

EAST DEVON DISTRICT COUNCIL

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

Present: Councillors:
Miss S M Randall Johnson (Chairman)
R G Franklin (Vice-Chairman)

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
P W Burrows
G P Chamberlain
T A Cope
Mrs C E Drew
C F A Gibbings
A R Giles
Mrs P A Graham
M J L Green

J A Knight
Ms S M Merritt
R Mudge
Mrs F I Newth
T G Reeves
C H Wale
Mrs E E Wragg
S C Wragg

**Apologies from
non-Executive
Board Members**

Councillors

J E D Falby
Mrs L A Roden

The meeting started at 5.30 pm and ended at 7.28 pm

***162 Minutes**

The minutes of the meeting of the Executive Board held on 15 February 2006, were confirmed and signed as a true record.

***163 Exclusion of the Public**

RESOLVED

that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out in the agenda, is likely to be disclosed.

***164 Forward Plan**

The contents of the Forward Plan for the period 1 March 2006 to 30 June 2006 were noted. The Chief Executive advised that the Corporate Business Plan and the Terms of Leisure Centre Property Transfer would be referred to a future meeting. Free Bus Travel had been considered at the last meeting of the Board but an up-dated report would be referred to a future meeting to include the budget issues.

***165 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.

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

The minutes of the meetings of the Scrutiny and Corporate Overview Committees, held on 21 February and 2 March 2006 respectively, were noted.

In reply to a Member's concern that the Exeter Park and Ride had not been included in the Concessionary Scheme, the Leader advised that the Council supported sustainable travel and hoped to encourage the public to travel entirely on public transport and leave their cars at home. She did not feel that it was appropriate for East Devon ratepayers to subsidise the Exeter Park and Ride Scheme when there were more sustainable ways of traveling into Exeter.

RESOLVED (1) that the following decisions be noted:

Scrutiny Committee Minute 21 Task and Finish Forum to be set up to make recommendations regarding the new powers of the Clean Neighbourhoods and Environment Act.

Scrutiny Committee Minute 22 Service Plans to be considered at the next meeting of Scrutiny.

Corporate O/view Minute 32 Items for future consideration.

(2) that the following recommendations be approved:

Corporate O/view Minute 30 East Devon Local Development Framework – re: draft work programme and review of employment land.

(3) that the following recommendations be taken into account during consideration of the relevant agenda item later in the meeting:

Corporate O/view Minute 31 Unlocking Exmouth results

167 Housing Stock Options Appraisal – final report (key decision)

Members considered the report of the Head of Housing and Social Inclusion setting out the Project Team's final report on the housing stock options appraisal. The work had been carried out to identify options available to meet the Decent Homes Standard, to identify tenant aspirations and ways of improving homes and housing services. A copy of the full report with annexes covering the work carried out by the Team over the last 18 months had been made available on the Council's web site and in the Members' Area.

The Project Team supported the view that the Council retained its housing stock for the time being due to the majority of tenants and leaseholders preferring retention based on the information put to them through the consultation process. The Project Team had felt that the advantages of stock transfer out-weighed the retention option. However a decision-making matrix had been used with weightings against relevant factors. The results showed that the overall score was weighted in favour of retention. This was due largely to the majority of tenants consulted wishing to have the housing stock retained by the Council.

The Board's final recommendation was not for 'no change' but included a series of suggestions to make sure that the housing stock management arrangements were kept under review through the genuine involvement of tenants.

167 **Housing Stock Options Appraisal – final report (key decision) (cont)..**

It was suggested that a Housing Project Board be set up comprising five tenants, five Councillors (to be appointed at the annual meeting of the Council) and two independent members. Facilitating genuine tenant involvement in the process was seen as key. When set up, the Project Board would be the first of its kind in England. It was felt that this step would send out a very positive message to our tenants, clearly showing that their input and involvement was essential and meaningful.

As part of the process a detailed analysis of housing stock had been undertaken. The stock investment proposals within the recommendations would require significant investment. The analysis had been a useful exercise and the Council now had a record of housing stock and its condition. This would be helpful in planning future maintenance and improvement programmes.

The Project Team had produced a Housing Revenue Account Business Plan to be signed off by Government Office to clarify the borrowings and costs of the retention option. The Plan had to show that the Council could afford to retain the stock and maintain it to an acceptable standard. The Plan would need to be carefully monitored over the next 30 years and particularly over the first five years when expenditure was predicted to be relatively high.

