

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 2 December 2009

Present:

Councillors:

Sara Randall Johnson (Chairman)
Graham Brown (Vice Chairman)

Geoff Chamberlain
David Cox
Jill Elson
Ray Franklin
Mike Green
Peter Halse
Stuart Hughes
Andrew Moulding

Also Present:

Councillors:

Vivienne Ash
David Atkins
Ray Bloxham
Iain Chubb
Andrew Dinnis
Paul Diviani
Christine Drew
Vivien Duval-Steer
Malcolm Florey
Chris Gibbings
Graham Godbeer
Steve Hall
Douglas Hull
Stephanie Jones

David Key
Jim Knight
Ann Liverton
Graham Liverton
Frances Newth
Marion Olive
Helen Parr
Tony Reed
Margaret Rogers
Philip Skinner
Pauline Stott
Graham Troman
Tim Wood

Also present:

Officers:

Mark Williams, Chief Executive
Denise Lyon, Deputy Chief Executive
Karime Hassan, Corporate Director
Peter Jeffs, Corporate Director
Diccon Pearse, Corporate Director
Donna Best, Principal Estates Surveyor
Matt Dickins, Principal Planning Officer
John Golding, Head of Housing and Social Inclusion
Kate Little, Head of Planning and Countryside Services
Fliss Morey, Projects Director
Charlie Plowden, Countryside Manager
Rachel Pocock, Head of Legal, Licensing and Democratic Services
Chris Powell, Head of ICT
Mark Reilly, Head of Streetscene Services
Diana Vernon, Democratic Services Manager

**Apologies
(non-Exec)**

Councillors:

Ken Potter
Ian Thomas

Mark Williamson
Steve Wragg

The meeting started at 5.30 pm and ended at 9.40 pm.

***96 Public Questions and Introduction**

The Chairman welcomed Members of the public present and invited them to put their questions to the Board.

Carol Manley, a member of a newly formed Seaton Community Group advised that the Group had been formed to work in a positive way for the benefit of Seaton. The Group had widely consulted with the people of Seaton and wished to find an alternative solution to the Town Council's proposed re-siting of the Tourist Information Centre. They requested time to explore alternative options and engage in positive discussions to achieve the best for Seaton.

Rod Burt, on behalf of the Seaton and District Chamber of Commerce, was concerned about the planned temporary re-siting of the Tourist Information Centre. He said that the Town Council should have consulted the relevant organisations and interested parties in Seaton including the Chamber of Commerce before the decision was made. He asked for time to explore alternative options.

In response the Leader explained that this Council had acted within its powers as landlord and that a statutory term of notice had been given to the Tourist Information Centre – the Centre could remain in situ until October 2010. The Town Council was responsible for the choice of new temporary site.

***97 Minutes**

The minutes of the meeting of the Executive Board held on 4 November 2009 were confirmed and signed as a true record.

***98 Local Government Review – up-date**

The Chairman agreed for this item to be brought forward as a matter of urgency to enable the Chief Executive to up-date Members on the outcome of the Suffolk case and the implications of the Boundary Committee's recommendation.

The Chief Executive re-capped on the position to-date in respect of this Council's own litigation (relating to inadequate consideration of financial affordability) and that of Suffolk (relating to inadequate consideration of all possible options). The Board was advised that the Suffolk case had been lost at the Court of Appeal which had found in favour of the Boundary Committee. The response of the Secretary of State was awaited and it was not known at this stage if Suffolk would seek leave to appeal to the Supreme Court. It was understood that Norfolk might now pursue litigation but this Council would wait until the Secretary of State's response and Suffolk's action was known. This Council would keep a watching brief and would seek advice in respect of possible further action when appropriate. Members appreciated that the Court of Appeal decision reported meant that the Unitary Option for Devon was still a live issue.

***99 Shared Services/Working in Partnership**

The Chairman agreed for two reports (one written and one verbal) to be considered as urgent, after the public had been excluded, to up-date the Board on confidential discussions in respect of this Council working in partnership with neighbouring councils.

*100 **Exclusion of the Public**

RESOLVED that the classification given to the documents to be submitted to the Board, including the 2 items referred to at Minute 99 (Paragraph 3 Schedule 12A) be confirmed, and that the reports relating to exempt information, be dealt with under Part B.

