

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 19 December 2007

Present:

Councillors:

Miss S M Randall Johnson (Chairman)

R G Franklin (Vice Chairman)

D J Cox

T A Cope

Miss J M Elson

M J L Green

J P Halse

S Hughes

G K Liverton

A T Moulding

Also Present:

Councillors:

Miss V Ash

P N Bowden

G P Chamberlain

P A Diviani

Mrs C E Drew

C F A Gibbings

A R Giles

J A Knight

Mrs A E Liverton

Mrs F I Newth

A W J Reed

P J Skinner

Mrs Stott

C T Tratt

T J R Wood

S C Wragg

The meeting started at 5.30 pm and ended at 7.20 pm.

*122 Minutes

The minutes of the meeting of the Executive Board held on 28 November 2007 were confirmed and signed as a true record.

*123 Forward Plan

The contents of the Forward Plan for the period 1 December to 31 March 2008 were noted.

*124 Minutes of the Meetings of the Housing Review Board and Scrutiny Committee

The minutes of the meetings of the Housing Review Board held on 29 November and the Scrutiny Committee held on 5 December 2007 were noted and discussed.

Members commented on the minutes of the Scrutiny Committee and emphasised that although the Council would be very supportive of the Poltimore House Trust it was not prepared to financially assist the scheme in the future.

*124 Minutes of the Meetings of the Housing Review Board and Scrutiny Committee (cont'd)

RESOLVED 1) that the following decisions be noted:

Scrutiny Committee	that the Executive Board be made aware of the Scrutiny Committee's concern on the proposed new indicators as follows:
Minute 44	<ul style="list-style-type: none"> ▪ Compatibility with other areas where there are differences in community makeup ▪ Lack of objectivity when using terms like "perception" as this would be both misleading and adversely influenced by the media ▪ Acceptance that assessment would now have to be made along with our partners to cover our area, moving away from indicators that are only specific to the District Council. Finish Forum made up of Officers, the
Minute 45	<ol style="list-style-type: none"> 1) that the appropriate Portfolio Holder and Member Champion be invited to attend Scrutiny Committee meetings based on the issue(s) on the agenda 2) that the current performance monitoring be widened to include the Council's partners performance in meeting the Council's priorities 3) that a more diverse range of representatives be invited to speak on items on the agenda 4) that future meetings be themed where possible to link together similar items
Minute 46	<ol style="list-style-type: none"> 1) that the Britain in Bloom Committees be informed and representatives invited to the 6 February 2008 meeting for the Britain in Bloom item; and that the press be actively encouraged to attend. 2) that the following changes be made to the Forward Plan for Scrutiny Committee: <ol style="list-style-type: none"> a) Add a review of the Budget process b) Add a review of the Leisure Centres c) Add a review of the impact of civil parking as a priority d) Remove the item on Concessionary Fares as this was no longer relevant <p>Invite representatives, such as Youth Workers from both the County Council and the Police, young people representatives and Cllr Jill Elson to attend a future meeting on engaging younger people with the work of Scrutiny.</p>
Minute 47	<ol style="list-style-type: none"> 1) that the Task and Finish Forum Status Report be noted; 2) that a start date for the TaFF on Planning be tied in with the planned Service Review.

*124 Minutes of the Meetings of the Housing Review Board and Scrutiny Committee (cont'd)

Housing Review Board that the report in respect of empty properties – voids be noted

Minute 45

2) that the following recommendations be approved:

Housing Review Board that a report be brought to a future meeting of the Housing Review Board on the feasibility and costs involved in converting existing 2 bedroom Council properties into 3 bedroom properties through loft conversions.

Minute 34

Minute 36 that the Tenant and Council Partnership Agreement be adopted, subject to the comments of the Board being incorporated into the agreement and the final version being sent to members of the working party, as well as the Chairman and Vice Chairman of the Housing Review Board, for consultation.

Minute 39 1) that officers review and renegotiate the contract and specification for communal cleaning with the aim of delivering an improved service for tenants and leaseholders, and,

2) that the review includes consultation with the Tenant and Leaseholder Customer Panel on the contents of any revised contract and specification.

Minute 41 1) that the post be approved for recruitment.
2) that tenants form part of the interviewing panel for the post.

Minute 42 that the proposal for the role of Community Development Worker be refined and that an officer be recruited to this post to work specifically with younger people.

Scrutiny Committee 1) that the Trustees complete a full risk assessment, including a comprehensive survey of the site, and report back to Scrutiny Committee with detail on each risk identified and how each would be financially managed;

Minute 43

2) that the Trustees complete a 10 year plan of the project with sufficient detail to cover the role of the Project Officer, and the expected dates for the stages of restoration to be completed, to be reported back to Scrutiny Committee.

