

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 4 July 2007

Present:

Councillors:

Miss S M Randall Johnson (Chairman)
R G Franklin (Vice Chairman)
D J Cox
T A Cope
Miss J M Elson
M J L Green
J P Halse
S Hughes
G K Liverton
A T Moulding

Also Present

Councillors:

Miss V Ash	Mrs A E Liverton
R Bloxham	Mrs F I Newth
Mrs M J Boote	Mrs H E Parr
R Boote	P J Skinner
G P Chamberlain	G Trowman
I Chubb	R C Peachey
Mrs C E Drew	A W J Reed
Ms V Duval Steer	Mrs P A Stott
M Florey	C Tratt
C F A Gibbings	T Wood
A R Giles	S C Wragg
J A Knight	

Apologies from non-Executive Board Members

Councillors

D G Atkins
K Potter

The meeting started at 5.30 pm and ended at 8.26 pm.

***31 Welcome**

The Leader welcomed Phil Norrey, (Chief Executive, Devon County Council), Paul Deakin, (Project Manager for the implementation of the new recycling and waste scheme) and Fliss Morey (Projects Director East of Exeter Projects Team). The Leader also welcomed the significant number of Councillors, not on the Executive Board, who had come to observe and contribute to the debates.

***32 Minutes**

The minutes of the meeting of the Executive Board held on 6 June 2007 were confirmed and signed as a true record.

***33 Exclusion of the Public**

RESOLVED

that the classification given to the documents to be submitted to the Board be confirmed subject to agenda item 16: Future Waste initiatives for East Devon being included as an exempt item – Para 3, Schedule 12A and that this report and the other reports relating to exempt information, be dealt with under Part B of the agenda.

***34 Forward Plan**

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

***35 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.

***36 Minutes of the meetings of the Housing Review Board and Scrutiny Committee**

The minutes of the meetings of the Scrutiny Committee (13 June) and the Housing Review Board (14 June), were noted and discussed. Members of the Scrutiny Committee were encouraged to involve the Portfolio Holder – Communications in steps to improve communications with residents (Minute 4 refers).

The Board asked the Scrutiny Committee to ensure that examination in detail of certain Performance Indicators did not duplicate work being carried out by the Housing Review Board (for example BV212: Average time to re-let Local Authority Housing) nor that over detailed consideration was given to Performance Indicators which were not key areas of public concern (for example BV218a&b: Abandoned vehicles).

The Board welcomed the work of the Housing Needs Manager (reported at Minute 7 of those minutes) in respect of the empty properties (voids) and allocations (lettings) where unacceptable performance year on year had led to a review of systems and approaches to address the underlying performance issues.

RESOLVED (1) that the following decisions be noted subject to amendment at Scrutiny minute 4:

**Scrutiny
Minute 4**

- that the conclusions of the General User Satisfaction Survey be endorsed
 - that the Survey findings be further considered at the next meeting of the Scrutiny Committee with particular emphasis being given to the responses received on how well informed residents felt about the following specific issues:
 - What standard of service you should expect from the Council?
 - How you can get involved in local decision making?
 - How well the Council is performing?
 - Whether the Council is delivering on its promises
 - What the Council is doing to tackle anti-social behaviour in your local area
- with the Portfolio Holder – Communications being engaged in this process.

**Scrutiny
Minute 6**

- that a detailed report on BV212: Average time to re-let Local Authority Housing be presented to a future meeting of the Scrutiny Committee,
- that a report on BV218a and BV218b: Abandoned vehicles investigation and removal be presented to a future meeting of the Committee

**Scrutiny
Minute 8
Scrutiny
Minute 9**

that the Scrutiny Committee Forward Plan be noted.

that the Task and Finish Forum Status Report be noted.

*36 **Minutes of the meetings of the Housing Review Board and Scrutiny Committee (cont)..**

that the following decisions be noted: (cont)..

Housing Review Board Minute 8 that members of the Housing Review Board feed back any comments on the Audit Commission self-assessment pro-forma directly to the Head of Housing and Social Inclusion within the next week, prior to submission of the East Devon data to the Housing Inspectorate.

