

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 26 September 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
I R Chubb
G P Chamberlain
P A Diviani
Mrs C E Drew
M Florey
A R Giles
Mrs A E Liverton
Mrs F I Newth
Mrs H E Parr
A J W Reed
C T Tratt
T J R Wood
S C Wragg

Alderman R Mudge

**Apologies from
non-Executive
Board Members** J A Knight
Councillor K C Potter

The meeting started at 5.30 pm and ended at 7.49 pm.

*57 **Minutes**

The minutes of the meeting of the Executive Board held on 1 August 2007 were confirmed and signed as a true record.

*58 **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 of the agenda.

*59 **Forward Plan**

The contents of the Forward Plan for the period 1 September to 31 December 2007 were noted.

*60 **Minutes of the Meetings of the Corporate Overview and Scrutiny Committees, the Housing Review Board and the Joint Meeting of the Overview and Scrutiny Committees**

The minutes of the meetings of the Corporate Overview Committees held on 26 July and 20 September 2007, the Scrutiny Committee held on 5 September 2007, the Housing Review Board held on 6 September and the Joint Meeting of the Overview and Scrutiny Committees held on 12 September 2007 were noted and discussed.

Members discussed an item referred to the Board by the Corporate Overview Committee relating to the possible future provision of Further Educational facilities at Rolle College, Exmouth (Corporate Overview Minute 11). Members supported the views of the Corporate Overview Committee and offered their full support for future developments with Exmouth Community College.

(Cllr Miss J M Elson declared a personal interest in Corporate Overview Minute 11 as she was a Governor of Exmouth Community College).

RESOLVED 1) that the following decisions be noted:

**Corporate
Overview
Committee**

26 July 2007

Minute 9

- 2) that the Atkins' study be subject to further review by a Task and Finish Forum made up of Officers, the Portfolio Holder of Economy, the Portfolio Holder of Strategic Planning and Regeneration, the Business Champion, the Regeneration Champion, the Chairman of the East Devon Business Forum, a Liberal Democrat Member and a Independent Group Member. The TAFF to identify inconsistencies and anomalies in the way the study methodology is put into practice in the report and other inaccuracies or anomalies identified. After proposed changes are made it is proposed that the report is considered by Council for approval and 'signed-off' as complete and endorsed as a document to inform future policy development.
- 4) that a specific and timely assessment be updated on at the October meeting of the Committee be undertaken of employment land supply and demand issues in the western section of the District closest to Exeter. This work will address potential shortfalls in provision prior to the strategic employment sites of Skypark, the Inter-Modal and the Science Park being developed. It will also assess the suitability and appropriateness of employment sites for differing forms of employment development and shortfalls/surpluses that may exist for differing types of uses. Ultimately assessment along these lines will be done on a District wide basis.

*60 **Minutes of the Meetings of the Corporate Overview and Scrutiny Committees, the Housing Review Board and the Joint Meeting of the Overview and Scrutiny Committees (cont'd)**

- Minute 11
- 1) that the proposal for Exmouth Community College to take over part of Rolle College for its use has the full support of all Members of the Overview Committee;
 - 2) that the issue of the purchase of part of the Rolle College campus for use by Exmouth Community College be considered by the Executive board as an emergency item at their meeting on 26 September 2007;
 - 3) that the Corporate Director – Environment be requested to set up a meeting with SWRDA with the Leader of the Council, Portfolio holder for Strategic Planning & Regeneration and Principal of Exmouth Community College.

Minute 12 that an draft issues and options paper be prepared for the next meeting on 18 October 2007, incorporating the points made at this meeting.

Scrutiny Committee

Minute 20 that the report on the Quarterly monitoring of performance first quarter 2007/08 be noted.

- Minute 21
- 1) that the performance and proposed remedial action against the Service Plans for the fourth quarter of 2006/07, be noted;
 - 2) that once the new Land Terrier system to provide an improved method of monitoring and implementing property and estates matters is up and running, Members be notified so they can obtain information on matters on their own ward.

Minute 22 that the range of use made of the television in the Members Area be noted.

Minute 26 that the Scrutiny Committee Forward Plan be noted.

Minute 27 that the Task and Finish Forum Status Report be noted.

Housing Review Board

Minute 20 that the annual report for 2006/07 be noted.