*101 **Forward Plan**

The contents of the Forward Plan for the period 1 December 2009 to 31 March 2010 were noted.

*102 **Matters referred to the Executive Board**

There were no matters referred to the Executive Board by the Overview and Scrutiny Committees or the Council.

*103 **Minutes of the meetings of the Overview and Scrutiny Committees**

The Board noted the minutes of the following meetings:

- Communities Overview and Scrutiny Committee 28 October 2009
- Overview and Scrutiny Co-ordinating Committee held on 18 November 2009

The recommendation of the Overview and Scrutiny Committee in respect of charging for pre-application planning advice was considered at agenda item 16.

The Chairman of the Communities Overview and Scrutiny Committee advised that in respect of Minute 17 (New Horizons 'Towards a shared vision for mental health), the Council aimed to get the best mental health provision for the district. The Portfolio Holder – Economy emphasised the importance of the Honiton Bungalow provision and was concerned that if it remained closed, local respite care would be lost. This point was already included on the Committee's list of what was needed for mental health provision in East Devon.

The Chairman of the Communities Overview and Scrutiny Committee advised that Minute 19 (Gambling Act 2005 – Tri-annual review of the Licensing Policy) had been well debated at the meeting. The Committee had commended the Licensing Team for its excellent work and its recent award of the Charter for Customer Service.

The Chairman of the Overview and Scrutiny – Co-ordinating Committee advised that the Committee had recommended that the Council would benefit from appointing a Member Champion for Asset Management to help deliver the Asset Management Plan.

RESOLVED (1) that the following decisions be noted:

Communities O/S Committee Minute 18	1. that the Committee's support of the work of the Equalities team be noted, 2. that the Member Champion for Equalities regularly up-dates the Committee on the equalities action plan.
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Communities O/S Committee Minute 20	that a report outlining which agencies receive funding from the Council be presented at the next meeting of the Committee.
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103 Minutes of the meetings of the Overview and Scrutiny Committees cont/..*RESOLVED**

- (1) that the following decisions be noted cont/..:

O/S Co-ord Cttee Minute 22 1. that on completion of a task as defined in the Asset Management Plan, this be reported back to the Co-ordinating Committee before being referred to the Executive Board,
2. that the Committee monitor the Asset Management Plan on a regular basis.

O/S Co-ord Cttee Minute 23 that localised Crime and Disorder issues requiring review by the Co-ordinating Committee be presented to the Committee through regular reports from the Community Safety and Anti-Social Behaviour Co-ordinator and by Ward Members as permitted under the Police and Justice Act 2006.

- (2) that the recommendations of the Committee be taken into consideration when the issue was discussed later in the meeting

O/S Co-ord Committee Minute 21 Charging for pre-application advice.

- (3) that the following recommendations be approved:

Communities O/S Cttee Min 17 that the list of what the Committee want to see for Mental Health in East Devon and what the Council should do be sent to the Devon NHS Partnership Trust and the Devon Primary Care Trust with the Executive Board formally adopting this as the way forward.

- (4) that the following recommendations be referred to Council:

Communities O/S Cttee Min 19 that the Licensing Policy, as amended following the Gambling Act 2005 tri-annual review, be approved.

O/S Co-ord Cttee Minute 22 that a Member Champion for Asset Management be appointed,

O/S Co-ord Cttee Minute 23 that the Chairman (Ray Bloxham) together with two Members of the Co-ordinating Committee (Bob Peachey and Christine Drew) sit on the East and Mid Devon Crime and Disorder Scrutiny Committee; with Steve Hall as EDDC substitute Member.

*104 **Recycling and Refuse Partnership Board**

Members noted the minutes of the meeting of the Recycling and Refuse Partnership Board held on 29 October 2009.

The Portfolio Holder – Streetscene advised that progress was now being made in respect of the new depot at Greendale Barton and would be operational after the roll out of Phase 3. He also reported a significant increase in the rate of recycling across the district and that the reduced amount of waste now being sent to landfill meant that this authority was ranked 7th in the Country for sending the least amount of waste to landfill.

The Leader congratulated Councillors and Officers involved in this significant achievement.