HRB Minute 14 that the performance on repairs to Council homes be noted.

HRB Minute 15 that the report in respect of the Housing Revenue Account 2006/07 – outturn statement be noted.

(2) that the following recommendations be approved,

Scrutiny Minute 5

- that the Revenue and Capital Outturn Report be further considered once the proposed use for the revenue surplus had been established
- that it be noted that the size of the revenue surplus could be significantly affected by any alteration to the Recycling and Refuse contract.

Scrutiny Minute 7

- that the use of Parish Magazines as a medium for positive publicity be revisited;
- that consideration be given to how Members can be reminded to check their pigeon holes when visiting the Offices.

Housing Review Board Minute 6

- that the proposed changes to the Allocation Policy and Choice Based Lettings Scheme, detailed in the report, be approved.
- that a budget provision of £35,000 in 2007/08 from the Housing Revenue Account be approved in principle to cover the cost of advertising empty properties as detailed in paragraph 3.8 of the report, subject to a further report on the methodologies being brought back to the Review Board in September 2007.
- that delegated authority be given to the Housing Needs Manager to exclude suitable empty properties to help reduce the use of temporary accommodation and meet the Government target by 2010, with a further update report being brought back to the Review Board in twelve months time .
- that the inclusion or deletion of criteria in the Silver or Gold bands included in paragraphs 4.4, 4.5 and 4.6 of the report be approved

that facts relating to housing demand and supply be publicised to raise awareness among applicants so they understand their relative priority on the housing register and the timescale/ likelihood of when they might be housed.

Minutes of the meetings of the Housing Review Board and Scrutiny Committee (cont)..

that the following recommendations be approved (cont)..

HRB Minute 7	that the report be noted and welcomed and that immediate action be taken to improve performance on letting void properties, as set out in the report, with a progress report being brought to the Review Board in November 2007.
HRB Minute 9	that the approach to value for money in housing services be agreed and that the Value for Money Statement be adopted for implementation.
HRB Minute 10	that the content of the tenant profiling questionnaire be approved subject to the addition of an appropriate question regarding the use of public transport.
HRB Minute 11	that the draft Leaseholder Home Owner's Handbook be adopted for distribution to new and existing leaseholders.
HRB Minute 12	that subject to discussion taking place between the Head of Housing and Social Inclusion and the Solicitor regarding reducing timescales when taking legal action, the updated gas servicing and safety check procedures be adopted and implemented.
HRB Minute 13	that subject to amendment of 6.4, the updated responsive repairs procedures be approved.

***37 Presentation on Devon County Council's views and vision**

Phil Norrey, Chief Executive of Devon County Council had been invited to the meeting to present the County Council's views and vision. All Members of the Council, and particularly those involved in the Visioning 2011 initiative, had been invited to attend the meeting to hear the County Council's plans for delivering services throughout the County and to explore additional areas where this Council could work with the County Council to achieve greater efficiencies and improved services.

Mr Norrey advised that the Devon County Council Strategic Plan 2006-2011 would help the District Council in its deliberations as this Plan encompassed all sectors of the Devon Community and provided an overarching mechanism to provide 'joined up' thinking and services at the local level. He believed that Devon County Council's view of the future was largely the same as the District Council's with the aim of producing and maintaining strong and sustainable communities. The County recognised the importance of local characteristics and variations within the strategic framework and was keen to include specific local agreements within the next Local Area Agreement for Devon. The importance of consultation throughout this process was recognised.

