

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of the Meeting of the Council held at**  
**Knowle, Sidmouth, on Wednesday, 24 February 2010**

**Present:**

**Councillors:**

Graham Liverton (Chairman)  
Tony Reed (Vice Chairman)

Vivienne Ash	Douglas Hull
David Atkins	John Humphreys
Ray Bloxham	John Jeffery
Roger Boote	Stephanie Jones
Peter Bowden	David Key
Graham Brown	Jim Knight
Derek Button	Ann Liverton
Bob Buxton	Stuart Luxton
Geoff Chamberlain	Andrew Moulding
David Chapman	Frances Newth
Iain Chubb	Darryl Nicholas
Trevor Cope	Barry Nicholson
David Cox	Marion Olive
Andrew Dinnis	Helen Parr
Paul Diviani	Bob Peachey
Christine Drew	Ken Potter
Vivien Duval-Steer	Sara Randall Johnson
Jill Elson	Margaret Rogers
Malcolm Florey	Philip Skinner
Ray Franklin	Brenda Taylor
Chris Gibbings	Ian Thomas
Roger Giles	Graham Troman
Graham Godbeer	Mark Williamson
Steve Hall	Tim Wood
Peter Halse	Eileen Wragg
Stuart Hughes	Steve Wragg

**Also Present**

**Officers:**

Mark Williams, Chief Executive  
Denise Lyon, Deputy Chief Executive  
Peter Jeffs, Corporate Director  
Karime Hassan, Corporate Director  
Diccon Pearse, Corporate Director  
Rachel Pocock, Head of Legal, Licensing and Democratic Services  
Diana Vernon, Democratic Services Manager

**Apologies**

**Councillors:**

Pat Graham  
Mike Green  
May Hardy  
Ben Ingham  
Pauline Stott

The meeting started at 6.30 pm and finished at 8.35 pm.

**\*54 Public question time**

The Chairman welcomed members of the public to the meeting.

Adrian Forster, resident of Oak Close, Ottery St Mary took the opportunity to speak again about the proposed Dog Control Order for Winters Lane Playing Field, Ottery St Mary. He advised that many people were disappointed that an Order was being made at all. However he thanked Councillors Graham Brown and Ray Bloxham for calling a local meeting to help broker a compromise situation. The compromise meant that disabled and vulnerable groups could continue to exercise their dogs on part of the Playing Field. He advised that feedback from the public consultation indicated that this proposed arrangement was largely acceptable.

Jeff Morris of Exmouth spoke with concern about the possible closure of the public toilets at Littleham. He said that over the years the strategic network of public toilets was being affected by closures that did not match public demand. He advised that the Littleham toilets were located close to the largest holiday camp in the area and near popular footpaths and cycle-ways and were used by a wide variety of people. He said that the district needed an adequate provision of strategically located public toilets.

In response the Portfolio Holder – Streetscene advised that evidence showed that the Littleham toilets were not well used and that toilet facilities in a local pub could be used as an alternative. He explained that the Council's strategy was to close toilets that were not well used and where there was an alternative provision. Any closures were in consultation with local councils. The Asset Management Champion advised that, in respect of the Littleham public toilets, negotiations with Exmouth Town Council were continuing.

David Foster of Honiton Town Council said that there needed to be a safe crossing on Battishorne Way. The Leader responded by saying that this Council would do all it could to help address this problem but that it was a matter to be dealt with by the County Council.

Councillor Steve Wragg asked Councillor Halse, Portfolio Holder – Economy, why the meetings of the Exmouth Regeneration Programme Board were not open to all Councillors but that specific developers had been invited to various meetings.

Councillor Halse advised that the Board was not a meeting of the Council. The regeneration of Exmouth was reliant on partnership working and input from the private sector. The reports of the meetings were fed back to the partnership authorities and in EDDC's case were included on the Executive Board agendas. Councillor Halse advised that the Programme Board was successfully developing partnerships to achieve a way forward. He said that it was working for the good of Exmouth and should be given Councillors' support.

**\*55 Minutes**

The minutes of the meeting of the Council held on 9 December 2009 were confirmed and signed as a true record subject to Minute 46 being amended to show Colyford (and not Colyton) as the runner up within East Devon in the Large Village category of the Best Kept Village Competition.