105 **Independent Remuneration Panel**

Members noted the report and recommendations of the Independent Remuneration Panel which had met on 16 November 2009.

The Executive Board had asked the Panel to review the responsibilities and workloads of the Chairmen and Vice-Chairmen of the Overview and Scrutiny Committees which had been established at the annual meeting of the Council in May 2009 with a view to recommending in respect of special responsibility allowances. The Panel also considered the responsibilities and role of the Independent Chairman of the Housing Review Board. Any payments agreed by Council would be back-dated to June 2009.

In addition the Panel had been asked to consider whether the scheme of allowances should be amended to enable councillors to claim travelling allowances when attending parish meetings in their ward in their role as district councillor to address the disparity between urban and rural wards.

The Panel felt that the Council's scheme of allowances should be reviewed overall together with mileage rates and the level of basic allowance.

- RECOMMENDED**
- (1) that a special responsibility allowance of £4,021 be agreed for the Chairman of the Coordinating Overview/Scrutiny Committee to recognise the level of responsibility of this role,
 - (2) that a special responsibility allowances of £2,010 be agreed for the Chairmen of the Communities, Economy and Service Delivery/Performance Overview/Scrutiny Committees,
 - (3) that there be no special responsibility allowances paid to the four Vice Chairmen of the new Overview/Scrutiny Committees;
 - (4) that a special responsibility allowance of £2,010 be agreed for the Chairman of the Housing Review Board (irrespective of whether a Councillor or Independent Member), to bring the level of allowance into line with that of the Chairmen of Overview/Scrutiny, Communities, Economy and Performance/Service Delivery and Audit & Governance Committees.
 - (5) that Councillors attending Parish Council meetings in their Ward, in their role as District Councillors, be entitled to claim travelling expenses,

105 **Independent Remuneration Panel cont/..**

- (6) that a meeting of the Independent Remuneration Panel be held in Spring 2010, to review
- the Council's scheme of special responsibility allowances as a whole with a view to addressing the Panel's concerns that the allowances were being updated in a fragmented manner,
 - mileage rates,
 - Councillors' basic allowance.

*106 **East Devon Local Development Framework: Annual Monitoring report – Key decision**

Members considered the report of the Principal Planning Officer up-dating Members on the East Devon Local Development Framework Annual Monitoring Report for 1 April 2008 to 31 March 2009. This advised on the extent to which the policies set out in the Local Development Documents were being achieved and the implementation of the Local Development Scheme. The Annual Monitoring report was required to be submitted to the Government Office for the South West before the end of the current year.

Members noted the key headline findings of the report including the low rate of recorded dwellings built, that the Council no longer had a five year housing land supply which left the Council vulnerable to appeal, and the limited employment sites in the district.

Local Development Document production timetables had not been met due to resource issues and would need to be adjusted. The Planning Policy Team had focused on Core Strategy production and Monitoring and Strategic Housing Land Availability Assessment work. The Core Strategy was the key over-arching Development Plan Document for the District – setting out the spatial vision and how this could be achieved. The report outlined the work being carried out by the Local Development Framework (LDF) Panel and its progress.

The Chairman of the Local Development Framework Panel thanked Councillors and Officers for the work achieved to-date and welcomed the attendance of non-Panel members to the meetings. When feasible meetings would be held in the evenings if this would attract more non-Panel members to attend.

The Overview and Scrutiny Co-ordinating Committee was planning to hold a special meeting to consider the progress of the LDF work and the procedures. Members recognised that the work was reliant on resources being available and that insufficient resources were delaying its progress. The review by the Co-ordinating Committee would be helpful to identify ways of adjusting the timetable to match resources.

RESOLVED that the Annual Monitoring report be endorsed for submission to the Government Office for the South West and made available for viewing/downloading free of charge on the Council's web site and for inspection or purchase in paper format.

*107 **Financial Monitoring report 2009/10 – Month 7**

Members considered the Accountant's report summarising the Council's overall financial position for 2009/10 at the end of Month 7 (October) and included areas that could require corrective action during the remainder of the financial year.