Of the issues relevant to the whole of Devon, the following were of particular significance to East Devon:

- ❑ Skills and Innovation (skill levels within the county were not higher than the national average)
- ❑ Natural environment (66% of the District was an Area of Outstanding Natural Beauty and it also included the World Heritage Site)

***37 Presentation on Devon County Council's views and vision (cont)..**

- ❑ Climate Change – (car use within the District was comparatively high due to its rural nature. The higher than average proportion of elderly people was linked with inefficient energy consumption. The coastline and areas of potential flooding were vulnerable to climate change)
- ❑ Young People (the main issue here was the number of young people being isolated due to the distance from the main areas of population)
- ❑ Affordable Housing (house prices in the district were high but this was not matched with high local wages).
- ❑ Health and wellbeing (the high proportion of lone elderly within the East Devon population had an impact on the physical and emotional well being of the District)

Mr Norrey saw the way forward as being improved partnership working between the County Council and the Districts. Delivery of services would be improved and duplication of effort would be reduced by developing joint processes and sharing understanding and focus.

During discussion following Mr Norrey's presentation, the following points were raised:

- ❑ The District Council was currently working with Social Services in respect of Danby House, Exmouth.
- ❑ There was a need to include transport issues particularly for the young and elderly, to meet extended school hours' requirements and to address problems of isolation. The County Council regarded access and inclusion as critical and it was anticipated that this would be addressed through health and well being studies and initiatives.
- ❑ Sustainability issues and the need to create employment opportunities near and/or within communities.
- ❑ Employment skills levels were an area of concern.
- ❑ There was a need for the Country to celebrate Devon's culture and filter down imaginative ways of achieving this so that the area's uniqueness would be protected and appropriately developed.
- ❑ Waste management was a major issue requiring substantial investment and a partnership approach. The overarching aim of the County was to make Devon England's greenest county and Mr Norrey confirmed that the County would do all it could to support the District in achieving good recycling performance.
- ❑ Good two-way communications between the County and District benefited both authorities. Partnership working supported the strategic vision for Devon which would include local priorities.

The Leader thanked the Phil Norrey for his informative presentation and for taking part in the helpful debate.

(Councillor Stuart Hughes, as a Devon County Council Member took no part in the debate)

***38 Treasury Management**

Members considered the report based on the outcome of the meeting of the Portfolio Holder – Resources' Think Tank, held in June following the last meeting of the Executive Board, to review the arrangements in place for the investment of the Council cash reserves. The majority of the Council's cash was currently placed with a fund manager, Investec, with remaining sums invested by Officers on a short term basis. The Think Tank discussed various options, including in-house management for all cash, but weighed any advantages against risk, cost and performance of Investec, and recommended the retention of present arrangements.

The Council's financial performance was monitored monthly by the Portfolio Holder – Resources who referred any areas of concern to the Executive Board. The Executive Board reviewed the Council's financial position twice a year.

*38 **Treasury Management (cont)..**

RESOLVED that the Council continues to place cash reserves with an external fund manager, presently Investec, with the performance achieved being regularly monitored by the Portfolio Holder – Resources and twice yearly by the Executive Board.

*39 **Revised and updated Financial Regulations, Financial Operating Procedures, Contract Standing Orders and Document Retention Guidelines**

Members considered the report of the Internal Audit and Governance Manager setting out proposed revisions to the current Financial Regulations to bring them in line with best practice and making best use of the Council's recent improved technology. Additional documents to be included within the existing suite of financial policies were a Contract Management Handbook and a document on Lower Level Procedures for staff carrying out related clerical roles.

RESOLVED that the revised and up-dated Financial Regulations and complementary Financial Operating Procedures, Contract Standing Orders and Document Retention Guidelines be referred to the Audit and Governance Committee for detailed consideration, with that Committee being requested to report back to the Executive Board at an appropriate time (to be confirmed by the Audit and Governance Committee).

*40 **Insurance Tender**

Members considered the report of the Insurance Officer in respect of a recommendation of the Council's insurance brokers (Marsh) for the Council to re-tender its insurance arrangements rather than extend its existing contract for an additional 2 years because of favourable current market conditions. The existing contract period runs to 30 September 2007. The timetable for the tendering process was set out in the report.

Members welcomed the potential financial savings as a result of re-tendering. The Head of Finance advised that the Council was also looking at self insurance options.

RESOLVED that, upon receipt of the Insurance Tenders, delegated power be given to the Corporate Director – Economy and the Portfolio Holder – Resources, to appoint the successful insurance provider following the tender process outlined in the report.

*41 **Appeals Status report**

Members considered the report of the Head of Planning and Countryside Services setting out an overview of the planning appeals situation over the last year to enable Members to identify trends and possibly lessons that could be learned. The Council's appeals performance had been raised as an area of concern at previous Executive Board meetings when Members examined Performance Indicator reports. Members were reminded that historically the Council's appeals performance had been better than the national average and that it was only in recent times that there had been a dip in performance which had raised concern.

Members discussed the number of appeals allowed, comparing these statistics with previous years, and also specific key examples highlighted in the report. A conclusion reached in the report was that the Inspectorate was not supporting refusal of domestic extensions on the side of properties, which run up to the boundary, even in some cases where this development created terracing. In addition the Inspectorate was seen as opting for a conditional approval rather than an outright refusal in respect of design reasons.

***41 Appeals Status report (cont)..**

The Portfolio Holder – Environment said that it was important to examine the findings of the analysis of the appeal decisions and to define what lessons had been learnt.

The Chairman of the Development Control Committee confirmed that a high proportion of decisions on planning applications were determined by Officers through the agreed delegations procedure. Delegated decisions made by the Chairman and Vice Chairman of Development Control took into account consultation feedback from Ward Members, local councils, relevant authorities and Officer recommendations. Controversial applications or those where there was not a consensus from consultees were referred to Committee. Members were encouraged to provide feedback on planning applications to make sure that local views were taken into account.

RESOLVED

1. that the report be noted with the conclusions drawn from the statistical analysis being taken into account during future decision making,
2. that the Scrutiny Committee be asked to note the current planning appeals statistics and re-visit this issue in six months time when a comparison between performance could be made and possible trends identified.

42 Draft Gender Equality Scheme and Policy

Members considered the report of the Corporate Director – Communities seeking approval of new Gender Equality Scheme and Policy.

RECOMMENDED

that the Council's Gender Equality Scheme and Policy be approved.

43 Member Development and Training Strategy

Members considered the report of the Democratic Services Manager seeking approval for a new Member Development and Training Strategy to enable the Council to proactively develop Councillor skills and potential. It was seen as vital for Members to be engaged in the management of the Member Development Programme and it was suggested that a cross-party Member Development Group, facilitated by the Portfolio Holder – Resources, be set up with Officer support to advise the Council on all matters of Member Development.

The Portfolio Holder - Resources advised that the strategy had relevance for all Councillors and encouraged them to take advantage of the learning opportunities. He thanked the excellent Democratic Services Team for the development and roll out of the useful welcome/refresher programme following the May elections.

RECOMMENDED

1. that the Development and Training Strategy be approved and implemented,
2. that a cross-party Member Development Group be set up to advise the Council on all matters of Member Development and to progress the Strategy.

*44 **The Government's Waste Strategy 2007 and consultation on incentives for recycling by households.**

Members considered the report of the Project Manager, Streetscene, setting out details of the Government's new Waste Strategy. Members were aware of the degree of publicity surrounding recycling and refuse issues and of public concern.

The Strategy reconfirmed the targets for municipal waste and performance and details of landfill tax increases. The Government believed that positive action by everyone was needed to deal with waste issues. It recognised the need to increase recycling and encourage waste minimisation. It believed that financial incentives schemes could reduce the amount of waste that had to be disposed of. The Waste Strategy included ways in which a charging scheme could be used with incentives for households who recycle. The Government was currently consulting on this.

Members queried whether the Government's suggested waste financial incentive could be net neutral in practice. The Board supported accepting the power to put a financial incentive scheme in place should this be required in the future. It was suggested that such a scheme could be used to charge people refusing to recycle, providing this money was then used as an incentive to people recycling to achieve a neutral cost.

This Council supported the Government in the need for a positive attitude to encouraging the public to recycle. Members discussed the viability of putting the onus of recycling on suppliers of goods and considered whether planning conditions could be used to require retailers to provide facilities for recycling those goods which they sell. The Government required recycling to be provided to all properties and so there was no opportunity to balance the cost of recycling with the collection in very remote rural locations.

- RESOLVED**
1. that the Government's new Waste Strategy and the consultation document on incentives for recycling be noted,
 2. that the draft answers to the questions posed by Defra (set out in Appendix 2 to the report) be forwarded as this Council's response to the Government's Waste Strategy consultation document subject to final confirmation of the responses by the Portfolio Holder – Street Scene.

*45 **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 on the agenda, and including agenda item 16 re Future Waste Initiatives for East Devon, is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

46 **Future waste initiatives for East Devon - costings**

The two future waste initiatives reports were considered at the same time.

Members considered the reports of the Project Manager, Streetscene in respect of the options available to the Council to increase the amount of recycling within the District and associated costs.

The Portfolio Holder – Streetscene confirmed that the Council's performance against required targets was not good and steps had to be taken to improve its collection rates. Members had already agreed to a trial area (12,000 homes) of weekly collections of dry recyclables and fortnightly collection of residual waste but this had been delayed as a result of the national campaign raising concerns about alternative weekly collections.

46 **Future waste initiatives for East Devon – costings (cont)..**

Member discussed the size of the trial and whether this was appropriate. The Head of Street Scene advised that 12,000 homes represented one collection round and therefore made practical and economic sense.

The report acknowledged the genuine public concerns but set out how these could be addressed by introducing weekly collection of food waste.

The Chief Executive emphasised the significant financial implications of the proposal to collect kitchen waste weekly. In addition a means of addressing disposal of kitchen waste beyond the trial period had yet to be determined. The Portfolio Holder – Resources advised that the cost of the change in collections would have a very real impact on the Medium Term Financial Plan and the commitment to the service would be on going and would continue to rise.

Members also discussed the performance of its waste contractor and the need for close management during the trial period.

The importance of making sure all communications to the public were clear and written in plain English. The Project Officer confirmed that a leaflet would be issued in advance and when the bins were delivered. In addition, roadshows would be organised and talks with local councils. All Councillors and Council staff would be informed through briefings to promote their engagement in the initiative.

The Portfolio Holder – Streetscene thanked Karime Hassan, Mark Reilly and Paul Deakin for their hard work and efforts.

- RECOMMENDED**
1. that the trial of 12,000 households in the east of the district be approved and rolled out, namely:
 - ❑ Weekly collection of dry recyclables (to include plastic bottles and possibly cardboard)
 - ❑ Weekly collection of kitchen waste
 - ❑ Alternative weekly collection of residual waste
 2. that the financial consequences of rolling out a new recycling and refuse collection scheme to include a weekly collection of kitchen waste, a weekly collection of dry recyclables to include plastic bottles and possibly cardboard and a fortnightly collection of residual waste in a wheeled container be noted and reflected in the short to medium term financial budget
 3. that the results of the trial to be assessed with the intention of rolling this service out to the rest of the District in due course.

(Councillor T A Cope did not support the size of the trial area and asked this to be recorded).

*47 **Proposed University of Exeter Science Park**

Consideration was given to the report of the Corporate Director – Environment in respect of the progress of the proposed Science Park east of Exeter. The Development Control Committee had considered an options and issues paper and this was now going out for public consultation. The partner organisations had now received a Business Plan, which was seen as opportune and feasible. The development of opportunities for developing a skilled workforce was welcomed.

*47 **Proposed University of Exeter Science Park (cont)..**

Members were invited to endorse the Plan which included the proposal for the present partnership arrangements to be converted into a Company Limited by Shares. Members were asked to approve an investment in the development of the proposed Science Park as a contribution towards the equity required to progress the first stage of the Science Park project.

RESOLVED

1. that the University of Exeter Science Park Business Plan dated May 2007 be endorsed,
2. that an investment, equivalent to the total of this Council's Local Authority Business Growth Incentive Grant (LABGIG), detailed in the report, be made in the development of the Science Park as this Council's contribution towards the equity required to progress the first stage of the project, subject to necessary legal due diligence being carried out and appropriate East Devon representation on the Board.

Chairman Date