**\*56 Obituary – Former Councillor John Dunkley**

The Chairman announced the death of former district councillor John Dunkley in December 2009. He had been a member of EDDC from 1984, representing Sidmouth Rural Ward and had retired in 1991.

During his time on the Council, former Councillor Dunkley had served on most of the Council's Committees, including Amenities, Environment Protection, Tourism and Transportation, Environment and Planning, Industry, Western Area Planning, Planning Inspection and Policy. He had been Chairman of Finance and Resources from 1987 until 1991 and Vice Chairman of Policy from 1990 until 1991. In addition he had served on a number of Sub-Committees and Outside Bodies, most significantly those linked to local sports and arts facilities, youth and education. He was a well respected Member of the Council.

Members were invited to stand as a mark of respect.

**\*57 Honorary Alderman**

The Leader advised that Honorary Alderman Dr Waterworth was unwell and invited Members to sign the 'Get Well' card before they left the meeting.

**\*58 Service Plans, Revenue Estimates, Capital Programme and Council Tax**

Members were asked to consider the report of the Head of Finance, and the recommendations of the Executive Board from its meeting of 10 February 2010 relating to the Revenue and Capital Estimates. Members noted the calculations for setting the Council Tax (in accordance with regulations made under Section 33(5) of the Local Government Finance Act) which formed the basis of the formal setting of the Council Tax for the District.

The Chairman invited the Leader of the Council to present the Revenue Estimates and Capital Programme together with proposals for the Council Tax for 2010/11. The Leader spoke of the reduction in income streams (particularly planning, land charges, building control, car parks and interest from investments) during the recession. The Council had identified a budget shortfall during the year and had taken steps to address this. The outcome of the Local Government Review, announced on 10 February 2010, meant that this Council was 'still in business' and would not be absorbed into a unitary Devon. The Council now needed to act with confidence to reshape its service delivery, increase efficiency and reduce outgoings. The Council continued to explore ways to cut costs whilst maintaining the delivery of services in a time of rising costs.

The budget before the Council had been achieved through rigorous review by Councillors. The Leader thanked Councillor Ray Bloxham, his Overview and Scrutiny Overview Co-ordinating Committee and all Councillors who had taken part in the process. Officers had helped with this work by identifying potential savings. She added that working with partners would help the Council to continue to provide services of a high quality that people wanted and not just those services that the Council was legally obliged to provide.

The Leader reminded Councillors of the excellent service provided by the Council. The Licensing Team had recently achieved a Customer Service Excellence standard, sponsored by the Cabinet Office. The service had achieved compliance plus in respect of 'Putting the customer at the heart of service delivery' and prioritising customer focus.

The Leader thanked the Chief Executive, Corporate Directors, Heads of Service and Officers who had handled the budget with care and had provided the Council with the ability to spend to save. She thanked the Head of Finance and his team for preparing the papers and Councillor Andrew Moulding for keeping the budget under continual review.

EDDC's Council Tax would remain the lowest in Devon and at £121.78 represented good value for money.

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## **Service Plans, Revenue Estimates, Capital Programme and Council Tax cont/..**

The Leader of the Liberal Democrats Group appreciated that input from his Members had been taken into account during the budget setting process. He particularly referred to the on-going inclusion of the Citizens' Advice Bureau grant and limited cuts to street cleansing. He then went on to comment on the proposal to share services with South Somerset and the initial costs involved.

At this point the Chief Executive declared a personal and prejudicial interest as the shared service proposal would directly affect his working arrangements. He left the Chamber and did not return to the meeting.

The Leader of the Liberal Democrats Group went on to question whether the shared service proposal was worthwhile and whether savings would compensate for the initial costs identified.

The Portfolio Holder – Resources acknowledged the Council's contribution to potential redundancy costs at South Somerset District Council but explained that in sharing services with another Council there would always be potential for redundancies. He advised that, nationally, certain identified services would be protected – such as education – and that the burden of national cuts would fall on the 'unprotected' services such as housing, culture, leisure, the environment and central administration.

Councillor Vivienne Ash asked for assurance that Honiton street cleansing would continue at the existing high standard. The Leader acknowledged the importance of street cleansing to the well being of the district and would arrange for the proposed details of street cleansing, specific to Honiton, to be forwarded to Councillor Ash.

