

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 7 October 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:**

Ray Bloxham	Steve Hall
Peter Bowden	Douglas Hull
Bob Buxton	Jim Knight
Iain Chubb	Ann Liverton
Paul Diviani	Graham Liverton
Malcolm Florey	Frances Newth
Chris Gibbings	Helen Parr
Roger Giles	Margaret Rogers
Graham Godbeer	Pauline Stott

Ted Brown, Chairman, Housing Review Board

**Also present:**           **Officers:**  
Mark Williams, Chief Executive  
Denise Lyon, Deputy Chief Executive  
Peter Jeffs, Corporate Director  
Diccon Pearse, Corporate Director  
Donna Best, Principal Estates Surveyor  
John Golding, Head of Housing and Social Inclusion  
Nigel Harrison, Economic Development Manager  
Charlie Plowden, Countryside Manager  
Simon Smale, Head of Environmental Health & Health Equalities  
Diana Vernon, Democratic Services Officer

**Apologies  
(non-Exec)**                   **Councillors:**  
Vivienne Ash  
Stephanie Jones  
Philip Skinner  
Steve Wragg

Karime Hassan, Corporate Director

The meeting started at 5.30 pm and ended at 7.50 pm.

**\*63 Public Questions**

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

Roy Pryke, Chairman of Exmouth Community Association spoke on behalf of the 5 main community associations within Exmouth as these were increasingly speaking with one voice. The associations had been hopeful that Devon County Council would acquire part of the main campus at Rolle for the benefit of educational provision within the town. However the new DCC Cabinet had decided, without local consultation, not to pursue this. He said that this decision would have an adverse impact on the local economy, community and culture. Mr Pryke advised that he would be attending the DCC Scrutiny meeting the next day in a bid to save the project.

In response the Leader confirmed that EDDC had consistently supported the acquisition of part of the Rolle College but that the decision rested with the County Council. However EDDC recognised the importance of the facility to the well being of the community and confirmed that the Portfolio Holder – Communities would be attending the DCC Scrutiny meeting to give evidence and to stress the importance of including community protection within the University's exit strategy.

Robert Crick, Vision Group for Sidmouth asked when the Pennington Point report would be presented to the Board.

Derek Chant, Sid Valley Energy Action (Vision Group) expressed support for the EDDC Carbon Management Plan. The Group was currently promoting the use of solar panels at the Sidmouth Pool and was supporting wind power. A presentation on Wind Power – facts and fiction was being held on Friday 16 October at All Saints' Hall, Sidmouth. His Group believed that carbon management was probably the most challenging issue to be faced by the Council. He urged the Council to give the Plan its full support and financial backing. These comments were taken into account at Agenda item 17 – Draft Carbon Management Plan 2009-2014.

Tony Miller, SAFE (Sidmouth Against Flood Emergency) and Vision Group said that he welcomed the setting up of a Steering Group to help prepare a development brief for the Port Royal area of Sidmouth. He felt that the role of the Steering Group needed to be clarified and questioned reference to local expertise being included to 'assist' EDDC. He said for local representatives to be fully committed, it was important for the Steering Group's recommendations to be given credibility and weight. He believed that the scope of brief needed to include sea and river defence issues based on the correct statistics in respect of erosion rates. He asked the Council to review the proposed membership of the Steering Group to make more use of the Vision Group. These comments were taken into account at Agenda item 13: Development Brief for Port Royal/Ham Area of Sidmouth.

**\*64 Minutes**

The minutes of the meeting of the Executive Board held on 2 September 2009 were confirmed and signed as a true record.

**\*65 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.

**\*66 Forward Plan**

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

**\*67 Matters referred to the Executive Board**

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

**\*68 Minutes of the meetings of the Overview and Scrutiny Committees and Housing Review Board**

The Board noted the minutes of the following meetings:

- Economy Overview and Scrutiny Committee held on 3 September
- Communities Overview and Scrutiny Committee held on 16 September 2009
- Overview and Scrutiny – Co-ordinating Committee held on 23 September 2009
- Service Delivery/Performance Overview & Scrutiny held on 24 September 2009
- Housing Review Board held on 10 September 2009

The Chairman of the Overview and Scrutiny Committees were invited to comment on the minutes of their meetings and were thanked by the Leader for the effective work they had carried out so far.

