between the Housing and the Benefits team continues as we prepare for welfare reforms. We have identified those of our tenancies likely to be affected by the changes in the reforms and written to the tenants individually offering possible courses of action they might consider in order to mitigate the negative effects for them and keep our income collection rates high.

- Wiltshire Council is visiting in the autumn to learn from our Tenant Scrutiny Panel on how to make tenant scrutiny a success. The Panel has completed its first review (on community centres) and we have responded via the Housing Review Board. All the panel's recommendations are being taken forward and the panel is commencing its second review which is looking in to <sup>61</sup>the time taken in the period between one tenant leaving and another moving in.

## 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	Variation	Axminster identified as 1st town intervention opportunity – Webster’s garage and town centre planning and design project. Honiton and Sidmouth – other activity already underway such as the Beehive Community Centre construction, Drill Hall site development/temp use
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	Normal	Strategy in place, progress on going.
To help secure the necessary infrastructure to create and support sustainable agricultural, business and visitor economies in East Devon.	Normal	Continued support for Business Information Point (BIP) and the East Devon Business Forum (EDBF).
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.	Normal	Ongoing support being provided

## Service Achievements

- Discussion has been ongoing with the Federation of Small Businesses on how we interact with SMEs, including their inclusion in plans for the 'Buy Local' event to be held in Plymouth on October 24th.
- Our procurement web pages have been updated including new links to 'Winning the Contract', a 4 hour online training course aimed at SMEs.
- Suppliers wishing to do business with south west councils are being pointed in the direction of 'Supplyingthesouthwest', the online tendering portal.

- We have successfully recruited four apprentices in ICT, Organisational Development, Housing and Electoral Services. Placements at the council require students to achieve five A to C GCSE grades and provide the perfect opportunity for any bright young students to gain quality work experience as well as a diverse place in which to begin many different careers.

## 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	Normal	Forms part of THG review and Arts & Culture TAFF scope to be reported on later in the year.
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	Normal	Ongoing

### Service Achievements

- EDDC Environmental Health Team is working alongside the Environment Agency and South West Water to ensure that the Bathing water in the district meets national standards. Due to reasons beyond our control, primarily heavy rainfall during the bathing season this year, the news has not always been good.

- An Arts and Culture review looked at the whole arts and culture programme supported by EDDC to better understand its added value to our work. This included reviewing the Thelma Hulbert Gallery and its operational performance. Recommendations were made to Cabinet. Following this a decision was made to recommend putting in place changes to increase income of the Gallery.

- The Thelma Hulbert Gallery has been granted major tourist attraction status by VisitEngland, making it the only quality assured visitor attraction in Honiton, and for several miles around. Art enthusiasts from all over Great Britain have been impressed with their visits to the Gallery since it first opened over 14 years ago.

- Work is ongoing to implement the Community Infrastructure Levy and the Section 106 funds to ensure that the money required as part of the planning conditions for new developments within the district are being successfully collected, monitored and managed.

An example this quarter of the Section 106 money in action is at the Mear in Exmouth. With £15,000 of section 106 money available children from St Joseph's Roman Catholic Primary School in Exmouth were invited helping to design new pieces of play equipment that they wanted at the Maer Nature Play Area near the seafront.

The new equipment including monkey bars, a wobbly bridge, as well as climbing and balance beams was officially opened in September. Around 120 children from St Joseph's Roman Catholic Primary School took time out of their busy school day to come along and see the results of their hard work and decision making

## 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	Normal	On track for delivery in timescale.
Put in place a Local Nature Reserve Strategy and action plan in 2012 to involve more young people	Normal	On track for delivery in timescale.

## Service Achievements

- Sustainability has been integrated into the proposed new procurement strategy which will be put before the Cabinet in October 2012. This equates to an earlier than originally planned date for its inclusion in the way that we consider sustainability and environmental management when we procure goods, works and services.

The Countryside Team has seen an increase of 30% more schools visits to its LNRs this year, the biggest growth being in secondary schools. Also the newly created East Devon Wildlife Conservation Volunteer scheme has seen numbers grow by 25% and activities on all the Council’s LNRs.