Councillor Roger Giles proposed an amendment to the recommendations in respect of charging for staff and councillor parking at the Knowle offices. He said that the Council needed to look at every avenue to make savings and generate additional income. The Leader responded by saying that the parking at Knowle was part of the staff remuneration package and charging would cause problems in the neighbouring streets. She said that the public transport network was an inadequate alternative to private cars for staff travelling from outlying rural areas. She added that service delivery was reliant on staff being able to work flexibly. The amendment was put to the vote and was lost.

Councillor Eileen Wragg proposed an amendment to the recommendations in respect of ending the issue of parking permits to Councillors for use in Council owned car parks when undertaking Council business. The amendment was put to the vote and was lost.

In summing up, the Leader said that there had been interesting debate throughout the budget process.

- RESOLVED:**
- (1) that the recommendations of the Executive Board (Minute 149 10.02.10) relating to the Revenue and Capital Estimates be approved,
  - (2) that it be noted that the Executive Board calculated the following amounts for the year 2010/2011 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-
    - (a) 56,869 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,

\*58 **Service Plans, Revenue Estimates, Capital Programme and Council Tax cont/..**

- (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.
- (3) that the following amounts be now calculated by the Council for the year 2010/2011 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
- (a) £78,773,156 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) £61,842,950 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.
- (c) £16,930,206 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) £8,178,920 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) £153.88 being the amount at 3(c) 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) £1,825,776 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- (g) £121.78 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.

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## Service Plans, Revenue Estimates, Capital Programme and Council Tax cont/..

- (h) The amounts stated in column 5 of the Schedule 1 (attached to these minutes) 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 to these minutes) 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 2010/2011 the Devon County Council, Devon and Cornwall Police Authority and Devon and Somerset 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 & Somerset Fire & Rescue Authority
A	£ 744.24	£104.40	£47.85
B	£ 868.28	£121.80	£55.82
C	£ 992.32	£139.20	£63.80
<u>D</u>	<u>£1,116.36</u>	<u>£156.60</u>	<u>£71.77</u>
E	£1,364.44	£191.40	£87.72
F	£1,612.52	£226.20	£103.67
G	£1,860.60	£261.00	£119.62
H	£2,232.72	£313.20	£143.54

- (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 to these minutes) as the amounts of Council tax for the year 2010/2011 for each of the categories of dwellings shown in Schedule 3.

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### Questions

No questions had been submitted by Members of the Council pursuant to Procedure Rules No. 9.2 and 9.5.

**\*60 Minutes of Executive Board and Committees**

**RESOLVED** (1) that the under-mentioned minutes be received and the recommendations approved

Executive Board	Minutes	125-158
Development Management	Minutes	53-65
Planning Inspections	Minutes	9-12
Licensing and Enforcement Sub	Minutes	15-23

(2) that the under-mentioned minutes be received.

The Executive Board (minutes 130 and 147) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

O/S Co-ordinating Committee	Minutes	29-39
O/S Economy Committee	Minutes	14-17
O/S Service Delivery/ Performance	Minutes	26-34
O/S Communities	Minutes	21-28

(3) that the under-mentioned minutes be received.

Due to timetabling, the minutes of the Special Overview and Scrutiny Co-ordinating Committee, relating to Local Development Framework issues held on 2 February 2010 had been referred direct to the Council for consideration.

O/S Co-ordinating Committee	Minutes	40-42
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**Arising from consideration of the above minutes:-**

a) South Somerset Partnership Working (Executive Board Minute 150 refers)

The Leader advised that she recognised the Leader of the Liberal Democrats Group's concerns, raised at Minute 58. However she re-iterated the advantages of working in partnership with another authority which was similar in so many ways to this Council. She said it was important to choose an appropriate partner and to enter into a situation whereby EDDC retained its sovereignty. This Council had been very involved with the Local Government Review and so had not been able to carry out an internal structural review. South Somerset District Council (SSDC) had already carried out such a review.

She supported the proposed partnership working with SSDC. The actual amount of this Council's contribution to the SSDC Chief Executive's redundancy/retirement costs had only recently been confirmed and was included in the papers of the next meeting of the Executive Board. The Leader had not provided Councillors with a 'guesstimate' at an earlier stage as she believed that this would have been very misleading. The proposed partnership working would enable future savings to be unlocked.

**Arising from consideration of the above minutes cont/:-**

a) South Somerset Partnership Working (Executive Board Minute 150 refers) cont/.

The Executive Board had added two recommendations to those included in the report to the Board, namely external assurance/validation being included in the process and for a politically balanced panel to be set up (to run in parallel with the Joint Integration Committee) to look in detail at ways of rationalising service delivery and all other expenditure.

The Leader reminded Members of the valued work of the Leader's Transformation Group. This work had not been taken forward due to the prolonged Local Government Review process. However, it would be used by the 'rationalisation panel' when undertaking the review. All Councillors would be invited to attend the meetings of this Panel and would be given the opportunity to contribute.

The Leader reiterated the need to achieve savings.

Councillor Tim Wood, Vice-Chairman of the Audit and Governance Committee, congratulated the Leader on how well she had presented the case. He believed that the internal review/rationalisation process would identify savings. He said that Council priorities should also be reviewed and how the Council was structured and staffed to achieve them. He had checked EDDC proposed contribution towards the SSDC Chief Executive's redundancy/retirement payment with external auditors who confirmed that the arrangement was in order as they recognised the potential for future savings.

Members discussed possible future sharing of officers with South Somerset and likely subsequent staff redundancies and associated payments, other opportunities for partnership working with Devon partners, Council priorities and processes, the need to achieve efficiencies, the importance of appointing the right person for the job, and the internal review of structures and service delivery.

In summing up the debate, the Leader said the Council needed to be positive and forward looking to stay in business. She said that South Somerset was a willing partner but that additional partnerships with other authorities would continue to be developed. She believed that the internal review would be helpful but that it was necessary to work with SSDC to achieve the savings necessary to bring in a balanced budget in 2011/12 without adversely impacting on service delivery.

- RESOLVED**
- (1) that the Executive Board recommendations in respect of partnership working with South Somerset District Council be approved,
  - (2) that the Joint Integration Committee comprise 5 EDDC Councillors (The Leader of the Council, Portfolio Holder – Resources, Portfolio Holder – Streetscene and the Leaders of the Liberal Democrats and Independents Groups) and 5 SSDC Councillors,
  - (3) that the Internal Review Panel be Chaired by the Deputy Leader of the Council and include a further 4 Conservative Members and one representative from each of the other 2 political groups.

**Arising from consideration of the above minutes cont/:-**

- b) Local Development Framework: Progress and key questions (Special Overview and Scrutiny Co-ordinating Committee Minute 42 refers)

The Special Committee had recommended that the spatial vision and emerging vision for the towns and rural communities be presented to Council for all Members to consider. Members noted the report of the Planning Policy Manager and Principal Planning Officer which had been included with the agenda which advised Members of the emerging Spatial Vision for the District. Members noted that this vision would be refined as a consequence of on-going consultation.

The Portfolio Holder Communities advised that Exeter College would not be merging with Bicton College which put the future of Bicton and East Devon’s skills agenda in jeopardy. She added that the Local Development Framework was about planning for the next 20 years and that it was vital for Councillors to be engaged in the process now.

In response to an Axminster Ward Member, the Chairman of the Co-ordinating Committee confirmed that feedback from local communities was taken into account during the process. He encouraged all Members to attend the Panel meetings. The Co-ordinating Committee had focussed on the Panel’s work to date and its planned work. They had discussed the importance of identifying the Council’s vision for the district as this would help simplify the public consultation process.

**RESOLVED** that the emerging Spatial Vision for the District, as illustrated in the report to Council, be endorsed by Council as a basis to inform on-going consultation and the Core Strategy Preferred Options report.

- c) Licensing Service

In presenting the minutes of the Licensing and Enforcement Sub Committee meetings, the Chairman, Councillor Graham Godbeer, took the opportunity to read out a letter from Prime Minister, Gordon Brown, to John Tippin, Licensing Manger, which congratulated the Licensing Team on achieving the Customer Service Excellence standard. The Prime Minister said that this achievement was a tribute to the organisation’s customer service culture and demonstrated recognition of customer needs.

\*61 **Housing Review Board**

**RESOLVED** that Julie Adkin be co-opted as a new Independent representative on the Housing Review Board.

Chairman .....

Date .....