Minute 22 that the report and the results of the benchmarking exercise be noted.

Minute 29 that the report be noted.

Minute 30 that the performance on repairs to Council homes be noted.

Minute 31 that the income and expenditure within the Housing Revenue Account for 2007/08 be noted.

*60 **Minutes of the Meetings of the Corporate Overview and Scrutiny Committees, the Housing Review Board and the Joint Meeting of the Overview and Scrutiny Committees (cont'd)**

2) that the following recommendations be approved:

Corporate Overview Committee

Minute 9

1) that the following changes be made to the Atkins' Study Document:

- Deletion of reference to the following sites, where development would likely be contrary, in principle, to current Local Plan policy:
 - Land to the west of the current operational boundary of Moorview Industrial Estate.
 - Land to the east of the current operational boundary of Mill Park Industrial Estate.
- Amendment of the area recorded for Harepath Road in Seaton (the Atkins report shows this as 5.44 hectares but the actual Local Plan allocation is 2.20 hectares).
- Deletion of reference to Honiton Showground throughout the document as inclusion could infer a particular policy status on this land which does not currently exist.
- Qualification in the references to the Honiton Community Plan to ensure that views expressed (reported by Atkins) are those of the MCTI. Also it is seen as desirable for reference to be made to the MCTI plan that is being produced in Axminster and the report to note that there are other town and parish planning initiatives.
- Deletion of reference to possible areas of search for new development as there is no methodology set out to define areas of search and justified reasoning for inclusion or exclusion of areas. Inclusion could infer a policy status that does not currently exist.
- Also minor changes are required to correct inaccuracies and errors and clarify the meaning of text and summarise instance where new guidance/policy has been produced.

3) that a comprehensive review and analysis (going into more detail than the Atkins study), be undertaken in conjunction with the East Devon Business Forum, of the existing employment sites. This and other studies on supply and demand and need issues will inform future policy for employment land provision.

Scrutiny Committee
Minute 22

that a DVD player/recorder be purchased.

Minute 23

that the situation with the recycling pilot be noted and the Recycling and Refuse Programme Board be requested to pay a visit to the recycling scheme at Teignbridge District Council and the IVC and also the scheme in South Somerset.

*60 **Minutes of the Meetings of the Corporate Overview and Scrutiny Committees, the Housing Review Board and the Joint Meeting of the Overview and Scrutiny Committees (cont'd)**

- Minute 24 that three Task and Finish Forums be established to consider ICT Investments, Use of Assets and Planning.
- Housing Review Board**
- Minute 19 that update reports on Weycroft hall and Exebank and Danby House be included on the agenda for the next meeting of the Housing Review Board.
- Minute 20
- 1) that the forward plan of work for 2007/08 be considered and agreed.
 - 2) that informal bi-monthly meetings of the Housing Review Board be held at appropriate venues around the district.
 - 3) that a report on the results of the tenant satisfaction survey for the Honiton area be brought to the next meeting of the Housing Review Board.
 - 4) that members of the Housing Review Board be invited to the seminar updating councillors about Cranbrook.
 - 5) that other items may be added to the forward plan in the future.
- Minute 22
- 1) that a half hour pre-meeting training session take place on how to interpret the data and graphs contained in the benchmarking results report.
 - 2) that information for 2006/07 be compared with the 2005/06 data and that a report on this be brought back to the Housing Review Board.
- Minute 23
- 1) that the dates of the Tenant and Leaseholder Customer Panel meetings be circulated to the Housing Review Board members.
 - 2) that a joint meeting of the Tenant and Leaseholder Customer Panel and the Housing Review Board be set up to determine and define the tenant members' role.
- Minute 24 that the proposals set out in the report aimed at holding a resident conference on an annual basis be approved, with a budget of £2,000.
- Minute 25
- 1) that the effect on communities of replacing individual scheme managers with mobile support officers continues to be monitored.
 - 2) that consideration be given to 'lifetime homes' through the Local Development Framework.
 - 3) that the Portfolio Holder Communities be invited to attend a future meeting of the Housing Review Board to discuss the decommissioning of Council properties.
 - 4) that consideration be given to population statistics and forecasts for the district.