Diccon Pearse, Corporate Director, advised that the financial picture was similar to previous months. The Council could fund the Capital Programme this year and next from Reserves but thereafter decisions would have to be made on how it could be supported. He advised that savings had successfully been made in the General Fund. However he had now received notification of the Housing and Planning Delivery Grant which was to be £9,000 compared with the £0.120M included in the 2009/10 budget. Members feared that this significant cut would be reflected in the levels of other Government Grants.

The Team would be able to give a clearer indication of car park revenue for the year at the next meeting.

RESOLVED that the variances identified as part of the Revenue and Capital Monitoring process up to Month 7 be noted.

*108 **Department for Transport Consultation paper**

Members considered the report of the Senior Income and Payments Officer on the Department for Transport's (DfT) proposed distribution of the concessionary travel special grant allocations to local authorities for 2010/11. The DfT had invited the Council's comments on its proposed allocation and also invited comments concerning the submission of additional statistical data and returns.

The Board welcomed the Government's proposed changes to the scheme to link the grant to actual costs incurred by local authorities. However, Members continued to believe that the funding should go direct from Government to the bus companies and the scheme should be reviewed, possibility to re-introduce half fares and to extend the scheme to include young people.

The Portfolio Holder – Communities congratulated the Corporate Director on the early negotiations which had resulted in setting up the East Devon scheme.

RESOLVED that Diccon Pearse, Corporate Director, prepare a response to the Department of Transport's consultation on the concessionary travel special grant allocations to local authorities for 2010/11 to reflect the detail in the report and the points raised at the meeting.

*109 **Defra 96k Grant for Individual Flood Protection**

Members considered the report of the Head of Streetscene Services advising on a £96k grant which had been awarded from Defra through Devon County Council for individual property flood protection of a community. EDDC, DCC and Environment Agency Officers had identified part of the Rockbeare community, using Defra guidance, to receive this grant.

The Portfolio Holder – Environment was disappointed that the grant was only relevant to a part of the Rockbeare community but advised that further grant application was being made for the whole of the affected area.

RESOLVED that the recommendation for Rockbeare to receive the £96k grant be noted with monies for this work to be made available to enable the works to be carried out prior to reimbursement by Defra.

*110 **Pennington Point – Cliff Erosion review**

Richard Eley, Sidmouth Chamber of Commerce referred to the inaccuracies in earlier consultant's reports which, in his view, gave incorrect information about annual rates of erosion. He believed that the most recent report was more realistic and that this data should be used in the decision making process.

Robert Crick, Sidmouth Vision Group, endorsed Mr Eley's comments and believed that the Council should challenge the monies paid for the earlier reports. The most recent report recognised the unnatural acceleration of the erosion rate.

The report of Karime Hassan, Corporate Director and the Head of Streetscene Services in respect of Pennington Point referred to a meeting which had been held of public representatives and interested organisations on 22 October 2009 chaired by the Deputy Leader/Environment Portfolio Holder where consensus had been reached.

The Head of Streetscene Services said that the key concern was not the erosion rate in itself but whether there was any increased flooding risk to the town of Sidmouth.

Councillor Stuart Hughes, Ward Member felt that further delays could result in flood danger to the town. He added that Defra funding had been awarded to vulnerable towns along the World Heritage Coast and believed that Sidmouth would benefit from this. The Portfolio Holder – Resources suggested that this funding could be used to commission the recommended project appraisal report.

The Portfolio Holder – Economy questioned why other agencies, including Natural England and the Environment Agency were not working with the Council in partnership to address the problems at Sidmouth.

RESOLVED

- (1) that the conclusions and recommendations of the Consultant's report (including the requirement to make periodic surveys of the cliff and beach) be accepted and used as a useful database to assist with future decisions on the management of the frontage and assess future risk to the eastern town of Sidmouth; the need for future budgetary provision for the survey work of approximately £10k was noted;
- (2) that sources of funding be explored to enable a further report (Project Appraisal report) to be commissioned to take into consideration the outcomes of the Pennington Point study in 2001 and the Environmental Statement developed in 2002, with this report forming part of a submission to Defra requesting approval and funding for a programme of works or a scheme which would give better protection to the Town of Sidmouth from the consequences of continued erosion of the cliffs east of Sidmouth ; the need for budgetary provision for this report of approximately £40k was noted.