*124 Minutes of the Meetings of the Housing Review Board and Scrutiny Committee (cont'd)

3) that the following be forwarded to Council and recommended for approval

**Housing
Review
Board**

that the housing management plan and set of core values for housing management services be adopted.

Minute 37

Minute 38

1) that the principle of producing a five year property specific programme for major improvement works be approved.

2) that officers be invited to prepare a draft property specific major improvement programme for presentation to a future Housing Review Board meeting.

3) that the approach of offering tenants choice when improvements were planned for their homes be adopted.

4) that the Tenant and Customer Leaseholder Panel be consulted on the five year property specific programme for major improvement works, as well as the choices to be offered to tenants when improvements were made to their homes.

Minute 40

that the policy and procedure for rechargeable works as set out in the report be adopted, subject to the amendment made to section 16 relating to deceased tenants.

Minute 43

that £150,000 of the Capital Plan provision be allocated to fund Social Services recommended adaptations in sheltered housing accommodation.

Minute 44

1) that the maximum amount of funding for adaptation works in Council dwellings be limited to £25,000,

2) that cases exceeding the financial cap be referred to the Portfolio Holder – Communities for a decision to exceed the limit where undue hardship would be caused, and

3) that the Housing and Social Inclusion Service introduce a priority scheme and waiting list in order that allocations for adaptation work may be contained within the annual budget.

*125 Interim Report of the Beach Concessions Task and Finish Forum

The report of the meeting of the Beach Concessions Task and Finish Forum held on 4 December 2007 was noted and discussed. Members noted that the TaFF was at the beginning of a process to examine all beach concessions in East Devon.

RESOLVED 1) that the following decisions be noted:

- Minute 18
- 1) that the Risk Assessment prepared for Seaton Beach go out for consultation with interested parties;
 - 2) that the Head of Streetscene consult the MCA on the possible swamping of inflatable boats at Seaton beach, due to wave action;
 - 3) that consideration be given to Risk Assessments being undertaken on other beaches in East Devon under the Council's control.
- Minute 19
- that all members of the Environment Think Tank be invited to future meetings of the Beach Concessions TaFF.

2) that the following recommendations be referred to Council for approval:

- Minute 16a
- that the procedures presented for dealing with applications for Beach concessions be approved.
- Minute 16b
- that subject to the following comments the application form be approved:
- a) that section 9 include a requirement for a medical certificate and also for the originals of documents to be produced;
 - b) that section 10 include the words "or such greater sum as the MCA shall require";
 - c) Add another question in the application form relating to whether an applicant for a concession had been previously refused by another Local Authority.
- Minute 16c
- that subject to the following comments the guidance be approved:
- a) that the bullet points in section 5 be numbered a) to f);
 - b) that paragraph a) be altered to read The Council considers the concession is inappropriate as it does not meet the Council's policy;
 - c) that paragraph f) be altered to read If a particular concession is not considered appropriate on advice from consultees";
 - d) that the word "shall" be removed from paragraph 2 of section 7;
 - e) that an attempt be made to make the Guidance fit in better with the principles of Plain English.

*125 Interim Report of the Beach Concessions Task and Finish Forum (cont'd)

- Minute 16d that subject to the following comments the Licence Agreement be approved:
- a) that clause 2.4 line 2 be changed to read "This will include" and also to include reference to having all ancillary equipment clearly marked with the identity of its concessionaire;
 - b) that the word "season" be removed from clause 8.4.
- Minute 17a
- 1) that the procedures presented for dealing with applications for Beach concessions – non commercial boats, be approved;
 - 2) that at annual renewal, all concessionaires be advised that their public liability insurance should be increased from £2,000,000 to £5,000,000.
- Minute 17b that the application form and conditions be approved subject to the typographical error in the numbering of paragraphs be ing corrected.
- Minute 17c that the application form and conditions be approved:

*126 Draft Revenue and Capital Estimates 2008/09 - Key Decision

Members considered the report of the Head of Finance relating to the need for the Executive Board to adopt the draft revenue and capital estimates prior to their consideration by Members of the Scrutiny and Corporate Overview Committees.

The report presented the draft estimates for approval which had been prepared inline with service plans which were being finalised. The completed service plans and estimates would be presented for consideration by the Scrutiny and Corporate Overview Committees before being refered back to the Executive Board for recommendation to Council. The Leader stated that she was particularly pleased to see no cuts on services proposed and expenses being met without drawing from balances.

- RESOLVED: 1)** that the draft revenue and capital estimates be adopted and forwarded to the Scrutiny and Corporate Overview Committees for their consideration.
- 2)** that specific consideration be given to the revenue special items list currently not included in the budget and the shortfall on the capital programme.

