

**Ward Report to Rockbeare Parish Council  
21 November 2023**

**District Updates**

A relatively quiet few weeks at EDDC since my last report on account of a number of meetings being cancelled or postponed as a result of the major storm a few weeks ago. News includes:

- A progress report on the Public Toilet Review was presented to Overview a few weeks ago, detailing the difficulties in progressing negotiations with Town & Parish Councils as well as various unavoidable delays on several elements of the project
  - A tranche of works are due to be undertaken at various toilets this Winter season as the first stage of works on 'Category A' sites to be retained and upgraded, all to be ready for the next Summer seasons
  - A further tranche is due next Winter leveraging lessons learned from this year's works
  - Overview has adopted my recommendation to Cabinet to extend revenue funding for a further 12 months to the end of the 24/25 financial year in order to make a revised offer to T&PCs, which will be considered by Cabinet at the next earliest opportunity
  - Council will also be writing to the Secretary of State to argue for public toilets to become a statutory service with revenue funding
- Reports on revisions to bin collection charges to towns & parishes and reviewing the impact of changes to car parking charges from 2022 onwards are due at Cabinet later this month, and I will report back highlights from these – but provisionally it has been recommended by Overview that Cabinet approves a substantial increase of just under 90% to collection charges for both rubbish and dog waste bins. This is the first time these charges have been properly reviewed for many years; analysis by StreetScene suggests that they have been failing to cover the costs of collection for many years, effectively implying substantial subsidy of costs by EDDC which, on account of well-publicised budget pressures, needs to be rectified – hence the recommendation
- Work is well underway on a new Council Plan, which will set out East Devon's strategic priorities until the end of this administration; a working draft has been produced and will be undergoing refinement in the next few months before publishing and approval
- A new Local Development Scheme has been recommended for adoption by Strategic Planning Committee – this sets the timetable for the development of the new Local Plan. As things stand, critical chapters on the spatial development strategy and allocations are due in **September and October 2024**, and I will be seeking input on these. I include the timetable from the proposed LDS below for information

**Proposed table of key work stages to take the East Devon Local Plan to Submission for Examination (X indicates where a committee decision will be sought)**

Key work stages	2023			2024												2025						
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
Committee approval of this work plan (31 Oct 2023)	X																					
Ongoing evidence work and preparing Reg 18 consultation documents																						
Reports on emerging evidence as it becomes available			X	X	X																	
SPC approval of Reg 18 consultation						X																
Reg 18 consultation																						
Officer assessment of representations received																						
Feedback on consultation to committee													X									
Ongoing evidence and assessment work																						
<b>Redrafted chapters to committee as below:</b>																						
Ch. 1 introduction and Ch. 2 vision						X																
Ch. 7 Climate change and Ch. 8 Housing							X															
Ch. 10 design and Ch. 11 transport								X														
Ch 15. heritage, Ch 16. community									X													
Ch. 13 biodiversity and Ch. 14 open space										X												
Ch 12. Landscape and Ch 19. Glossary											X											
Ch 5. and Ch 6. development allocations and Ch. 9 economy												X										
Ch 3. spatial strategy and Ch 17. implementation													X									
Final redrafting of the proposed Publication Plan														X								
SPC approval of Reg 19 Publication plan															X							
Publication plan consultation																X						
Officers summarise and collate submissions received																	X					
Council approval of plan submission																						X
Submission of the plan for Examination																						X

- On account of various factors – the Peer Review due in February 2024, as well as broader staffing pressures elsewhere at East Devon requiring priority attention – recruitment of a new Chief Executive is now expected to be completed with a new CEO in place between May and August 2024; on account of temporary arrangements put in place by the Council there is no expected impact on services, save that this *may* affect the timeline for the Cranbrook boundary review, regarding which I have had no further updates
- Council has adopted a new Nature Recovery Declaration, which lays the groundwork for EDDC fulfilling its role as a Supporting Authority under new Environment Act 2021 duties, including developing a Local Nature Recovery Plan and Local Habitats Map that will inform future work on nature conservation and improvement, including in the Clyst Valley Regional Park
- Cabinet has approved a new ‘Place & Prosperity Framework’ for adoption by Council, which sets up the rules and process for East Devon to deliver investments through finance from the Public Works Loan Board – with stringent controls to ensure the Council is not making expansive commercial acquisitions with incumbent risk as seen elsewhere in the country, but rather making investments with clear broader public benefits and incorporating clear income streams to enable appropriate repayments
- Cabinet has also approved a restructuring and expansion of the s106/CIL team, including the adoption of new guidance, to streamline and accelerate the process of development and delivery of relevant projects by Town & Parish Councils

### Ward & Parish Updates

- Marsh Green Solar Farm: as the Council will no doubt already be aware, the Planning Inspectorate has overturned EDDC’s decision to refuse permission for these proposals and planning permission for the solar farm has been granted. My thoughts:
  - The decision is, essentially, exactly as I had signposted it would likely be in my September ward report: the Inspector agreed entirely with the Marsh Green Valley Protection Group and EDDC in finding significant harm to a locally valued landscape,

and less than substantial harm to the setting of heritage assets, but subsequently found – without addressing whether the benefits should be taken together or separately – that the benefits of renewable energy outweigh the drawbacks of the proposal, and that as such planning permission should be granted.

- I note that the Inspector dismissed arguments on drainage (citing a lack of evidence), highways (citing proposed mitigations as sufficient), and agricultural land (citing a lack of evidence)
  - Obviously I disagree with the Inspector’s assessment, but unfortunately this is the weight that national policy currently affords to renewable energy developments.
  - However, the Inspector has also declined to award costs to the developer – this on the grounds that the Council engaged proactively and in good faith in withdrawing reasons for refusal that it no longer considered were defensible early on in the process, and that other arguments regarding landscape and heritage were valid and defensible arguments regarding planning merit that did not constitute ‘unreasonable behaviour’. This is a critical piece of good news going forwards, as it’s confirmation and encouragement that *where the council offers substantial and defensible reasons for refusal* they are not going to be the subject of a costs order
  - While the decision to grant overall permission is therefore finalised, there remain a number of conditions that the applicant is required to discharge prior to starting works on-site where there will be opportunity for input, challenge, and possibly improvements to be made: on the Construction Environment Management Plan (which covers disruption, highways, working hours, etc); boundary treatment plan; detailed landscaping plan; proposals for alterations to gateways; ecology plan; lighting plan; and drainage & surface water management plans
  - There also remains the opportunity for us to work to ensure the developer is held to account in *complying* with imposed conditions, e.g. on the escorting of convoys, once works have started
  - In summary, while it’s not the outcome that may have been sought, there remains work to be done in ensuring the impact on residents and the environment is minimised – and I am committed to supporting residents and the Parish Council in this
- East Devon Community Resilience Forum: I attended this event in my capacity as Assistant Portfolio Holder for Coast, Country & Environment, which looked at some best practices for community resilience/preparedness for flood events, with a presentation from the EA, Devon Communities Together, and the community team in Lypstone.
    - I note Cllr Franklin was in attendance for the Parish Council, which was great to see, and will defer to his report for further details, save to say that I fully endorse his recommendation that the parish look at putting a team and plan together – if there is interest in picking this up, I am able to request a copy of the slides from the event and to link up with officers at EDDC and Devon Communities Together to provide guidance/support
    - I would suggest that, even if there is insufficient resource for a full planning exercise, various elements of the plan discussed – e.g. emergency contacts lists – that would require less effort both to put together and on an ongoing basis may still be worthwhile