

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Council held at Knowle, Sidmouth on Wednesday, 21 February 2007

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

Apologies:	Councillors:	
	D J Cox	P C Townsend
	Mrs F I Newth	C H Wale

The meeting started at 6.30 pm and ended at 7.45 pm

*48 Minutes

The minutes of the meeting of the Council held on 6 December 2006 were confirmed and signed as a true record.

*49 Obituary – Fredrick Elam Newport

The Chairman reported the death in January 2007 of former Councillor Fredrick (Fred) Newport and detailed the range of Committees and Sub-Committees on which he had served. Members stood as a mark of respect.

*50 MSC Napoli

The Chairman thanked Members of EDDC staff who had been involved in coping with problems associated with the beached cargo ship MSC Napoli. He said that they had acted in a professional way which had been appreciated by the public. He was aware that much of the work carried out had been out of hours and he extended thanks on behalf of the Council to the staff involved and particularly to Mark Reilly and the Street Scene teams.

*51 EDDC website

The Leader announced that the Council's web site had been named the most accessible website in the country. She said that this reflected well on the Council and thanked the Council's web design team for their valued efforts.

*52 Long Service awards

The Chairman presented long service awards to East Devon District Council staff with 10, 20, 30 and 40 years service to the Council and one member of staff who had 25 years service to Local Government. He said that the Council wanted to show its appreciation of long and dedicated service.

*53 Question

Councillor R Franklin, Portfolio Holder – Environment pursuant to Procedure Rules No. 8.2 and 8.5, stated that if resources permitted, the Council would review the litter zones in the future. Council land was zoned according to how intensively it was used by the public with each zone having a response time within which the Council should return the land or highways to an acceptable standard. The zones had not been reviewed since their initiation.

*54 Council Tax 2007/08

The Leader of the Council presented the Revenue Estimates and Capital Programme together with proposals for the Council Tax for 2007/08.

She said that this was now the second year that the Council had been able to present a balanced budget which included positive improvements to services at below the rate of inflation. The Council had devised a programme of careful spending for the benefit of the local community and had responded to local needs and concerns.

The low level crime concerns had been acknowledged and to address this, the Council had increased its contribution to the Community Safety Partnership to retain the Safety Officer for the next 3 years.

The new Housing Review Board was proving very effective and the Leader extended congratulations to Councillor Cox, for his effective chairing of the Board. The Board, comprising Councillors, tenants and independents would make sure that stock achieved and maintained the Decent Housing Standards.

One of the Council's priorities was to increase affordable housing available within the District. Development now had to include 40% affordable housing in developments of 15 units or more in towns and 5 units or more in rural areas. Funding had been made available for an Enforcement Officer and a Section 106 Officer to support the Development Control service.

The Council continued to take positive action to improve transport links to East Devon. Councillor Falby had been actively involved, on behalf of the Council, in campaigning for rail improvements and his efforts were acknowledged.

The Council was progressing the development of the Heritage Coast Visitor Centres at Exmouth and Seaton. An increase in funding to Exmouth would support a full time Town Centre Manager. At Seaton, the Council had allocated £10,000 towards a wetland area to enhance the environment and create improved wildlife habitat.

The Leader thanked the Street Scene team for the work they had carried out to address problems caused by the MSC Napoli. It was rare for contingency planning to be put to such a test. Officers led by Mark Williams and Karime Hassan had stepped up to the challenge to make sure that the public sector requirements of the operation had been met. The Leader referred Members to the information board in the Members' Area which had up-to-date information and photographs.

*54 Council Tax 2007/08 (cont)..

Increased investment in the Street Scene service would mean that the cleanliness of the district was further improved.

The Council had responded to the challenge of Concessionary Fares. As a result of the decision not to be part of the Devonwide Scheme, the Council had been able to plan its budget and was now in a position to extend the service provided.

The proposed increase in the basic Council Tax would meet the Council's requirements but was less than the rate of inflation and would be achieved without making any cuts to services. EDDC's Council Tax levy of £113.16 represented good value for money and was the second lowest within Devon.

The Leader thanked all Members for their involvement in the budget process.

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

The Leader of the Liberal Democrats questioned the value of trying to have one of the lowest Council Tax increases in the Country. He suggested that this would ultimately result in cuts to services and used the toilet closures in previous years as an example. He supported the town and parish councils being given the opportunity to take over services and felt that much would be achieved through partnership working. He proposed that Members did not take the inflation increase on their allowances this year. This would realise nearly £10,000 which could be used to support youth activity in the district.

In seconding this amendment, Councillor Mrs Rogers supported the Leader's positive comments about the Napoli 'clean-up' work and acknowledged the effective co-operation between the authorities involved.

It was noted that the minutes of the Executive Board of 7 February 2007, included reference to the recommendation of the Scrutiny Committee to increase the Community Fund by £2,000. This addition had not been formally added into the budgets but it was hoped that it could be achieved through savings. It was proposed that this budget item be added to Executive Board recommendation (2) in respect of use of anticipated savings on the 2006/07 General Fund which would be identified at year end.

The Chairman of the Corporate Overview Committee thanked the Corporate Director – Economy and the officers involved in producing the budget. The Portfolio Holder – Resources added that the budget and service planning process had been transparent and effective. Members and Officers had looked in detail at service provision, budgets, performance and efficiency. Councillors Miss Elson and G Liverton were thanked particularly for their valued efforts.