In respect of Economy Overview and Scrutiny Committee minute 7, the Leader agreed that a database of training providers available in East Devon was a positive step and suggested that the South West Regional Development Agency could provide information to assist with this.

The Service Delivery and Performance Overview and Scrutiny Committee's support for the draft Performance Strategy was noted and was taken into account when this was considered later in the agenda.

All Councillors were urged to attend the meetings of the Overview and Scrutiny Committees to contribute to the decision making process.

In respect of the Housing Review Board minutes, the Portfolio Holder – Communities referred to the proposed in-depth review of the Housing Revenue Account and an extension of the service transformation exercise to the landlord activities within the HRA. The aim was to reduce expenditure to release sufficient funds to take advantage of the Government's proposal to allow local Councils to build council homes. In addition, the Council was lobbying Government through consultation to reform council housing finance to enable the Council to use rental income from tenants to benefit the local community.

Members were also asked to note that the Council had made successful bids for social housing grant which gave the Council the opportunity to provide 17 new build council homes on land owned by the Council. The timescale was very tight and risks associated with the venture had been analysed. Savings in the HRA would need to be identified to bring this initiative forward. The Leader thanked those Officers involved for what had been achieved. The Portfolio Holder- Resources acknowledged the risks involved but supported the initiative and felt the timing was right to achieve savings in construction costs.

Members' attention was drawn to a proposal to use introductory tenancies. These would operate for the first 12 months of a tenancy and at the expiry of this period, would mature to a secure tenancy. This meant that both tenants and the Council were required to meet their tenancy obligations.

\*68 **Minutes of the meetings of the Overview and Scrutiny Committees and Housing Review Board (cont)..**

In response to a question about bringing empty homes into use, the Portfolio Holder – Communities advised that the Housing Section was working with private landlords and helping them to access available grants. The Council part funded an Officer who worked with local landlords in this respect.

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

**Economy O/S Committee Minute 8** that emerging Planning Policy Statement 4: Planning for Prosperous Economies be welcomed and the feedback of the Development Management Committee on the consultation be noted.

**Communities O/S Committee Minute 8** that the amendment to the minutes of the meeting of 24 June 2009 be noted.

**Comms O/S Min 11**

1. that the word 'launch' (para. 9.1 refers) be changed to 'preview' – to enable further debate on this matter to take place between officers, landowners and social landlords,
2. that the ongoing work of the Virtual Affordable Housing Team be supported,
3. that this report be taken as an Urgent Agenda Item at the forthcoming meeting of the Development Management Committee on 22 September 2009.

**Comms O/S Min 13**

1. that Member Champions be invited to future meetings of the Committee to present a report giving further information on their role.
2. that Mental Health Issues (focusing debate around the 'New Horizons' document) be considered at the next meeting of the Committee on 28 October 2009 and that the Equalities Champion, Cllr Vivien Duval Steer be invited to join this discussion and talk about her role.

**O/S Co-ordinating Committee Min 11**

1. that the Rural Areas Champion, working with Mark Snell of ICT, produce display boards in respect of the proposed Town and Parish website and generic email address and give a presentation to the forthcoming Annual Meetings of the Towns and Parishes Councils to ask for their views; taking into account costs and technical implications;
2. that the paper circulated on the proposal in respect of (1) above be amended as debated, and circulated to the Towns and Parishes prior to the Annual Meetings.

\*68 **Minutes of the meetings of the Overview and Scrutiny Committees and Housing Review Board (cont)..**

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

**O/S Co-ord Min 12** 1. that the Chairman, with advice from Officers, write to the Audit Commission expressing the Committee's disappointment at the lack of advice in respect of Comprehensive Area Assessments despite this having been repeatedly sought;  
2. that if no response is received from the Audit Commission, the Chairman to consider wider publication of the lack of advice.