111 **Charging for pre-application advice**

Members considered the report of the Head of Planning and Countryside Services on the possible introduction of charging for pre-application planning advice. The report had already been considered by the Development Management Committee at its meeting on 20 October when the Committee agreed to refer the issue to the Overview and Scrutiny Co-ordinating Committee for consideration. The Co-ordinating Committee considered this matter on 18 November and the recommendations of that Committee were taken into account by the Board.

Members recognised that charging for pre-application advice would help to fund improvements to the planning service. The Chairman of the Co-ordinating Committee was concerned that developers/agents may not wish to pay for the advice which could result in a reduction in the standard of applications submitted which would delay processes within the section. However, the Portfolio Holder – Economy felt that the proposed charges were minimal to a developer and would save time and add value.

RECOMMENDED that a charging regime for pre-application advice be approved in respect of the following categories:

- Category 1 – Large scale major developments
- Category 2 – Medium major developments
- Category 3 – Small major developments
- Category 4 – Minor developments
- Category 5 – all residential schemes (single)

with the level of charge to be approved by the Chief Executive in consultation with the Chairmen of the Development Management and Overview/Scrutiny Co-ordinating Committee

112 **World Heritage Site Management Plan – Final Plan**

Members considered the report of the Countryside Manager setting out the final version of the World Heritage Site Management Plan for adoption by this Council as a key partner in the management and support of the World Heritage Site.

Members felt it would be useful to use the Knowledge weekly newsletter to report on progress against the Plan. It was also suggested that an East Devon District Councillor should be nominated to the Steering Group.

- RECOMMENDED**
- (1) that the World Heritage Site Management Plan 2009-14 be adopted,
 - (2) that an EDDC Councillor be nominated to the Steering Group, Councillor Mike Green was put forward for this role.

*113 **Performance Monitoring April – October 2009**

Members considered the report of the Communications and Improvement Manager in respect of performance information for the current financial year until October 2009.

Other than performance in respect of absence levels (dealt with as a separate agenda item), Members noted and welcomed improvements to performance against key indicators. However it was suggested that the telephone answering target was not sufficiently stretching and should be reviewed.

***113 Performance Monitoring April – October 2009 cont/..**

The Portfolio Holder – Resources felt that the data was presented in a helpful and clear manner. The layout had been recommended by the Performance/Service Delivery Overview and Scrutiny Committee. However, Councillor Mike Green raised concerns about the focus on targets which ran contrary to the underlying philosophy of the systems thinking approach.

- RESOLVED**
- (1) that the performance and proposed remedial action against the performance indicators identified in the report for the 2009/10 financial year until September 2009 be noted.
 - (2) that consideration be given to adjusting the performance reporting of those services which have benefited from a systems thinking review to measure the extent to which improvements in performance have been embedded within the organisation.

***114 Absence Management – Quarterly report (quarter 2)**

Members considered the report of the Head of Organisational Development which outlined the Council's current absence levels and provided some analysis for the second quarter of 2009/10. The report had already been considered by the Overview and Scrutiny Co-ordinating Committee.

Members noted the range of pro-active interventions that the Council had employed including back to work interviews which were recorded and monitored. The positive effect of these interventions was expected to be apparent in the next few months. However Members continued to raise concern about the rate and the cost of this to the Council. It was suggested that other interventions should be explored including incentives.

- RESOLVED**
- (1) that the information relating to absence and the actions being taken to reduce current high levels of absence be noted,
 - (2) that a future report includes any trends within departments and any additional interventions that could address the current absence rates.

***115 Investors in People (IIP) action plan and progress**

Members considered the report of the Head of Organisational Development up-dating Members on progress against the action plan following this Council's successful Investors in People re-accreditation in February 2009.

- RESOLVED** that the progress made against the Council's Investor in People action plan be noted.

***116 Local Democracy – work with local schools/colleges**

Members considered the report of the Democratic Services Manager setting out the Council's involvement with Local Democracy Week and other initiatives to engage young people in local democracy. The Portfolio Holder – Communications thanked Members who took part for their positive involvement.