*60 **Minutes of the Meetings of the Corporate Overview and Scrutiny Committees, the Housing Review Board and the Joint Meeting of the Overview and Scrutiny Committees (cont'd)**

- Minute 26
- 1) that a pilot programme of installing key safes be approved, and if successful, be extended to all sheltered housing, and
 - 2) that £50,000 of the Capital Plan provision be allocated to fund the installation of key safes to sheltered dwellings.
- Minute 27
- 1) that the Council's specialist aerial contractor be instructed to check all communal aerials and install digital aerials to ensure that all dwellings receive digital reception prior to switchover (option1), and
 - 2) that on any future major refurbishment schemes to the communal aerial systems, consideration is given to upgrading the systems to an Integrated Reception System (IRS) through both satellite and aerial receivers, following consultation with residents (option 2).
- Minute 28
- 1) that a Task and Finish Forum be established to consider proposed changes to the Allocation Policy and Choice Based Lettings Scheme .
 - 2) that the composition of the Task and Finish Forum be Councillor J Humphreys, Councillor D Hull, Mr R Finch, Mr V Kemp and Mr J Mahoney, with other members of the Board being invited to attend as observers.
- 3) that the following be forwarded to Council and recommended for approval
- Housing Review Board**
- Minute 21
- 1) that the Housing and Social Inclusion Service Improvement Plan be considered, amended as necessary, and adopted.
 - 2) that performance against the actions in the Improvement Plan be monitored and progress reported to the Housing Review Board on a quarterly basis to begin with, moving to half-yearly monitoring, if appropriate.
- Minute 23
- that the draft resident involvement strategy be adopted.
- Minute 25
- that the comments of the Housing Review Board be noted and that appropriate elements be included in the updated Housing Strategy Statement.
The Leader thanked the Chairman of the Housing Review Board for the work done by the Board to date.

*60 **Minutes of the Meetings of the Corporate Overview and Scrutiny Committees, the Housing Review Board and the Joint Meeting of the Overview and Scrutiny Committees (cont'd)**

- 4) that the following recommendations be taken into account when the relevant agenda items are considered later in the meeting:

**Joint
Meeting of
the Scrutiny
and
Corporate
Overview
Committees**

Minute 3

that the detailed changes to the draft Corporate Strategy at the meeting be noted and incorporated into an updated document to be considered by the Executive Board.

*61 **ITV Local News Service provision**

Members considered a proposal made by the Portfolio Holder – Communications regarding the news that ITV planned to close its news operations in Plymouth and Exeter and operate a regional service from Bristol. The Portfolio holder asked that the Council make representations to Ofcom, the LGA and to ITV stressing the importance of locally based new services.

RESOLVED

that the Council makes representations to Ofcom, the LGA and ITV with the following message:

‘We deplore the proposal to close ITV’s news operations in Plymouth and Exeter and to operate a regional service from Bristol, with the inevitable impact this will have on an important communications channel for residents of Devon, Cornwall and several other western counties. This is especially lamentable at a time when the Government is seeking to give local communities more say in their own affairs, with the need for as many news outlets as possible. We consider that ITV is failing in its responsibilities to Public Service Broadcasting and should reconsider this decision.’

62 **Visioning – final report and recommendations – Key decision**

Members considered the report of the Corporate Director – Central Services which outlined the corporate priorities identified by the Vision Panel following an extensive period of consultation with the public, partners and officers. It also set out alternatives for a vision, values and ‘strapline’ for members to consider. The draft new Corporate Strategy to 2011 was also attached and it was highlighted that this was a key corporate document which would pave the way for the Council to set out its ambitions and priorities for the next four years.

It was noted that the strategy was still very much work in progress and that more detailed work needed to be carried out to develop the strategy. The Chairman thanked all Officers and Members involved in the visioning process for their work to date.