Councillor Mrs A Stott, deputy Portfolio Holder Communities and Chair of the Housing Stock Options Task and Finish Forum, who had been particularly involved throughout the Stock Option Appraisal process thanked John Golding and his team for the hours of work that had been undertaken under difficult circumstances.

Councillor Miss J M Elson, Portfolio Holder Communities, extended thanks to the Task and Finish Forum and Councillors for their involvement and feedback.

The Leader thanked the Project Team and particularly the officers who had retained professionalism and a positive attitude throughout the process. The Council had a duty to be a good and sympathetic landlord. Tenant involvement in future decision making would give a clear message that the Council was doing its best to maintain its housing stock to the highest standard possible to meet local needs within the budget available.

- RECOMMENDED**
- (1) that the Project Team's final report and recommendations be agreed,
 - (2) that the Portfolio Holder – Communities, Head of Housing and Social Inclusion, and the Chair of the Project Team be given delegated authority to agree any final amendments to the final report,
 - (3) that, subject to the recommendation being approved by Council, the final report be submitted to Government Office South West for 'sign off',
 - (4) that nominations for Council Members on the Project Board be considered at the annual meeting of the Council,
 - (5) that any changes needed to the Council's constitution to clarify tenant participation in the consultation process be referred to the annual meeting of the Council.

168 **Unlocking Exmouth: results of the public consultation exercise**

Consideration was given to the report of the Corporate Director – Environment detailing the results of the consultation exercise on Unlocking Exmouth – the Way Forward. The results had been considered by the Corporate Overview Committee at its meeting on 2 March 2006 and Members took into account the recommendations made by that Committee.

In confirming Exmouth Town Council's support for the recommendations of the Overview Committee, Councillor R Mudge who was at the Executive Board meeting as an observer thanked the Corporate Director – Environment and his team for their valued work. He particularly praised the Chairman of the Overview Committee whose chairing at the meeting on 2 March had facilitated a full, frank and comprehensive debate.

Members noted the strength of public opposition to the development of a supermarket on the Estuary Side site. The alternative site for a supermarket between the Strand and the swimming pool would involve use of highway authority land and would require negotiation between the County Council and key stakeholders. It was felt that the County Council should be encouraged to pursue negotiations to promote this option. It was reported that Devon County Council was already in discussion with stakeholders in relation to the regeneration proposals for Exmouth.

The public was also consulted on the development of the Exmouth Gateway Visitor Centre on the Imperial Recreation Ground. Members noted the strength of public opposition to the development of the Centre on the proposed site and were asked if it was appropriate to continue to safeguard the site for this purpose. Exmouth Members were still strongly in favour of the Imperial Recreation Ground as the site for the Visitor Centre. They felt that a suitable building of sensitive design would only take up part of the site, leaving sufficient room for the activities presently enjoyed there. Exmouth Joint Forum had discussed the feedback at its meeting on 6 March 2006 when it was made clear that the project was supported by the town, district and county councils as well as the South West Regional Development Agency.

It was suggested that it would be useful to publicise the positive impact that the Visitor Centre would have on the town's economy. This information should be made available together with results of environmental, traffic and parking assessment to reassure the public. The Corporate Director – Environment confirmed that significant and detailed work would be carried out by the partnership as part of lottery application could be submitted.

The Portfolio Holder – Environment thanked the Corporate Director – Environment and his team for their continued professionalism despite the project receiving criticism from the public and press. He hoped that something positive would result from the process.

- RECOMMENDED** (1) that, East Devon District Council, as landowner, does not promote the provision of a major supermarket development on the Estuary side site identified by the East Devon Local Plan Policy LEX6,

168 **Unlocking Exmouth: results of the public consultation exercise (cont)..**

- (2) that the support from Exmouth Town Council and other stakeholders, such as Exmouth Residents Association and Exmouth Civic Society for a supermarket development between the Strand and the swimming pool on highway land at Marine Way, land not in the ownership of EDDC be noted; in view of Devon County Council's response that "no change" is not an option, Devon County Council, a land owner, be urged to engage directly with the key stakeholders to assess their proposals and pursue a strong partnership approach, with this Council requesting that Devon County Council investigates the feasibility of this option as soon as possible,
- (3) that, in light of the views expressed by the Exmouth Members, the Council continues to safeguard the Imperial Recreation Ground as the preferred site for the Exmouth Gateway Visitor Centre.