*127 Council Tax Base 2008/09

Members considered the report of the Revenues and Benefits Manager which gave the tax base for each parish expressed in terms of band D equivalent properties on which the council tax would be based for 2008/09.

- RESOLVED** that the tax base for 2008/2009 at 56,350 band D equivalent properties, be confirmed

*128 National Non-Domestic Rates (NNDR): The Rating (Empty Properties) Act 2007)

Members considered the report of the NNDR Team Leader which set out new legislation relating to all long term empty non-domestic properties. The legislation would make all such properties subject to an NNDR charge from 1 April 2008. The Portfolio Holder Resources was concerned that collecting from properties which had not previously been taxed would be difficult and costly.

RESOLVED that Members be made aware of new legislation giving effect to the Government's reforms to relief from NNDR in respect of empty property and resultant implications on resources and rate recovery.

129 Local Government Re-organisation (LGR) in Devon

Members considered the report of the Chief Executive which informed Members of the most recent developments in respect of Exeter City Council's bid for Unitary Council status, its rejection by the Government and the initial consequential implications for East Devon District Council and the rest of Devon.

The report set out what re-organisational options might be considered and how they would have an effect on East Devon. Members commented that although the recently announced unitary discussions were at an early stage, they expressed a wish to be involved early in the process and were keen to examine all possible options available. Although the status quo with enhanced working and shared services was the Council's preferred option it was noted that the Boundary Commission might not present this as an option. Members commented that the process needed to be inclusive and representative of the citizens of East Devon and that the proposed budget would enable consultation with them.

- RECOMMENDED 1)** to send the Boundary Committee for England's terms of reference (when received) to all parishes and district councillors.
- 2)** to carry out preliminary work with the other Devon councils on re-organisation and request that the Chief Executive make staffing arrangements to ensure East Devon's best interests are protected, and the work is adequately resourced and professionally delivered.
- 3)** to set up a Working Group of 5 Councillors to include the Council Leader, who will be chairman. It will report to the Executive Board and will direct and support officers. Where necessary the Working Group will make interim reports direct to the Council at ordinary or special meetings.
- 4)** that the initial preference is for a Unitary Council to take in East Devon and surrounding areas but to delegate authority to the Working Group to decide which proposal(s) should be put forward to the Boundary Commission in the first stage of the process.
- 5)** to approve budgetary provision from reserves for 2008/9 of £250,000 to support the staffing and other costs required to resource the Re-organisation Project.

130 Proposed Charter with Exmouth Town Council as a Quality Council

Members were asked to consider approving the proposed East Devon District Council and Exmouth Town Council Quality Council Charter document. The charter had been formulated to encourage and demonstrate to the citizens of Exmouth local government leadership and effective partnership working.

RECOMMENDED that the East Devon District Council and Exmouth Town Council Quality Council Charter document be approved.

*131 Private Sector Housing Renewal Funding

Members considered the report of the Head of Environmental Health and Health Equalities which outlined plans from the Regional Housing body to cut financial support to local authority programmes for improving housing conditions in the private sector. Members noted that this could result in a loss of up to £616,000 in East Devon. Concern was expressed by Members as grants both mandatory and discretionary, to help elderly and disabled people to remain in their homes and to cut fuel poverty and bring empty homes back into use, would be severely affected by the decision.

RESOLVED that further representations to the Regional Housing Board be made through all appropriate channels. Representations to be based on the fact that that a reduction in Private Sector Renewal Grant would have a major impact on the Council's ability to:

- improve conditions in the private housing sector,
- help elderly and disabled people remain in their own homes
- bring empty properties and empty space back into use
- reduce fuel poverty.
- the lack of reasonable notice will cause the Council serious financial difficulties as alternative funding will be needed to fulfil existing commitments.

*132 East Devon Local Development Framework: Annual Monitoring report

Members considered the report of the Principal Planning Officer which summarised details of the East Devon District Council Annual Monitoring Report (AMR) for the period from 1 April 2006 to 31 March 2007. Members noted that the AMR formed part of the East Devon Local Development Framework. The Council was required to submit the AMR to the Government Office for the South West before the end of December 2007. The document was brought before members for consideration and approval.

RESOLVED that the 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 web site and for inspection or purchase in paper format.

*133 Public Speaking at Committees and Council Meetings

Members considered the report of the Chief Executive which was an initial discussion document for the consideration and possible introduction of public speaking at Council and Committee meetings. Members considered the relevant section of South Norfolk District Council's constitution as well as a paper from the Planning Officers society relating to particular considerations relevant committees with a quasi-judicial function.

RESOLVED that the Corporate Overview Committee considers how arrangements could be made to allow the public to speak at Committees of the Council and what changes would need to be made to the Council's constitution as a result.

Chairman Date