- The creation of the Stop Line Way cycleway (connecting Seaton to Weston Super Mare) has started on the Axe Wetlands which will enable a significant amount of new visitors to enjoy the Reserve and all its bird hides, viewing platforms and Information Centre. Devon CC is hoping to complete the Seaton to Colyford section by 2013/14.

- EAST Devon District Council has taken delivery of its first ever electric vehicle. The new Renault Kangoo ZE will be used around Sidmouth by the Council’s mobile StreetScene team. Supplied on a five-year lease by Vospers of Exeter, this is the first step in moving the Council’s fleet over to the greener and more cost effective electric range.

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# 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	Timescale of planning application has been extended. Conclusion of viability exercise and member decision making process will happen in 2012.
Development and implementation of "Paperless Committees and member IT" project	Normal	These two projects are tightly linked and so they are run as one. The experiments and testing of the "secure bubble" technology have been stopped. Direction of travel provided by the project sponsor, the Portfolio Holder, is to copy as far as possible the work of Warwick Council with Google Docs. Based upon how successful the implementation of the Google system is will direct how the council deals with member's IT hardware and also paperless agendas.
Integrated Mobile Working Project		The project is still centred on achieving benefits for the Streetscene service although a report is being compiled about the top three ideas for each of the other services to see if there are quick wins. To date several mobile applications have been developed and are in use by Streetscene operatives. These have enabled improved communications; quicker turnaround of jobs; better reporting and greater safety and visibility of staff. Mobile email policy and technology has been launched for officers. In-cab business case has been drafted but still needs work - the technology to produce the solution is being negotiated with supplier. Tracking application almost complete to assist with lone worker safety - this could also be applied to worker and vehicle tracking. Streetscene officers using smartphones to receive and close some work requests. Work commenced on integrating streetscene back office system directly to webforms, Lagan and smartphones.
Explore the potential for sharing or outsourcing our support services during 2012 - 2013	Normal	A number of complex initiatives are underway with the ultimate aim of cutting costs and de-risking ICT operations for the future. 1) Investigating a shared ICT service with all other Districts and DCC through the Devon Districts Forum 2) Investigating working with Plymouth who are pushing ahead with their own strategy of a SW centre of IT Excellence. 3) Potentially 1) and 2) combined. 4) A review of whether combining Mid and East Devon ICT is worthwhile in light of the other initiatives. 5) Further exploring the offer from Compass Point to be a partner 6) Carry out a viability check for outsourcing much of the infrastructure operations" Options 3, 5 and 6 are being actively explored. The latest on option 3 is that Exeter, East Devon, Teignbridge and Plymouth have agreed to cooperate on the creation of a separate company to sell IT services back to its customer-owners.
Maximise our use and sale of assets to fund our priorities for East Devon	Normal	Asset Management Forum active, ongoing disposals underway

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Direction of travel	Management Notes
Percentage of Council Tax collected	98.71	49.40 (6/12)	30.67	58.14	↓	The collection rate is down 0.20% on this time last year. We will continue to closely monitor.
Percentage of Non-domestic rates collected	99.11	49.55 (6/12)	32.59	60.19	↑	For the six month running, the in-year collection is up on the same time last year; however NNDR collection can easily fluctuate.
Working days lost due to sickness absence	8.19	4.25 (6/12)	2.39	4.58	↓	
Percentage of planning appeal decisions allowed against the authority's decision to refuse	25.6	30.0 (6/12)	0	21.0	↑	
Proportion of outstanding debt that is more than 90 days old from date of invoice	11	No Target	13	34 65	↓	

## 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	Normal	We have published our updated Equalities Policy and Equalities Objectives which are; know our communities, serving our communities and including equalities in our decision making. A full report of all our work that we are undertaking to support these objectives will be going to Overview and Scrutiny in November 2012.
Complete our redesign of all our major frontline services during 2012 - 2013	Normal	Ongoing
Improve communications and our knowledge of our customers' needs (use our 2012 action plan to monitor)	Normal	We are profiling our community using the LG Futures tool and developing an on-line magazine to improve communication to our customers. In addition, we are reaching our customers through social media and have improved our presence on facebook and twitter. Additionally, the Residents' Survey is aimed at improving our knowledge of our customers' needs. We are focusing on improving our website to ensure that we can use this tool to better engage with our customers.
Select and implement new open source content management system for website as part of a larger communications project.	Normal	Project plan being created in November for the purchase and implementation of a new Content Management System as part of the website re-organisation.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Direction of travel	Management Notes
Percentage of Minor planning applications determined within 8 weeks	63.90	32.50 (2/4)	62.04	52.90	↓	
Percentage of Other planning applications determined within 8 weeks	81.61	40.00 (2/4)	75.82	73.90	↓	
Days taken to process Housing Benefit/Council Tax Benefit new claims and change events	5.69	6.00 (6/12)	6.03	6.03	↓	
Percentage of satisfied customers - Benefits	92	No target	93	0	↑	No data yet available for this quarter
Percentage of satisfied customers - Planning	90	No target	89	0	↓	No data yet available for this quarter
Creditor days - % of invoices paid within 30 days	99	99 (6/12)	99	97	↓	