- RESOLVED**
- (1) that the Council's involvement in Local Democracy Week and the positive feedback from the participating schools/colleges be noted;

*116 **Local Democracy – work with local schools/colleges cont/..**

- (2) that a cheque be awarded to the student council, or equivalent student body, of each school/college which participated in Local Democracy Week this year with the stipulation that the students themselves decide on how the money is to be spent and that they let the Council know the result of their decision;
- (3) that the Council continues to support the involvement of young people in initiatives to promote their interest in local democracy with the Democratic Services Team, in consultation with the Youth Member Champion, actively seeking ways to increase and progress this involvement.

*117 **Shared Services – up-date**

Members considered the report of Chief Executive outlining ways, including increased sharing of services, to address growing financial pressures on Councils. The report outlined the concept of neighbouring authorities sharing Chief Executives and Management Teams. Members noted that the Council's Use of Resources Assessment which was due to be published on 10 December 2009, would include recommendations that the Council considers and develops further arrangements for working with local partners, joint procurement of services, and joint workforce planning.

Members noted the potential savings that could be achieved but the Chief Executive cautioned that shared services alone would not address the Council's financial situation and savings within services and the recommendations of the Leader's Service Transformation Group would need to be progressed.

It was recognised that sharing services was not just be about saving money. The advantage of sharing services was that the councils involved maintained their own sovereignty/individuality/vision.

- RESOLVED**
- (1) that the contents of the report be noted and the potential benefits that could be derived from sharing services be endorsed;
 - (2) that the Council actively identifies potential opportunities for the sharing of its services.

*118 **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, (including the urgent items referred to at Minute 99) is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

Working in Partnership with a Neighbouring District Council – South Somerset District Council.

The Chief Executive up-dated Members on confidential discussions that had been taking place with South Somerset District Council. The report circulated to Members at the meeting outlined the proposals to date, the potential savings, the potential risks, the proposed way forward and the need for mutual compromise for the arrangements to work.

The Chief Executive advised that shared services with South Somerset met the criteria for most successful partnering arrangements as set out by the Improvement and Development Agency. He recognised the potential benefits of the arrangements proposed and invited the Board to consider if it was appropriate to further explore this option.

The Board raised a number of questions in respect of practical arrangements, including geographical issues, vision, resources and an 'exit strategy' together with acknowledgement of the value of retaining the Council's skills base. The Board discussed the timeliness of the approach from South Somerset. Partnership arrangements with neighbouring Devon authorities had been explored but could not be progressed currently for a range of reasons. Working with South Somerset would help the Council to bring in a balanced budget and drive down the cost of services without making severe service cuts.

The Portfolio Holder – Streetscene advised that the Council had to take action to avoid cutting front line services. He asked for the due diligence study identifying immediate and long term savings and costs to be referred to the Board.

The Leader thanked the Board for the excellent questioning and quality of the debate.

- RECOMMENDED**
- (1) that subject to a similar agreement from South Somerset District Council identified in the report, a joint strategy be explored to deliver maximum savings from joining up management arrangements with East Devon District Council; this strategy to be operational, on a phased basis, from April 2010 and to cover:
 - a) a joint management team
 - b) a phased approach to a joint service manager team
 - c) a phased approach to a joined up set of services
 - d) an agreement on a range of further activities that would produce financial benefits to both councils
 - e) that with immediate effect, both councils seek to exploit opportunities that present themselves for a joined up approach.
 - (2) that a report be referred to the next meeting of the Board setting out the identified costs and savings in both the short and long term,
 - (3) that in principle, a joint chief executive for both councils be appointed in April 2010, subject to:
 - a) agreement with the South Somerset District Council
 - b) agreement of the funding of costs
 - c) agreement on terms and conditions, and
 - d) arrangements being made so that the post holder serves as Head of Paid Service at both councils.

119 **Working in Partnership with a Neighbouring District Council – South Somerset District Council.**

- (4) that the position of joint chief executive be ring fenced to either of the two present chief executives of South Somerset and East Devon District Councils,
- (5) that on the appointment of the joint chief executive, he is instructed to bring forward a report with a proposed strategy and action plan for member consideration.