RECOMMENDED 1) that the choice of ‘Strapline’ decision be deferred for future consideration

62 Visioning – final report and recommendations – Key decision (cont'd)

- 2) that the draft corporate strategy vision be:
“Outstanding and sustainable quality of life for everyone in East Devon”
- 3) that the draft corporate strategy values be:
 - Courage: to lead
 - Wisdom: to listen
 - Passionate: about people, places and performance
 - Champions: of challenge
- 4) that the draft corporate strategy corporate priorities be:
 - Affordable homes
 - Thriving economy
 - Safe, clean and green environment
 - Recycling
 - Children and young people
 - Our customers excellent services
 - An inspirational Council
- 5) that the content of the draft Corporate Strategy to 2011 by completed by the Corporate Director – Central Services in consultation with the Portfolio Holder – Resources

***63 Revenue and Capital Monitoring report – Month Five 2007/08**

Members considered the report of the Financial Services Manager which gave a summary of the Council's overall financial position for 2007/08. The report took into account all large, high risk and volatile budget areas. Members attention was also drawn to remedial measures which had been suggested by officers to counteract any material variances. The Portfolio Holder – Resources drew Members attention to others areas where a higher variance in budget had occurred and asked the relevant Portfolio Holders to keep monitoring their areas of spending. The Chairman thanked the Financial services team for their continuing hard work.

RESOLVED that the variances identified as part of the Revenue and Capital Monitoring process for month five of 2007/08 be noted, including the effect on the Councils Reserves and Balances.

***64 Insurance Tender**

Members considered the report of the Financial Services Manager which detailed the recommendations supplied by the Council's insurance broker (Marsh) in relation to the recent re-tendering of the overall insurance portfolio authorised by the Executive Board on 4 July 2007.

RESOLVED that it be noted that under the provision of delegated powers granted by the Executive Board on the 4 July 2007 to allow the Resources Portfolio Holder in conjunction with the Corporate Director – Economy to appoint the Council’s insurers, the new contract has been awarded to RMP (Risk Management Partners) with effect from the 1 October 2007, with the exception of the fidelity guarantee cover which should be awarded to RSA (Royal Sun Alliance).

*65 **Consultation on formula grant distribution**

It was noted that the Government had invited comments on a range of options for distributing Formula Grant from 2008. Members considered the report of the Corporate Director – Economy which commented on those options in respect of the 2008 free concessionary fare bus scheme and a preference for funding via special grants. At the meeting the Corporate Director reported that since the report had been written, the Government had advised that £212 million was to be allocated by a special grant and not through the formula grant. It was noted that this was the system of distribution which the Council was being asked to support.

*66 **Performance Monitoring – July 2007**

Members considered the report of the Corporate Director – Central Services setting out performance information for July 2007.

RESOLVED that the performance and proposed remedial action against key performance indicators for July 2007 be noted.

67 **Independent Remuneration Panel report**

Members considered the report of the Head of Finance which outlined the considerations and recommendations of the Independent Remuneration Panel which met on 13 August to determine the Special Responsibility Allowances for 2007/08.

- RECOMMENDED 1)** that the recommendations of the Independent Remuneration Panel in respect of 2007/08 Members Special Responsibility Allowances be approved.
- 2)** that the childcare and dependent carers’ allowances be increased to ensure it stayed in line with the increase in the minimum wage.
- 3)** that consideration be given to extending the tenure of current members of the Panel and the need to recruit additional members to the Panel.

68 **Revised and up-dated Anti-Fraud, Theft and Corruption Policy and re-drafted Whistle Blowing Policy (with Quick Guides)**

Members considered the report of the Internal Audit and Risk Manager which explained the need to revise and update the current Anti-Fraud, Theft and Corruption Policy and to redraft the Whistle Blowing Policy and create a quick guide in order to bring them into line with best practice and to avoid criticism from the external auditor.

RECOMMENDED that the updated Anti-Fraud, Theft and Corruption Policy and redrafted Whistle Blowing Policy (and quick guide) be referred to the Audit and Governance Committee for detailed consideration and that in the event of any changes being made a report be submitted to the Executive Board.

*69 **Housing Green Paper – Homes for the Future:
More Affordable, More Sustainable**

It was noted that the Department for Communities and Local Government had published for consultation a Housing Green Paper outlining the Government's plans for delivering three million new homes by 2020. Members considered the joint report of the Head of Housing and Social inclusion and Policy and Conservation Manager which summarised and commented on the contents of the Green Paper. It was noted that Cranbrook had been highlighted in the paper as an 'exemplary' development. The Portfolio Holder – Strategic Planning and Regeneration thanked all Officers involved in the Cranbrook and West of East Devon growth area development projects.

