

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the Council held
at Knowle, Sidmouth on Wednesday, 22 February 2006

Present:

Councillors:

Lt Col A J M Drake	(Chairman)
G P Chamberlain	(Vice-Chairman)
Miss V Ash	G K Liverton
Mrs K J Bamsey	S C Luxton
Mrs M J Boote	Ms S M Merritt
P W Burrows	A T Moulding
D G Button	R Mudge
G P Chamberlain	Mrs F I Newth
T A Cope	J B Nicholson
A E J Dinnis	Mrs H E Parr
P A Diviani	R C Peachey
Mrs C E Drew	Miss S M Randall Johnson
Miss J M Elson	T G Reeves
J E D Falby	Mrs M A Rogers
R G Franklin	P J Skinner
K W George	N J Spence
C F A Gibbings	Mrs P A Stott
A R Giles	Mrs B O Taylor
Mrs P A Graham	P C Townsend
M J L Green	A J Toye
Mrs M L Hardy	B J Toye
B C J Hughes	C H Wale
D R H Hull	Dr H W Waterworth
B O Ingham	A J Wilkinson
D R A Key	Mrs E E Wragg
J A Knight	S C Wragg
Mrs A E Liverton	

The meeting started at 6.30 pm and ended at 7.40 pm

***55 Minutes**

The minutes of the Council meeting of 7 December 2005 were confirmed and signed as a true record.

***56 Apologies**

Apologies for absence were received from Councillors D J Cox, J H Glanvill, S Hughes, H J Jeffery, A W J Reed and Mrs L A Roden

***57 Robert Cross – resignation as Councillor**

The resignation on 6 January 2006 of Robert Cross as a District Councillor was formally reported. Mr Cross and his family had now emigrated to New Zealand. A by-election for the vacancy in Honiton St Paul's Ward resulting from the resignation would be held on 2 March 2006.

***58 Honorary Alderman Alford**

The Chairman reported that he had the pleasure and privilege of visiting Alderman Alford on his 100th birthday before Christmas and extending wishes to him on behalf of the Council.

***59 Presentation to John Dalton, East Devon Arts Association**

The Chairman welcomed and introduced John Dalton. Councillor Moulding, Portfolio Holder – Culture had been invited to speak. He advised that Mr Dalton had served as Chairman of the East Devon Arts Association for many years. (The Association had now ceased due to budget cuts). Councillor Moulding said that Mr Dalton had a clear understanding of the arts scene in East Devon including the voluntary sector. He was a keen supporter of societies, festivals and arts events and had pioneered and overseen the Chairman's receptions for young people. Mr Dalton had always had a good working relationship with the East Devon Arts Development Officers. He was active in promoting high quality art and craft across the district.

The Chairman thanked Mr Dalton for his valued contribution to the Association and presented him with a framed certificate and voucher in acknowledgement.

In reply Mr Dalton thanked the Chairman and Councillors for the recognition which he said was a surprise and an honour. He had been only too pleased to do all he could to support the vibrant arts scene across East Devon and was sorry that the Association had ceased to exist. He hoped that the Council would continue to support arts in East Devon.

***60 Presentation to the Atlantic Rowing Team 'All Relative'**

The Chairman welcomed and introduced the four men from Beer who had won the 2005 Atlantic Rowing Race in their boat 'All Relative'.

Councillor Green, Ward Member for Beer had been invited to speak. He spoke of the impact the coastline had on the lives of people living close to it, with its boat building and sea faring heritage. The rowers all hailed from Beer and had rowed 'one hour on, one hour off' for 39 days bar 2 tropical storms, a hurricane and 2 hours off to take Christmas lunch together. It had been a test of their seamanship in the tradition of East Devon and Beer. He said they would be an inspiration to others for generations to come.

The team received a standing ovation. The Chairman presented each member of the team with a framed certificate and an engraved glass tankard in recognition of this achievement, their bravery and for putting East Devon firmly 'on the map'.

On behalf of the team, Justin Adkin thanked the Council and Members. He described how they had been over-whelmed and honoured by the support they had received particularly from family and the local community.