*120 **Working in Partnership with a Neighbouring District Council – Shared Services**

The Chief Executive advised Members of a request from Exeter City Council to engage Karime Hassan, Corporate Director on a part-time basis from April 2010 until December 2010 as temporary Director of Planning. He would be involved in the strategic work of Exeter City Council's planning department. The Portfolio Holder – Strategic Planning and Regeneration felt that this short-term arrangement could enhance partnership working in respect of major development at the west of the district.

The Chief Executive advised that he would take the opportunity to re-arrange the work of the directorates at East Devon District Council with Karime Hassan retaining responsibility for planning policy (including Local Development Framework issues) and taking over responsibility for Development Management with responsibility for Streetscene and related services being transferred to Peter Jeffs, Corporate Director.

RESOLVED that the principle of the Council contracting the services of Karime Hassan, Corporate Director, to Exeter City Council on a part-time 9 month basis from April 2010 be approved with the Chief Executive being given delegated authority to agree the details of this arrangement.

*121 **Seaton Regeneration Programme Board**

Members received and considered the minutes of the Seaton Regeneration Programme Board held on 28 October 2009.

Members discussed related issues including exploring the possible recruitment of a Town Manager for Seaton, membership of the Board, youth provision, land disposal issues and Heritage Lottery Funding bids.

(Councillor Jim Knight who was at the meeting as an observer declared an interest in this item as a Member of the Town, District and County Council).

*122 **Seaton Regeneration**

Members considered the report of Karime Hassan, Corporate Director and the Principal Estates Surveyor setting out land ownership considerations arising from the decision of the Development Management Committee to resolve to grant planning permission for the Tesco Stores Limited proposals. The Corporate Director outlined the detail within the report, the implications and positive benefits to the town. The Board believed that the regeneration would attract inward investment but that this would depend on the town's residential and commercial community being supportive, positive and engaged.

***122 Seaton Regeneration cont/..**

The Member Champion for Seaton spoke on the importance of the regeneration to the town and thanked the Corporate Director and Principal Estates Surveyor for their valued work.

Members discussed the temporary re-siting of the Tourist Information Centre, taking into account the points raised by the public at the start of the meeting, and also the provision of replacement toilets.

RESOLVED

- (1) that the contents of the report be noted and the progress that has been made towards the delivery of the Council's longstanding commitment to comprehensive regeneration in Seaton be welcomed,
- (2) that the content of the report on representations received following the advertisement of the disposal of public open space under the Local Government Act 1972 be noted,
- (3) that the Principal Estates Surveyor be authorised to settle the final terms of a conditional land agreement between the Council and Tesco Stores Ltd (TSL) for (inter alia):
 - (a) The grant of an easement in perpetuity, comprising a right of way over land at the Underfleet, Seaton in favour of TSL and the owners and occupiers of TSL's landholding to the north of Harbour Road Seaton for all purposes connected with the use of that land, together with rights of entry onto the land for the purposes of constructing and maintaining landscaping and footpath works; and
 - (b) The transfer to the Council of an area of marsh land to the north of TSL's land, identified on the plan attached to the report and known as Sheep's Marsh (the "Land Agreement"),
- (4) that the Principal Estates Surveyor be authorised to settle final terms of a section 106 agreement between the Council (as landowner) (i) Devon County Council (ii) and TSL (iii) in respect of the Council land over which the easement will be granted and containing obligations on the Council to keep the footpath link over this said land to the Underfleet open,
- (5) that the completion of the land transfer of Elizabeth Road Playing Fields to Seaton Town Council as a contribution to plans for improved youth facilities be noted and £80,000 of the capital receipt from the Land Agreement be authorised to be held in reserve 2010/11 to contribute to match funding a project led by Seaton Town Council to improve youth facilities and/or provide a youth club, as yet to be determined most appropriate by Seaton Town Council,
- (6) that the progress of the Seaton Visitor Centre and Cycle Hub project be noted with a presentation to be given by the Exmouth & Seaton Interpretation Centre Board setting out the business case and sustainable management plan to a future meeting of the Executive Board,

