

# EAST DEVON DISTRICT COUNCIL

## Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 28 July 2004

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

Miss J M Elson  
P A Diviani  
J H Glanvill  
M J L Green  
S Hughes  
A T Moulding  
Mrs M A Rogers  
A J Wilkinson

**Also Present** Councillors:  
Miss V Ash  
B C J Hughes  
Ms S M Merritt  
R Mudge  
A W J Reed  
T G Reeves  
Mrs L A Roden  
Mrs P A Stott  
Dr H W Waterworth

The meeting started at 5.33 pm and ended at 7.48 pm

The Leader of the Council advised that she would be arriving after the start of the meeting. The Vice Chairman was in the Chair until item 7 on the agenda when the Leader arrived and assumed Chairmanship of the meeting.

\*22 **Minutes**

The minutes of the meeting of the Executive Board held on 16 June 2004, were confirmed and signed as a true record.

\*23 **Urgent item: Leisure and Lifestyles Services – Operations Manager**

The Chairman agreed that this item should be dealt with urgently to clarify the future arrangements in respect of the above temporary post.

\*24 **Exempt Information**

**RESOLVED** that the classification given to the documents to be submitted to the Board be confirmed, and the urgent report relating to exempt information (Schedule 1 paragraph 1 – information relating to particular employees), referred to at minute 23 above, be dealt with under Part B of the agenda.

**\*25 Forward Plan**

The contents of the Forward Plan for 1 July to 31 October 2004 were noted and Members were up-dated in respect of the progress of key decisions within the Plan. The pre-inquiry changes to the Local Plan had been considered at the last meeting of the Board. Responses resulting from consultation in respect of the Seaton Regeneration project were awaited and the matter would be referred to the Board at its September meeting. Members also noted that the key decision in respect of the implementation of the Licensing Act 2003 would be referred to the September meeting.

**\*26 Matters referred to the Executive Board**

There were no matters referred to the Executive Board by an Overview Committee or the Council.

**\*27 Exmouth Joint Forum**

Members noted the report of the meeting of the above Forum held on 24 May 2004 and considered the recommendations in respect of the draft, revised constitution and the proposed sea wall strengthening at Exmouth.

- RESOLVED**
- (1) that the revised Constitution (attached to the report) be adopted,
  - (2) that the recommendation in respect of the Waterside Project be not agreed.

**\*28 Rural Aid Panel**

Members noted the report of the meeting of the above Panel held on 28 June 2004 and the decisions made.

**29 A Cultural Strategy for East Devon (key decision)**

Consideration was given to the report of the Head of Leisure and Lifestyles in respect of the final draft of the Cultural Strategy for East Devon, which now incorporated the amendments recommended during the consultation process. Officers were congratulated on the document which was well presented, easy to read and included useful action plans.

- RECOMMENDED** that the Cultural Strategy for East Devon be adopted subject to minor typographical corrections and possible adjustments to page 3 of the document to make it clearer that the statistics in that section referred to the national picture.

**\*30 Refuse Collection and Recycling Best Value Review (key decision)**

Consideration was given to the joint report of the Corporate Director – Environment and Head of Streetscene in respect of the Best Value Review of the refuse collection and recycling services. Members had already approved the draft Waste Management Strategy and Action Plan presented as an interim report to facilitate the new refuse and recycling contracts. Members were now asked to formally recognise the conclusion of the Review and to confirm the continuation of the wheeled bin scheme in Exmouth until the new refuse and recycling contracts were in place.

Members were advised that the draft contract for refuse collection and recycling would be referred to the Board in the autumn in preparation for issue in April 2005.

- RESOLVED**
- (1) that the completed Best Value Review of Refuse Collection and Recycling be approved,

**\*30 Refuse Collection and Recycling Best Value Review (key decision) - cont**

- (2) that the continuation of the wheeled bin scheme in part of Exmouth until the new refuse and recycling contracts, based on the draft Waste Management Strategy and Action Plan are implemented, be approved.

**\*31 East Devon new community supplementary planning guidance (key decision)**

Members considered the report of the Corporate Director - Environment in respect of the proposed supplementary planning guidance for the new community in East Devon. Members were asked to approve the document for public consultation. The consultation would progress the adoption of the Revised Deposit East Devon Local Plan Policy 'Strategic Development in the East Devon Part of the Area of Economic Activity'. Members noted the amendments recommended by the Environment Overview Committee at 5E ('create a community within which residents and visitors need not be dependent on the use of a private motor vehicle') and 8F (statutory services should be concealed and run underground and routed to cause least disruption).