*169 **Local Government Review**

Members considered the report of the Chief Executive updating the Board on the possibility of a further local government review.

It was noted that the Communities and Local Government Minister had indicated that the existing three-tier structure of local government in Shire areas was not necessarily the best arrangement for delivering local services efficiently and effectively. Although unitary councils seemed to be favoured at this stage, it was understood that changes to current structures would not be forced on county and district councils. It was accepted that there would not be a 'one size fits all' approach. The review would be outlined in the White Paper scheduled for the summer. It was anticipated that the timetable for restructuring would be tight with new authorities to be in place by May 2009.

The ODPM had advised that the outcome of the re-organisation was to determine the best form of governance for the local area in the 21st Century.

Members were aware that Exeter City Council was pursuing the possibility of becoming a unitary authority based on existing boundaries, largely for historical reasons despite Exeter City being below the accepted minimum size for unitary status. However, this approach seemed to disregard the fact that much of Exeter's growth in the next 10-15 years would be outside Exeter's existing boundaries and within East Devon. Exeter City had invited East Devon to support its case and suggestions had been made that East Devon join with Mid Devon District Council to form a rural district based unitary government.

Devon County Council had indicated its willingness to take part in round table discussions with all district councils in Devon and would include discussions around enhanced two-tier working if interest was shown at district level. This could promote collaborative working and sustainable and tangible improvements for service delivery across Devon.

The Chief Executive was thanked for his informative and helpful report.

RESOLVED that no action be taken at the present time pending publication of the White Paper when there would be a clearer indication of Government intentions.

***170 Seagulls**

Members considered the report of the Chief Executive in response to concerns raised annually about seagull noise, mess and behaviour. A 712 name petition in respect of the seagull population in the town had been received by the Executive Board at its meeting in October 2005. The petition supported by Sidmouth Town Council had requested that a full survey of the seagull population be undertaken as a matter of urgency.

Members were reminded of the legal position in relation to seagulls. The Council did not have a statutory duty to control the seagull population. The gulls were protected by the Wildlife and Countryside Act 1981 and controlling their numbers could only be carried out under licence. There was no byelaw or other legislation prohibiting the feeding of birds but the Council had the power under the Environmental Protection Act 1990 to prescribe the manner in which household refuse was stored whilst awaiting collection.

The Council had discussed seagull population issues on previous occasions and had introduced measures including 'no feeding' signs and flapped seaside litter bins as part of a strategy to address the associated problems. Culls and other destructive measures had been discussed but not implemented as these were largely ineffectual. It was suggested that the most effective long term strategy was to target sources of available food and attractive nesting sites. It was suggested that the new refuse and recycling contract would go a long way in overcoming the problem of access of birds to discarded food.

RESOLVED that, pending the implementation of the new refuse and recycling contract, no action be taken but the situation be reviewed in 2 years time.

***171 Operation of World Heritage Coast Boat Trips (Stuart Line Cruises)**

Members considered the report of the Head of Economic Development and Property in respect of the need to clarify Stuart Line Cruises operating procedures so that boats could land at Budeigh Salterton, Sidmouth and Seaton as part of the World Heritage Coast Boat Trips without endangering bathers in busy waters off these beaches. Members noted that informal meetings had taken place over the last 18 months between the Maritime and Coastguard Agency (MCA), Exmouth Town Council, East Devon District Council officers and the operation to find the best and safest solution. A number of complaints generated as a result of the operation in 2005 mainly centred around the boat coming within yellow speed limit buoys at Budleigh Salterton. The public wrongly perceive that these yellow buoys delineate a safe swimming area. It was suggested that this problem could be addressed by marking a channel with red buoys for craft to use when landing with adequate relevant signage in place. The operators had asked to come within the yellow buoy areas at the area west of Steamers Steps. However the Board felt that this element of the proposal should not be approved as it was unnecessary, it was the busiest part of the beach and would cause worry and safety concerns to bathers.

Arrangements proposed, including those for Sidmouth and Seaton had overall approval of the operator and the MCA.

Members were generally supportive of this private initiative and welcomed the proposal to link in the trips with walks and buses. This would promote tourism and the local economy along the Heritage Coast.