**O/S Co-ord Min 17** that the Committee's Forward Plan be noted.

**Service Delivery & Performance O/S Committee Min 11** that the report on improvements to the Scrutiny function be noted.

**Service O/V Min 12** 1. that the Committee revisit the issue of preventable demand in the Customer Service Centre (CSC) at its next meeting, with the information to be presented including the 2<sup>nd</sup> quarter data if available, and with the relevant Streetscene Officers and the Portfolio Holder – Streetscene being invited to attend the meeting to update the Committee on proposed action;  
2. that Heads of Service responsible for services review their processes to reduce preventable demand and help ensure that an improved service is provided to the residents of East Devon.

**Service O/V Min 14** 1. that the quarterly monitoring of Performance (Quarter 1 2009/10) report be noted;  
2. that the proposed method of reporting performance information in relation to the Council's corporate priorities be adopted.

**Service O/v Min 15** that the absence report (Quarter 1 2009/10) report be noted.

**Service O/V Min 16** that the Service Hierarchy chart be noted.

\*68 **Minutes of the meetings of the Overview and Scrutiny Committees and Housing Review Board (cont)..**

**RESOLVED**

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

**Service O/V Min 17**

1. that the Service Delivery and Performance Overview and Scrutiny Committee Forward Plan be noted;
2. that consideration be given to having a pre meeting half an hour before Committee meetings to discuss issues to be raised at the meetings, when this was considered appropriate.

**Housing Review Board Min 20**

1. that meetings of the Housing Review Board commence at 6.00pm, on a trial basis.
2. that the amended seating arrangements be noted.
3. that the Chairman's visions and values be noted.

**HRB Min 22**

that the first stage of a review of the Housing Revenue Account Business Plan be considered, incorporating the findings set out in the report in future budget setting arrangements.

**HRB Min 24**

1. that the social housing grant bids made, as detailed in the report, be supported,
2. that the necessary funding from the Housing Revenue Account to enable the Council to progress the schemes be approved.

**HRB Min 31**

that the voids report be noted.

(2) that the following recommendations be approved:

**Economy O/S Committee Minute 6**

1. that the Economic Development Manager and the Estates and Legal Teams look at the business unit tenancy agreements and seek ways to proactively manage the units so that they are used to achieve maximum benefit for local businesses,
2. that the Economic Development Manager prepare a report for consideration by the Committee at its next meeting\* proposing ways of addressing the inadequate provision of small and medium sized business units in East Devon with the report including the need for the Local Development Framework to identify this gap in provision which would enable the Council to work proactively, for example through partnership working.

\*68 **Minutes of the meetings of the Overview and Scrutiny Committees and Housing Review Board (cont)..**

(2) that the following recommendations be approved (cont)..

\*The Committee will be up-dated at the next meeting on progress in respect of the Devon Employment Space Strategy. This together with the above discussion and recommendation could serve as the basis for a full report to the following meeting, bringing the various strands together. Members may wish to consider timetabling in a special meeting of their Committee to discuss this report in detail.

- Econ O/S Min 7**
1. that a database of training providers available in East Devon be established for the benefit of local business people,
  2. that the Council continue to support the Rural Enterprise Development initiative and include £40,000 in the 2010/11 budget,
  3. that the Council use e mail-shots to advise local businesses of training opportunities available and encourage them to take advantage of this provision.

**Communities O/S Committee Min 7**

that the Sustainability Champion, Cllr Frances Newth be asked to set up a working party to examine sustainability in new build housing for East Devon.

- Comms O/S Min 9**
1. that the Committee thank the Recycling and Refuse Partnership Board for their work and that the Board be encouraged to promote their good work more widely,
  2. that the Council re-examine the way in which it consults with residents – particularly focusing upon giving a range of options to consider,
  3. that the Council ensure that consultation documents are readable and of a manageable size for residents to consider in a given timescale,
  4. that the Council consult more with respondents of the survey in order to determine particular issues,
  5. that the Council maximise the opportunities presented by the Sustainable Communities Act to give real decision making power to local people,
  6. that the Council remembers that Ward Members are also Champions for the Council's strategies and for residents' needs.

