

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 15 February 2006

Present: Councillors:
R G Franklin (Vice-Chairman in the Chair)

P A Diviani
Miss J M Elson
S Hughes
S C Luxton
A T Moulding
J B Nicholson
Mrs P A Stott
A J Wilkinson

Also Present Councillors:

Miss V Ash	Ms S M Merritt
P W Burrows	R Mudge
G P Chamberlain	Mrs F Newth
T A Cope	T G Reeves
Mrs C E Drew	Mrs L A Roden
J E D Falby	Mrs M Rogers
C F A Gibbings	P J Skinner
A R Giles	Dr H W Waterworth
M J L Green	Mrs E E Wragg
	S C Wragg

Apology Councillor Miss S M Randall Johnson (Chairman)

**Apologies from
non-Executive
Board Members** Councillors

D R A Key
J A Knight

The meeting started at 5.30 pm and ended at 7.23 pm

***141 Minutes**

The minutes of the meeting of the Executive Board held on 18 January 2006, were confirmed and signed as a true record.

***142 Investors in People**

The Chairman advised that EDDC had been recognised as an Investor in People (IIP) organisation after achieving the Standard in January. This was a prestigious award which recognised that the Council practiced good management in developing its employees' potential to positively improve staff morale and service performance. Everyone who had contributed to the process was congratulated and particular thanks were extended to Karen Jenkins, Head of Organisational Development and her team. A full report would be brought to a future meeting of the Board.

***143 Forward Plan**

The contents of the Forward Plan for the period 1 February 2006 to 31 May 2006 were noted.

*144 **Matters referred to the Executive Board**

There were no matters referred to the Executive Board by the Scrutiny or Corporate Overview Committees or the Council.

*145 **Meetings of the Scrutiny and Corporate Overview Committees**

The minutes of the meetings of the Scrutiny and Corporate Overview Committees, held on 25 January and 2 February 2006 respectively, were noted.

RESOLVED

that the recommendations contained in the following minutes be taken into account during consideration of the relevant agenda item later in the meeting:

Scrutiny Committee Minute 14 Draft Revenue and Capital
Corporate O/view Minute 26 Estimates 2006/07

Scrutiny Committee Minute 16 Service Plans 2006/09
Corporate O/view Minute 28

Corporate O/view Minute 27 Draft Housing Revenue Account
Estimates 2006/07

146 **Revenue and Capital Estimates 2006/07 (key decision)**

The Scrutiny and Corporate Overview Committees had considered the estimates in detail at their last meetings. The recommendations of these Committees together with comments from the East Devon Business Forum were taken into account by the Board during the debate. It was confirmed that additional funds for cemetery grants above the £39,000 already included in the revenue budget had not been recommended by the Overview Committee.

The additional council tax collected from the owners of second homes had been allocated for affordable housing in previous years. This had generated additional funding from the County Council. However, Members were now advised that in 2006/07, the County Council would invest this money into extra care housing schemes, none of which were being progressed in East Devon. As a result it was proposed that the authority's recommended £53,700 contribution be deleted from the special items.

Members also noted that the budget would include £15,000 in respect of additional duties relating to stray dogs and light/noise pollution which was a statutory requirement.

It was proposed that a small amount of the revenue savings from the current year be used to keep the Council Tax levels down for the benefit of East Devon tax payers.

The report of the Head of Finance advised that the Executive Board was required to recommend the Revenue and Capital Estimates for 2006/07, to reaffirm the use of investment income, the intention to borrow £1.582m, the level of revenue contribution required, the Council's position on balances and to recommend the Council Tax requirement for 2006/07.

Members noted that the Council was also required to set Prudential Indicators as part of its budget setting report.