The Chief Executive suggested that there would be advantages in reviewing the byelaws concerning waters adjacent to Council beaches as speed limit byelaws were currently extensive and not easily policed. Delineated safe swimming areas would be clearer and easier to police.

***171 Operation of World Heritage Coast Boat Trips (Stuart Line Cruises) (cont).**

- RESOLVED**
- (1) that the proposed operating procedures for 2006 for landing at Sidmouth and Seaton be approved and, with respect to Budleigh Salterton, the proposed condition be approved, with Stuart Line Cruises being responsible for the necessary extra buoys and signage, but that they be requested to stay outside the yellow buoys at all other times,
 - (2) that a further report be prepared on possible alternative byelaws covering waters adjacent to the main beaches in the district and referred to a future meeting of the Board.

***172 Post Office Card Accounts**

Councillor A J Wilkinson, Portfolio Holder – Resources, had asked for this item to be included on the agenda. He advised that the Department for Work and Pensions proposed that the present arrangements of Post Office Card Accounts be withdrawn with effect from 2010. He believed that such action would threaten the viability of the Sub Post Offices which were vital to the economic and social well being of our villages and towns.

It was suggested that the Post Offices should be made more viable by taking the opportunity to request that all Post Offices offer a facility to renew road fund licences, handle passport applications and issue pre-ordered foreign currency.

- RESOLVED**
- (1) that, the Department of Work and Pensions be requested to renew its support for Post Office Card Accounts during the period leading up to the expiry of the existing contract in 2010,
 - (2) that the Government be called upon to halt pilot schemes which have been introduced without consultation and to review the proposal to abolish Post Office Card Accounts by 2010,
 - (3) that the Government be called upon to consider all Post Offices having the opportunity to offer the renewal of Road Fund Tax Licences, handle passport applications and issue pre-ordered foreign currency.
 - (4) that the Council seeks the support of the Devon Strategic Partnership, the Local Government Association, South West Regional Assembly and local Members of Parliament.

***173 Sidford Car Parking Charges**

Councillor P A Diviani, Portfolio Holder Economy and Regeneration, advised that this item should be considered in the first instance by the Corporate Overview Committee. The Board did not debate the issue but agreed to the appropriateness of waiting until the recommendations of the Corporate Overview Committee were referred to a future meeting.

***174 Revenue & Capital Monitoring report 2005/06 – Month Ten**

Members considered the report of the Financial Services Manager in respect of the Council's overall financial position at Month Ten (January). 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. Members noted the effect of marginal variances on the General Fund and the Housing Revenue Account.

***174 Revenue & Capital Monitoring report 2005/06 – Month Ten (cont)..**

Members noted the budget overspend on Members' travelling largely as a result of the increase in licensing meetings. There had been an over-spend on the Home Safeguard budget and it was suggested that the service should be further promoted. The Head of Housing and Social Inclusion advised that the ambitious Home Safeguard marketing plan had been met but it was hoped that more business could be generated.

The Stock Option Appraisal had caused a minor budget overspend and it was anticipated that these cost would increase as the process was more complex and protracted than anticipated.

It was noted that there was an under-spend on tourism advertising budget as towns now delivered part of the programme directly. The Council was prioritising economic development rather than tourism as a separate item. Various initiatives were being promoted which would have a direct and positive effect on tourism. It was hoped that towns within East Devon would work together to promote a joint tourism initiative.

The Financial Services Manager and his team were thanked for producing these monitoring reports and presenting them in a clear and helpful way.

- RESOLVED**
- (1) that the variances identified as part of the Revenue and Capital Monitoring process for Month Ten of 2005/06 be noted, including the effect on the Council's Reserves and Balances,
 - (2) that Home Safeguard be promoted through the Knowledge.

(Councillor T A Cope declared a personal interest as his mother-in-law was in the Home Safeguard scheme.

The Leader declared a prejudicial interest when Exeter Airport and Flybe was mentioned in debate.)

***175 Printing and Copying at EDDC - considerations**

Members considered the report of the Head of ICT in respect of the projected overspend in the Print and Post budget. Much of this was explained by costs not being transferred between cost centres but work had also been carried out to reduce the amount of printing carried either by Xerox, external printers and printers used throughout the offices.

Members were advised that a project was being set up by ICT to investigate ways of reducing costs whilst maintaining a level of service suitable for Council business.