\*68 **Minutes of the meetings of the Overview and Scrutiny Committees and Housing Review Board (cont)..**

(2) that the following recommendations be approved (cont)..

**Comms O/S  
Min 10**

1. that the Committee recommend the actions in respect of neighbourhood assessments highlighted in the report,
2. that the Environmental Health team ensure that Councillors are kept informed of impending Assessments in their Wards.

**Comms O/S  
Min 12**

1. that the progress made on the implementation of the EDDC Homelessness Strategy 2008 – 2013 be noted,
2. that Officers be congratulated on their work with the homeless in East Devon.

**Service  
Delivery &  
Performance  
O/S Committee  
Min 11**

that mandatory training for new Members and Members on the Development Management Committee and other quasi judicial bodies be organized immediately after the election.

**Housing  
Review Board  
Min 23**

1. that the Council respond to the consultation paper reform of council housing finance as indicated in the report.
2. that the Head of Housing and Social Inclusion liaise with the Chairman of the Housing Review Board and the Portfolio Holder for Communities before sending the consultation response.
3. that a copy of the consultation response be circulated to Board members before it is submitted.
4. that a copy of the Council's final response to the consultation paper be sent to the Government's Communities Directorate, the two MPs for the district and the Council Housing Inquiry Group.

**HRB Min 25**

that the Council join Advantage SW and become a partner of the procurement consortium.

**HRB Min 26**

that the extension of the current contracts by Deed of Variation be approved, with the contract period being extended up to a maximum of two years, but any extension be for only 12 months and reviewed in one year's time.

\*68 **Minutes of the meetings of the Overview and Scrutiny Committees and Housing Review Board (cont)..**

(2) that the following recommendations be approved (cont)..

**HRB Min 27**

1. that £10,000 be allocated for improvement works at St Pauls, Heathpark, Honiton, to meet the Audit Commission's requirements.
2. that the Head of Housing and Social Inclusion agree the weekly equipment inspection with the Head of Street Scene, as well as the cost implications of increasing the frequency of weed clearance and litter picking in the area.

**HRB Min 28**

1. that the proposal for implementing introductory tenancies for all new tenants of the Council be approved.
2. that tenants be consulted on the proposal to implement introductory tenancies.

**HRB Min 30**

1. that the budget sum of £30,000 be approved to enable essential repairs and improvements to be undertaken to two play areas at Pak Close, Clyst Hydon and Turner Close, Newton Poppleford.
2. that following the improvement works the relevant parish councils be asked to take on responsibility for these play areas.

(3) that the following recommendation be referred to Council for approval:

**O/S Co-ordinating Committee Min 13**

1. that the specific policy areas set out in the minutes in respect of the Health and Health Equality Policy, be agreed in principle;
2. that the Health and Health Equality Policy, subject to minor amendments, be approved.

**Service Delivery & Performance O/S Min 13**

that the Draft Performance Management Strategy as presented, be adopted as Council policy.

**Housing Review Board Min 20**

that a special responsibility allowance be paid to the present Chairman of the Housing Review Board and any future Chair, regardless of whether they were a Councillor, tenant or independent community representative.

**HRB Min 29**

that the equality and diversity commitments for the Housing and Social Inclusion Service be agreed, adopted and promoted to staff and customers.

\*68 **Minutes of the meetings of the Overview and Scrutiny Committees and Housing Review Board (cont)..**

- (3) that the following recommendation be referred to Council for approval (cont)..

**HRB Min 30** that the Council explore the future responsibility and funding of all Housing Revenue Account maintained play areas.

\*69 **Member Development Working Party**

Members noted the minutes of the meeting of the Member Development Working Party held on 21 September 2009. The Member Champion for Member Development had been appointed at the annual meeting of the Council in May and the Working Party discussed the proposed remit of the role. The Working Party recognised the importance of close consultation between the Member Champion and the Portfolio Holder – Resources.