146 **Revenue and Capital Estimates 2006/07 (key decision) (cont)..**

- RECOMMENDED**
- (1) that the Revenue and Capital Estimates for 2006/07 be approved,
 - (2) that investment income be used to fund revenue expenditure exclusively (estimated at £1.060m),
 - (3) that a 10 year loan be obtained to finance the capital investment in the new refuse and recycling contract (estimated at £1.582m),
 - (4) that a sum equivalent to the savings made on the 2005/06 General Fund budget be used in 2006/07
 - as a £17,170 contribution to the Revenue Budget, and
 - the remaining balance as a contribution to the Capital Budget, subject to maintaining the General Fund Balance at the agreed advisory level (estimated contribution therefore to be £0.458m)
 - (5) that the service enhancements identified in Appendix A of the report, excluding the £53,700 for Affordable Housing, be included in the 2006/07 revenue budget with the £15,000 for the part time officer to deal with new legislation relating to stray dogs and light/noise nuisance also being included within that revenue budget,
 - (6) that a Council Tax requirement be set for 2006/07 at £6.122m with a resulting Council Tax Band 'D' of £109.45 (annual increase of £2.36, or 2.2%),
 - (7) that Council House Rents be increased from 3 April 2006 on average by 4.8% to £52.54 a week in line with the Government Social Rent Reform guidelines,
 - (8) that Council garage rents be increased from 3 April 2006 by 10% to £6.60 per week (excluding VAT where applicable),
 - (9) that the Prudential indicators detailed in Appendix B to the report be adopted.

RESOLVED that the Corporate Overview Committee be asked to look at the current allocation of cemetery grants across East Devon and recommend a fair and equitable formula for future allocation.

147 **Service Plans 2006/09 (key decision)**

The Service Plans had been considered by the Scrutiny and Corporate Overview Committees at the same time as the revenue and capital estimates. Concern was expressed that the service plans had not been fully scrutinised in detail at either meeting. Discussion had largely centred on the draft revenue and capital estimates. It was suggested that the process would be reviewed next year with service plans being considered earlier in the budget process.

The service plans included an analysis of past performance and looked forward to future service delivery which would shape the way the Council would deliver its strategies and policies.

147 **Service Plans 2006/09 (key decision) (cont)..**

The Portfolio Holders discussed the service plans within their own remit and spoke about those service enhancements which had been requested by Officers but not included within the estimates and which the Scrutiny and Overview Committees had recommended for inclusion.

In reply to a question, the Corporate Director – Central Services advised that none of the performance targets had been included in the plans at this stage because Officers were waiting for the outcomes from this year's performance in order to base targets on realistic and accurate information.

Members appreciated and valued the Officer input into the Plans and the levels of service provided. The Chairman particularly thanked the planning reception team for the friendly, helpful and customer focused service that they provided.

- RECOMMENDED**
- (1) that the Service Plans be approved,
 - (2) that scrutiny process of the Service Plans in 2007 be reviewed to give greater opportunity to the Scrutiny and Overview Committees to analyse the Plans at an earlier stage in the budget process.

*148 **Revenue & Capital Monitoring report 2005/06 – Month Nine**

Members considered the report of the Financial Services Manager in respect of the Council's overall financial position at Month Nine (December). The budget variations had been identified within the month together with an assessment of how these variations would continue until the end of the financial year and the subsequent effect on the Council's overall Reserves and Balances. The report indicated that the Council was in a similar position to last month. The monitoring process had not highlighted any material budget variances which required corrective action.

- RESOLVED** that the variances identified as part of the Revenue and Capital Monitoring process for Month Nine of 2005/06 be noted, including the effect on the Council's Reserves and Balances.

149 **Adoption of Treasury Management Strategy for 2006/07**

Members considered the report of the Financial Services Manager in respect of the annual Treasury Management Strategy presented to the Executive Board for formal approval. This was a technical requirement of the adopted CIPFA Revised Code of Practice for Treasury Management in Public Services. The Code also included a requirement for the Council to set Prudential Indicators relating to all Treasury activities that the authority would undertake in the forthcoming financial year.

The main aim was to minimise exposure to financial risk. The Council would continue to keep the majority of its surplus cash funds with a Fund Manager. Day to day cash flow requirements would continue to be managed in-house. As a result of the financial costs associated with the capital spend to facilitate the new refuse and recycling contract, the Council would no longer be debt free. The Council's short-term and longer-term borrowing limits were included within the strategy and would be closely monitored. The budgeted investment return was based on assuming the lowest predicted interest rate as a prudent approach.