*122 **Seaton Regeneration cont/..**

- (7) that £1,830,000 of the capital receipt to be received under the Land Agreement be authorised to be committed to the Seaton Visitor Centre and Cycle Hub Project and held in reserve for a minimum period of three years from receipt,
- (8) that the Council act as the client body for the appointment of contractors and consultants for the Visitor Centre scheme development design and build,
- (9) that the Principal Estates Surveyor be authorised to enter into negotiations with the Exmouth & Seaton Interpretation Centre Board for the grant of a leasehold interest in land owned by the Council to the Exmouth & Seaton Interpretation Centre Board or an operating agreement, in either case given Exmouth & Seaton Interpretation Centre Board sufficient locus to secure future grant funding,
- (10) that, on the basis that TSL and Seaton Town Council provide match funding, a contribution of £45,000 over three years be authorised to appoint a Town Manager with the Seaton Regeneration Board overseeing the partnership working and details regarding the governance structure between the respective bodies,
- (11) that, it be noted that, in addition to the significant investment the Council has already put into the Axe Wetlands project to date, a further area of land known as Sheep's Marsh, be also transferred to the Council to further the delivery of the project by TSL as part of the land transaction,
- (12) that Seaton Town Council's recommendation for interim accommodation at Seaton Tram Company for the Tourist Information Centre during the construction phase of the Visitor Centre be confirmed,
- (13) that signage (Option 3) for directing the public to public conveniences during the construction phase be approved.
- (14) that an analysis of the future costs associated with the regeneration of Seaton be prepared for consideration by the Executive Board.

*123 **Grant Funding Agreement Low Carbon Infrastructure Fund for Biomass Combined Heat and Power/District Heating Scheme at Cranbrook**

Members considered the report of the Projects Director and Corporate Director setting out the successful bid that the New Growth Point Delivery Team had made to the Home and Communities Agency for additional funding under the Low Carbon Infrastructure Fund towards the delivery of a biomass combined heat and power plant to serve Cranbrook.

The report outlined the detail of the funding. The Projects Director, whilst welcoming the allocation, reminded Members that there were long term implications in respect of managing the grant which would need to be addressed in the near future.

***123 Grant Funding Agreement Low Carbon Infrastructure Fund for Biomass Combined Heat and Power/District Heating Scheme at Cranbrook cont/..**

- RESOLVED**
- (1) that the Chief Executive be authorised to enter into a Low Carbon Infrastructure Fund Funding Agreement with the Homes and Communities Agency for a grant of £2,580,000 towards the delivery of a biomass Combined Heat and Power Plant to provide low carbon electricity and district heating for Cranbrook,
 - (2) that the Chief Executive be authorised to enter into a supplementary Funding Agreement with the Energy Provider (Eon) to enable them to draw down grant payments for eligible expenditure, in accordance with the terms and conditions of the original grant and Funding Agreement.

***124 Exeter and East Devon New Growth Point Funding Up-date and Grant Funding Agreement for Clyst Honiton Bypass and Cranbrook Multi Purpose Building**

Members considered the report of the Projects Director and Corporate Director summarising the position in relation to the Department of Communities and Local Government Growth Point funding allocation for Exeter and East Devon New Growth Point and to confirm the allocation of the Capital grant carried forward from previous years.

- RESOLVED**
- (1) that the following total DCLG awards to date for the Exeter and East Devon New Growth Point be noted:

2008/09 - £1,252,000 capital and £250,848 revenue funding
2009/10 - £3,041,594 capital and £274,461 revenue
2010/11 - £2,048,414 capital (indicative) and £273,956 (confirmed)
 - (2) that the following Allocations be confirmed from the total capital Growth Fund Allocation for the period 2008/9 – 2010/11 (as amended by the proposed cut in the capital fund for 2010/11 and subject to confirmation by DCLG)
 - a) £4.5m to contribute towards the cost of construction of the Clyst Honiton Bypass (CHBP);
 - b) £1.5m towards the construction costs of the Multi Purpose Building and
 - c) £300,000 towards the cost of the design and tender package for the CHBP and Cranbrook Main Local Route.
 - (3) that the Council be authorised to enter into a Funding Agreement with the Cranbrook New Community Partners for grant payments to be made for the above projects and to approve amendments to that funding up to the full amount shown in the above Allocations, the detail to be approved by the Chief Executive, in consultation with the portfolio holder Strategic Planning and Regeneration.

Chairman Date