The Working Party had discussed the need to evaluate the contribution member development made to the organisation and whether this represented value for money. Members of the Working Party asked the Council to retain the current budget allocated to Member development.

A number of issues were raised through the Working Party. Members acknowledged the high print costs and understood why the number of spare copies of agendas had been significantly reduced but felt that Councillors should be given the opportunity to request paper copies of agendas. In addition, the Working Party had discussed the distances that rural Ward Members had to travel to attend parish council meetings in their Ward for which, under the current scheme of allowances, they were not entitled to claim.

In response to a comment that Councillors were elected members and not officers, the Leader said that Councillors needed a diverse range of skills and that the Member Development Programme had been designed to meet this need. The Member Champion – Member Development added that the initiative provided opportunities for Councillors to develop but also enabled Councillors' skills to be identified and used for the benefit of the Council. Councillors were often called upon by local residents and the towns and parishes within their Wards to explain a range of issues and therefore needed to be knowledgeable about all sections of the Council.

- RESOLVED**
- (1) that the role and remit of the Member Development Champion be agreed and supported,
  - (2) that the Democratic Services Manager, in consultation with the Portfolio Holder – Resources and Member Development Champion, present a report to the Strategic Management Team to identify the contribution member development has made and is making to the organisation,
  - (3) that progress in respect of the Council's Member Development Charter application be noted,
  - (4) that Councillors be encouraged to take part in the six monthly development reviews,

**\*69 Member Development Working Party (cont)..**

- (5) that future key officer contact lists sent out quarterly to Councillors include Officer room numbers and, unless requested otherwise, be sent as paper copies to Councillors,
- (6) that Councillors be asked which Committee agendas they need to receive as paper copies at the same time as reminding them of the high print cost involved.
- (7) that the Independent Remuneration Panel be asked to consider whether the Scheme of Allowances in respect of travelling should be amended to address the cost of Ward Councillors having to travel significant distances to attend local parish meetings within their rural wards.

**\*70 Financial Monitoring report 2009/10 – Month 5**

Members considered the report of the Senior Accountants summarising the Council's overall financial position for 2009/10 at the end of month 5. Revised or supplementary estimates agreed within the year were shown within Appendix A. Particular attention had been given to large, high risk and volatile budget areas and continuing variances in spending patterns.

Diccon Pearse, Corporate Director, advised that the Council's financial position had improved since the last report which meant that £1.45m would require to be drawn from balances compared with the anticipated £1.8m. It was anticipated that income streams would remain at the current levels which were above estimates. Savings had been identified in the HRA, reported as below the recommended level at the last meeting.

In response to a question in respect of the outcome of the Leader's Service Transformation exercise, the Leader advised that additional work was still required. Consultation had been carried out with the public and Council staff. The Overview and Scrutiny Committees would also be consulted. The Local Government Review and the need to share services would impact on the Council's decision. However, the priority was to identify immediate savings to enable the Council to achieve a balanced budget within the current financial year.

- RESOLVED**
- (1) that the variances identified as part of the Revenue and Capital Monitoring process up to month 5 be noted and that the corrective action taken by managers be endorsed,
  - (2) that the savings identified by the Head of Housing of £173,000 be agreed

**\*71 Installation of Tunstall PNC 5/6 alarm monitoring system – Home Safeguard system up-grade**

Consideration was given to the report of the Head of Housing and Social Inclusion in respect of necessary investment to up-grade the community alarm software to benefit the Home Safeguard service. Members were advised that Tunstall PNC 5/6 was the preferred supplier which could enhance the telecare capability. The improvements would enable the service to promote itself, bid for any tenders for call handling and achieve recognised accreditation.

- RESOLVED** that the acquisition and implementation of the Tunstall PNC5/6 system be approved.

Councillors Ray Franklin and Andrew Moulding declared personal interests in this item because both had close members of their families who used the alarm service.