- RECOMMENDED** that the Treasury Management Strategy for 2006/07 be adopted.

150 **Free Concessionary Fare Scheme**

Members considered the report of the Corporate Director – Economy in respect of the above Scheme. At its meeting on 19 October (minute 66 refers), the Board had supported the Council's intention to remain a member of the Devonwide Partnership Agreement subject to the conclusion of satisfactory negotiations. Members were advised that discussions had been held with the Devonwide partners on the proposed funding arrangements for 2006/07 and the level of this Council's contribution. The formula adopted in 2001/02 no longer reflected the local population eligibility for free bus travel or their levels of bus usage. The Devonwide partnership negotiations had included a proposal to recalculate the 2006/07 contributions following a new travel survey. If the results of this survey proved that the formula was incorrect, East Devon District Council would be proportionally re-imbursed for any overpayment.

However one of the Devon partners was not prepared to accept this arrangement and negotiations had broken down. East Devon District Council could not justify paying more than its share for the service and had no choice but to decide at that stage to set up a new concessionary fare scheme for East Devon. Members noted the proposed scheme and the costs of setting it up with effect from 1 April 2006 to comply with new Government requirements. The scheme would be reduced from that currently offered in that it would cover free bus travel within East Devon and to Exeter and Lyme Regis only. However, adopting this approach would mean that the costs associated with the scheme matched budget estimates and meant that a low Council Tax increase was possible.

The Corporate Director – Economy advised that all existing East Devon bus pass holders would be issued with a new pass. New applications made to the County Council or the Tourist Information Centres would be referred directly to the Council to process. Information on the scheme would be included in the rates leaflet issued by the Council and through other publications and outlets as appropriate.

The Portfolio Holder – Resources thanked the Leader, Chief Executive and Corporate Director – Economy for their valued contribution to the negotiations and the speed in which the alternative arrangements were being put in place.

The Corporate Director – Economy advised that costs of the proposed operation would be monitored and reported back to the Board for consideration. Bus usage information would be useful for future negotiations.

It was acknowledged that the introduction of concessionary fares nationally would impact on rail usage.

- RECOMMENDED**
- (1) that the decision for the Council to leave the Devonwide partnership and establish a separate concessionary fare scheme under the Transport Acts of 1985 and 2000 be confirmed,
 - (2) that delegated authority to determine relevant matters associated with the scheme be given to the Corporate Director – Economy in consultation with the Leader of the Council and the Resources Portfolio Holder.

*151 **Payhembury Village Hall**

Members considered the detailed report of the Head of Finance in respect of the above, which the Board had requested be prepared at its meeting on 14 December 2005 (minute 114 refers). The details obtained from the Village Hall Committee were included in the report. The Ward Member and Portfolio Holder – Culture acknowledged and congratulated the Village Hall Committee on its work and contribution to the community.

*151 **Payhembury Village Hall (cont)..**

- RESOLVED**
- (1) that a grant of up to a maximum of £25,000, or up to the value of actual payments incurred by the Village Hall Committee if this is a lesser sum, be paid towards legal and land purchase costs as identified in table 1.3 of the report,
 - (2) that any balance remaining of the £25,000 be paid towards the costs of equipping the new hall as evidenced through invoices paid by the Committee.

152 **East Devon World Heritage Site (WHS) Visitor Centres progress report**

Members considered the report of the Countryside Manager summarising progress in respect of the WHS Visitor Centres and outlining the next phase of work.

At its meeting on 16 November 2005, the Executive Board's recommendations had included that the stakeholder steering groups be requested to sign a Memorandum of Understanding covering the on-going management of the projects and that a bid be made to the Living Landmarks Big Lottery Fund on behalf of both Gateway Visitor Centres as part of a single bid for the Jurassic Coast Interpretation Action Plan. The Memorandum of Understanding had been signed in January. Application to Stage One of the Big Lottery Fund had been made before Christmas and the Stage Two application was being prepared to meet the 31 January 2007 deadline. Members noted the key areas of work required for both projects to support the Big Lottery Fund Stage Two submission, including outline planning consents, costs, funding, and project management details.