- RESOLVED**
- (1) that the recommendations in Executive Board Minute No.146 on 7 February 2007 (relating to the Revenue and Capital Estimates) be approved subject to the inclusion under recommendation (2) of an increase of £2,000 to the Community Fund if any further savings were made on the 2006/07 General Fund budget (under the condition that the Council maintained its adopted General Fund balance),

*54 Council Tax 2007/08 (cont)..

- (2) that it be noted the Executive Board calculated the following amounts for the year 2007/2008 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-
- (a) 56,085 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,
- (3) that the following amounts be now calculated by the Council for the year 2007/2008 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
- (a) £64,545,005 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) £49,157,190 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) £15,387,815 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) £7,659,000 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) £137.81 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,

*54 Council Tax 2007/08 (cont)..

- (f) £1,382,235 being the aggregate amount of all special items referred to in Section 34(1) of the Act,
- (g) £113.16 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,
- (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 2007/2008 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	£ 682.62	£ 87.82	£ 42.30
B	£ 796.39	£102.46	£ 49.35
C	£ 910.16	£117.09	£ 56.40
<u>D</u>	<u>£ 1,023.93</u>	<u>£131.73</u>	<u>£ 63.45</u>
E	£1,251.47	£161.00	£ 77.55
F	£1,479.01	£190.28	£ 91.65
G	£1,706.55	£219.55	£105.75
H	£2,047.86	£263.46	£126.90

*54 Council Tax 2007/08 (cont)..

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 2007/2008 for each of the categories of dwellings shown in Schedule 3.

(Councillor Mrs M A Rogers declared a personal interest in reference to the World Heritage Coast as a member of the Trust).

A request was made for a recorded vote in respect of the amendment put by the Leader of the Liberal Democrats. This request was put to the vote and lost but in voting on the amendment, the following Councillors asked for their vote in support of the amendment to be recorded:

Councillors Miss V Ash, P W Burrows, D G Button, G P Chamberlain, T A Cope, K W George, J H Glanvill, Mrs P A Graham, Mrs M L Hardy, D R H Hull, B O Ingham, R Mudge, T G Reeves, Mrs M A Rogers, Mrs B O Taylor, A J Toye, B J Toye, Mrs E E Wragg and S C Wragg.

*55 Minutes of Executive Board and Committees

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

Executive Board	Minutes	109-157
Development Control	Minutes	35-45
Planning Inspections	Minutes	17-25
Licensing and Enforcement Sub A & B	Minutes	12-17, 21-30
Audit and Corporate Governance	Minutes	6-14
Standards Committee	Minutes	8-13

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

The Executive Board (minutes 114, 128 and 144) had noted or accepted the Scrutiny and Corporate Overview Committees and the Housing Review Board recommendations with or without amendment.

Corporate Overview	Minutes	25-35
Scrutiny	Minutes	28-45
Housing Review Board	Minutes	42-60

Arising from consideration of the above minutes:-

a) Meetings – Housing Review Board (Executive Board Minute 128)

The Portfolio Holder – Communities drew Members' attention to the proposal for a short presentation to be made to a meeting of the Council on the importance of the Audit Commission's Housing Inspection. It was proposed that this should be included in the July meeting following the local elections and before the inspection in September.

b) Local Government Pension Scheme (Executive Board Minute 134)

The Scheme would take effect from the start of the 2007/08 financial year.

c) Primary Care Trust (PCT) – change in arrangements (Executive Board Minute 141)

The Portfolio Holder – Communities had raised concerns in respect of the provision of overnight contraception now that the Minor Injury Units at Honiton and Exmouth were closed overnight. She had raised this issue at the Executive Board and was not satisfied with the answer given by the PCT Chief Executive. She said that it was important for young people to have a local health service and the new arrangements could result in unwanted pregnancies.

d) Sustainable construction and alternative energy issues

Members acknowledged the importance of having a draft climate change policy. It was suggested that the Sustainability Officer from Devon County Council should be invited to speak to the Council on key issues.

e) MSC Napoli

Councillor Green extended his thanks to the EDDC staff involved in the clean-up operation and said that the local residents had been a pleasure to represent as despite hardship and inconvenience, they had remained positive and helpful.

*56 Boundary changes

RESOLVED

that the Council issues an Order under the Local Government and Rating Act 1997 – Parish Reviews to the effect that the parish ward boundary between the Ottery St Mary wards of Tipton St John and Metcombe be amended as set out in the report to the Council and come into effect prior to the local elections on 3 May 2007.

(Councillor A R Giles declared a personal interest in this item as a Member of the Ottery St Mary Town Council.)

*57 Increase in number of Monkton Parish Councillors

RESOLVED

that the Council issues an Order under the Local Government and Rating act 1997 – Parish Reviews to the effect that the number of seats for Councillors on Monkton Parish Council be increased from 5 to 7, in time for the local elections on 3 May 2007.

(Councillors Mrs M J Boote and R W Boote declared a personal interest in this item as members of the Monkton Parish Council).

*58 Appointment

Housing Review Board

RESOLVED

that the appointment Independent Community Representatives on the Housing Review Board, as agreed by the Housing Review Board, be confirmed.

Chairman

Date