## Service Achievements

- The ICT objective to Investigate money saving ICT ideas whilst maintaining the ICT infrastructure has in the past quarter lead to some exciting new developments, change to the Land Charges system and the Business Rates System have saved about £10k each. ICT have also been able to reduce the costs of the internet services used by £15k. Some of the other ideas still being explored are; - sharing internet access with DCC - replacing external phone connections with new digital connections and - replacing many security products with a single device

- Implement the Electronic Document Management System across the council is on target to get all transactional documents started on the EDMS process in December. Work is continuing to determine the resource required to back scan all those documents considered essential for live working. The space needs for storage in the new building have been calculated as less than one third that currently used.

The following Council Promises are not progressing due to a lack of capacity to drive them forward;

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.	<b>Concern</b>	Visitor Economy identified in EDC Economy Strategy and Council Plan. Initial ideas in development but no dedicated resource available to take forward.
Increase visitor numbers through a tourism and marketing campaign during 2012 - 2013	<b>Concern</b>	There is no dedicated resource available to take forward.
Review our green and open spaces and plan to ensure we are delivering best value and community access	<b>Concern</b>	Currently there is no capacity with the Streetscene and Countryside & Leisure Manager to take this review forward.

## Quarterly report 2012-13 Concern Only

Quarterly report for 2012/2013

Arranged by Aims

Filtered by Flag: Include: Monthly, Quarterly

Exclude: Archive, Actions from Cabinet

Filtered by Performance Status: Include PI Status: Concern

Include Objective Status: Concern

### Key to Performance Status:

Key Strategic Objective:	No Data available	Milestone Missed	Normal	Concern	Variation	Achieved
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Performance Indicators:	No Data	Concern	Variation	Achieved	Excellent
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### Key to change on same period in previous year:

	Improved Performance		Worse Performance		Unchanged
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### Key to +/- Column:

	Higher figures are better		Lower figures are better		Direction cannot be determined
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\* indicates that an entity is linked to the Aim by its parent Service

## Quarterly report 2012-13 Concern Only

Priority: Living in an outstanding place

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

### Performance Indicators

Title	+/-	Prev Year End	Current Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Improvement	Responsible Officer
<b>NI155 Number of affordable homes delivered (gross) (LAA)</b>	+	148	50 (2/4)	0	7			↓	Paul Lowe

### Management Notes:

(Quarter 1 - 2)

We expect the main affordable housing delivery output to show in Q3 / Q4. It is expected that the numbers of affordable housing delivered in East Devon this year will be lower than last. This is a reflection of the significantly reduced grant levels and reduced house building. We remain hopeful that Cranbrook will start to deliver in Q2/ Q3.

(JA)

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

### Key Strategic Objective

Objective Status	Title	Objective	Comments	Responsible Officer

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Print Date: 30 October 2012 13:31

## Quarterly report 2012-13 Concern Only

### Priority: Living in an outstanding place

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

#### Key Strategic Objective

Objective Status	Title	Objective	Comments	Responsible Officer
Concern	<u>Finalise the Strand redevelopment and blueprint for creating new, attractive places to enjoy, live</u>	<u>Finalise the Strand redevelopment and blueprint for creating new, attractive places to enjoy, live and do business in Exmouth in 2012</u>	Strand public realm in place. Cleaning and maintenance underway. Licensing agreed. Outstanding issues to be resolved – final design of building and construction to be resolved. Ongoing maintenance of Strand to be agreed between authorities.	Richard Cohen

### Priority: Working in an outstanding place

**Outcome: Deliver a thriving, competitive local economy**

#### Key Strategic Objective

Objective Status	Title	Objective	Comments	Responsible Officer
Concern	<u>To use the natural assets of the District to strengthen and widen the visitor economy</u>	<u>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.</u>	Visitor Economy identified in EDC Economy Strategy and Council Plan. Initial ideas in development but no dedicated resource available to take forward.	Richard Cohen

### Priority: Enjoying this outstanding place

**Outcome: Provide cultural and leisure activities accessible to all residents and visitors**

#### Key Strategic Objective

Objective Status	Title	Objective	Comments	Responsible Officer
Concern	<u>Increase visitor numbers through a tourism and marketing campaign during 2012 - 2013</u>	<u>Increase visitor numbers through a tourism and marketing campaign during 2012 - 2013</u>	No dedicated resource available to take forward.	Richard Cohen
Concern	<u>Work with partners to ensure bathing water quality meets national standards</u>	<u>Work with partners to ensure bathing water quality meets national standards</u>	The Council is responsible for dissemination of information to the public about bathing water quality. We work with partners to try to ensure that the quality meets national standards but due to reasons beyond our control, primarily heavy rainfall during the bathing season this year, the news has not always been good.	Andrew Ennis

## Quarterly report 2012-13 Concern Only

**Priority: Enjoying this outstanding place**

**Outcome: Provide cultural and leisure activities accessible to all residents and visitors**

### Key Strategic Objective

Objective Status	Title	Objective	Comments	Responsible Officer
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**Outcome: Protect and enhance East Devon's natural environment and its habitats and wildlife**

### Key Strategic Objective

Objective Status	Title	Objective	Comments	Responsible Officer
Concern	<u>Complete the delivery of new inter tidal habitat scheme on Sheep's Marsh on Axe Wetlands</u>	<u>Complete the delivery of new inter tidal habitat scheme on Sheep's Marsh on Axe Wetlands &amp; develop strategic Axe Wetlands Management Plan that guides site management, access &amp; public engagement attracting 60,000 new visitors by 2013</u>	Delivery of intertidal habitat scheme on Sheep's Marsh – Our Estates team is supposed to be sorting out the conveyancing of Sheep's Marsh as part of the agreed land deal with Tesco's, it is this land which we secured £150,000 from the Environment Agency (2 yrs ago) to deliver an inter tidal scheme. Estates were supposed to have sorted out the transfer of this land from Tesco's to Countryside team in December 2011 on the opening of the store. There have been various setbacks it would seem to this happening which means we could jeopardise the funding we have received. We also have appointed a Project Officer for 12 months at a cost of £50K on the guarantee from Estates that we would have the land in our ownership by now. The reality is that nothing has happened and we could lose our funding and also a Project Officer this month who is unable to do his role due to the delays. This is a serious issue.	Charlie Plowden
Concern	<u>Green and Open Spaces Review</u>	<u>Review our green and open spaces and plan to ensure we are delivering best value and community access</u>	Currently no capacity with Streetscene and Countryside & Leisure Manager to take forward.	Charlie Plowden
Concern	<u>Prepare Greenhouse Gases Plan</u>	<u>Prepare Greenhouse Gases Plan</u>	No progress made - - no service/officer responsible for this work currently	Charlie Plowden

**Priority: Outstanding Council**

**Outcome: Efficiencies: financial and time-saving**

### Key Strategic Objective

Objective Status	Title	Objective	Comments	Responsible Officer
Concern	<u>Implementation of new Business Rates IT System</u>	<u>Implementation of new Business Rates IT System</u>	This work is clashing with other priorities in the service (implementation of the benefit and welfare changes and implementation of a local council tax benefit scheme).	Libby Jarrett

## Quarterly report 2012-13 Concern Only

Priority: Outstanding Council

Outcome: Efficiencies: financial and time-saving

### Key Strategic Objective

Objective Status	Title	Objective	Comments	Responsible Officer
Concern	<u>Roll out of e-procurement (electronic ordering and payment process)</u>	<u>Continued roll out of e-procurement (electronic ordering and payment process)</u>	The roll-out of e-procurement has reached Street Scene where much of the team is using the system successfully. Further roll-out is now held up because of update issues with the ABS system, ABS's apparent inability to resolve a number of technical issues, and possibly the lack of resource here should the ABS log-jam be freed up.	Colin Slater

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

### Key Strategic Objective

Objective Status	Title	Objective	Comments	Responsible Officer
Concern	<u>Preparation of ICT business plan to allow customers to pay through the internet or telephone</u>	<u>Review and preparation of ICT business plan to allow customers to pay through the internet or telephone (currently cheque payments only) Subject to ICT resources</u>	With other priorities this work as not been started as of yet.	Simon Davey

Not linked to any aims

## Agenda Item 15

### Forward Plan for Overview and Scrutiny Committee

Month	Topic
16 January 2013	Special Budget meeting (all day)
24 January 2013	GP Commissioning – return visit Update from Portfolio Holder for Sustainable Homes and Communities Update from Member Champion Post Offices
28 February 2013	Young Scrutineers and youth service provision (tbc) Sustainable Communities Act Quarterly Monitoring of Performance – 3 <sup>rd</sup> Qtr 2012/13
28 March 2013	Local Plan production Reviewing the general terms of reference for working parties and task and finish forums, including consideration to formalising some officer meetings and criteria to apply.
25 April 2013	Draft Overview and Scrutiny Annual Report

#### Topics for scoping and allocation to the Forward Plan:

- Updates from each Portfolio Holder
- Practical implications of dealing with proposals under the Sustainable Communities Act
- Exmouth flooding pending DCC flood report
- Police Area Commander

#### Task and Finish Forums Update

- Community Infrastructure Levy - next meeting pending legislation.
- Business TaFF second meeting pending date.
- Fees and Charges TaFF to start February 2013

## **Notes of a Meeting of the Business Task and Finish Forum held at Knowle, Sidmouth on 11 December 2012**

### **Present:**

#### **Councillors:**

Graham Troman  
(Chairman)  
Mike Allen

Vivian Duval-Steer  
Claire Wright

### **Also Present**

#### **Councillors:**

David Cox  
Graham Godbeer  
Helen Parr

#### **Officers:**

Mark Williams – Chief Executive  
Nigel Harrison – Economic Development Manager  
Chris Lane – Democratic Services Officer

### **Apologies**

#### **Councillors:**

Peter Burrows  
Steve Gazzard

#### **Officers:**

Richard Cohen

The meeting started at 6.00pm and ended at 8.00pm.

### **1. Public Questions**

The Chairman, Councillor Graham Troman, welcomed the public present and invited questions.

Barry Curwen, Sidmouth Resident, had spoken at Council on 5 December 2012 when he asked for a risk report and detailed cost breakdown in respect of the relocation proposal. He said that he had yet to receive a satisfactory reply to his request. He asked the Council to be more open in its decision making process.

Alan Durrant, Chairman of the Sid Vale Association stated that he had spoken to many people in Sidmouth about the Council's plans to relocate its headquarters. He considered that many residents were against the move and the Council needed to regain the support of the electorate in Sidmouth. He requested that the scope of the Forum was made to more clearly represent the discussion held at the Overview & Scrutiny Committee on 27 September 2012. He considered that the Council should be more open and honest.

Paul Newman's question related to the scope of the TAFF. He mentioned the background of the Chairman and Vice Chairman of the East Devon Business Forum and was concerned that the Business Forum had been used in the past as a lobby group to help get planning applications passed. The TAFF needed to investigate whether the Business Forum was a trustworthy organisation.

Tony Green a Sidmouth Resident stated that he had produced a paper on a review of the EDBF minutes. He was concerned that the TAFF's scope excluded 2 of the key concerns, regarding the Local Plan and planning permissions. In his view the EDBF had undue influence over planning policy. He also commented on the confused legal state of EDBF which he felt had risked compromising both

Councillors and Officers. This led to a number of conflicting interests. He felt that the key objective of EDBF was to lobby the Council on behalf of business. The Council needed to clarify the status of EDBF. Tony Green had two questions: The first was, if EDBF was an independent lobby group then why were Councillors and Officers working for it? Secondly, if EDBF was part of the Council why was the Council supporting a lobby group?

Mr G Nicholson, Sidmouth Resident, asked what was the mission statement of the TAFF? The Chairman informed him that this would be determined when the scope had been agreed.