An additional paper was circulated to Members providing a check list of key milestones/stages in the process. The Countryside Manager also advised that the South West Regional Development Agency had confirmed its investment in the Jurassic Coast.

Members were requested to make funding available to facilitate the necessary consultancy work to progress the projects.

- RECOMMENDED**
- (1) that the progress of the work carried out so far in the delivery of the Exmouth and Seaton WHS Visitor Centres be noted,
 - (2) that the need for additional work to be carried out be recognised with funds of £15,000 being released from the Economic Development Service budget to enable further work to be progressed by consultants.

*153 **Primary Care Trust (PCT) Reconfiguration**

Members gave consideration to the report of the Corporate Director – Communities in respect of the preferred option for the new configuration of PCTs. At its meeting on 16 November (minute 96 refers) the Board had supported the Devon Councils' aim to achieve a new Primary Care Service configuration relating to District Council level structures rather than having a prime reference to County level arrangements. Members were now asked to consider 3 options and respond to the consultation document 'Commissioning a Patient Led NHS'.

Concurrent with the PCT reconfiguration debate, two other consultations were tabled, namely, in respect of the Strategic Health Authority and the Ambulance Trust.

The Portfolio Holder – Communities suggested that the timing of the reconfiguration was inappropriate as the Government was currently reconsidering restructuring local government. It was felt that a Devon-wide option was therefore inappropriate and that the PCT should be reconfigured in line with district council boundaries.

***153 Primary Care Trust (PCT) Reconfiguration (cont)..**

- RESOLVED**
- (1) that the PCT configuration be co-terminus with the district council boundaries with the PCT being encouraged to work in partnership for their back-office functions with other authorities and organisations including the voluntary sector,
 - (2) that Town and Parish Councils be encouraged to respond to the consultation, and be notified of EDDC's view,
 - (3) that the Strategic Health Authority be advised that this Council supports Option 2, namely that two health authorities be established for the South West (Avon, Gloucestershire and Wiltshire: Dorset, Somerset, Devon and Cornwall),
 - (4) that the proposals of the Ambulance Trust be noted.

(Councillor A J Wilkinson declared a personal and prejudicial interest in this item as a non-executive director of the East Devon Primary Care Trust. Councillor Wilkinson left the Chamber during the debate and voting).

***154 Proposal – Computers for Towns and Parish Councils**

The Corporate Director – Central Services reported that as a result of the complete replacement of all major Council IT systems, over 60 computers had been made redundant as their specification was lower than the minimum now required by the Council. However, these computers were capable of running an internet connection and smaller software applications. It was proposed that these redundant computers could be offered to all East Devon Towns and Parish Councils with IT support.

The Portfolio Holder – Communications spoke in favour of this arrangement which would progress e-government, help town and parish councils access information and improve communications between the councils and local communities. Assistance from the Council's ICT services would be given to the town and parish councils on a 'best endeavours' basis with priority, at all times, being given to the people and systems within the District Council.

- RESOLVED** that ICT services (as detailed in the report) and redundant computers be offered to the Town and Parish Councils within the district.

***155 Quarterly Monitoring of Performance – Third Quarter 2005/06**

Consideration was given to the report of the Policy Manager giving performance monitoring information for the third quarter of 2005/06. The information allowed the Board to monitor performance and identify any service areas where improvements were necessary.

The Communities Portfolio Holder congratulated the Communities Directorate on their performance despite being under significant pressure.

- RESOLVED**
- (1) that the performance and proposed remedial action against performance indicators and the planned outcomes from Service Plans for the third quarter of 2005/06 be noted,
 - (2) that BV12: Working days lost due to sickness absence be reported monthly,
 - (3) that performance of the Leisure Trust be reported to a future meeting of the Board.