## 72 **Dog Control Orders**

Members considered the report of the Environmental Health Officer in respect of the Order relating to Winters Lane Playing Field, Ottery St Mary which had yet to be resolved. Members were reminded that at its meeting on 10 June 2009, the Executive Board had agreed, subject to consultation, the principle of an area of the Playing Field being fenced off to provide an area for owners to exercise their dogs. Due to concerns raised by the local council and members of the public, the Council, at its meeting on 29 July 2009, had referred the matter back to the Executive Board.

In an effort to try to achieve a compromise, a meeting was held on 24 August to which District Councillors, Town Councillors and community representatives were invited. The recommendation from the meeting was for a 20 metre strip of land at the south western end of the Winters Lane Playing Field to be designated for dog exercise with dogs being excluded from the remainder of the Playing Field. The Council would be required to pay for fencing and a gate to separate the two areas.

The Deputy Leader, who had attended the meeting, advised that the Board now had 2 options, either to agree to the compromised 20 metre strip arrangement which would separate dogs and children or ban dogs from Winters Lane Playing Field altogether.

Councillor Cox, Ward Member, continued to favour a total dog ban on Winters Lane Playing Field. He wanted the whole area of the Playing Field to be fenced to keep dogs out and children safe. The Portfolio Holder – Resources felt that the cost of creating 2 separate areas could not be justified and would set a precedent for other playing fields throughout the district.

The Head of Environmental Health & Health Equalities reminded Members of legal advice contained in previous reports. This outlined the requirement to establish ‘need’ when considering whether a Dog Control Order should be made and that, when coming to a decision, the interests of all parts of the community should be taken into account. The previous Officer advice had been that the evidence of ‘need’ had not been conclusive.

The Portfolio Holder – Communities advised that the Dog Control Orders were being introduced across the district as the Council wanted to be able to use fixed penalty notices rather than take offenders to court. All other areas had agreed to the Orders being put in place.

**RECOMMENDED** that the Dog Control Order for Winters Lane Playing Field be approved.

## \*73 **Development Brief for the Port Royal/Ham Area of Sidmouth**

Richard Eley, Sidmouth Chamber of Commerce welcomed the opportunity to contribute to the development brief for the Port Royal/Ham Area of Sidmouth. He said that the area was of crucial importance to the well being of Sidmouth. He asked the Board to review the proposed Membership of the Steering Group.

The Board had requested a report on possible ways forward at its last meeting on 2 September. Members had been advised of resource issues in respect of the preparation of a development brief for the Port Royal/Ham Area of Sidmouth. Members were advised of interest from the private sector and were recommended not to enter into partnership arrangements with a private sector company without a competitive tendering process. The production of a development brief would establish what the Council wanted to achieve from the site and would clarify the tendering process, the planning position, Section 106 requirements and the Council’s requirements as land owner.

A number of interested local people had asked the Council to use their expertise to progress the work on the development brief.

**\*73 Development Brief for the Port Royal/Ham Area of Sidmouth (cont)..**

Members considered the report of Karime Hassan which proposed that a steering group be set up to include one of the Council's surveyors, to work together to shape a development brief. The steering group would ideally be limited to 6 to 8 in total with the Town Council, Sidmouth Vision Group and Sidmouth Chamber of Commerce being invited to nominate suitable individuals with the relevant skills including from the hospitality industry. The steering group would be responsible for undertaking community consultation.

Members debated whether to include a local Sidmouth Ward Member on the Steering Group but concluded that the Group could invite local Members to contribute to the meeting as required. This would ensure input from Ward Members without prejudicing their future ability to debate the recommendations of the Group. It was also suggested that the Steering Group should report its initial recommendations to the Sidmouth Working Group for further input from Ward Members before being considered by the Executive Board.