RESOLVED that officers send a response to the consultation, after liaison with the Portfolio Holders - Strategic Planning and Regeneration, Communities, Environment and the Leaders of the Liberal Democrat and Independent political groups.

*70 **Review of Polling Districts, Polling Places, and Polling Stations**

Members considered the report of the Returning Officer which detailed the recent review of Polling Districts, Polling Places and Polling Stations in accordance with the Electoral Administration Act 2006. The consolidated results of the review were presented to Members for consideration.

RESOLVED

- 1) that all Polling Districts remain unchanged.
- 2) that all Polling Places remain unchanged.
- 3) that all Polling Stations remain unchanged with the exception of the venues currently used at Monkton and Whimple for the reasons given in the report.
- 4) that it be noted that the Returning Officer will continue to evaluate and consider alternative polling stations where necessary.

*71 **Exemption to Standing Orders for the purchase of a replacement roof structure**

Members considered the report of the Property Services Manager which asked Members to note that a single tender was to be accepted to replace the existing glazed roof structure at East Devon Business Centre, which was in poor condition and could not be economically repaired. Audit requirements specified that three quotations must be obtained for any building work in excess of £3,000.

RESOLVED that Members agree an exemption from Standing Orders and a single tender is to be accepted for the roof replacement at East Devon Business Centre, for reasons given in the report.

***72 Seaton Seafront decorative lighting**

Members considered the report of the Principal Engineer which detailed that Devon County Council had recently replaced highway lighting columns along the East Walk section of Seaton seafront and which had affected East Devon District Council decorative rope lighting attached to each column. Members were advised that to replace the decorative lighting would result in considerable expense, was costly to run and is considered by many to be ineffective as a decorative lighting scheme. As an alternative to replacing the decorative lighting, Devon County Council had installed more expensive bespoke lighting columns instead of the basic form of highway lighting.

- RESOLVED**
- 1) that a one-off contribution from the 2007/08 revenue budget be given to Devon County Council towards the bespoke seafront lighting scheme.
 - 2) that the sum given be the equivalent to one years running cost of the decorative lighting system calculated at £6000 from current revenue budgets.

***73 Exclusion of the Public**

- RESOLVED** that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

***74 Dog Warden & Pest Control Contract – Key decision**

Members considered the report of the Head of Environmental Health and Health Equalities which stated that the existing Dog Wardens and Pest Control contracts had been separated to provide more focused enforcement of dog fouling and anti-social behaviour legislation and local byelaws. It was noted that tenders had been received and it was recommended that the Dog Warden and Pest Control contracts be let and the decision on the Community Warden contract be delayed to allow for further discussions with the contractor and consideration of alternative options.

- RESOLVED**
- 1) that the Pest Control contract be awarded to Rentokil PLC.
 - 2) that the Dog Warden Service contract be awarded to Animal Wardens Ltd
 - 3) that a decision on the letting of the Community Warden Service be made by the Portfolio Holder – Communities in consultation with the Portfolio Holder – Street Scene after further discussion and consideration of alternative options.

***75 Beach Gardens, Exmouth**

Members considered the report of the Senior Estates Surveyor – Property Services relating to an approach which had been received for the development of a small section of the Beach Gardens at Exmouth sea front for use as a water sports centre and shop. It was noted that the applicant had obtained detailed planning permission for an architecturally interesting building and was seeking the Council's agreement to release the site for development.

*75 **Beach Gardens, Exmouth (cont'd)**

- RESOLVED**
- 1) that the Council release the area of Beach Gardens at Exmouth sea front for commercial development
 - 2) that the Property Services Manager be authorised to open negotiations with Clinton Devon Estates for a variation of restrictive covenants so as to enable the proposed site to be developed
 - 3) that should the restrictive covenants be lifted, the site be offered on the open market by way of a 50 year ground lease on the basis of the current planning permission

*76 **Mooring posts – River Exe estuary**

Members considered the report of the Senior Estates Surveyor – Property Services which stated that the Council had been requested by the agents acting for the Crown Estate Commissioners (the Council's landlord) to take legal action to secure the removal of two unauthorised mooring posts from the bed of the river Exe at the north western end of the entrance to Exmouth docks/marina.

- RESOLVED** that the Council instigates Court proceedings as recommended in the report for the removal of two unauthorised mooring posts from the bed of the river Exe

Chairman Date