

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 18 October 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  
A J Wilkinson

**Also Present** Councillors:  
  
Miss V Ash  
G P Chamberlain  
T A Cope  
Mrs C E Drew  
J A Knight  
Mrs A E Liverton  
  
G K Liverton  
Ms Shan M Merritt  
R Mudge  
Mrs H E Parr  
T G Reeves

**Apologies** Councillor Mrs P A Stott

**Non-Board  
Members** P W Burrows  
M J L Green  
Dr H W Waterworth

The meeting started at 5.30 pm and ended at 6.40 pm.

**\*74 Minutes**

The minutes of the meeting of the Executive Board held on 13 September 2006 were confirmed and signed as a true record.

**\*75 Exclusion of the Public**

**RESOLVED** that the classification given to the documents to be submitted to the Board be confirmed and that the reports relating to exempt information be dealt with under Part B of the agenda.

**\*76 Forward Plan**

The contents of the Forward Plan for the period 1 October 2006 to 31 January 2007 were noted.

**\*77 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.

## Meeting of the Corporate Overview Committees

The minutes of the joint meeting of the Corporate Overview and Scrutiny Committees, held on 27 September 2006, and the meeting of the Housing Review Board, held on 28 September 2006, were noted.

The Chairman of the Joint Corporate Overview and Scrutiny Committee meeting, Councillor G Liverton outlined the key issues discussed and the recommended way forward. The approach was to generate further income and reduce expenditure. The list of suggestions put forward for increasing income and cutting expenditure should have included a new self-funding post of a Section 106 Officer. This Officer would negotiate with developers to generate additional funding and monitor Section 106 related funds to make sure that they were properly used within the required time-frames. Councillor Liverton advised that the meeting had been well attended and had been forward looking. The Committee had also discussed areas for additional investment should funds become available. These were listed in no particular order of priority.

The Leader said that the Joint Meeting had undertaken valuable budget and service planning preparatory work. The report of the Head of Finance taken later in the meeting had incorporated the reasoning and recommendations of the Joint Meeting.

The Portfolio Holder – Communities, Councillor Miss J Elson, advised that the Housing Review Board had now met on two occasions. Councillors D Cox and Miss V Ash were doing a good job as Chairman and Vice-Chairman and training sessions had been introduced at the start of each meeting for the benefit of the tenant and independent members. Councillor Miss Elson felt that the proposed question and answer sessions would also be of value. Councillors Miss Elson and Miss Ash congratulated the teams involved in the Stock Options process which had now been signed off.

**RESOLVED** (1) that the following decisions be noted:

### Joint Meeting

Minute 1	Election of Chairman
Minute 2	Appointment of Vice Chairman

### Housing Review Board

Minute 21

### Matters arising from the last meeting

- that Members of the Board be sent a copy of the final report from the Office of the Deputy Prime Minister on the Housing Stock Options Appraisal
- that an informal question and answer session for tenants be included as a regular item on the Housing Review Board agendas.

(2) that the following decisions be approved by the Executive Board

### Housing Review Board

Minute 23

### Review of Community Centres

- that Officers arrange a tour of some of the community centres in the district for members of the Housing Review Board,
- that within three months a further report be presented to the Review Board for their consideration, incorporating the views expressed during the meeting, with an action plan and timetable,

**Meeting of the Corporate Overview Committees (cont)..****Housing Review Board**

Minute 24

**Review of Warden Services for sheltered housing**

- that the necessary changes be made to modernise the warden service to ensure that suitable and appropriate housing services are available to support older people in their homes,
- that the Housing Review Board reviews the situation within 12 months.

Minute 25

**Digital television switchover**

- that a specification and tender be prepared for the upgrading of the communal aerial systems, to enable tenants to receive digital television signals,
- that consultation be undertaken on the preferred option,
- that provision be made in the 2007/08 Housing Revenue Account budget to meet the cost of the work,
- that a further report be submitted to the Board on the outcome of the tendering and consultation processes.

Minute 29

**Brinkburn Court**

that a valuation of the freehold of Brinkburn Court be obtained, with the freehold being offered to the leaseholders of Brinkburn Court; if a majority of existing residents did not want to purchase the freehold, it would be offered on the open market.

**RECOMMENDED** that the following decision be approved:

**Housing Review Board**

Minute 26

**Right to Buy Scheme**

that the policy for waiving the repayment of Right to Buy discount in specific exceptional circumstances, as set out in Annex 2 to the report to the Review Board, be adopted, with the addition to 5.3 of the Annex that officers should consult with Ward Members to clarify and confirm that background of each individual case.

**\*79 Financial Strategy – Focus on 2007/08 budget**

Members considered the report of the Head of Finance in respect of the Financial Strategy which the Executive Board had recommended for approval at its meeting on 19 July 2006. The Financial Strategy was linked to the Council's Corporate Strategy and would be the guiding document for the detailed preparation of the 2007/08 budget and service plans.

Members noted that the feedback from the Joint meeting of the Council's Corporate Overview and Scrutiny Committees and from the meetings of the Town and Parish Councils, held in September, had been taken into account in the preparation of the report. Members noted documents circulated at the meeting from Lympstone Parish and Seaton Town Councils in respect of the Council's priorities. Lympstone Parish Council raised concerns about the cost and officer time involved in the Seaton and Exmouth Regeneration Projects and would like to see more support being given to the rural economy. Seaton Town Council asked for greater emphasis to be given to priorities which would have the greatest benefit to the community. The feedback from the Towns and Parishes collated in the appendix to the report, in the main, supported the Council's priorities.

The Joint Committee had made a number of suggestions about how the projected funding gap could be addressed. These included increasing the council tax closer to the maximum allowed by the Government and various suggestions for achieving efficiencies and increasing income. These measures would be taken to avoid any cut in services.

The Portfolio Holder – Resources advised that net savings in the current budget were predicted but these tended to be one-off savings and it was crucial for the purpose of forward planning for sustainable savings to be identified. He thought that a review of costs by service or theme would be useful with Portfolio Holders deciding on the best way to progress this, either through their Think Tanks or through the Overview process.

Concern was raised about the suggested charging for pre-application planning advice. Members agreed that it was important for the applicant to be given good planning advice as this would streamline the planning process and support good decision making. Members also noted that it was important to address the wider picture. For example the benefit of the recycling initiative could not fully be measured in financial terms.

**RESOLVED**

- (1) that the 2007/08 budget be prepared in line with the principles set out in the Financial Strategy as outline in 5.1 of the report,
- (2) that the funding gap, highlighted in the Financial Strategy, be closed through a combination of efficiency savings, the review of the service specifications and increased income,
- (3) that consideration be given to establishing a process for the review of costs on a service/themed basis.

**\*80 Revenue and Capital monitoring report 2006/07 – month five**

Members considered the report of the Financial Services Manager summarising the Council's overall financial position for 2006/07. Members' attention was drawn to Appendix A which identified budget variations within the month, together with an assessment on how these variations would continue to the end of the financial year and how this would affect the Council's overall Reserved and Balances. Members also noted the remedial measures suggested by Officers to counteract many of the material variances.

Members were advised that there was a significant, but anticipated, underspend in the General Fund (£490,200). A more accurate assessment of the cost of the roll out of the recycling and refuse contract was available and the Council was now confident in including the increased income from the Council's car parks which was linked to good weather and a busy summer season.

\*80 **Revenue and Capital monitoring report 2006/07 – month five (cont)..**

Members noted the small underspend in the Housing Revenue Account (£15,000) as a result of savings in rent collection.

Members also noted that £1,709,000 had been identified as savings in the Capital Budget which in the main reflected slippage of schemes into the following year. There would now be an anticipated surplus in funding for the current year programme of £486,000 which Members were informed would be required to help fund the following year's programme.

There had been a disappointing return from the Council's investment income and this was now an area of concern.

Members noted that steps had been taken to reduce vandalism in the Council's car parks which included locking certain car parks at night.

Positive action by Officers in partnership with Citizens Advice Bureaux had resulted in improved rental collection and in reducing housing arrears.

- RESOLVED**
- (1) that the variances identified as part of the Revenue and Capital Monitoring process for month five of 2006/07 be noted, including the effect on the Council's Reserves and Balances,
  - (2) that the Portfolio Holder – Resources and the Corporate Director - Economy meet with Investec, managers of the Council's External Fund, to analyse the reasons for the poor returns and to look at ways of addressing the situation.

\*81 **East of Exeter Delivery Team**

Members considered the report of the Corporate Director – Environment setting out the implications of a bid approved by the South West Regional Development Agency (SWRDA) to fund an East of Exeter Delivery Team to assist in taking forward the proposals for major growth in the east of Exeter area of the District. It was confirmed that the agreed funding from SWRDA was £600,000. The bid had been made on behalf of this Council, Exeter City Council and Devon County Council for three years and would cover the cost of three posts (a Project Director, a Project Planner and a Clerical Assistant) together with a consultant's budget and funding for accommodation and relevant support services.

Members noted the job descriptions attached to the report, and the support to be given to the Delivery Team from within each of the partnership authorities. East Devon District Council contribution would be to transfer the New Community Project Officer to the Delivery Team, together with half the time of the Council's Urban Designer and Landscape Architect.

East Devon District Council would still be the statutory authority responsible for determining all the planning applications submitted. Although the Delivery Team would not have formal powers to determine applications, it would be able to handle much of the project management and implementation work and overcome barriers to delivery.

To give the Delivery Team a distinct identity and properly involve the Council's partners, it was suggested that a Steering Board comprising representatives from the partners, relevant organisations and authorities, be set up to champion the east of Exeter growth area, ensure the strategic delivery issues were addressed and regularly review progress.

In addition, partnership project management arrangements needed to be established to provide officer steer, liaison and monitoring.

**\*81 East of Exeter Delivery Team (cont)..**

It was suggested that initially the Team could operate from the Honiton Business Centre and move closer to the Growth point area when the area starts to be developed. However, the partners had yet to make this decision.

The Portfolio Holder – Environment congratulated the Planning Team on progressing this initiative and acknowledged the size and importance of the project.

- RESOLVED**
- (1) that the offer of funding from the South West Regional Development Agency towards the work of delivering the sub-regional growth agenda, be welcomed,
  - (2) that the establishment of the following posts be approved on fixed term three year contracts:
    - East of Exeter Projects Director
    - A Spatial Planner/Project Planner
    - A Clerical Assistant
  - (3) that the proposed delivery structures for the East of Exeter Area be forwarded to SWRDA and Officers initiate the steps to establishing the delivery structure.

**\*82 The proposed template of Service Plans for 2007/10**

Members considered the report of the Policy Manager setting out the recommendations of the Service Planning Template Task and Finish Forum (TaFF). The aim of the TaFF was to streamline the service planning template and increase the effectiveness of the service planning documents. It would help to involve members in the service planning process to a greater degree. The Scrutiny Committee, at its meeting on 20 September, recommended that the proposed template be adopted subject to amendments. Councillor Dr Waterworth had chaired the meeting of the TaFF and Members acknowledged the excellent and detailed work carried out.

- RESOLVED**
- (1) that the recommendations of the Service Planning Template Task and Finish Forum, as set out in the report, and the proposed template, be approved, subject to the number of key achievements requested being set at between 6 and 10 with these being decided by the Head of Service in consultation with the relevant Portfolio Holder,
  - (2) that the template remain unchanged next year to promote stability for Heads of Service in service planning unless there is an overwhelming and compelling reason to amend it.

**\*83 Performance monitoring report – July 2006**

Members considered the report of the Policy Manager setting out the performance information for August 2006 to facilitate monitoring of performance of selected Performance Indicators by the Executive Board and identify any service areas where improvement was necessary.

Members' attention was drawn to the intention of the Audit and Governance Committee to consider the national Best Value Performance Indicators (BVPs) comparisons produced by the Audit Commission. The outcome of this review would be communicated to the next Executive Board meeting when Members would be advised which BVPs the Audit and Governance Committee recommended should be monitored on a monthly basis.

**\*83 Performance monitoring report – July 2006 (cont)..**

The Chief Executive advised that the Comprehensive Performance Assessment Framework processes had now changed. District Councils would retain their classification (EDDC as 'good') unless the District Council itself applied for improved classification or if the Council's reported BVPIs alerted the Audit Commission to a fall in performance standards when they would review the Council's performance. It was crucial for the Council's reported BVPIs to compare positively with those of other Councils nationally.

The Portfolio Holder – Resources drew Members' attention to key areas of improvement including BV 78B (Speed of Processing – Change of Circumstance), BV 78A (Speed of Processing – New Benefits), BV 9 (Percentage of Council Tax Collected) and BV 10 (Percentage of Non-domestic Rates Collected). John Cooper (Revenues and Benefits Manager, Elaine Brett (Principal Benefits Officer), Libby Jarrett (Principal Customer Service & Revenues Officer), Simon Davey (Head of Finance) and the teams involved were thanked for this achievement.

Members were recommended to look at performance figures over a period to determine trends. The Council's performance was improving steadily in many of its service areas.

The number of planning appeals allowed (BV 204) had increased and no specific reason could be given in explanation. The Leader advised that the Council's performance compared well with other Councils but that there was a need to remain vigilant and keep this indicator under review.

**RESOLVED** that the performance and proposed remedial action against key performance indicators for the month of August be noted.

**\*84 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 and on balance the public interest is in discussing the items in private session (Part B).

**\*85 Future of the site that incorporates Exebank and Danby House, Exmouth**

Members considered the report of the Corporate Director – Communities seeking agreement in principle to form a partnership with Devon County Council to redevelop land adjacent to Mudbank Lane, Exmouth. Members also considered the outputs which it would seek from any such partnership.

The Portfolio Holder – Communities thanked Peter Jeffs and John Golding for their support and involvement in the proposed project which if progressed would promote individual choice and help facilitate independent living.

**RESOLVED** (1) that the Portfolio Holder – Communities, together with the Corporate Director – Communities, and Head of Housing and Social Inclusion be authorised on behalf of the Council to form a partnership with Devon County Council with the purpose of exploring the viability and potential specialist housing outcomes from a site assembled out of land and property owned by each local authority within the partnership,

\*85 **Future of the site that incorporates Exebank and Danby House, Exmouth (cont)..**

- (2) that the following be the minimum housing and other outcomes sought by the Council:
- No additional cost to the Council (capital or revenue)
  - No less housing with nomination rights than at present
  - No less social housing units than at present
  - Option to rehouse any tenants displaced from existing accommodation on site
  - Any capital receipts on the total site to be divided proportionately to the current land values of each part of the site forming part of the new development
  - The majority of new accommodation to be of sufficiently flexible nature to reflect a range of future potential uses and residents' needs
  - To meet Eco Homes 'very good' standard or better.

86 **Manor Pavilion Complex, Sidmouth**

Members considered the report of the Corporate Director – Communities in respect of the proposed transfer of the Manor Pavilion complex (Theatre and Arts Centre) in Sidmouth to Leisure East Devon. The General Disposal Consent (England) 2003 legislation allowed a local authority to dispose of assets at less than best consideration, subject to conditions including that the disposal was likely to contribute to the promotion or improvement of social well-being. Members noted the valuation supplied by the District Valuer

Councillor G Liverton, Chairman of the Sidmouth Manor Pavilion and Arts Centre Steering Committee congratulated the Corporate Director – Communities and the Manager of the complex for the positive steps taken to improve the use and organisation of the resource.

The Portfolio Holder – Resources in turn thanked Councillor Liverton for his dedication to improving the facility and his excellent negotiating skills which had retained the support and involvement of users.

- RECOMMENDED**
- (1) that the intention to transfer the facility of the Manor Pavilion complex be reaffirmed,
  - (2) that the valuations detailed in the report to the Board and contained within the full report of the District Valuer and Valuation Officer dated 27 September 2006 be agreed and that the disposal of the Manor Pavilion Theatre to the Leisure East Devon Trust (LED) be at 'less than best' consideration,
  - (3) that the Manor Pavilion Theatre be transferred to LED on the basis of a 30 year lease, the terms of which to be agreed by the Chief Executive and the Portfolio Holder – Economy and Regeneration, in accordance with Minute 120 (4) of 14 December 2005,
  - (4) that the current staffing and contracts be transferred to LED,
  - (5) that the terms of the current Service Level Agreement be extended to the Manor Pavilion,

86 **Manor Pavilion Complex, Sidmouth (cont)..**

- (6) that any subsidy the Council is predicted to make to the venue next year be considered as the basis of a service level payment to LED, the sum to be agreed after consultation with the Chief Executive and Portfolio Holder – Resources.

Chairman ..... Date .....