Steve Kendall Tory, Sidmouth Chamber of Commerce, welcomed the opportunity to look into the activities of EDBF. EDBF's attendance and minutes showed its activities centred on development. The TAFF should show how useful EDBF was to business in East Devon. Many businesses in East Devon contained less than 5 people and they were not permitted join EDBF. He was concerned that the scope of the TAFF was too narrow and excluded topics such as planning which should be considered. He believed that EDBF had an undue influence on EDDC planning policy.

## 2. Chairman Opening Remarks

The Chairman welcomed everyone to the meeting and set out his aims for the Forum. He had asked the Forum to be set up due to criticisms of how East Devon Business Forum operated and wanted the Forum to consider not only business in the District but also the overall effectiveness of East Devon Business Forum (EDBF). He expressed disappointment that two members of the TAFF had not attended that meeting.

## 3 Declarations of Interest

Councillor/ Officer	Type of interest	Nature of interest
Councillor Graham Troman	Personal	Sidmouth business owner and Taylor Catering Foods was a supplier to that business.
Councillor Vivian Duval-Steer	Personal	Member of the Development Management Committee

## 4 Scoping report

The Forum debated the scope, outlining specific areas to explore and those areas not covered by the review.

In response to a request from the Chairman, the Chief Executive explained the reasons why the Local Plan and planning issues were not appropriate to be considered by the TAFF. Planning applications, the application of planning policy and the Local Plan were matters considered and decided upon by the Development Management (Planning) Committee, which was often termed a quasi judicial body.

#### 4 Scoping report (continued)

Decisions of the Planning Committee in these areas were final in the sense that they could only be challenged in three ways; by a Planning Inspector, legal challenge and through the Independent Ombudsman; in other words, oversight of its decisions were by an independent body. Consideration of such matters was not within the remit of the Overview & Scrutiny Committee or this TAFF. This TAFF nor its members could properly be considered independent and this constrained any ability to look into such areas.

Councillor Claire Wright expressed surprise to see that planning policy was not contained within the scope of the TAFF. The TAFF had been set up in response to public concern about what impact EDBF had on the Local Plan. She emphasised that it was important to get the scope of the TAFF right from the beginning.

The Chief Executive confirmed that if the complaints about EDBF related to matters to do with the Local Plan which was now on deposit, then the Independent Inspector should look at these matters; the TAFF was not independent nor quasi-judicial. He confirmed that all residents of East Devon had a right to influence the Local Plan through comments to the Independent Inspector. If any members of the public had any evidence of maladministration relating to planning matters then they should complain to the Ombudsman.

Members noted that the Overview and Scrutiny Committee had asked for a report in 2013 on the Local Plan procedure; the TAFF did not have the resources to undertake such an investigation. The key message was that there was an Independent Inspector who was currently investigating Local Plan policy matters. EDBF had no statutory influence on EDDC at all and was merely one of many bodies that EDDC engaged with to obtain their views on business. It had been set up by EDDC and had the status of a joint body, with two representatives from the Council appointed at Annual Council each year

Broadly, the issues for discussion were how EDDC engaged with business and the role historically and currently played by the EDBF in facilitating that link.

**RESOLVED** The scoping report be agreed as below:

Broad topic area	To produce an in-depth report on the East Devon Business Forum to include all business engagement and its relationship with the Council.
Specific areas to explore within topic area	<ol style="list-style-type: none"> <li>1. Membership and objectives <ul style="list-style-type: none"> <li>- constitution</li> <li>- EDBF membership, attendance and representation of businesses</li> <li>- objectives of EDBF and what mechanisms are in place to assess success/failure</li> </ul> </li> <li>2. EDBF relationship with EDDC and other organisations <ul style="list-style-type: none"> <li>- legal status of EDBF</li> <li>- is EDBF a lobby group?</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>- are there potential for conflicts of interest for councillors and officers?</li> <li>- public perception, transparency and reputation</li> </ul> <p>3. EDBF funding</p> <ul style="list-style-type: none"> <li>- explore costs of EDBF, including officer time</li> <li>- what other groups does EDDC fund?</li> </ul> <p>4. The way forward</p> <ul style="list-style-type: none"> <li>- how other councils engage with business</li> <li>- other examples of business forums</li> <li>- see 'desired outcomes of the review'.</li> </ul> <p>5. Systems by which we can improve communications with business by IT systems.</p>
Areas NOT covered by review	<p>Individual planning applications          Planning policy          East Devon Local Plan          Individual contracts between the council and contractors or suppliers</p>
Desired outcomes of the review	<p>Improve communication between business and the Council          Consider if the EDBF should be replaced and if so, what with?          Suggestions to the EDBF on how membership can be increased.          Suggestions to the EDBF on changes to their constitution.          Suggestions to the EDBF on topics for debate to help inform the work of the Council relating to its priority of "Working in this outstanding place".          Recommendations on a positive and transparent way forward for EDDC to engage with business, that has the confidence of East Devon businesses and residents.</p>
Who should be consulted to obtain evidence (eg ward member, officers, stakeholders)	<p>East Devon Business Forum Chairman          East Devon Business Forum Vice Chairman          EDDC Economic development manager/EDBF Honorary Secretary          Chambers of Commerce representatives          Local Enterprise Partnership          Educational Institutions          Blackdown Hills Business Association          Federation of Small Businesses          EDDC Monitoring Officer          EDDC leader          Representative from Mid Devon Business Forum          District Auditor          Invited Members of the public          NFU          Malcolm Sherry          Tourism representatives          Representatives of the Voluntary Sector</p>
What evidence already exists (consultation, good practice examples)	<p>Mid Devon Business Forum          Other Business Forums nationally</p>

What experts are needed to help with the review	Nigel Harrison, Economic Development Manager
What other resources are needed	
Undertaken by the committee or is a TAFF required	Task and Finish Forum comprising: Councillors Graham Troman, Mike Allen, Vivien Duval Steer, Claire Wright, Steve Gazzard and Peter Burrows
Timescale including start date	First meeting: 11 December 2012 4-5 meetings (preferably once a month)
Who are the recommendations being reported to	Overview and Scrutiny Committee before going to Cabinet/Council.

## 5. Council Plan

Members noted the Council's Plan 2012/16 which had been included in the agenda papers. It was particularly appropriate that the TAFF considered the section on "Working in this Outstanding Place".

## 6. Background information on the East Devon Business Forum

Nigel Harrison, Economic Development Manager, presented the report giving background information on the East Devon Business Forum (EDBF). He emphasised that when it was set up the EDBF had made strenuous efforts to not compete for membership with the Chambers of Commerce in East Devon. The agenda for meetings was driven by the businesses that attended and facilitated by EDDC staff.

The Chairman requested that a copy of the EDBF Constitution be included on the agenda for the next meeting. A copy of which was available on the EDDC website.

During discussion the following points were noted:

- The importance of EDBF having transparent arrangements in place and the separation of lobbying from activities, other than through the usual channels
- A concern expressed that some of the allegations made against EDBF and its leading members were unsubstantiated and could be libellous;
- The importance of good integration between EDDC and business;
- The EDBF's restrictions on membership existed because they did not wish to create a membership body that competed with local Chambers of Commerce;

- RESOLVED**
1. That an item on the EDBF Constitution be included as an item on the next TAFF agenda;
  2. That Nigel Harrison, Economic Development Manager send a questionnaire to businesses and Chambers of Commerce in East Devon asking what benefit EDBF was to business and if they did not come why not.

**7. Case Files of 5 different examples of Business in the Country**

Members noted the case files of 5 different examples of business in the country provided on the agenda.

**RESOLVED** That Nigel Harrison, Economic Development Manager be requested to ask the Local Government Association about examples it may have of business networks.

**8. Business Forum Mid Devon Constitution and Background**

Members considered the constitution and background of Business Forum Mid Devon. It was considered appropriate that members of the TAFF should attend a meeting of this Business Forum to see how it operated. It would be helpful to compare the constitution of this Business Forum with the EDBF. It was noted that membership was open to individuals and charged an annual fee for membership.

**RESOLVED** That members of the TAFF attend a meeting of the Business Forum Mid Devon and also compare the EDBF and BFMD Constitutions;

**9. Future Meetings**

The proposed date for the next meeting was agreed as:

23 January 2013 at 6.00pm in the Council Chamber