- RESOLVED**
- (1) that a Steering Group, supported by the Council's Estates' Officer, be set up to assist with the production of a development brief for the Port Royal/Ham area of Sidmouth. The composition of the Steering Group to be no more than eight people comprising the Council's Design Champion, at least one representative from both Sidmouth Town Council and Sidmouth Vision, with Sidmouth Chamber of Commerce being invited to identify people (including a nominee from the hospitality sector) with a knowledge of the development industry to make up the remaining positions,
  - (2) that the Corporate Director be tasked to ensure that the ongoing work of the Steering Group is reported to the Sidmouth Ward Members and, for the sake of clarity, it should be understood that the content and ownership of the development brief will reside with EDDC and any decision on whether to adopt the development brief is entirely at the discretion of the District Council.
  - (3) that the recommendations of the Steering Group be referred in the first instance to the Sidmouth Working Group before being considered by the Executive Board.

**\*74 Land at the Underfleet, Seaton**

James Semple, Chairman of the Seaton Development Trust, was concerned that the proposal would involve the demolition of the toilet block and youth centre. Consideration needed to be given to the location of the replacement toilets.

Sophie O'Connell had moved to Seaton as a teenager and had benefitted from attending the youth centre. She asked Members to make sure that the youth facility was replaced.

Mrs A Cotterall, local resident questioned whether the open space would be replaced. She also asked whether the Design Champion would be involved in the Regeneration of Seaton.

The points raised were covered during the debate when consideration was given to the report of the Principal Estates Surveyor and Karime Hassan, Corporate Director up-dating Members on the progress of Seaton Regeneration.

**\*74 Land at the Underfleet, Seaton (cont)..**

A Special Meeting of the Development Management Committee had granted planning permission for the development of a supermarket by Tesco Stores Limited subject to other related development commitments and conditions. Members were advised that one of the conditions was for the developer to provide a pedestrian access from the new supermarket store to the Underfleet, to link with the Town Centre and other areas. Currently Officers were negotiating with Tesco Stores Limited in relation to the grant of the easement over part of the Council's land at the Underfleet. The disposal would be advertised and consultee responses reported to a future meeting of the Executive Board. A decision would then be made about whether or not the Council would enter into an agreement with Tesco Stores Limited.

Members of the public already had access over the land. The provision of toilets and a youth building needed to be taken into account. Councillor Jim Knight, Ward Member advised that coaches used the Avon Court area and that it was important to have toilet facilities in the area and that, if demolished, would need to be replaced immediately. Temporary toilet provision should be considered.

The Portfolio Holder – Economy recognised the need to replace the youth facility and hoped that the Town Council would make this provision. He stressed the importance of Seaton Regeneration and hoped that the Town Council would act with the district council in a positive and supportive way for the benefit of Seaton.

Members were also asked to agree to a notice being served on Seaton Town Council in respect of its current lease of the Tourist Information Premises as this would form part of the Visitor Centre and cycle hub development.

- RESOLVED**
- (1) that the Council advertise its intention to dispose of public open space in the form of an easement to be granted to Tesco Stores Limited, for the benefit of Tesco Stores Limited's land, as required under the Local Government Act 1972,
  - (2) that a review of the consultee objections to the suggested disposal, along with an update on the easement negotiations and the Visitor Centre project, be presented to Members in a separate report at the December meeting of the Executive Board.
  - (3) that notice be served on Seaton Town Council to terminate the lease held on the Tourist Information Centre (TIC) premises to ensure the delivery of the Visitor Centre project within the timescales currently envisaged,
  - (4) that, while it is currently envisaged that the TIC will be incorporated into the Visitor Centre, it be noted that the Town Council is due to review the options for the interim provision of the TIC facility on 19 October; the findings for which to be reported to the Executive Board in December with a recommendation for an agreed interim solution in partnership with the Town Council.

Councillor Jim Knight declared a personal interest in the discussion relating to the Tourist Information Centre as a member of Seaton Town Council

**\*75 Absence Management – Quarterly report**

Members considered the report of the Head of Organisational Development setting out the Council's current absence levels for the first quarter of 2009/10. The Service Delivery and Performance Overview and Scrutiny Committee had discussed the report at its meeting on 24 September 2009. Members noted a reduction in sickness absence in the first quarter and the number of pro-active interventions used to tackle organisational absence.

**RESOLVED** that the information relating to absence and the actions being taken to deal with these current high levels be noted.

