

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 16 November 2005

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

P A Diviani
Miss J M Elson
S Hughes
S C Luxton
A T Moulding
J B Nicholson
Mrs P A Stott
A J Wilkinson

Also Present Councillors:

Miss V Ash	M J L Green
Mrs M J Boote	B O Ingham
T A Cope	J A Knight
R H H Cross	R Mudge
A E J Dinnis	A W J Reed
Mrs C E Drew	T G Reeves
J E D Falby	Mrs L A Roden
K W George	Mrs M Rogers
A R Giles	

The meeting started at 5.30 pm and ended at 8.00 pm

***85 Minutes**

The minutes of the meeting of the Executive Board held on 19 October 2005, were confirmed and signed as a true record.

86 Devon & Cornwall Constabulary and Police Authority – proposed options

The Chairman agreed for this item to be dealt with as a matter of urgency to give the Council an opportunity to submit its views to the Home Office by 23 December 2005 on the future arrangements for policing in the South West. The Home Office had assessed various options and had advised that there were two which possibly could be progressed, namely:

1. Two strategic forces – Devon and Cornwall as a stand alone strategic force
Avon and Somerset, Gloucestershire, Wiltshire & Dorset
2. Regional strategic South West force

Members noted the letter from the Devon & Cornwall Constabulary, circulated at the meeting, in which the Constabulary felt it was well placed to serve as a stand alone strategic force. Members considered that the South West should be treated as a special case due to its comparatively sparse population and wide geographical area.

RECOMMENDED that the Home Office be advised that, in the Council's view, Devon and Cornwall Constabulary should be retained as a stand alone strategic force in the South West as this structure would best serve the local population, with the option of a regional force being rejected as this arrangement would be too remote to adequately serve the large geographical area and the wide spread of population in Devon and Cornwall.

***87 Ottery St Mary – Car Parking Concessions until Christmas 2005**

Members noted the proposal to introduce free Christmas parking in the Hind Street Car Park, Ottery St Mary in response to requests from local traders and the Town Council due to the impact of flooding on the local economy. The recent flooding was as a result of a weakness in the flood alleviation scheme and it was acknowledged that the town had suffered major disruption over the last few years due flooding problems. The provision of free parking until Christmas was intended to help the local economy and would be funded by the Council and the Environment Agency.

RESOLVED that free car parking be introduced in the Hind Street Car Park, Ottery St Mary from 5 to 24 December, to support the local economy following recent flooding problems, with the initiative being funded by the Council and the Environment Agency.

(Councillor B Nicholson declared a personal interest in this item as a member of the Great South West Regional Flood Defence Committee).

***88 Forward Plan**

The contents of the Forward Plan for the period 1 November 2005 to 28 February 2006 were noted.

The Deputy Communities Portfolio Holder, Councillor Mrs P Stott, up-dated Members on the Housing Stock Options appraisal and the processes involved. She thanked Councillor Miss V Ash for her support and the excellent work of the staff involved, naming John Golding, Andy Grigg, Sue Bewes and Richard Hartwell and their teams. She also thanked the tenants for their valued input. The work was also supported by the Leader and Resources Portfolio Holder and those involved were thanked. The final Housing Stock Options Appraisal report would be considered at the next meeting of the Board.

The Corporate Director – Economy advised that the Comprehensive Performance Assessment (CPA) Use of Resources – Value for Money self-assessment had been dealt with by the Overview Committee and no longer needed to be included in the Forward Plan.

***89 Matters referred to the Executive Board**

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

***90 Meetings of the Scrutiny and Corporate Overview Committees**

The minutes of the meetings of the Scrutiny and Corporate Overview Committees, held on 26 October and 3 November 2005 respectively, were considered.

RESOLVED (1) that the recommendations contained in the following minutes be approved:

Scrutiny	Minute 9
Corporate Overview	Minutes 17, 18,

(2) that the recommendations contained in the following minutes be taken into account during consideration of the relevant agenda items taken later in the meeting:

Corporate Overview	Minutes 19, 20
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(3) that the decisions taken in the following minutes be noted:

Scrutiny	Minute 10
Corporate Overview	Minute 18

91 Leisure East Devon (Charitable Trust) – Key Decision

Members considered the report of the Corporate Director – Communities in respect of the transfer of the Council's prime leisure operations (the sports and swimming centres plus the Exmouth Pavilion together with directly operated outdoor sports and recreation pitches) to the Leisure Trust as from 1 January 2006. The Manor Pavilion, Sidmouth, would be included in April 2006. The report set out the principles and arrangements of the new Trust. The recommendations of the Corporate Overview Committee (minute 21) were taken into account during the consideration of this item. Members noted the potential savings which could be achieved through this arrangement, together with the benefits for the community.