- RESOLVED**
- (1) that the supplementary planning guidance 'East Devon New Community – Supplementary Planning Guidance' be supported, subject to amendments referred to above, with the guidance forming the basis for public consultation as part of the process of its adoption for development control purposes and to inform the emerging East Devon Local Plan,
- (2) that the New Community Forum be re-instated to consider the documents to be brought forward in support of the new community SPG.

**32 Honiton - land north and south of Chapel Street – draft supplementary planning guidance (key decision)**

Consideration was given to the report of the Corporate Director – Environment in respect of the draft supplementary planning guidance, produced in the form of a development brief, in respect of the above area. The document had been revised following public consultation and Members were now asked to support the adoption of the guidance for development control purposes.

- RECOMMENDED** that the changes to the draft supplementary planning guidance entitled 'Land North and South of Chapel Street, Honiton – Development Brief' be approved, subject to the inclusion of text regarding the aim of linking open spaces, being incorporated within the body of the text, with the guidance being adopted as interim Supplementary Planning Guidance for development control purposes.

**\*33 Leisure Centre Arrangements**

Members considered the report of the Head of Leisure and Lifestyles in respect of the review of Leisure Centre Management arrangements. The action plan resulting from the Best Value Review of Leisure Services had included looking at the formation of a Leisure Trust, as it was suggested that this option could generate significant savings. A consultant's brief to carry out the formal options assessment had been prepared and a formal condition survey of the Leisure Centres had now been completed. Members noted that the £15,000 required to fund the exercise had been included within the current year's budget.

**\*33 Leisure Centre Arrangements - cont**

**RESOLVED** that consultants be commissioned to properly and impartially test the main options against financial profiles, objectives and views of stakeholders and provide a costed project plan and implementation schedule for the recommended option,

**\*34 Revenue and Capital Monitoring Report – Quarter One 2004/05**

Members considered the report of the Financial Services Manager which identified variances within the quarter and how these would effect the future budget. Members noted the additional overspend identified and that the forecast position was that the General Fund balance would be overdrawn at year-end. The variations in the first quarter 2004/05 were noted as were the remedial actions being taken or proposed.

There was now an accurate mechanism in place which would identify which services were causing the over-spend in print and post. When identified, action could then be taken. The Members e-services project would further reduce paper usage and pigeon holes in the Members' Area for non-urgent correspondence would further reduce postage. It was suggested that Members should be more aware of the impact additional meetings had on print and post costs as well as on Officer time.

Revenue from car parks was below budget and a report would be referred to the Board in the autumn for Members to consider further action needed in respect of car parking charges and permits to make up the shortfall.

It was noted that Development Control income was down against budget although the number of applications remained high. The Corporate Director – Environment explained that the Planning Delivery Grant had been identified for funding a number of initiatives but as yet much of the funding had not been spent. This was really the only source of funding that could address this shortfall in income. However, the PDG was intended to be used to improve performance and this was a priority.

The income from Sports facility fees and charges was below budget. All sports centre managers were aware of this situation and were taking steps to reduce expenditure and increase usage to compensate for this shortfall. However, it was acknowledged a new approach to running the leisure centres would need to be investigated.

Members noted that savings had not been identified within existing budgets to reinstate cemetery grants. Members were aware that re-instating cemetery grants would mean that another service would have to be cut.

- RESOLVED**
- (1) the variances identified as part of the Revenue and Capital Monitoring process for Quarter One of 2004/05 be noted, including the effect on the Councils Reserves and Balances with support being given to the remedial actions, suggested in the “officers comments” column in Appendix A,
  - (2) that Corporate Directors consider, with service managers, where additional saving might be achieved from revenue budgets to offset the projected overspend in 2004/05 and report back to a future meeting of the Board,

**\*34 Revenue and Capital Monitoring Report – Quarter One 2004/05 - cont**

- 3) that a report on the potential financial implications for the Council, arising from the transfer of responsibility for the maintenance of closed cemeteries be prepared for consideration by the Environment Overview Committee and in the meantime payment of a further cemetery grant of £20,690 be confirmed subject to negotiations being undertaken to achieve further cost savings on these grants for future years.