**\*76 Performance Monitoring report for August 2009**

Members considered the report of the Communications and Improvement Manager setting out performance information for the 09/10 financial year for August 2009.

Members noted on-going improvements to time taken to process Housing Benefit/Council Tax Benefit claims. The service had benefited from implementing systems thinking. Early action was being taken to help people with financial difficulties. Similarly, planning applications were being processed more efficiently as a result of the systems thinking approach.

The Portfolio Holder – Resources said that some data collected was below standard and asked Heads of Service to be reminded of the importance of data collection standards.

In reply to a question, the Deputy Chief Executive advised that Customer Service Centre call answering rates would be considered at the next meeting of the Service Delivery and Performance Overview and Scrutiny Committee.

**RESOLVED** that the performance and proposed remedial action against these Performance Indicators for the 2009/10 financial year until August 2009 be noted.

**77 Draft Carbon Management Plan 2009 - 2014**

Consideration was given to the draft Carbon Management Plan 2009-2014 which quantified the carbon footprint of EDDC's activities at two levels of scope as identified within the report. The Plan outlined the Council's commitment to reduce its carbon footprint and underpinned the savings that the Council could achieve. The Countryside Manager advised that the Council's targets were ambitious but that the Government continued to introduce increasingly challenging targets.

Members noted that the most significant saving was likely to be achieved by undertaking measures to improve the existing housing stock but needed information on actual costs to the Council to implement these measures. The Leader added that most dwellings within the District were privately owned and the Council needed to try to engage the community in taking steps to reduce energy use as well as increasing the building standard requirements for new developments.

The Member Champion for Sustainability spoke in support of the Plan and the importance of efficient use of energy, use of renewables, reduction in emissions and improvements to recycling collections.

The Carbon Management Plan would be used to inform the Home and Community Agency's 'Single Conversation' Investment Plan.

77 **Draft Carbon Management Plan 2009 - 2014**

**RECOMMENDED** that the Carbon Management Plan that aims to achieve a 27% reduction in carbon dioxide emissions by 2014 from the 2007/08 baseline be approved and the financial implications of meeting the reduction be fed into the Council's short to medium term financial plan and the Homes and Community Agency's 'Single Conversation' Investment Plan for the East Devon area.

\*78 **Exemption to Contract Standing Orders for the Maer environmental play trail scheme**

Members considered the report of the Countryside Manager seeking exemption from Contract Standing Orders for the delivery of the Maer Environmental Play Trail Scheme. Members were advised that only one tender had been received through the tendering process and that this tender was incomplete. However Internal Audit and Legal Services accepted that the reason given for the tender being incomplete was satisfactory and could be referred to the Executive Board for approval.

**RESOLVED** that the appointment of Andy Frost Designs Ltd to deliver the Maer environmental play trail scheme be approved as an emergency under Section 1.13 of the Council's Contract Standing Orders for the purposes laid out in the report.

\*79 **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, is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

\*80 **Exmouth Regeneration Programme Board**

Members received and considered the minutes of the Exmouth Regeneration Programme Board held on 11 September 2009. The minutes up-dated Members on on-going discussions and highlighted changes in approach which emphasised the need for a development brief.

**RESOLVED**

- (1) that the Council prepare a Development Brief for the Exmouth Gateway Development,
- (2) that, for reasons given in the minutes, no bid be made for support for the production of the Exmouth Town Plan although the possibility of appointing a post graduate student to assist with its preparation be investigated.

\*81 **Exeter Science Park – Progress up-date**

Members considered the report of Karime Hassan, Corporate Director which provided a progress up-date on the key issues facing the Science Park in setting up a Science Park Company that was State Aid compliant; ensuring a robust business plan was in place and that Partners' equity was secured.

\*81 **Exeter Science Park – Progress up-date**

**RESOLVED** that the different roles that will be played by the Economy Portfolio Holder and Corporate Director in their participation in the Science Park be noted together with the progress being made in delivering the Exeter Science Park in East Devon, with the release of the remaining funding to be paid into the Exeter Science Park Company being agreed.

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