Appendix A to the report set out the service outcomes for delivery and it was suggested that this should also include the need to maintain effective partnerships to improve and extend service provision.

The Shadow Trust Board had already been appointed with membership including 2 East Devon District Councillors. Members felt that it would be beneficial for the Shadow Board to submit an annual report to allow the Council to assess performance and benefits.

Members noted the implications of the arrangements in respect of buildings, staffing, equipment and stock and financial issues. Members also noted the draft Business Transfer Agreement setting out the broad legal terms of the transfer.

Peter Jeffs and his Team were thanked for the progress made.

- RECOMMENDED**
- (1) that the Council's prime leisure operations be transferred to Leisure East Devon as from 1 January 2006,
 - (2) that an annual service payment (paid quarterly) be made to the Trust under a Service Level Agreement (Appendix A to the report subject to this agreement including reference to maintaining and developing partnership arrangements and the requirement of the Trust to submit an annual report to the Council for monitoring purposes).

***92 Revenue & Capital Monitoring Report 2005/06 – Month Six**

Consideration was given to the report of the Financial Services Manager in respect of the Council's overall financial position at Month Six (September). The budget variations had been identified within the month with an assessment of how these variations would continue until the end of the financial year and the subsequent effect on the Council's overall reserves and balances. It was noted that an under-spend was expected at year end but that this amount was not as high as had been anticipated earlier in the year due to over-optimism in respect of savings from public convenience provision. Members noted the remedial measures suggested and/or implemented by officers.

- RESOLVED** that the variances identified as part of the Revenue and Capital Monitoring process for Month Six of 2005/06 be noted, including the effect on the Council's Reserves and Balances.

***93 Audit of Financial Statements**

Members considered the report of the Head of Finance in respect of the audit of the Council's Statement of Accounts for 2004/05 which had been completed by the Audit Commission. There was a requirement to inform Members of the conclusion of the audit and for them to be formally notified of any matters which the auditor was required to bring to their attention. The District Auditor confirmed that there were no matters that he wished to raise with Members. Members welcomed the formal confirmation of this statement attached to the report.

*93 **Audit of Financial Statements (cont)..**

RESOLVED that the District Auditor's clear opinion on the Council's Statement of Accounts for 2004/05 and his confirmation that there were no matters he was required to bring to their attention following the audit be noted formally.

*94 **Independent Remuneration Panel – remit**

Members considered the report of the Corporate Director – Economy in respect of the remit of the Independent Remuneration Panel. Members were reminded that the current scheme of allowances would cease to operate from 31 March 2006.

The Panel would not be asked to re-consider travel and subsistence payment as this was now based on the calculation used for Council staff. It was suggested that the Panel could consider a methodology of indexing allowances to allow them to be rolled forward annually. The Panel would not be asked to consider pensions for Councillors. Members felt that it was no longer appropriate to award special responsibility allowances in respect of the Housing Review Committee which rarely met.

A decision in respect of allowances for members sitting on the Licensing and Enforcement panels had been deferred until evidence of the additional workload was available. The Panel would be asked to re-consider this and it was suggested that a similar level of payment as currently made to the Members of the Planning Inspections Committee could be appropriate.

RESOLVED that the Independent Remuneration Panel be asked to consider appropriate levels for the Councillors' basic allowance, special responsibility allowances (positions listed in Appendix A to the report subject to the deletion of the Housing Review Chairman and Vice-Chairman from the list), a methodology for indexing allowances to allow them to be rolled forward annually and consideration of allowances for members sitting on the Licensing and Enforcement Panels with possible back-dating.

*95 **Quarterly Monitoring of Performance – Second Quarter 2005/06**

Consideration was given to the report of the Policy Manager giving performance monitoring information for the second quarter of 2005/06. The information allowed the Board to monitor performance and identify any service areas where improvements were necessary. Members noted the officer comments against indicators and the suggested remedial actions. The information provided also allowed the Board to monitor the key outcomes from Service Plans, including improvements arising from best Value Reviews and the CPA Improvement Plan.

Members were advised that the report was presented in a format direct from new software, SPAR.net, which was used to store and report performance data. Those responsible for performance indicators were now able to enter their own statistics and monitor performance. Members welcomed the new format which included helpful highlighting and a clear action plan.

RESOLVED that the performance against performance indicators and planned outcomes from Service Plans for the second quarter of 2005/06 be noted

***96 Primary Care Trust Reconfiguration**

Members considered the report of the Corporate Director – Communities setting out the background to the national and local changes to the Primary Care Trust. The need to engage and interest people in maintaining their own health was acknowledged through the Government ‘Wanless’ report. There was a need for people to make sensible choices about their own health. