

# Agenda for Overview & Scrutiny Committee

## Thursday, 26 March 2015; 6.30pm



### [Members of the Committee](#)

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

[View directions](#)

**Contact:** Debbie Meakin, 01395 517540 (or group number 01395 517546): Issued Tuesday 17 March 2015

East Devon District Council  
Knowle  
Sidmouth  
Devon  
EX10 8HL  
DX 48705 Sidmouth  
Tel: 01395 516551  
Fax: 01395 517507

[www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)

- 1 [Public speaking](#)
- 2 Minutes for 26 February 2015 and minutes for combined committee of 12 March 2015 (pages 3 - 20)
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#) – none identified
- 6 To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.
- 7 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview Procedure Rules. There are no items identified.

### **Part A Matters for Decision**

- 8 **The Jurassic Coast and Tourism** (pages 21 - 25)
  - a) Short presentation from the Jurassic Coast World Heritage Team to update the committee on the Jurassic Marine Link and other projects;
  - b) An update from the Member Champion for Tourism;
  - c) Suggestions of future work for the committee in respect of tourism.
- 9 **Feedback from the joint Think Tank on 11 March 2015** (pages 26 - 27)

Report back from latest think tank on proposals for changes to the constitution to go forward to Annual Council.
- 10 **Parishes Together Fund update** (page 28)

The Portfolio Holder for Corporate Business will update the committee on the work of the NHB Panel.
- 11 **Performance monitoring third quarter 2014/15** (pages 29 - 44)

Deferred from the committee meeting of 26 February 2015 and reproduced in these agenda papers.

**12 Draft Overview and Scrutiny Annual Report (pages 45 - 49)**

Draft report for agreement to submission to Annual Council. Any amendments discussed and agreed at the meeting will be placed in the report, with final agreement of the Chairman and Vice Chairman before publication. Opening words from the Chairman will be added.

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[Decision making and equalities](#)

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## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Overview and Scrutiny Committee held at Knowle, Sidmouth on 26 February 2015**

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

The meeting started at 6.30pm and ended at 9.50pm.

#### **\*68 Public Speaking**

There were no public speakers for this section of the meeting.

#### **\*69 Minutes**

The minutes of the 22 January 2015 meeting were agreed, subject to the inclusion of the attendance of Councillor Claire Wright.

#### **\*70 Declarations of Interest**

Cllr Graham Troman – minute number 72

Prejudicial interest

Reason: Owner of cafe in Sidmouth

Cllr Jill Elson – minute number 73

Personal interest

Reason: Chairman of Governors for Exmouth Community College; in relation to Withycombe Rugby Football Club pitch

#### **\*71 Exclusion of the public**

##### **RESOLVED:**

The committee agreed to allow consideration of the Funding Contract in public and therefore the classification given to item 16 on the agenda be amended to permit the item to be dealt with in public (Part A) following permission from Honiton Town Council for the contracts contained in the item to be published.

#### **72 Application for concession to operate a coffee van on Sidmouth beach during the summer season**

Councillor Peter Bowden acted as Vice Chairman for the duration of this item.

John Horrck, Chairman of Sidmouth Town Council, spoke of his reasons for recommending a rejection of the application, covering:

- Objections from the Streetscene service;
- Spoiling the regency seafront;
- Increased litter and seagull nuisance;
- Unfair competition to other business who had to pay for business rates and rent;
- Town Council objected to the concession when first presented to them.

John Dyson, Chairman of the Planning Committee of Sidmouth Town Council, commented that this application had prompted the highest volume of complaints he had ever received on one issue in the last five years. He was concerned on how, if granted, it would affect both residents and local businesses.

Steven Kendall Torry, representing the Sidmouth Chamber of Commerce, advised the committee of his concern in setting a precedent, if the concession was granted, that could lead to a number of such outlets along the seafront area. He asked the committee to continue to protect the world heritage site.

David Addis, a resident of the town, questioned the need for an additional outlet when the town was already serviced by a number of businesses that could supply the same product. He spoke about the impact on the lifeboat station if the vehicle used for the concession broke down, and could not be moved from the site; as well as the visual impact the vehicle would have.

Richard Thurlow, representing the Sid Vale Association, outlined objections to the concession, including:

- Adverse visual impact;
- Impacting on conservation area and listed buildings contained within it;
- No evidence that there was a business need for such an outlet;
- Setting a precedent for other coastal towns if agreed;
- Insufficient consultation.

Alan Weaver, representing the local hotels, spoke about the unfair competition on local businesses that had to pay for substantial overheads, such as business rates.

Alderman Ann Liverton outlined her objections, including:

- No conditions could be put in place for hours of operation as no licence could be applied;
- Seagull nuisance would increase, which would work against the considerable expense already made in trying to prevent seagull nuisance;
- Setting a precedent for other seaside towns and villages;
- Enforcement is a slow process, and ineffective to take action over a summer season.

Mr Manley, the applicant for the concession, acknowledged the comments made by the public, which he pointed out to the committee mostly related to the businesses in the town. He did not feel that any representation had been made for visitors or users of the beach, such as families. He highlighted that Beer currently had a food cafe on the beach, outlining that his application was purely for selling drinks, and included a beach cleaning service to deal with any litter issue. In relation to competition with other businesses, he did not agree that all business in the town had such large overheads, and that competition was healthy for the consumer. He praised the great independent shops in the town but warned that the town was not thriving as much as had been portrayed by the public speakers. He felt this was evidenced by the reduction in customers for the deck chair concession which he also ran. He asked the committee to be mindful of the wants and needs of young families using the seafront and recommend approval to the Portfolio Holder.

Councillor Steve Hall, Chairman of the Licensing Committee, advised the committee that prohibited street status applies to the beach area, put in place in 1983 and amended in 2009 to permit traders selling goods (not food and drink) during the period of the folk festival, only on the esplanade. The Licensing service was not consulted on the application, and if they had been, would have raised serious concern and alerted both officers and the applicant to this prohibition. He felt that to recommend approval of the application would be an embarrassing step by the Council.

Councillor Stuart Hughes, as ward member, outlined his objections, including the adverse visual impact on the gateway to the Jurassic Coast. In terms of procedures, he felt that all ward members of the Sidmouth area should have been consulted, as the impact was much wider than just the ward the application related to. He also felt that the call in procedure to bring an issue to the committee was too restrictive, and should be amended to permit any councillor to call in a decision.

Councillor Mrs Frances Newth agreed with the objections raised, and voiced her concern at the lack of consultation with the Licensing service.

Councillor Peter Sullivan asked that the mistakes made be addressed, including:

- Error in not publishing the decision in the Knowledge newsletter in a timely fashion;
- Lack of consultation and communication between council services;
- Poor service to the applicants and means of recompense for their expenses incurred to date.

The committee debate included some agreement with the reasons for objection. Members agreed that the process of the application and subsequent lengthy delay in publication was flawed and needed investigation. The Portfolio Holder for Environment outlined the background to the application for the committee.

### **RECOMMENDED**

1. that the Portfolio Holder for Environment rejects the application for a concession to operate a coffee van on Sidmouth beach on a number of grounds of objection;
2. that procedures are amended to ensure that, on issues that have the potential to impact on a wider area, officers consult with all members in a multi-ward town; as well as ensure that all relevant services within the council are consulted;
3. that the Portfolio Holder for Corporate Business reviews, through the work of his think tank, the “call in” procedure to consider recommendations for changes to make it less restrictive.

## **73 Draft East Devon playing pitch strategy**

The draft playing pitch strategy is currently out for consultation with Sport England, national governing bodies for sports, Exeter City Council, Active Devon, LED, local sports clubs, and town and parish councils. Once the consultation completes on 16 March, the feedback will be considered, and a final version presented to Cabinet and Development Management Committee in due course.

In endorsing the draft for consultation, Cabinet resolved that the Planning Policy team pursue options to address the immediate needs of clubs in Exmouth and Honiton at the same time/in parallel to developing the strategic approach to pitch provision. For example, to look into the reason for the delays in respect of the St John’s pitches and investigate whether this site could be used on a temporary basis.

Following the resolution by Cabinet, Charlie Plowden, Service Lead Countryside and Leisure, confirmed that work was already underway to seek a short term lease arrangement for St John’s in Exmouth.

A query was raised on amended wording relating to Honiton as raised at Cabinet, to include reference to land at Tower Cross. Councillor Twiss advised the committee that this amendment would be raised at the next Cabinet as part of agreeing the minutes. Councillors will still have the opportunity to comment directly on the draft strategy to suggest amendments and additions during the consultation period.

Positive comments on the strategy were made by the committee, along with an expression of need of urgency for supply of pitches to assist local clubs.

## **RECOMMENDED**

That the draft playing pitch strategy as agreed by Cabinet on 11 February 2015 be endorsed with the understanding that the document will evolve as feedback is received and taken into account.

### **74 Feedback from joint Think Tank**

The committee received an update report from the Portfolio Holder for Corporate Business on recent work at the joint think tank, that was well attended by members.

Recommendations for further debate and development from the last meeting were:

- Glossary of terms to be adopted for use as part of the member development programme. This had been discussed further at a meeting of the member development working group earlier in the day;
- Clear distinction of decision powers between Portfolio Holders/Cabinet and the full Council communicated to councillors, including through the member development programme. This was already tasked to the member development working group to action;
- Debate amending the constitution to permit the following:
  - Replace the Overview and Scrutiny Committee with two separate committees of a smaller membership, overall involving more councillors
  - Split the current responsibilities of the Development Management Committee, amending to retain (as Development Control ) determination of planning applications, remain at 16 councillors, and retain a Planning Inspections Committee; the remaining responsibilities of developing planning policy to be undertaken either as a dedicated Development Policy Committee **OR** taken into the responsibilities of the Overview Committee.
- The separate Overview committee to be chaired by a member of the majority party, with an invitation to the opposition to nominate the chairman of the Scrutiny committee. The Leader retains the right to fill the role of Scrutiny Chairman from the majority party if no suitable nomination is made. The Housing Review Board to remain as chaired by a member of the majority party.
- Scoping for Task and Finish Forums be undertaken by the committee prior to the start of the Forum;
- A Task and Finish Forum to normally consist of seven councillors
- Strategic Management Team work to change the culture of “to note” recommendations and encourage officers to make clear what decision is being recommended

Comments made by the committee were in praise of the work of the Portfolio Holder and the operation of the think tank to permit cross party free and frank discussion, bringing about constructive suggestions for further development.

Debate included agreement that councillors did not have to accept an officer recommendation, however it was worded. Members had the option to propose recommendations with the wording of their choice. In discussing the creation of new committees, such as an overview committee, a separate scrutiny committee, and a planning policy committee, members felt that further work needed to be carried out to have clear terms of reference before any specific recommendation was made to Council. Opinions were voiced on chairmanship, where some felt that chairing a committee required the most

suitable member, rather than confining the role to a majority or non majority party; others felt that having a non majority party chairman for a scrutiny committee sent a clear message to the public of the role of a critical friend.

### **RECOMMENDED**

1. That the constitution be amended to reflect that any Task and Finish Forum set up by the Overview and Scrutiny Committee, or Housing Review Board, consists of normally seven councillors with a quorum of 4.
2. That outstanding issues on committees, chairmanship and numbers be referred back to the think tank for further discussion and development with the agreement of the Portfolio Holder for Corporate Business.

### **RESOLVED**

That scoping for Task and Finish Forums be undertaken by the committee prior to the start of the Forum.

#### **\*75 Police and Crime Panel Presentation**

Councillor Tom Wright, as representative on the Police and Crime Panel, gave the committee an update on the work of the Panel, and how it is effectively scrutinising the work of the Police and Crime Commissioner (PCC).

He gave some background to the Panel and highlighted some key achievements, including bringing forward review on the 101 telephone system. He was also taking forward recent changes relating to investigations of taxi and private hire drivers for discussion, as the changes were potentially putting vulnerable people at risk. The Chairman of Licensing, Councillor Steve Hall, advised the committee that he was writing to Home Secretary on the matter.

Cllr Wright advised the committee that the PCC was under pressure on budgets, in common with all other agencies and authorities, and was considering best use of the police forces assets. Discussion also took place on the changing face of police resources as criminality changed towards cyber crime and terrorism.

The committee were advised that a public scrutiny and accountability meeting is being held by the PCC on 5 March at Devon County Council. Members were advised to direct any strategic police issues to Councillor Tom Wright to raise with the Panel.

### **RESOLVED**

That the committee received the report of the Police and Crime Panel representative.

#### **\*76 Portfolio Holder update - Economy**

Councillor Ian Thomas gave the committee a presentation on his work as portfolio holder.

He covered the issues and opportunities that he, and the officers under this portfolio, had been and continued to focus on, relating to:

- Council spending – highlighting a cultural change to move towards more income generation to offset reduction in government funding
- Employment – highlighting work to encourage creation of better paid jobs in the district
- Business support – highlighting the small and medium enterprises strategy
- Housing – stressing that housing growth was strongly linked with economic growth
- Regeneration – emphasising in particular successes across the district, including Seaton Jurassic

- Assets – showing a move to commercial management with support from members to get best use of asset
- Investment – looking at differing methods of securing funding and investment
- Planning – including Cranbrook masterplanning
- Inter authority cooperation – working with Exeter and Teignbridge, and promoting shared projects such as the met office supercomputer

The resources available under this portfolio were also set out to the committee, which included two current vacancies for key posts.

The Portfolio Holder thanked the supporting Member Champions and officers under his portfolio for the work they had achieved through the year.

## **RESOLVED**

That the committee received the update report of the Portfolio Holder - Economy.

### **77 Contractual arrangements to protect the Council's interests generally, and specifically the contractual arrangements in respect of the Beehive, Honiton**

The committee received a report outlining the protective measures used on contracts to protect the Council's interests. Specific detail was set out on the contractual arrangements between the Council and Honiton Town Council in respect of the Beehive Centre.

In general terms, the Council can either provide a loan, where the money is repaid on fulfilment of certain considerations; or a grant, to be used for a particular purpose but with no expectation that it will be repaid. The report set out in detail how the contracts are prepared in both instances, including for land transactions.

In the case of the Beehive, freehold of the land on which the building now stands was legally transferred to Honiton Town Council (HTC) on 28 October 2013, the purpose of the transfer to permit the construction of a community centre. The main contractual document contains a number of safeguards, including:

- A restrictive covenant that obligates HTC to only use the property for the purpose of a community centre / community purposes and ancillary uses (such as car parking). This covenant binds HTC and its successors in title and relates to all or any part of the conveyed land. This covenant does, however, permit a secondary use to be carried on provided it relates to only a small part of the property. This covenant was registered on the title.
- A positive obligation on HTC to proceed diligently with the build of the Beehive and to make sure it was completed and available for occupation by the second anniversary of the Transfer.
- An overage clause (referred to in the Transfer as the 'Clawback clause') in respect of the future uplift in value caused by certain specified events (including the granting of a planning permission) with such clause applying for a period of 70 years. This covenant binds HTC and its successors in title and relates to all or any part of the conveyed land. This overage clause was protected by way of a Legal Charge such that the Council became a mortgagee and the title shows the presence and effect of such charge. The reason for this restriction is so that the Council can, effectively, ensure that its legal interest is always protected notwithstanding any changes in land ownership.

There is also an Option Agreement which gives the Council an option for a period of 100 years to buy back the land at a price of £1 in the event of certain specified events; and a Funding Agreement which arose as a consequence of drainage issues identified during the construction phase. The report contained copies of the agreements and the committee were advised that there were two more financial agreements of 2005 for £333,000, and 2013 relating to section 106 payments that were also related to the beehive but not included in the agenda papers.

Alderman Vivien Ash, speaking on a personal basis under public speaking arrangements, advised the committee that Honiton Town Council had been forward looking in securing funding for building the community centre, and had put in place appropriate measures for it. She highlighted the benefits to the community and advised the committee that the work involved in bringing the project to completion was worth the effort.

Councillor Mike Allen, who had requested that the item come before the committee, raised concerns including:

- He was refused access to certain financial agreements relating to the Beehive when requesting them prior to the meeting;
- Inadequate monitoring built into the contractual arrangements for the Beehive, particularly in light of changes to business plan;
- Financial assistance to HTC to complete drainage should have been provided as a loan, to be repaid once HTC had undertaken their own investigation with the agent to recover that cost for the agent's failing in identifying the drainage work required;
- Transfer of asset to charitable status;
- Still no coach parking spaces marked out despite planning condition that such spaces should be marked out within two years;
- Looking for clarification on the Council being guarantors of the mortgage for HTC;
- Look at contracts and agreements between main funding agencies for good practice.

In response, both from the Principal Solicitor and the Deputy Chief Executive, the committee were informed that:

- The councillor was not refused access to the financial agreements, but their disclosure was treated under the terms of the access to information as set out in the constitution, as all councillor requests are.
- The council has no powers to instruct Honiton Town Council on how it operates the centre;
- The council has no powers or legal standing to take any action on the contract between HTC and the drainage contractor;
- The purpose behind the building, as a community centre, remains in place and therefore satisfies the terms of the grant. If the building no longer operates as a community centre, the council can take action due to the safeguards in place;
- Mortgage clarification will be sought from the financial service;
- Setting a charitable company to run such a service is a common practice with certain benefits. The council would have to be consulted on it but wouldn't take a negative view on that option if HTC wanted to pursue it;
- Existing funding agreements in place by bodies, such as the Heritage Lottery, could be explored to see if further good practice exists that can be adopted for future contracts.

In debating the report, and in particular the Beehive, comments from the committee included:

- Some members satisfied with the safeguards put in place as set out in the report;

- Clear that the council cannot instruct HTC on how to operate its affairs;
- Support for new facility for Honiton community;
- Cabinet made decision to provide funds for completion of drainage works and seeking recompense from contractor is matter for HTC to pursue;
- In response to questions, it was confirmed that there was no ongoing financial liability on the council.

**RECOMMENDED**

That the Deputy Chief Executive explore good practice examples of contractual arrangements utilised by funding bodies to inform future contracts established by the council.

**78 Supporting new developments through investment in infrastructure**

Ed Freeman, Service Lead Planning Strategy and Development Management, had prepared a report at request of the committee in relation to a performance measure on securing infrastructure delivery alongside developments.

The report detailed a number of constraints through both government guidance and legislation, which were predicted to only increase the problem of meeting this performance measure, even after implementing a CIL charging structure and the adoption of the Local Plan. Other funding opportunities for securing infrastructure would need to be explored.

**RECOMMENDED**

That, on the basis that the new Council in May 2015 agrees to formulate a separate strategic development management committee, the report be considered further by that committee to debate further options for securing infrastructure delivery.

**\*79 Performance monitoring third quarter 2014/15**

This item, due to the hour, was deferred for debate to the next meeting of the committee.

**RESOLVED**

That the report on performance monitoring for the third quarter for 2014/15 be deferred to the meeting of the committee on 26 March 2015

**80 Overview and Scrutiny forward plan**

**RESOLVED**

That the forward plan for the Overview and Scrutiny Committee be agreed subject to the additional item of the deferred performance monitoring report.

**Attendance list**

**Present:**

Tim Wood (Chairman)  
Graham Troman (Vice Chairman)  
Mike Allen  
Peter Bowden  
David Chapman  
Maddy Chapman  
Deborah Custance Baker

David Key  
Roger Giles  
John Humphreys  
Sheila Kerridge  
Frances Newth  
Tony Howard  
Claire Wright

David Cox  
Tom Wright  
Ray Bloxham  
Pauline Stott  
Christine Drew  
Peter Sullivan  
Ian Thomas  
Iain Chubb  
Phillip Twiss  
Jill Elson  
Paul Diviani  
Stuart Hughes  
David Atkins  
Susie Bond  
Steve Hall  
Stephanie Jones  
Alan Dent  
Martin Gammell

Richard Cohen, Deputy Chief Executive  
Debbie Meakin, Democratic Services Officer  
Henry Gordon Lennox, Service Lead - Legal  
Ed Freeman, Service Lead Planning Strategy and Development Management  
Rob Harrison, Senior Estates Surveyor  
Charlie Plowden, Service Lead Countryside and Leisure

**Apologies:**

Vivien Duval Steer  
Peter Halse  
Brenda Taylor  
Chris Wale  
Eileen Wragg  
Steve Wragg  
Geoff Pook  
Mike Howe  
Andrew Moulding  
Steve Gazzard

Graeme Thompson  
Matt Dickins

Chairman .....

Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Combined Meeting of the Audit and Governance Committee and Overview and Scrutiny Committee held at Knowle, Sidmouth on 12 March 2015**

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

The meeting started at 5.00pm and ended at 7.44pm.

**\*1 Election of Chairman**

Councillor Tim Wood was elected as Chairman of the combined meeting.

**\*2 Appointment of Vice Chairman**

Councillor Ken Potter was appointed as Vice Chairman of the combined meeting.

**\*3 Public Speaking**

Richard Thurlow informed the committees that he felt the report produced by Grant Thornton was technically competent, but did not have the same faith in the work by the Deputy Chief Executive. He outlined where he thought gaps existed in reviewing the financial implications of factors, such as energy costs. He advised the committee that relocation was not the correct decision when there remain unanswered questions, and asked them to question the steps proposed if relocation went ahead. He felt that the decision was being rushed, and asked the committees to recommend rejection of the project.

Dr C Gardner asked the committees if they felt they could be responsible for the decision if taken, in five or ten years' time, asking them to consider the consequences of their actions.

Richard Eley asked how the idea of relocation, which he termed as "stupid", had gained such momentum over time when the original idea was flawed. He compared the concept with the introduction of outside gyms, which he also felt were not used by adults, not wanted by the community, and only used by children for whom the gym was not purpose built. He commented on incorrect figures being published, including on the size of the office required.

Mr Dent, speaking as a member of Sidmouth Town Council, reminded the committees that the town council remained opposed to aspects of the development, specifically outside the footprint of the building. He asked if, as part of the contract of sale of the Knowle, there is an escape clause that enables the Council to back out of the contract if the newly elected Council in May changes its mind on the decision. He felt that the upper terraces of the land should not be included, as he felt that there was a large representation from the public who wished to see that area of land remain as public open space.

Jacqueline Green asked about the consultation undertaken on the appropriation of land, in terms of where and when the public notice was advertised. She referred to the 140 letters in response being commented on at Cabinet the previous evening as not being given much weight.

Tony Green asked why the Conservatives had not set out in their 2011 manifesto their intention to relocate the district council offices.

Peter Whitfield asked why the disposal notices relating to the upper terraces of the land, as an extension to the original area of land for disposal, had not been debated by Members. He outlined to the committees the process of minute ratification on the topic and informed them that land relating to the old hotel was shown on maps as protected. He asked the

committees to take into account the concerns of the public and remove that added area of the terraces from the disposal of land.

Jeff Turner, Vice Chairman of Sidmouth Town Council, outlined the town council's opposition to the relocation and highlighted the impact to the economy of the town and the loss of open public space. He felt that the impact was much wider than the town itself, impacting on the district as a whole. He felt that the addition of the terraces to the sale was a step too far and a serious loss of amenity for residents. He advised that the grounds had been purchased by the residents of Sidmouth prior to 1974, allocated as public property, and therefore should continue to be used for that purpose. He asked the committees that, even if there was a legal right to sell the land, was it morally right to do so?

In response to the question on publication of the intention to appropriate/dispose of land, notice was published in the Sidmouth Herald on 30 January and 5 February. There is no statutory obligation to publish wider than the area affected. No officer comment was made that the 140 letters of objection were not given much weight; comparisons were made between the number of objection letters to the population of the town, and the district as a whole.

**\*4 Declarations of Interest**

Councillor Steve Gazzard – minute number 5

Personal interest

Reason: Member of Exmouth Town Council

**5 Office relocation**

The Chairman reminded the two committees of their duty to scrutinise carefully the proposal before them.

The Deputy Chief Executive presented the report on the proposed EDDC office relocation, including input from the Strategic Lead – Finance and Service Lead – Legal and Democratic Services.

The detail of the initiative had been thoroughly examined, involving testing processes and financial models. The proposals to refurbish Exmouth Town Hall and a new build office at Honiton Heathpark had been tested and supported by independent audits undertaken, with their reports published with the cabinet report.

Members were presented with financial information giving a comparison between moving offices and remaining at the Knowle offices, Sidmouth. Paragraph 5.6 of the report gave a table showing total costs by options which identified the most cost effective option as that of the twin site – Heathpark (2,776 m<sup>2</sup> office) and refurbishment of Exmouth Town Hall (BREEAM – very good). If this option was chosen, the Council would still be required to fund the project for a 20 year term with a loan of £2.1m from the Public Works Loan Board (PWLB) or similar. Initial borrowing would be required even if the Council decided to remain at Knowle, due to significant maintenance requirements. In relocation, savings would grow annually and would more than meet the debt repayment. The independent analysis report justified the move in terms of value for money and on-going savings. In answer to a query on interest charges, the Strategic Lead – Finance outlined how the small betterment figure on the “Knowle - do minimum” option was not enough to meet repayments, so there would have to be borrowing from other sources, most likely internally, in order to make repayments.

In total, the cost of the move would come in under £10m.

The information provided in the report included the offer price for the Knowle as between £7m and £8m – Councillors had been provided with the exact figure and access to other financial calculations to inform their consideration whilst appreciating that this remained commercially sensitive. The preferred developer of the Knowle site was Pegasus Life Limited, who would provide retirement and extra care living facilities. Of the total parkland, 14% of open space would be included in the development boundary with the intention of transferring the remaining 3.5196ha of parkland to Sidmouth Town Council to own and manage. This would leave a legacy for Sidmouth of new retirement and independent living facilities, providing jobs in both building (Pegasus traditionally utilise 50% of workforce locally for building) and in servicing the facilities.

The steps to appropriate the land (to change the use) to housing, before selling, was explained to the committees, and were reflected in the recommendations set out in the Cabinet report. In particular, the appropriation test was explained – the test being if the land was no longer required for the purposes for which it was held prior to the appropriation. That requires a balancing of the public interest in that loss of purpose against the wider benefit in changing the purpose.

Representatives from the auditors involved in evaluating the project – Grant Thornton; Gleeds; and the South West Audit Partnership – outlined their brief to the committees which resulted in the reports presented.

Grant Thornton, using their specialist modelling team at their head office, reviewed the modelling and assumptions that informed the costs of relocation. They commissioned Gleeds, who are experts in new office development projects, to also advise on cost assumptions made. Amendments were suggested and actioned by the Council, including lifecycle costs and changing the energy running costs. A recommendation to reduce the contingency from 20% to 15% was also made. The conclusion was that option 3 in the Cabinet report was the best value.

Gleeds confirmed that they reviewed the assumptions on capital costs and operating costs, based on benchmarking information across an extensive portfolio of project across the country.

The South West Audit Partnership (SWAP) looked at the decision making process - who were involved and were they the right people. Their report outlined their review of the process and found overall that suitable governance was in place for the project.

Questions put to the auditors present and responses given, included:

- Why was there no reference to the threat of local government reorganisation in any of the audit reports? In response, the committees were told that the reports were based on evaluation of known risks and there was no awareness of such reorganisation plans. The committees were advised that compulsory reorganisation did not feature on the agenda of the main political parties;
- Modelling was confirmed as assessed with specific regional adjustments;
- Any test for conflict of interest was covered by the standing item of declaration of interests for each meeting of the Officer Working Group;
- What difference to the conclusions did the inclusion of lifecycle calculations make? The committees were advised that the figures were not vastly different and still supported the conclusion;

- What impact did a lack of terms of reference for the Officer Working group have and what could be done to make the minutes of this group public? In response, SWAP outlined that the recommendation had been made for formal terms of reference to be agreed, as had already been identified by the Monitoring Officer, but there was no concern on the operation of that Group in the absence of formal written terms. SWAP felt that the terms of reference were present in spirit. The Monitoring Officer had also identified analysis of the minutes to review what could be published in the public domain;
- The residual balance of the twin sites after 20 years had not been specifically assessed by the auditors as it was assumed that the buildings would remain as operational council offices;
- The review of energy costs in response to the amendments suggested by the auditors made a small difference to the projections but was not significant enough to impact on the original conclusions;
- Permutations of options, such as retaining the newer part of the offices and demolition of the old hotel, were not requested of the auditors to assess;
- Lifecycle costs reflected the ongoing deterioration of the existing council offices;
- All costs of project manager are contained within the budget;
- Risk analysis of the project is owned by the Council. There are over 70 risks identified, and the Council has in place a significant management approach to those risks, which are regularly reviewed. SWAP has been present at all Officer Working Group meetings and can confirm that those risks, set out on the risk register, are assessed at each meeting.

General comments, and debate on the proposals and supporting papers included the following:

- The Municipal Journal had run a recent article that did not rule out the possibility of local government reorganisation;
- Regular contact with staff, through staff awareness seminars, staff surveys and other measures, revealed that many employees wanted a decision on relocation. Unison, the trade union for employees at the offices, had been involved from the start;
- The auditing exercise had been helpful to the project to test the assumptions and the sensitivity model provided would be useful going forward;
- The price for the site had already been agreed; the work on the detail of the contract would be undertaken by the Legal team, by the process set out in the recommendations. If, during negotiations, the purchaser wants to revisit the price to the disadvantage of the Council, officers have to go back to Council for a further decision;
- Pegasus Ltd are a specialist provider of retirement facilities, so it was unlikely that once an application was determined there would be any significant amendment to make the development of the site anything other than a retirement development;
- Sidmouth Urban Council no longer existed so therefore there was no previous owner for the land at the site to be given back;
- Officers were aware of the pollution issues near the Heathpark site and that issue would be discussed as part of the planning application process;
- No specific “escape” clause relating to a change of administration has been discussed;
- Car parking at Exmouth would be assessed but an assumption would be made that the majority of spaces there should be available to the public as visitors to the services provided at that site; staff arrangements may, although not yet negotiated, relate to using car parks nearby in the town;

- The current office accommodation was not fit for purpose and may fall short of requirements under employment law; staff should be provided with the right facilities to provide services and treated as an asset of the Council;
- Having a site in the centre of the district at Honiton was beneficial to the district as a whole; with a site at Exmouth serving the largest proportion of the overall population of the district at approximately 25%;
- Divided opinion on the timing of the decision; some felt that to delay until after the election had no real impact in comparison with the time it had taken to reach the options now presented; others felt that there was no reason to delay the decision. Concern was expressed that any delay to a new Council may mean that the whole process starts again and delays reaching a solution further;
- New offices should be built to a standard that facilitates better working but not to an excessive degree, described as “no palaces”;
- Every effort should be made to make no overall cost to the Council and work should be done through the design stage to ensure that costs can be kept to a minimum to help reach a breakeven point;
- Audit and Governance would continue to monitor the project as it had already been identified within the audit plan.

A proposal was put that an “escape” clause be considered in drawing up the contract to permit the Council to withdraw from the contract in the event of a new administration at the local elections who wished to revisit the decision, without financial penalty. The committee was advised that they would need to consider how this would impact on the negotiations with the purchaser. The proposal was put to the vote for the Overview and Scrutiny Committee and failed. Councillor Eileen Wragg asked for her abstainance from voting to be recorded.

A proposal was put for the planning application for the Knowle site to be referred directly to the Secretary of State for determination and seconded. In debate, the proposal was felt to indicate a lack of confidence in the ability of the Development Management Committee, which was strongly denied by many Members present; the law permits an authority to determine applications on its own land and has no ability to refer an application to the Secretary of State. Only the public can petition for referral to the Secretary of State for determination. The proposal was put to the vote for the Overview and Scrutiny Committee and failed.

the Audit and Governance Committee, unanimously **RECOMMENDED:**

**A) that the following recommendations be agreed and submitted to Full Council for final approval:**

1. Consider the findings of the audit exercises conducted by South West Audit Partnership and Grant Thornton in response to issues raised by December 2014 Full Council and to accept the conclusions set out therein.
2. Accept the analysis and conclusions on the financial basis for relocating contained within the report.
3. On the basis of the valuation advice and price offered agree that disposing of the Knowle site would represent ‘best value’ in accordance with the requirements of Section 123 of the Local Government Act 1972.

**B) that the following recommendations to be agreed and submitted to Full Council for final approval:**

4. To determine that the Knowle site is no longer required for the purpose of public walks or as a pleasure ground under the Public Health Act 1875.
5. On the basis that the land is no longer required for those purposes to appropriate the Knowle site to housing purposes pursuant to the powers contained in Section 122 of the Local Government Act 1972.

**C) that the following recommendation be agreed and submitted to Full Council for final approval:**

6. To agree to dispose of the Knowle site for housing / extra care assisted living pursuant to Section 32 of the Housing Act 1985.
7. Agree that the Deputy Chief Executive – Development, Regeneration and Partnership in consultation with the Office Accommodation Executive Group is authorised to agree on behalf of EDDC appropriate Heads of Terms with Pegasus Life Ltd.
8. Having agreed the Heads of Terms to delegate to the Deputy Chief Executive – Development, Regeneration and Partnership authority to enter into contract for sale of the Knowle site conditional upon subsequent satisfactory planning approval and such other matters as the Service Lead (Legal and Democratic Services) may advise.
9. Agree to relocate EDDC operations to Honiton and Exmouth.
10. Agree that the Council will conduct consultation with relevant and interested parties to ensure Best Value outcomes are addressed within the relocation to Honiton and Exmouth.
11. Note and agree a net project budget of £2,221,445, this being the estimated cost for a new build office accommodation in Honiton (BREEAM very good option) and for the modernisation of Exmouth Town Hall as identified in the table in paragraph D5.6 less the Capital Receipt for the Knowle. In addition, a budget of £900,630 is required to meet loan interest costs relating to short term and long term funding. Short term cash flow funding will be required totalling £9.2m to meet design and build costs prior to receiving the sale proceeds of £7-8m from the Knowle (financial risks are mitigated by Gateway 7 process detailed in the report). Once the capital receipt is received, the balance of funding required is £2.1m to be funded from a long-term loan over a 20-year period.
12. Agree that officers investigate and progress the opportunity to bring forward the refurbishment of Exmouth Town Hall and take forward new offices in Honiton.
13. Agree to commence detailed discussions on the Council's intention to transfer the retained 3.5196ha of Knowle parkland and the lower car park to Sidmouth Town Council following disposal of the Knowle site and if the principle is accepted by Sidmouth Town Council to progress such transfer including compliance with the relevant statutory procedures for disposal of open space.

Following a recorded vote, the Overview and Scrutiny Committee

**RECOMMENDED:**

**A) that the following recommendations be agreed and submitted to Full Council for final approval:**

1. Consider the findings of the audit exercises conducted by South West Audit Partnership and Grant Thornton in response to issues raised by December 2014 Full Council and to accept the conclusions set out therein.
2. Accept the analysis and conclusions on the financial basis for relocating contained within the report.
3. On the basis of the valuation advice and price offered agree that disposing of the Knowle site would represent 'best value' in accordance with the requirements of Section 123 of the Local Government Act 1972.

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**C) that the following recommendation be agreed and submitted to Full Council for final approval:**

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8. Having agreed the Heads of Terms to delegate to the Deputy Chief Executive – Development, Regeneration and Partnership authority to enter into contract for sale of the Knowle site conditional upon subsequent satisfactory planning approval and such other matters as the Service Lead (Legal and Democratic Services) may advise.
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10. Agree that the Council will conduct consultation with relevant and interested parties to ensure Best Value outcomes are addressed within the relocation to Honiton and Exmouth.
11. Note and agree a net project budget of £2,221,445, this being the estimated cost for a new build office accommodation in Honiton (BREEAM very good option) and for the modernisation of Exmouth Town Hall as identified in the table in paragraph D5.6 less the Capital Receipt for the Knowle. In addition, a budget of £900,630 is required to meet loan interest costs relating to short term and long term funding. Short term cash flow funding will be required totalling £9.2m to meet design and build costs prior to receiving the sale proceeds of £7-8m from the Knowle (financial risks are mitigated by Gateway 7 process detailed in the report). Once the capital receipt is received,

the balance of funding required is £2.1m to be funded from a long-term loan over a 20-year period.

12. Agree that officers investigate and progress the opportunity to bring forward the refurbishment of Exmouth Town Hall and take forward new offices in Honiton.
13. Agree to commence detailed discussions on the Council's intention to transfer the retained 3.5196ha of Knowle parkland and the lower car park to Sidmouth Town Council following disposal of the Knowle site and if the principle is accepted by Sidmouth Town Council to progress such transfer including compliance with the relevant statutory procedures for disposal of open space.
14. That as part of the negotiations with Sidmouth Town Council on land transfer, a covenant is proposed to ensure that the land is not built on and remains as public open space.

**Recorded vote:**

(in compliance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014)

Councillors Roger Giles, Graham Troman and Claire Wright against the proposal - (3).

Councillors Peter Bowden, Maddy Chapman, Deborah Custance Baker, Sheila Kerridge, David Key, Frances Newth, Tony Howard, Brenda Taylor, Chris Wale, Tim Wood, and Eileen Wragg voted in favour of the recommendations with the amendment (recommendation 14) (11)

There were no abstentions.

**Attendance list**

**Present:**

Tim Wood (Chairman)  
Ken Potter (Vice Chairman)  
Graham Troman

Peter Bowden  
Maddy Chapman  
Deborah Custance Baker  
David Key  
Roger Giles  
Sheila Kerridge  
Frances Newth  
Tony Howard  
Claire Wright

Ken Potter  
Roger Boote  
Steve Gazzard  
Steve Hall  
Geoff Pook  
Bob Buxton

Ian Thomas

Pauline Stott  
Ray Bloxham  
Tom Wright  
Stephanie Jones  
Jill Elson  
Christine Drew  
Peter Sullivan  
David Cox  
Iain Chubb  
Stuart Hughes  
Andrew Moulding  
Phil Twiss  
Alan Dent

Richard Cohen, Deputy Chief Executive  
Simon Davey, Strategic Lead Finance  
Debbie Meakin, Democratic Services Officer  
Henry Gordon Lennox, Service Lead - Legal  
Mark Williams, Chief Executive

**Representatives from South West Audit Partnership**

Andrew Ellins  
Moya Moore

**Representatives from Grant Thornton**

Barrie Morris  
Nicholas Macke

**Representative from Gleeds**

Darren Crocker

**Apologies:**

Vivien Duval Steer  
Mike Allen  
David Chapman  
Steve Wragg  
Trevor Cope  
Geoff Chamberlain  
Paul Diviani

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

**Report to:** Overview and Scrutiny Committee  
**Date of Meeting:** 26 March 2015  
**Public Document:** Yes  
**Exemption:** None



**Agenda item:** 8

**Subject:** Member Champion update report - Tourism

**Purpose of report:** To provide to the committee:

- An update on the National Park proposal;
- An update from the Member Champion for Tourism, including a presentation from the Jurassic Coast World Heritage Team;
- An opportunity to discuss what work on tourism the committee may wish to plan for the coming months

**Recommendation:**

- 1. That Members receive the presentations from the Member Champion for Tourism and the Jurassic Coast Heritage Team**
- 2. That the Forward Plan includes debate on promoting the assets of the Council to both visitors to and residents of the district**

**Reason for recommendation:** Tourism is a wide topic that also requires considerable budget and resource for active promotion. In light of the medium term financial plan and the limited staff resource available, the committee should consider if future work, either at committee or in the form of a task and finish group, should focus on the Council's assets and associated events and how best to promote those.

**Officer:** Debbie Meakin, Democratic Services Officer

**Financial implications:** Appendix A shows the 2015/16 budgets for all tourism related services. The report is not asking for any additional funding at this time.

**Legal implications:** There are no legal implications requiring comment at this stage.

**Equalities impact:** Low Impact

Any future debate on promotion must not be limited to a single process but must be made available in as many forms as budgetary constraints allow so that the promotion is made aware to all sections of the community and visitors

**Risk:** Low Risk

**Links to background information:** • [Jurassic Coast Marine Links Project – SYTRA](#)

**Link to Council Plan:** Living in/Enjoying this outstanding place

## **National Parks Proposal**

At the meeting of Overview and Scrutiny on 11 July 2013, Members received a report on National Parks following a proposal from the Dorset and East Devon National Park Group to establish a new national park to coincide with the boundaries of the East Devon and Dorset AONBs. Areas of consideration made within the report included:

1. loss of planning powers across part of the District;
2. Prevention of 'good growth' in areas of low skill, low wages, economic weakness and housing shortage, especially affordable;
3. Restriction and concentration of jobs and housing growth in the west of the District with minimal benefit deriving eastwards;
4. Sensitive but non- National Park or AONB designated areas of the District may come under increasing and concentrated pressure of development.

Members were reminded at the meeting that the process of reaching any conclusion on status by Natural England would take several years and therefore any scrutiny on the topic was not designated as a priority.

The Dorset and East Devon National Park Group's proposal did not provide sufficient enough detail to allow consultation with local stake holders such as Natural England, DEFRA and the Chambers of Commerce etc. In light of this, the Member Champion for Tourism decided that until such a proposal was developed, it would be advantageous to focus on what the district currently offered visitors now, how the council could further promote tourism, and the how this would have a positive effect on the local economy.

To date, no progress has been made by the Dorset and East Devon National Park Group on their proposal.

## **Member Champion Report by Councillor Sheila Kerridge**

As a member champion, my main aim is to promote sustainable tourism within East Devon. We live in such a very special part of England that we as a council, should work hard to sustain this beauty for all future generations.

East Devon is England's only natural World Heritage Site. The coast is commonly referred to as the Jurassic Coast, though there is nothing common about our coast.

I have had meetings with the Jurassic World heritage Team, and the Jurassic Ambassadors and look forward to future meetings to promote the Jurassic Coast.

I had been trying to arrange a presentation to promote the Jurassic Marine Link, but this project has stalled and the Jurassic Team can outline why this has happened. I still feel it is a worthy project and one that should not be permanently shelved.

The Heart of Devon Tourism partnership no longer receives funding from the Council and therefore no longer promotes the district on their web sites, and this is an area that I think the Council should reconsider to take advantage of their excellent promotion opportunities.

There are 5,350 people directly employed in tourism in East Devon, but this does not take into account the thousands of employees who benefit indirectly from the tourist trade. With so many jobs and businesses involved in tourism in the district, one would think that the Council would make tourism one of the main priorities, but there is no tourism officer, and tourism has been put on the back burner. I feel it is time this changed.

I have had meetings with many of the main tourist attractions in the district, including Crealy Park, the Donkey Sanctuary, and Pecorama. They have all shown interest in the Jurassic Marine Link, as have a number of stakeholders in the district. There needs to be investment in the capital costs of the project to get it underway, but the link can become self-financing.

The Jurassic Coast Ambassador's Scheme is fantastic, and I have been to many of their meetings. To have a marine link would only boost this further, providing an opportunity to visit so much of the area by foot or bicycle if using a boat link and cycle paths. It would also be of benefit to residents, including schools, to see this natural heritage from the sea, and appreciate the striking red coastline.

Tourism currently seems to be left to each individual town to promote in its own way, of which they are doing a fantastic job. Would it not be better to bring all that skill and knowledge together to promote the district as a destination of choice.

### **Work for the Overview and Scrutiny Committee**

Tourism is a wide and diverse topic for debate. Whilst there is no specific budget for promotion of the district specifically, there is budget provision for a number of elements that contribute to the benefit of the visitor, and indeed the resident.

Appendix A shows related budget elements for 2015/16 for information on that point.

My recommendation, as democratic services officer attached to this committee, is to add to the forward plan to look specifically at:

- How council assets and their associated events are currently promoted;
- How that can be improved within the boundaries of the existing budget and staff, including a form of cross marketing that pulls together assets and events that may fall across different services and portfolios;
- How Members can help promote, through their work with the electorate, the council assets and events.

As a reminder, the assets directly are the THG, the Manor Pavilion, the nature reserves including the Wetlands, parks and gardens – as well as indirectly the LED managed facilities.

The Council Plan is clear under Enjoying this outstanding place what facilities and services are available to both visitors and residents – this committee can scrutinise to see if any improvement can be made as to how widely these facilities and services are promoted, working alongside the Arts and Culture Forum.

These are only recommendations, and it is up to the committee to decide if, and how, they would like to proceed with work on this topic.

Tourism Budgets 2015/16

		AMENITY FACILITIES (Norman Lockyer, seats, Axmth Harbour)	Beaches & Foreshores	BEACH PROPERTIES (Cafes and Kiosks)	Public Conveniences	Exmouth Regeneratn	Carparks	Markets	TIC Support	Cinemas
<b>Revenue</b>	<b>Totals</b>									
Employees	1,920,790				171,850	102,220	185,740			
Premises	1,423,890	7,220	129,620	8,610	233,740		502,710	8,830	11,040	600
Transport	313,940		7,200		13,850	500	28,340			
Supplies & Services	1,933,660	6,750	2,130		78,070	56,000	158,800		10,050	
Service Recharges	1,193,700	28,060	267,040	9,910	141,880	3,360	129,890	6,610	6,740	
Corporate Support Services	492,560	7,590	25,700		41,440	5,620	126,670	3,660		
<b>Total Expenditure</b>	<b>7,278,540</b>	<b>49,620</b>	<b>431,690</b>	<b>18,520</b>	<b>680,830</b>	<b>167,700</b>	<b>1,132,150</b>	<b>19,100</b>	<b>27,830</b>	<b>600</b>
Income	(4,540,000)	(9,690)	(274,590)	(63,470)	(68,010)		(3,128,430)	(22,820)		(34,730)
Less recharges to other services	(788,210)									
<b>Net Expenditure</b>	<b>1,950,330</b>	<b>39,930</b>	<b>157,100</b>	<b>(44,950)</b>	<b>612,820</b>	<b>167,700</b>	<b>(1,996,280)</b>	<b>(3,720)</b>	<b>27,830</b>	<b>(34,130)</b>
Capital Charges	1,610,880	35,730	23,410	16,480	156,920		8,020	4,490	430	6,370
<b>Net Cost of Service - Revenue</b>	<b>3,561,210</b>	<b>75,660</b>	<b>180,510</b>	<b>(28,470)</b>	<b>769,740</b>	<b>167,700</b>	<b>(1,988,260)</b>	<b>770</b>	<b>28,260</b>	<b>(27,760)</b>

		Beaches & Foreshores	Public Conveniences	Exmouth Regeneratn	Seaton Visitors' centreC					
<b>Capital</b>	<b>Totals</b>									
Expenditure	5,008,180	33,000	160,000	3,928,000	295,000					
Capital Grant/contribution Income	(680,080)				(542,080)					
<b>Net cost Capital</b>	<b>4,328,100</b>	<b>33,000</b>	<b>160,000</b>	<b>3,928,000</b>	<b>(247,080)</b>					
<b>Grand Total</b>	<b>7,889,310</b>	<b>75,660</b>	<b>213,510</b>	<b>(28,470)</b>	<b>929,740</b>	<b>4,095,700</b>	<b>(1,988,260)</b>	<b>770</b>	<b>(218,820)</b>	<b>(27,760)</b>

Tourism Budgets 2015/16

	THGallery	Manor Pavillion	Exmth Pavillion	AONB / Countryside	Parks/Gardens	Play Equip	SPORTS CENTRES & SWIMMING POOLS	Sports Grounds	Water safety
Revenue	82,000	90,160		472,330	768,300	26,040		2,050	20,100
Employees	14,100	42,280		9,570	83,820	65,940	245,620	60,190	
Premises	1,990			42,930	210,540	6,540			2,050
Transport	25,420	273,420	Within	154,440	211,600	15,090	909,460	7,870	24,560
Supplies & Services	9,460	9,910	LED	14,310	218,650	41,970	127,200	145,980	32,730
Service Recharges	19,800	23,140	contract	67,190	90,270	8,780	27,830	32,700	12,170
Corporate Support Services	<b>152,770</b>	<b>438,910</b>		<b>760,770</b>	<b>1,583,180</b>	<b>164,360</b>	<b>1,310,110</b>	<b>248,790</b>	<b>91,610</b>
<b>Total Expenditure</b>	(45,750)	(382,850)		(241,020)	(160,290)	(4,120)	(46,230)	(58,000)	
Income				(129,500)	(653,210)	(5,500)			
Less recharges to other services	<b>107,020</b>	<b>56,060</b>		<b>390,250</b>	<b>769,680</b>	<b>154,740</b>	<b>1,263,880</b>	<b>190,790</b>	<b>91,610</b>
<b>Net Expenditure</b>	1,470	7,890		1,170	136,680	662,040	531,850	12,640	5,290
Capital Charges	<b>108,490</b>	<b>63,950</b>		<b>391,420</b>	<b>906,360</b>	<b>816,780</b>	<b>1,795,730</b>	<b>203,430</b>	<b>96,900</b>
<b>Net Cost of Service - Revenue</b>									

	THGallery	Exmth Pavillion	Parks/Gardens	Play Equip	SPORTS CENTRES & SWIMMING POOLS
Capital Expenditure	49,000	30,500	47,680	121,000	344,000
Capital Grant/contribution Income					(138,000)
<b>Net cost Capital</b>	<b>49,000</b>	<b>30,500</b>	<b>47,680</b>	<b>121,000</b>	<b>206,000</b>
<b>Grand Total</b>	<b>157,490</b>	<b>63,950</b>	<b>30,500</b>	<b>391,420</b>	<b>954,040</b>
					<b>937,780</b>
					<b>2,001,730</b>
					<b>203,430</b>
					<b>96,900</b>

Corporate Business Think Tank notes; 11 March 2015 by HW

Present: PHCB; Pauline Stott; Steve Hall; Christine Drew; Frances Newth; Alan Dent; Roger Giles; Tim Wood; Tom Wright; Peter Sullivan; David Chapman; Maddy Chapman; Paul Diviani; Tony Howard; Geoff Pook; Stephanie Jones; Douglas Hull; Helen Parr; Henry Gordon Lennox; Hannah Whitfield

Recommendations from discussion on Portfolio Holder – Corporate Business paper:

### **Overview and Scrutiny**

1. That Overview and Scrutiny Committee be replaced with two committees:
  - a) Corporate Overview Committee:
    - 11 members (quorum = 5)
    - The Committee would meet bi-monthly.
    - The Committee's principle role will be to develop policy and evaluate its implementation. The Committee will assist the Council in the development of policies and keep these under review.
    - This Committee to be chaired by a member of the majority party.
  - b) Scrutiny Committee:
    - 15 members (quorum = 5)
    - The Committee would meet monthly.
    - This Committee would principally own the post decision scrutiny process on behalf of the public with a view to making a positive impact on the delivery of public services. The Committee would review and scrutinise decisions made and would particularly scrutinise service delivery.
    - The opposition would be invited to nominate the Chair of the Committee – if no suitable nomination made, the Leader would retain the right to nominate the Chair.
  - c) Where appropriate, joint meetings of the Corporate Overview and Scrutiny Committees could be held to debate issues relevant to both committees.

### **Planning Policy and Strategy**

2. that the Deputy Chief Executive and Strategic Lead – Planning work up detailed proposals for splitting the current responsibilities of Development Management Committee (DMC) into two Committees:
  - a) Development Management Committee (16 members) to determine planning applications.
  - b) Strategic Planning Committee (size to be determined) to be responsible for planning policy. (Membership to be open to all members, including Cabinet members).

### **Planning Inspections Committee**

3. that the Planning Inspections Committee be discontinued with DMC absorbing this responsibility, and when necessary, defer the decision for a site inspection. Any site visits for deferred applications to be undertaken on the day of the following month's DMC meeting – only Committee members who had been present at the site to be able to vote on the application. Committee members were to be encouraged to visit sites ahead of DMC, where appropriate.

### **Attendance at meetings**

4. that finding a suitable system for recording Councillor attendance at committee meetings, of which they are a member, and length of attendance, form part of a wider project associated with providing improved digital infrastructure in the future.

### **Chairman voting rights**

5. that the Vice-Chairman of Development Management Committee take on the role of Chairman when an application within the Chairman's ward is determined.

(The right of the Chairman to have a second or casting vote is provided for by the Local Government Act and it was therefore not possible to amend the Constitution.)

### **Planning Delegation Scheme**

6. that training/awareness of the planning delegation scheme be reinforced through the Member Development programme.

### **Call-in procedure**

7. that any four members (other than those on the Cabinet), plus the Chairman or Vice-Chairman of Scrutiny be able to 'call-in' a decision of the executive.

### **Consultation**

8. a) that where an issue involves the wider interests of a town which is served by a number of wards, members in all those town wards be consulted, rather than just those in the ward where the issue arises.  
b) that officers have greater awareness of the need to consult other internal services to ensure that all interests are taken into account.

**Minutes** – a summary of decisions from meetings was useful for Members. Include minutes for all Committees in the Knowledge (already implemented).

## **Parishes Together Fund**

For the last three years Devon County Council and East Devon District Council have allocated a sum of money to be given in grants, called the Parishes Together Fund. This is to be used by towns and parish councils working together and involving their communities to try to solve local issues.

The fund equates to £1.10 per elector in the district. Devon County Council contributes £1 per elector and we contribute 10p per elector, which comes from the New Homes Bonus. EDDC administer the funding and make decisions on applications.

The money is ring-fenced for each parish. For example the parish of All Saints had 416 electors on the electoral roll in February 2014, which equates to £457.20 they can apply for. This £457.20 sits in the fund until an application is made involving All Saints Parish Council, if they don't make an application the funding is lost to them and goes into a pot the following year that is used to top up worthy projects or projects with a shortfall.

All applications must involve two or more Town or Parish Councils, the aim of the funding is for Town and Parish Councils to work together on projects. Every Town or Parish Council involved must make a proportionate financial contribution to the project from their own funding. The only exception to the rule is Exmouth who are so much larger that they would struggle to use all their funding otherwise and even they still have to get letters of support from other parishes.

Grants are for capital (one off costs, costs of a permanent item, structure etc) and/ or revenue costs (day to day costs, temporary items, events etc). It cannot fund unsustainable projects, salaries for ongoing posts, individuals, private businesses, revenue costs for existing projects.

The EDDC New Homes Bonus Panel looks at the applications and makes decisions on whether the projects should be funded. They will take into account a number of factors such as:

- Evidence of local need
- How parishes are working together
- Evidence of community support
- How well the project has been thought out and planned
- Project costs and any match funding

The funding is quite flexible and pre-application advice is available. This means in three years we have only refused one application.

We are currently waiting to see what Devon County Council allocates to the scheme for 2015 / 2016.

Cllr R Bloxham

[Presentation to accompany report at committee](#)

**Report to:** Overview and Scrutiny Committee  
**Date of Meeting:** 26 February 2015  
**Public Document:** Yes  
**Exemption:** None



**Agenda item:** 13

**Subject:** Quarterly monitoring of performance – 3rd quarter 2014/15 October to December 2014

**Purpose of report:** 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:** 1. 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 3rd quarter of 2014/15 so that issues can be addressed in a timely way.

**Reason 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.

**Officer:** Karen Jenkins, Strategic Lead – Organisational Development and Transformation  
[kjenkins@eastdevon.gov.uk](mailto:kjenkins@eastdevon.gov.uk)  
ext 2762

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

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

**Equalities impact:** Low Impact

**Risk:** Low Risk

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

**Links to background information:**

- [Appendix A – Performance against Council Plan and our key performance indicators](#)
- [Appendix B – Performance against Service Plans and their objectives](#)
- [Appendix C - Explanations and definitions.](#)

**Link to Council Plan:** Living, working, enjoying and outstanding Council

## **Report in full**

1. Appendix A gives an overview of the performance against measures in the form of gauge charts for the council promises taken from the Council Plan 2014 Refresh, key performance indicators and objectives from the service plans. The report also provides detailed information on the status of the council promises and key performance indicators.

2. Appendix B shows progress against service plan objectives linked to the council aims in the form of gauge charts with the reports from SPAR.net detailing the progress of all objectives from the service plans.

3. Detailed progress of all of the council promises can be found at [appendix A](#). Most of the council promises for 2013/14 are showing as achieved or on track however seven are reporting variation, the detail of which can also be found at appendix A.

5. There are no service objectives showing a status of concern although there are 8 showing as variation the detail of which can be found in [appendix B](#).

6. There are three performance indicators showing a status of concern and 6 showing as variation the detail of which can be found in [appendix A](#).

- **Working days lost due to sickness absence** - We have undertaken some analysis of our sickness absence which has highlighted an increased number of staff with long term sickness issues. We are dealing with each of these cases individually however they are contributing to the higher overall level of absence within the Council.
- **Number of random vehicle licence checks** - The autumn is a busy time for taxi licensing with many renewal applications. We expect to catch up with the inspections during the next quarter.
- **Percentage of minor planning applications determined within 8 weeks** – Current workloads are high leading to capacity issues. Also the lack of a local plan means that many of these minor applications are for developments that would usually be quite straight forward are not so clear cut leading to greater uncertainty over what is acceptable and what is not and therefore a greater amount of time spent considering these proposals than would otherwise be necessary.



## Quarter 3 Performance Report 2014-15

Performance Overview, Council Promises and Key Performance Indicators

January 2015

### 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.

# Overview of our performance – Quarter Three 2014/15

Chart a. Performance against our Council Plan 2014-16 – for more detail see the following pages

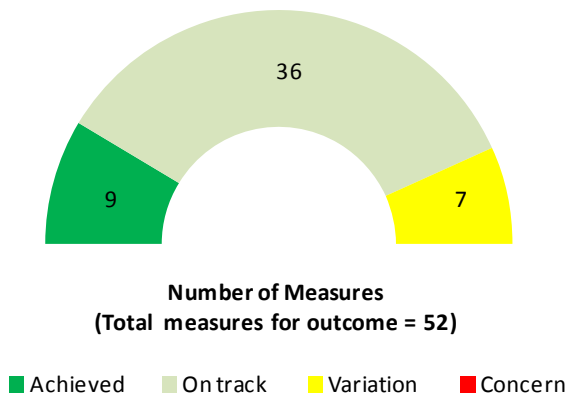


Chart c. Performance against Key Performance Indicators - for more detail see the following pages

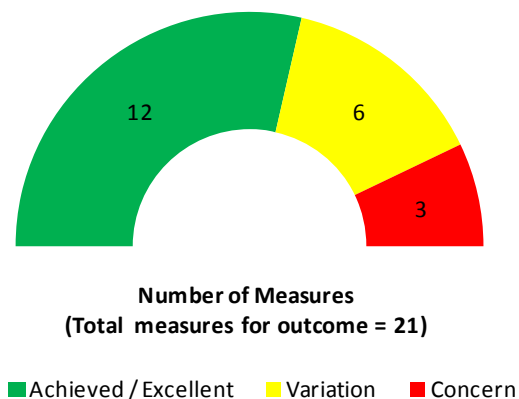
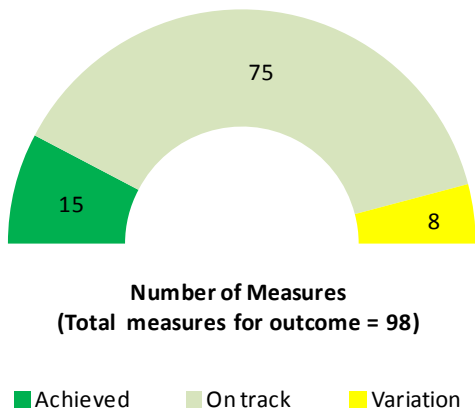


Chart b. Performance against our Service Plan Objectives – for more detail see appendix B



## Council Promise - Living in an outstanding place

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

Council Promise 2014-16	Status	Comments
Build at least 100 affordable new homes each year.	Achieved	Already delivered in excess of 100 affordable housing units in 2015/16
Deliver a new local plan which meets the district's aspirations and needs in terms of housing and employment provision whilst protecting the natural environment.	Variation	There have been delays in the work progressing but we are getting closer to conclusions on the consultant's study.
Invest in excess of £7 million each year in maintaining and improving the council's housing stock.	On track	HRA budget for the year contains provision for £7 million to be spent on tenant's homes.
Invest in supporting communities to plan their future by helping them create neighbourhood plans and by continuing to develop our neighbourhood initiatives.	On track	This important work continues with the Neighbourhood Planning Officer who is now in post and we now have 25 designated neighbourhood areas who are in the process of preparing local plans.
Produce at least one rural affordable housing scheme each year.	On track	
Work in partnership to deliver a second primary school and secondary school at Cranbrook.	On track	Construction of the education campus is continuing and is on course for opening for the 2015/16 academic year in September. The Ted Wragg Multi Academy Trust have been appointed as the operator and an interim Head Teacher is in place.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Number of affordable homes delivered	310	75 (3/4)	68	86	181		↑	

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

Council Promise 2014-16	Status	Comments
Continue development at Cranbrook and elsewhere to ensure best quality of build and design of homes, high street and public spaces.	Variation	Permission has now been issued for a further 587 dwellings within phase 1 of Cranbrook and we are currently out to tender to recruit consultants to undertake a Masterplan for the next phases of Cranbrook for which applications from the developer consortium are due imminently. Through the masterplan it is hoped that we will be able to secure the best quality of build and design.
Continue to be in the top ten areas in the country for producing the lowest amount of waste that goes to landfill and aim to have a recycling rate of at least 50 percent.	On track	We have recently asked DEFRA about provision of this information. It will be provided but probably 6-8 months after year end.
Continue with our acclaimed participatory budgetary work allowing communities to decide	On track	This process continues to be successful and has been accelerated to reflect the need to spend some of the existing S106 monies prior to the implementation of CIL later this year when monies

and develop play and leisure facilities.		from 5 or more agreements will not be able to be spent on a single piece of infrastructure.
Deliver the new waste and recycling contract to expand the recyclable materials we collect including cardboard and mixed plastics and negotiate a new contract that represents best value for the residents of East Devon.	On track	Members have had a report presented to them at Cabinet [Jan 15]. The report was accepted and recommended that the EDDC stand-alone procurement of a new recycling and waste collection contract goes ahead whilst keeping an involvement in the Integrated Devon (ID) option. If the ID option becomes a more favourable option members will review the position.
Continue to deliver street cleansing and grounds maintenance services that meet residents' expectations and keep satisfaction high.	On track	This continues to be a priority area. We are now recruiting for the vacant Area Manager West post, once filled this will help in keeping our service delivery on target for the West. We are also reviewing the way the teams work in the West to move towards an Area Working model (as used in the East).
Make sure that new developments are supported with the right level of investment in infrastructure to benefit the community.	Variation	There remains a concern that viability issues with developments is making it difficult to secure the full level of investment in infrastructure that is necessary to meet the needs of the development, however it is hoped that as the economy continues to grow that viability will improve.
Monitor bathing water quality and work closely with other agencies and local landowners to reach long term and sustainable solutions to the issues arising.	On track	We kept a close eye on the bathing water quality results during the 2014 season which ended up being a very dry summer. Consequently the results were the best they have been for several years. We also participated in an Environment Agency early warning scheme which provided predictions of poor quality on a day by day basis. Whenever a dip in quality was predicted we worked with Streetscene to sign the beaches – therefore enabling water users to make informed choices. We have kept closely involved with Environment Agency officers who have been working with farmers and landowners in order to further improve river and stream water quality.
Undertake more detailed planning across the district in partnership with Devon County Council to enable us to deal with extreme flooding events and ensure that the appropriate flood defences are delivered such as the scheme at Feniton.	Variation	Work in this area has not progressed as we have been prioritising the Feniton Flood Alleviation scheme (submitting planning before Christmas) and Sidmouth Beach Management Plan.
Update our plan for best use of the council's portfolio of assets so that we achieve best value for money and community benefit.	Achieved	
Work with our partners to improve public health and well being across the district.	On track	Public Health Plan adopted. Local Public Health Steering Group established. Public Health Projects Officer appointed. Progress document sent to Devon County Council.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Number of households living in temporary accommodation	8	30 (3/4)	6	4	6		↑	Number of households in temporary accommodation has been maintained at a low level due to proactive actions such as successful prevention of

								potentially homeless approaches, effective management of temporary accommodation (ie supported accommodation and PSL's) as well as quarterly occupancy checks of PSL's and our own housing stock being used as temporary accommodation.
Percentage of Household waste sent for reuse, recycling and composting	45		47	47	Not yet available			No data yet for Q3. the National Waste Data Flow service will audit and verify tonnage return in March 2015
Residual household waste in kg per household	289		290	508	Not yet available			Tonnage data for all councils has to be audited and verified by the national Waste Data Flow service. Q3 results will not be collated and verified until March '15. Still awaiting confirmation of Q2 data.
Percentage of Municipal waste for disposal (incineration and landfill)	55		53	53	Not yet available		↓	We have no data for Q3 at the moment as national audit of figures means that audited figures from the national Waste Data Flow service will only be available in Feb/Mar.
Improved street and environmental cleanliness – fly tipping	3	3 (3/4)	2	2	3		↓	Up until the end of the third quarter of this year there were 394 fly-tips recorded, compared to 365 in the corresponding period in the previous year. When DEFRA weighting for fly-tip size are applied the figures are 1810 for Q1-3 in 2014/15 compared to 1717 in Q1-3 2013/14. This equates to an increase of 5.14% on the previous year which is nothing unusual given the fluctuating history of fly-tip data. There have been 261 enforcement actions recorded so far this year, compared to 269 in the same period last year - an decrease of 2.98%. When combined the two sets of data lead to EDDC being given a grade 3

								<p>rating by DEFRA. Although classed as 'not effective' it is our target level and does not signify a fly-tipping problem in the district, just a very common fluctuation in the figures. In the scheme of things nationally we still record very low figures and suffer slightly from the DEFRA audit system being tailored for larger urban authorities.</p>
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<b>Outcome - Deliver a thriving, competitive local economy</b>		
<b>Council Promise 2014-16</b>	<b>Status</b>	<b>Comments</b>
Campaign with our partners to secure improved infrastructure especially road and rail to improve the overall accessibility to and through the district.	On track	Continuing to engage with partner organisations and the LEP regarding opportunities for improving infrastructure across the District.
Continue consultation with the East Devon chambers of commerce to keep the present regime of parking and charges in East Devon under review.	On track	Following a successful Christmas offer (pay £2 and park all day from 10am) we are pleased to report that to encourage trade in our towns we have been able to extend this offer for the rest of the winter, ending on 28 February 2015.
Continue to successfully pursue future funding opportunities to support incoming housing and commercial development in the district.	On track	The Local Enterprise Partnership has secured £270 million under the Growth Deal for projects across the area. Round 2 bids involving the extension of the Science Park Centre and the formation of the Environmental Futures Cluster associated with the Met Officer super computer have been prioritised and stand a very good chance of being funded. Projects being brought under RGF round 4 are progressing well including works at Skypark, the Science Park and improvements to the Airport access road. This is likely to be one of the few programmes nationally to spend to profile and therefore is well positioned to benefit from further funding should it become available. It is hoped that a bid to DCLG for capacity funding to support the ongoing expansion of Cranbrook will also be confirmed shortly.
Continue to work in partnership with Devon County Council on the roll-out of super-fast broadband internet connections so that East Devon gets the benefit.	On track	Continuing to work with in partnership with DCC in connection with the roll out of superfast broadband.
Explore the construction of new business units around the district to cater for the high level of demand.	On track	Planning permission has been achieved for the construction of 22 new business/workshops in Seaton. A Financial feasibility exercise is being undertaken by Estates and Property Services to identify the funding that will be required to deliver the units. At this point a significant funding gap has been identified. The Serviced Workspace Report has been produced by our consultants, Drivers Jonas which has identified the prime areas of the district where new serviced offices may be suitable for development. Work on this and the outcomes of the report is on-going. To be undertaken following recruitment of the Economic Development Manager.
Facilitate strategic and practical workshops with town and parish councils to work together in understanding budgetary issues for 2015/16 onwards.	Variation	We are currently working on 2020 strategy looking to balance the Council's budgets up to 2020/21, this includes how the Council will engage with Town and Parish Council's. Once this has been completed and approved by members (Mar 2015) then actions will be progressed, it is likely this focus on 2016/17 budget process.
Find ways to promote inward investment and new business growth.	On track	Specific agreement between us with Exeter and Teignbridge Councils to develop a marketing and investment strategy. Study into serviced business space requirements in East Devon nearing completion with action plan to follow. Practical project options

		for work space delivery under consideration. Marketing of Queens Drive Exmouth to secure additional commercial investment. Economic strategy for Cranbrook in development.
Increase job opportunities by encouraging the strategic employment site development in the west of the district.	On track	Active promotion by us of the West End sites. Met office super computer planning approval given. Skypark development approved, Science Park Centre under construction. Action to promote IMFT site development promotion.
Invest in further regeneration in our priority towns and look for opportunities in all our towns to invest in their economies and make best use of our assets.	On track	Exmouth regeneration programme continues with the Premier Inn to be completed by Feb 2015. Seaton Jurassic Centre construction underway and tramway redevelopment in discussion. Queens Drive approved developer selected and marketing ongoing. Honiton Premier Inn site preparation on site underway.
Work with partners to improve and diversify the skills on offer to the district's workforce.	On track	Bicton College has now potentially concluded talks with the Duchy Cornwall re joint future arrangement. We are working with greater Devon / Exeter partner authorities on a skills and employment concordat.
Work with the Heart of the south West local Enterprise Partnership to deliver economic growth.	On track	LEP Growth Fund project announced and includes Science Park investment. We are also proposing to submit EU Structural Fund bids to LEP.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Creditor days - % of invoices paid within 10 working days	New measure		97	95	96			
Creditor days - % of invoices paid within 30 days	99	99 (9/12)	99	98	99		↑	

## Council Promise – Enjoying this outstanding place

### Outcome - Provide cultural and leisure activities accessible to all residents and visitors

Council Promise 2014-16	Status	Comments
Appoint a part-time arts development officer to underpin the work of the arts and culture forum.	Variation	The appointment of this post been frozen as part of wider Medium Term Financial Planning decisions.
Complete a programme of visitor infrastructure improvement at the Axe Estuary Wetlands to coincide with the opening of the Stop Line Way cycle routes.	On track	Work continuing to develop car park improvements, new info point and interpretation works.
Develop ideas and income-generating projects to keep creative art workshops and international art exhibitions available and accessible in our district.	On track	To be considered as part of the new offer at the Thelma Hulbert Gallery via a THG Think Tank set up for 13 February 2015 to explore its commercial offer.
Develop the business case and governance arrangements for setting up a trust for the Thelma Hulbert Gallery.	Variation	This was explored with LED but their Trustees considered it wasn't the right time to take on another asset.
Implement a new policy relating to motor homes to welcome day visitors to East Devon's towns.	Achieved	The new policy agreed with Members and implemented in a revised Parking Places Order.
Work with Exmouth Town Council to bring back the land train for the enjoyment of our residents and visitors.	Achieved	Land train service commenced operations this summer. Garaging provided in EDDC's Maer Road car park.

### Outcome - Protect and enhance East Devon's natural environment and its habitats and wildlife

Council Promise 2014-16	Status	Comments
Appoint a Cranbrook Country Park ranger engaging with the local community and schools to establish events, projects and volunteering initiatives.	Achieved	Appointment successfully made and Ranger is now in post and helping to deliver the Country Park scheme.
Complete a beach management plan for Sidmouth to assess what future sea defences or beach replenishment may be required.	On track	We have received the baseline data from our consultants Halcrow. We are reviewing this and making arrangements for the steering group meeting in Feb. We hope to have the finished plan in July.
Complete a programme of habitat creation works to 10 hectares of newly acquired land at sheep's marsh.	On track	Further legal work required to release the site from restrictive covenants but scheme approved and planning application is ready to go once legal issues resolved.
Complete and promote the Axe Estuary Wetlands as a regionally important wildlife destination.	On track	New public events, education offer and a rebranding of the site are underway for 15/16 to improve the footfall to the site.

Take part in a multi agency study of the Exe Estuary, Dawlish Warren and Exmouth beach to plan for future delivery of sea defence and beach replenishment that may be required over the coming years.	Achieved	The scientific report has concluded that we cannot access government funding to do any beach recharge or recycling until the 2020s (nor is there a need, the report shows that sometime in the 2020's the beach loss rate will threaten the toe of the sea wall). In the meantime we will continue to monitor the beach levels with the help of PCO and local observations and amend our timescale if required
Deliver a green space strategy which will provide a robust plan to make sure East Devon's open spaces are used to their full potential.	On track	Work in progress with the Green Space Strategy Working Group which has met twice and is shaping the strategic direction of the document cross service.
Establish a monitoring programme for key habitats and species across all our nature reserves.	On track	Data captured from site monitoring fed into annual review of Local Nature Reserves work programme.
Work with partners to help make sure we protect the Exe Estuary and Pebblebed Heaths from the impacts of new development.	On track	New Habitats Regulations Delivery Officer starting in March and we have continued to financially and practically support the Exe Estuary Management Partnership and the Exe Estuary Officer

## Council Promise – Outstanding Council

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

Council Promise 2014-16	Status	Comments
Creation of a shared ICT service for East Devon, Exeter and Teignbridge. If approved, implementation will begin in July 2014.	Achieved	STRATA launched on the 1 <sup>st</sup> November 2014
Deliver a 2020 vision transformation strategy that will prepare us for continued reductions in government funding. This will outline the criteria that we will use to direct our financial and other resources so that we can continue to be an outstanding council despite the financial constraints.	On track	The Transformation Strategy will detail key actions which will deal with the budget deficit which the council will need to manage over the next five years.
Implement new technology giving customers the option to access more of our services directly over our website whenever they wish whilst reducing costs for the council.	On track	The Open for Business project has identified some 230 new transactions that need to be developed as well as 109 that need review.  The project team is working through this 2 year project.
Plan carefully the office relocation so that we minimise any potential service disruption and issues for customers and officers.	On track	Office relocation selected option of twin sites will deliver service provision at multiple locations aligned with mobile working and other flexible approaches to service delivery.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Percentage of Council Tax collected	98.60	87.03 (9/12)	30.84	58.47	87.07		↑	
Percentage of Non-domestic rates collected	98.4	87.13 (9/12)	30.89	58.06	84.37		↓	In comparison to previous years, NDR collection is down due to * More businesses are paying over 12 months. This is a similar picture being reported by many authorities across the country. However this should rectify itself at the end of the financial year but means in-year collection is not really comparable. * The other issue we have – as previously reported – are three high value customers who are not paying their business rates:

								One due to a legal dispute. Another we are currently in discussions over deferment options. The third involves complex insolvency matters.
Proportion of outstanding debt that is more than 90 days old from date of invoice	30		15	39	43		↓	
Working days lost due to sickness absence	8.44	7.61 (9/12)	2.31	4.61	7.61		↓	We have undertaken some analysis of our sickness absence which has highlighted an increased number of staff with long term sickness issues. We are dealing with each of these cases individually however they are contributing to the higher overall level of absence within the Council.
Total average headcount (quarterly total)	518	N/A	504.33	506.17	488.97		↓	
Cumulative Staff Turnover as a percentage of all staff (voluntary leavers)	6.4	N/A	1.79	3.77	5.80		↓	
Employee Satisfaction	89		N/A	N/A	N/A			Yearly figure due Q3/4
Number of Level 2 complaints (year to date)	18	N/A	9	18	23		↑	
Number of Freedom of Information Requests (year to date)	563	N/A	107	236	379		↑	
Percentage of planning appeal decisions allowed against the authority's decision to refuse	26.3	30.0 (9/12)	30.0	30	23.8		↓	
Number of random general licence checks	214	139 (3/4)	46	106	165		↓	
Number of random vehicle licence checks	112	113 (3/4)	15	75	136		↑	The autumn is a busy time for taxi licensing with many renewal applications. We expect to catch up with the inspections during the next quarter.
Percentage of councillors accessing electronic information		100	94	94	94			56 out of 59 councillors have undertaken transfer to Office 365 with relevant training and security briefing. Follow up training on

								365 is being planned with ICT based on Councillor needs.
Proportion of Councillors trained in regulatory functions	100	100	96	100	100			
Missed bin collections per 1000 households	New measure		0.05	0.04	0.05			

<b>Outcome - Improved service through understanding our customers and making good use of web &amp; mobile technology</b>		
<b>Council Promise 2014-16</b>	<b>Status</b>	<b>Comments</b>
Make sure that people are supported in making the culture change to mobile working, paperless environment and new ways of working.	On track	Internal communication to support Systems thinking, Open for business and Worksmart projects has taken place in the form of face to face, intranet and e - magazine communication to make sure that staff are up to speed on progress relating to these key projects.
Continue to ask our customers what they think of the services we provide through the viewpoint survey and act on what they tell us.	Achieved	The Viewpoint Survey for 2014 has been completed. This gathered views from residents, town and parish councils and equality partners. Results have been published and will also feature in the annual performance review document which is produced in the summer of 2015.
Deliver a new system for our council tenants, business rate payers and council tax payers to make sure that our services are more easily available online for our customers who prefer to use the internet to do business with us	On track	Plan and budget approved. Now in progress to make the new "user friendly" web site and web services live.
Identify office spaces that officers can use to meet customers across the district or to 'touchdown' without the need to come back to the office creating a more efficient way of working.	Achieved	We have documented details of council owned buildings that officers might use but the need for this will be mitigated given the consideration of a two site location for the council's offices, the use of surgeries across the district based on demand, a more mobile workforce and an increasingly capable website.
Use systems thinking principles to redesign processes where service improvements are required as agreed by SMT.	On track	We now have a corporate plan showing areas that have had systems thinking reviews as well as areas that still need to be reviewed. Service Leads will take responsibility for their own areas.
Make sure that we provide the right technology for officers to be able to work in a mobile and flexible way across the district for the benefit of our customers.	On track	Worksmart programme in place led by Karen Jenkins. First phase of programme (hardware roll out) on target to finish end April. Second phase (new mobile apps) will start in April and finish in December.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Percentage of minor planning applications determined within 8 weeks	46.62	48.75 (3/4)	50	42.63	42.01		↓	Current workloads are high leading to capacity issues. Also the lack of a local plan means that many of these minor applications are for

								developments that would usually be quite straight forward are not so clear cut leading to greater uncertainty over what is acceptable and what is not and therefore a greater amount of time spent considering these proposals than would otherwise be necessary.
Percentage of other planning applications determined within 8 weeks	79.01	80.0 (3/4)	80.77	78.45	75.28		↓	
Days taken to process Housing Benefit/Council Tax Benefit new claims and change events	5.61	6.43 (9/12)	5.78	6.04	6.55		↑	
% of residents who pay their Council Tax by Direct Debit	74		75	75	75		↑	

Performance Indicator not linked to any aims	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel	Management Notes
Number of redundancies (year to date)	4	N/A	1	3	4		↔	

Current workloads are high leading to capacity issues. Also the lack of a local plan means that many of these minor applications are for developments that would usually be quite straight forward are not so clear cut leading to greater uncertainty over what is acceptable and what is not and therefore a greater amount of time spent considering these proposals than would otherwise be necessary.

## Annual Report of the Overview and Scrutiny Committee 2014/15

### **Living in this Outstanding Place**

#### **NEW Devon Clinical Commissioning Group**

The committee have continued to receive presentations from the CCG as their transformation agenda continues, including the examination of broad patient data usage of the hospitals in the district. Following on from a separate consultation event hosted by the PH SH&C in September, the committee made a number of recommendations as part of the consultation process. The committee also expressed its anger at the bed changes announced by the North Devon Healthcare NHS Trust at a time of consultation by the CCG.

Campaigning on hospital bed locations still continues and some successes have been achieved.

#### **Update from Portfolio Holder for Sustainable Homes and Communities**

The Committee received a very informative presentation from the Portfolio Holder, outlining the key achievements of the services under her portfolio. Questions were put to Councillor Jill Elson and her team on issues such as houses of multiple occupation, and the building of affordable homes. News of a significantly reduced housing list, credited to both proactive work on homelessness and the far exceeded target of affordable homes provided (311 in 2013/14 exceeding the 100 target), was well received.

#### **Update from Police and Crime Commissioner**

The Committee welcomed Commissioner Tony Hogg to inform them of his work to date in post, and his main priorities for the coming year. Members robustly questioned him on a number of issues, including the problems experienced with the 101 telephone service and the closure of police stations.

An update from the work of the East and Mid Devon Community Safety Partnership confirmed the extensive work carried out by Local Action Groups and the Community Safety and Anti-Social Behaviour Co-ordinator, commended by the committee.

#### **Portfolio Holder for Environment update**

Members were treated to two visits from the Portfolio Holder for Environment, due to the portfolio size – one meeting to cover the Streetscene service, and one for everything else. The committee were brought up to speed on the plans in place for the replacement of the refuse and recycling contract, the current contract expiring in March 2016. Members from the committee (Councillors Deborah Custance Baker, Frances Newth and Tony Howard) had been part of a commissioning group working on the options for a new contract.

## **Working in this Outstanding Place**

### **Portfolio Holder for Economy update**

The Committee received a report on the work under the Economy portfolio, in February. Highlights included an update on the progression of work at Seaton, and a strong shift to commercial management of the Council's assets. The budget spend on economic development was also put into perspective, compared as half the spend on play equipment for the same year, and equal to the spend on public toilets. The committee were concerned at the staff resource issue for this team, with two key vacancies still to fill.

### **Business Task and Finish Forum**

Due to the length of time that the Forum had been on hold, the Committee resolved that it should continue and reviewed the scope extensively.

The committee received a presentation on the work of Business Information Point and the service they provide on behalf of the council under a service level agreement.

### **Broadband Joint Task and Finish Forum**

Although alternative to usual practice in holding a Task and Finish Forum across district boundaries, the Forum made up of representatives from both this Council and South Somerset District Council were hopeful at the outset of making a considerable impact on the delivery of superfast broadband in their respective areas. The Chairman expressed considerable frustration with the reality of dealing with the Connecting Devon and Somerset Project Team.

## **Enjoying this Outstanding Place**

### **Portfolio Holder for Environment update**

In the second of two visits from the Portfolio Holder for Environment, the committee received a very comprehensive report outlining the work of the remaining teams under his Portfolio. Highlights included Axe Wetlands plans to create a 200 acre nature reserve linking with the emerging Seaton Jurassic attraction and Stop Line cycleway; and continued Green Flag status for Connaught and Manor Gardens.

### **Exmouth beach management**

A swift task and finish forum was executed, set up in response to concerns about the loss of beach material. A number of recommendations were made, and the Forum were content that sufficient monitoring is in place. The Forum was also a useful means of giving clarity on the funding mechanisms behind coastal projects.

## **Evaluation and protection of trees**

A task and finish forum, after a difficult start, has considered the workload of the arboricultural officers, and how that is impacted by the needs of other services. It has also looked at the case for trees as set out forward by the Forestry Commission, questioning a representative issues such as the practical implications of planting in urban areas. A final report from the Forum is expected to be considered by the Committee at its first meeting of the new civic term.

## **National Parks debate**

Councillor Sheila Kerridge, as Member Champion of Tourism, updated the committee on the stalled national park concept, instead focussing debate on how the council could consider promotion of its own attraction assets. More here once meeting takes place.

## **Funding this Outstanding Place**

### **Portfolio Holder for Finance update**

The Committee received an update from the Portfolio Holder for Finance. This included a refreshed corporate property asset management plan, and the start of a serviced workspace demand and delivery appraisal.

## **Quarterly monitoring of performance**

The Committee receives quarterly reports, outlining key service issues identified and what action is being taken as a result. The Committee regularly offer other suggestions for actions, and raise questions on performance indicators showing concern. A recent example of this relates to the request and supply of a report about the council promise relating to supporting new developments through investment in infrastructure. The report outlined a number of constraints, from both government guidance and legislation, which predicted to only increase the problem of meeting this performance measure, even after implementing a CIL charging structure and the adoption of the Local Plan.

## **Budget 2014/15**

Each year for the past few years, improvements have been better made to inform Members in preparation for the draft budget presented in January. This year, the Budget Scrutiny Task and Finish Forum continued work on discretionary elements of the 2015/16 budget and beyond. The main Committee has been kept informed by the publishing of the Budget TaFF notes, and the ideas and debate from that Forum has been fed into the budget process.

In undertaking a continual review of budgets throughout the year, it is hoped that over time, Members will feel comfortable in their understanding of the budgets for each service area

before agreeing to recommend the draft budget for approval, having most likely helped shaped the budget throughout the year.

### **The Beehive Centre**

The committee debated how it could reasonably scrutinise the project from the view of the capital investment made by the Council. In discussing the topic, the committee agreed to further debate the measures used on contracts to protect the interests of the Council.

The topic was debated across two meetings, with most recent debate in February when the committee considered an extensive report on the contractual arrangements. Some members were satisfied that the safeguards adopted were appropriate, but a recommendation was made for the Deputy Chief Executive to explore good practices of contractual arrangements to inform future contracts.

### **Other areas**

#### **Portfolio Holder for Corporate Business update**

The committee have certainly made use of both Portfolio Holders for Corporate Business, and Corporate Services, in assigning topics for debate at both joint and separate think tanks. Informal discussion has led to reports back to the committee with a number of recommendations; ranging from the format of the council meeting, to the creation of new committees. A number of recommendations on changes have already been agreed and put in place.

#### **Portfolio Holder for Corporate Services update**

With STRATA now in place and a new website live from 10 March, Councillor Phil Twiss has kept the committee updated on work from his portfolio, as well as discussing topics under joint think tanks with Councillor Ray Bloxham..

#### **Office accommodation updates**

The Committee has continued to receive updates on the office accommodation project and has questioned elements of the budget relating to it, culminating in a combined meeting with Audit and Governance Committee to scrutinise auditor reports on the relocation project.

#### **Task and Finish Forum review**

The committee debated, including through the use of the joint Think Tank of the Portfolio Holder – Corporate Business and Portfolio Holder – Central Services, changes to the way it sets up such forums to undertake detailed review of the topic. Scoping will now be undertaken and agreed by the committee, so that work may immediately begin at the first

meeting of the Forum. The number of members, taken from outside of the committee as necessary, will normally be seven, with a quorum of four.

### **Public speaking arrangements for Development Management Committee**

The committee were tasked with debate on the suggested changes to public speaking arrangements and meeting management, in response to excessively long meetings of the DMC. The revised recommendations were adopted by Council on a trial basis of one year, ending in August 2015.

### **Portfolio Holder decision on concession for coffee van**

Despite not meeting the criteria for a formal call-in under the Council's constitution, the committee were permitted, in the interests of transparency, to debate a decision by the Portfolio Holder for Environment. This allowed both interested parties and Ward members to voice their concerns. The issue raised some learning points for the handling of such decisions in the future, including consulting with all ward members in a multi-ward area.