- RESOLVED**
- that the status of the printing and copying costs, processes and improvement actions in progress be noted with a further report on the possible future options being referred for consideration to the May meeting of the Board.

***176 Dog Warden and Pest Control Contracts**

Members considered the report of the Head of Environmental Health and Health Equalities requesting an extension of the existing contracts for the Dog Warden and Pest Control Service. Members were advised that changes were due to be brought in over the next 12 months giving the Council additional responsibilities relating to dogs and anti social behaviour matters. Extending the existing contracts would give the Council time to formulate a policy to deal with these issues and for them to be included within the new specifications.

*176 **Dog Warden and Pest Control Contracts (cont)..**

RESOLVED that the Dog Warden and Pest Control contracts be extended for 12 months from 31 October 2006 to 31 October 2007 with an exemption being made to the Council's Standing Orders accordingly.

*177 **Honiton Sports Centre – replacement glazing to atrium**

Members considered the report of the Senior Architectural Assistant seeking an exemption to the Council's Standing Orders to approve a quotation from a specialist company to replace glazing vandalised at the Honiton Sports Centre. The work had to be installed by approved installers and the company recommended was the nearest approved contractor to Honiton. The Portfolio Holder – Culture suggested that to overcome possible vandalism in the future, Officers in conjunction with Leisure East Devon look into an alternative replacement.

- RESOLVED**
- (1) that a quotation from SIAC Facades of Stonehouse, Gloucestershire in the sum of £1125.00 plus VAT be approved,
 - (2) that an exception be made to Council's Standing Orders – Clause 1.30 Purchasing – Competition Requirements as the firm had been recommended by Pilkington Glass as the nearest contractor from their approved installer list,
 - (3) that prior to the work being carried out, possible alternatives be investigated with Leisure East Devon to try to overcome possible vandalism problems in the future.

*178 **Performance Monitoring report – January 06**

Consideration was given to the report of the Policy Manager giving performance monitoring information for January 2006. The information allowed the Board to monitor performance of selected Performance Indicators and identify any service areas where improvements were necessary.

The Portfolio Holder – Resources drew Members' attention to Performance Indicators BV78a and BV78b in respect of the speed of processing benefit claims. There was currently a 3 month back log which would be overcome in 3 months. Agency staff had been employed to help clear the work and an action plan was now in place to monitor work flows.

BV170b in respect of visits to and use of museums was particularly directed to the use of the Thelma Hulbert Gallery. Use was increasing and this was welcomed.

BV12 working days lost due to sickness absence should have been shown as an area of concern. This Performance Indicator would be up-dated at the next meeting. Action was being taken to address sickness absence issues.

RESOLVED that the performance and proposed remedial action against Performance Indicators and the planned outcomes from Service Plans for January 2006 be noted.

***179 Exclusion of the Public**

RESOLVED that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out in the agenda is likely to be disclosed.

***180 Housing and Social Inclusion Service – Restructuring Proposals**

Members considered the report of the Head of Housing and Social Inclusion setting out proposals for the re-organisation of the Housing and Social Inclusion Service to meet a wide range of operational pressures faced by the Service. The re-organisation would help improve service delivery and meet housing needs and customer expectations. Members supported the proposal and accepted that the changes were essential to allow the service to progress and modernise. The restructure would also help the service to meet the Supporting People agenda. A report would be referred to a future meeting of the Corporate Overview Committee on how the service was being adapted to meet service user needs.

It had been proposed during the Housing Stock Options debate that a further Overview Committee would look at Housing Stock Option issues and also to matters relating to the Council's landlord role.

It was suggested that related issues pending should be referred to a future Executive Board for information and discussion.

- RESOLVED**
- (1) that the restructuring and new staffing arrangements for the Housing and Social Inclusion Service set out in the report be approved with 2 main teams and two smaller units (Housing Management Team, Housing Needs Team, Housing Benefits Unit and Housing Strategy Unit) being created to deliver housing services to our tenants and other customers in the future,
 - (2) That the Leader, Communities Portfolio Holder, Chief Executive and the Head of Housing and Social Inclusion collate housing issues for discussion to be referred to a future meeting of the Executive Board.

***181 Post Holder 06/006**

Members considered the report of the Head of Organisational Development giving up-dated information on Post Holder 06/006.

RESOLVED that the retirement of Post Holder 06/006 on grounds of ill health be noted.

Chairman Date