**\*35 Treasury Fund Management: Performance of Investec**

Consideration was given to the report of the Financial Services Manager in respect of the performance of the Council's investment fund manager. The Executive Board had requested this information at the last meeting due concerns over poor performance results in 2003/04. Members were advised that although Investec performance in 2001/02 and 2003/04 had not compared favourably with other investment companies, over a 10 year period, Investec had out-performed other fund managers. Members were also advised that the results for the first quarter of 2004/05 were more encouraging and Members were recommended to wait until the results of the second quarter were available before considering any change of fund manager.

It was suggested that setting up a shadow investment board in-house could provide a useful benchmark for comparison purposes.

**RESOLVED** that the Council continues with Investec as its fund manager, with the position being reviewed again in November when the results of the second quarter would be available.

**\*36 Quarterly monitoring of performance – Quarter One 2004/05**

Consideration was given to the report of the Policy Manager giving performance monitoring information for Quarter One 2004/05. This was to allow the Board to monitor performance and identify any service areas where improvements were necessary. The information also now allowed the Board to monitor the key outcomes from the Service Plans.

**RESOLVED** that performance against performance indicators and service plans be noted.

**37 EDDC Travel Plan**

Members considered the report of the Sustainable Development Officer in respect of the proposed EDDC Travel Plan which the Environment Overview Committee, at its meeting on 8 July 2004, had recommended be adopted. It was noted that the intention was to review and up-date the Plan annually to make sure that it was relevant and continued to be proactive. Members welcomed the Plan and noted that even modest changes in business and commuting behaviour would make a difference to transport costs and parking arrangements.

**RECOMMENDED** that the Travel Plan be adopted.

**\*38 Private Sector Leasing Scheme – Grants to Landlords**

Consideration was given to the report of the Head of Environmental Health and Health Equalities in respect of government funding awarded to the Council to fund-aid landlords to make necessary improvements to their properties to bring them up to a standard suitable for letting. It was noted that a proportion of any grant awarded to the landlord would be clawed back through reduced rental payments. Members noted the advantages of the incentive, the most significant being that more properties would be attracted to the Private Sector Leasing Scheme.

**RESOLVED** that the grant scheme be approved up to the value of the government funding, with the Head of Environmental Health and Health Equalities being given delegated authority to determine applications submitted.

**\*39 Street Cleansing Vehicle Replacement**

Members considered the report of the Corporate Director – Environment and the Head of Streetscene Services in respect of a proposal to replace the 18 vehicles, operated mainly by the street cleaning service, with 21 vehicles on a four year operating lease. The reasons for this recommendation were outlined in the report and included the age and high maintenance costs of the vehicles currently used. The proposal would require the virement of funds within the Streetscene budgets from grounds maintenance. Members expressed concern that this cost had not been included in the budgetary process.

**RESOLVED** that the relevant vehicles, as shown in appendix 1 to the report, be sold or otherwise disposed of, and replaced with vehicles on appropriate operating leases, with the revenue costs being transferred from existing budgets within the Streetscene service.

**\*40 Orcombe Point – Exmouth Development Brief**

Members considered the report of the Corporate Director – Environment in respect of the proposed development brief for Exmouth which included building a café/restaurant at Orcombe Point to a high specification, appropriate to the beginning of the World Heritage Coast. It was noted that if outline planning permission was to be granted to the site, prior to marketing, a flood assessment as required by the Environment Agency would need to be carried out.

**RESOLVED**

- (1) that the draft development brief for Orcombe Point be approved for consultation and marketing purposes,
- (2) that an outline planning application be submitted for a café/restaurant, public convenience and World Heritage Coast Interpretation facility in accordance with the development brief.

**41 Honiton Town Plan**

Members considered the report of the Corporate Director – Environment in respect of the Honiton Town Plan produced by the Honiton Town Plan Group. The Plan consisted of a summary of the appraisal process, including the extent of the consultation process which had fully involved the business community, and a succinct action plan with objectives. The Town Plan had been considered and supported by the Environment Overview Committee at its meeting on 8 July 2004.

**RECOMMENDED**

- (1) that the Honiton Town Plan be endorsed and taken into account when decision making,
- (2) that the Honiton Town Plan Group be congratulated on their Parish Plan.

#### 42 **Otterton Village Design Statement**

Members considered the Village Design Statement produced by the local community for Otterton. The Plan had been considered and supported by the Environment Overview Committee at its meeting on 8 July 2004. The Board welcomed the Design Statement as a well crafted and useful document.

- RECOMMENDED**
- (1) that, following consultation with the Devon County Council Highways Department and the Environment Agency on the draft Statement, the Corporate Director – Environment be given delegated authority, in consultation with the Ward Member, to approve any minor amendments to the text,
  - (2) that, subject to (1) above, the draft Otterton Village Design Statement be approved and adopted as Supplementary Planning Guidance,
  - (3) that the Otterton Village Design Statement Group be congratulated on their work and its results.

#### 43 **Seaton Town Strategy**

Members considered the report of the Corporate Director – Environment in respect of the Parish Plan produced for Seaton by the Seaton Town Plan Strategy Group. Members noted the appraisal process, including the extent of consultation, and its broad compliance with District Council policy. However, a statement in respect of the area to the north of Harbour Road could not be endorsed as it could prejudice the proposed regeneration of the area.

- RECOMMENDED**
- (1) that the Seaton Town Strategy (with the exception of the reference to the regeneration area north of Harbour Road) be endorsed and taken into account when decision making,
  - (2) that the Seaton Town Plan Strategy Group be congratulated on their Parish Plan.

#### \*44 **Budleigh Salterton – former Council Offices**

Members considered the report of the Head of Economic Development and Property in respect of a request from the lessee of the former Council Offices at Budleigh Salterton to be given the opportunity to buy the freehold reversionary interest in the property. Members noted that currently the only benefit to the Council was a £5 per annum ground rent, which was not reviewable under the terms of the lease. However retaining its legal interest meant that the Council could control the uses of the property.

- RESOLVED** that the request by the lessee of the former Council Offices at Budleigh Salterton to purchase the freehold interest in the property, be approved, subject to the agreement of terms and conditions.

#### 45 **Honiton – disposal of Unit 117, Heathpark Industrial Estate, for redevelopment**

Consideration was given to the report of the Head of Economic Development and Property in respect of the possible disposal and redevelopment of the above unit. This had been identified as an asset capable of generating capital receipts. Part of the property was leased to Serviceteam and if the unit was to be sold, alternative accommodation would have to be provided. Members noted that the building was in a poor condition and was beyond economic repair.

45 **Honiton – disposal of Unit 117, Heathpark Industrial Estate, for redevelopment - cont**

- RECOMMENDED** (1) that the premises be sold by way of public tender for disposal and redevelopment,
- (2) that to facilitate the gain of vacant possession for the whole unit, alternative accommodation be provided for Serviceteam for toilet, shower and storage facilities at a scheduled cost of £15,000 set against the income on sale.

46 **Seaton West (Check House) Sea Wall: permanent repair**

Members considered the report of the Corporate Director – Environment and Head of Streetscene Services in respect of the repair and preservation work needed to be carried out to the sea wall at Seaton West (Check House). Consultants had inspected the wall and submission had been made for grant aid to the Department of the Environment, Food and Rural Affairs. Members noted that the works were likely to cost £60,000 and the net capital cost after DEFRA grant was £35,250.

- RECOMMENDED** that the proposal to undertake the recommended repairs and minor works during the current financial year – at an estimated net capital cost of £35,250, be approved, subject to the Council's consultant securing DEFRA approval and grant support.

\*47 **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 descriptions set out in the report referred to at Minutes 24 above, is likely to be disclosed.

48 **Leisure and Lifestyles Service – Operations Manager**

At the meeting of the Executive Board on 26 November 2003, it had been agreed that the Leisure Services Operations Manager post be made permanent. For reasons given in the report of the Head of Leisure and Lifestyles relating to changes to the post, the new contract had been delayed and had now come forward for signature. In the light of the decision made at the last meeting of the Executive Board (Minute 12 of 16.6.04 refers), in respect of the non-replacement of staff and the non-implementation of approved staffing structures to ensure that no further overspends arose, it was appropriate to refer this matter back to the Executive Board. Members noted the arguments for making the post permanent and balanced these with concerns relating to the leisure services overspend.

- RECOMMENDED** that the earlier decision of the Executive Board in respect of this post be rescinded in the light of both the 2003/04 revenue outturn and the current financial situation, with the post holder's temporary contract being extended for a further 3 months to allow detailed consideration to be given to possible restructuring the service (and consequential implications for other posts) to achieve necessary cost savings.

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