***61 Revenue Estimates, Capital Programme and Council Tax**

The Leader of the Council presented the Revenue Estimates and Capital Programme together with proposals for the Council Tax for 2006/07.

The Leader stated that the budget reflected the valuable service prioritisation exercise carried out in 2004. She drew Members' attention to concessionary bus fares, pension liabilities and continual property maintenance which would impact on funding over the forthcoming year.

Effective negotiations in respect of the Leisure Trust and the Refuse and Recycling Contract had secured cost savings, flexibility and customer focused service provision. The Leisure Team was thanked for its effective contribution which had enabled the Trust to be operational from 1 January 2006 as planned. Particular thanks were also extended to Karime Hassan, Mark Reilly, Councillors Ron Mudge, Barry Nicholson, Tony Wilkinson and Mike Green for their valued contribution to the refuse and recycling contract process.

Councillor Wilkinson, Diccon Pearse and Simon Davey were thanked for leading the budget process. The involvement of Heads of Services in the service planning process was acknowledged and Officers thanked.

***61 Revenue Estimates, Capital Programme and Council Tax (cont/)..**

All Members of the Council had been involved in the budget process and had carefully analysed and discussed the budget to keep costs down for the benefit of the Council Tax payer. As a result a number of service enhancements put forward by Officers had not been included in the budget. These had been discussed at length by the Corporate Overview and Scrutiny Committees with their recommendations being taken into account by the Executive Board. Members expressed concern that more money had not been invested in tourist related facilities.

The Leader confirmed the Council's intention to borrow £1.582m as an alternative to drawing from reserves to finance the capital investment relating to the new refuse and recycling contract.

East Devon District Council proposed to increase the basic Council Tax to meet the Council's requirements and parish precepts by less than the rate of inflation. An increase of 2.2% was the lowest in Devon and represented good value for money. The precepts of Devon County Council, Devon and Cornwall Police Authority and Devon Fire and Rescue Authority were significantly above inflation.

Members spoke with concern about the Government's apparent failure to recognise the needs of rural communities and the plight of those on low and fixed incomes. Members also expressed concern about the Government's trend to set higher targets without providing additional and proportionate funding.

The report prepared by the Head of Finance was considered. A model layout followed in setting the Council Tax, using prescribed wording in referring to Sections of the Local Government Finance Act.

- RESOLVED**
- (1) that the recommendations in Executive Board Minute No.146 on 15 February 2006 (relating to the Revenue and Capital Estimates) be approved,
 - (2) that it be noted the Executive Board calculated the following amounts for the year 2006/2007 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-
 - (a) 55,930 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended by Local Government Act 2003 – Section 84), as its Council Tax Base for the year,
 - (b) the amounts stated in column 3 of Schedule 1 attached calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its Council Tax Base,
 - (c) for the year for dwellings in those parts of its area set out in column 1 of Schedule 1, to which one or more special items relate,

***61 Revenue Estimates, Capital Programme and Council Tax (cont/)..**

- (3) that the following amounts be now calculated by the Council for the year 2006/2007 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
- (a) £60,686,713 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act,
 - (b) £45,819,890 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) (a) to (c) of the Act,
 - © £14,866,823 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year,
 - (d) £7,495,130 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, Revenue Support Grant, increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988,
 - (e) £131.80 being the amount at 3© above less the amount at 3(d) above, all divided by the amount at 2(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year,
 - (f) £1,250,153 being the aggregate amount of all special items referred to in Section 34(1) of the Act,
 - (g) £109.45 being the amount at 3(e) above less the result given by dividing the amount at 3(f) above by the amount at 2(a) above calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council tax for the year for dwellings in those parts of its area to which no special item relates,

***61 Revenue Estimates, Capital Programme and Council Tax (cont/)..**

- (h) the amounts stated in column 5 of the Schedule 1 attached given by adding to the amount at 3(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area specified in column 1 of Schedule 1 divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area set out in column 1 of Schedule 1 to which one or more special items relate,
- (i) the amounts set out in Schedule 2 attached given by multiplying the amounts at 3(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands,
4. that it be noted that for the year 2006/2007 the Devon County Council, Devon and Cornwall Police Authority and Fire and Rescue Authority have stated the following amounts in precepts issued to the District Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Valuation Bands	Devon County Council	Devon & Cornwall Police Authority	Devon Fire & Rescue Authority
A	£ 651.66	£ 83.69	£ 40.84
B	£ 760.27	£ 97.63	£ 47.65
C	£ 868.88	£111.58	£ 54.45
<u>D</u>	<u>£ 977.49</u>	<u>£125.53</u>	<u>£ 61.26</u>
E	£1,194.71	£153.43	£ 74.87
F	£1,411.93	£181.32	£ 88.49
G	£1,629.15	£209.22	£102.10
H	£1,954.98	£251.06	£122.52

5. that, having calculated the aggregate in each case of the amounts at 3 (i) and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts set out in Schedule 3 attached as the amounts of Council Tax for the year 2006/2007 for each of the categories of dwellings shown in Schedule 3.

***62 Questions**

The Leader, pursuant to Procedure Rule No. 8.2 and 8.5 answered questions relating to the East Devon Concessionary Bus Fares Scheme to be introduced with effect from 1 April 2006. She outlined the negotiations undertaken with the Devonwide Partners and the budget implications. The East Devon scheme had been set up in accordance with the district boundaries. The scheme allowed East Devon residents free bus travel within the district and to Exeter and Lyme Regis. East Devon District Council had withdrawn from the Devonwide Partnership scheme for sound financial management reasons. It was unlikely that East Devon would receive any refund for possible past overpayment.

The Portfolio Holder – Environment, pursuant to Procedure Rule No 8.2 and 8.5 stated, in response to a supplementary question, that affordable housing was a national problem but that it was EDDC's number one priority and as such the Council would do all it could to address the problem locally.

63 Minutes of Executive Board and Committees*RESOLVED**

1. that the under-mentioned minutes be received and the recommendations approved

Executive Board	Minutes	102-161
Development Control	Minutes	35-46
Planning Inspections	Minutes	17-24
Licensing & Enforcement	Minutes	7-13
General Licensing Sub	Minutes	34-37
Licensing and Enforcement Subs A-E	Minutes	A-E

2. that the under-mentioned minutes be received, the Executive Board (minutes 109 and 145) having noted or accepted the Scrutiny and Corporate Overview Committees recommendations with or without amendment.

Corporate Overview	Minutes	21-28
Scrutiny	Minutes	11-17

Arising from consideration of the above minutes:-

- (a) Draft Revenue and Capital Estimates 2006/07 (Corporate Overview minute 26)

In presenting the minutes of the Corporate Overview Committee, Councillor G Liverton in reply to a previous comment, stated that there had been nothing contrived, fixed or whipped at the Overview Committee meetings.

- (b) Licensing and Enforcement Sub-Committee E – 2 December 2005 (minute 15)

The final part of the resolution to be amended to read 'live music will cease at 1.00 am each day'.

***64 Revised Committee, Forum, etc., appointments requested**

Members considered the following requests for appointments:

- RESOLVED**
1. that Councillor Mrs C Drew be elected Chairman of the Licensing and Enforcement Committee, with Councillor Mrs F I Newth being appointed Vice Chairman and Councillor Mrs P A Stott being appointed onto the Committee to fill the current vacancy,
 2. that Councillor C H Wale be appointed to replace Councillor N Spence as a substitute member for A W J Reed and D R A Key on the Planning Inspections Committee,
 3. that Councillor R G Franklin be appointed to represent East Devon District Council on the newly constituted Budleigh Salterton Traffic Forum,
 4. that Councillor C F A Gibbings be appointed as substitute EDDC representative on the Sidmouth Manor Pavilion and Arts Centre Steering Committee in the event of Councillor G K Liverton's absence,

***65 Local Plan Panel - renaming**

- RESOLVED** that the Local Plan Panel be renamed 'Local Development Framework Panel' to more accurately reflect the remit of the Panel and to be in step with the Council document 'The Local Development Scheme; - the membership of the Panel to remain unaltered.

Chairman Date.....