***156 Update on the implementation of the Freedom of Information Act**

Members considered the report of the Senior Policy Officer updating Members on the impact of the above Act on the Council during its first year in operation. Members noted the number and range of requests made and estimated costs in Officer time. Where possible, information requested was published on the Council's web site on the Freedom of Information page. Work was also being done to add information to the Publication Scheme.

- RESOLVED**
- (1) that the number and types of requests made under the Freedom of Information Act during the 12 months since it came into force be noted,
 - (2) that a report up-dating Members on the implementation of the Freedom of Information Act be made annually.

***157 The Future of Community Safety Partnerships**

Members gave consideration to the report of the Corporate Director – Communities in respect of possible ways of achieving greater joint working and linkage between the East Devon and Mid Devon Community Safety Partnerships. The drivers for change were noted and the advantages of adopting a common approach between the two Partnerships were discussed.

- RESOLVED**
- (1) that Members of East Devon and Mid Devon Community Safety Partnerships explore options for a joint approach to a Community Safety Partnership to include a 12 month trial of joint arrangements,
 - (2) that the Task and Finish Forum to be set up by the Scrutiny Committee to consider anti-social behaviour be asked to look also at the future and remit of the Community Safety Partnerships.

158 Draft Children and Young People's Plan

Members considered the report of the Corporate Director – Communities in the respect of the above Plan which Members were asked to consider and formally endorse. The Plan reflected major changes surrounding children's and young people's services. Although the Plan was the responsibility of the County Council which provided the framework for change, it would impact on the District Council's functions, for example, housing provision. There would be an external audit and inspection on the Council's contribution to improving outcomes. The Council would need to provide and maintain close links between services and the user groups. The Plan was summarised and attached to the report.

- RECOMMENDED** that the draft Children and Young People's Plan for Devon be formally endorsed.

***159 Leisure Trust – residual issues**

Members gave consideration to the report of the Corporate Director – Communities in respect of the residual issues resulting from the successful launch of the Leisure Trust on 1 January 2006. The main outstanding issue related to leases but other issues included salary increases, car parking passes, a separate Trust website, service arrangements, and transfer of property to the Trust.

Members were advised that the sports facility user groups would continue and members of those advisory/steering groups could be given a more influential role. It was suggested that copies of the reports from these groups could be sent to the Portfolio Holder – Culture to keep the Council up-to-date on developments and user feedback.

*159 **Leisure Trust – residual issues (cont)..**

RESOLVED

- (1) that any salary increases within the Trust post-transfer be noted but will not be subject to an additional service payment,
- (2) that free car parking passes for appropriate Leisure East Devon (LED) staff be continued, in return for free EDDC staff membership of sports/leisure centres,
- (3) that it be agreed for LED to have its own website with good links to that of the Council, with the Council ceasing to provide operational information on Sports and Leisure Centres run by LED except with express permission of the Trust,
- (4) that it be recognised that any moves by LED to separate from services jointly commissioned with EDDC (eg Securicor collections) could result in loss of economies of scale and resultant increased costs,
- (5) that the list of property which has been transferred to the Trust be noted.

*160 **Exe Estuary: New Harbour Authority**

Members considered the report of the Policy and Conservation Manager concerning a draft Harbour Revision Order prepared by Exeter City Council for the formation of a new Harbour Authority for the Exe Estuary. This would be a new self-financing trust port harbour authority which Members were recommended to support.

RESOLVED

that Exeter City Council be thanked for consulting the Council on the Draft Harbour Revision Order and informed that the Council supports the Order for the creation of a new trust port harbour authority for the Exe Estuary but is unable to contribute to the start up costs of the new authority.

161 **Programme of Council, Executive Board and Committee meetings 2006/07**

Members noted the above draft programme of meetings for 2006/07.

RECOMMENDED

- (1) that the 2006 Annual Meeting of the Council be held on Wednesday, 24 May, commencing at 6.30 pm,
- (2) that subject to the February 2007 meetings of the Executive and Scrutiny Committees being brought forward by one week and the Corporate Overview Committee being changed from 15 to 13 June 2006, the draft programme of meetings be approved for submission to the 2006 Annual Meeting of the Council.

Chairman

Date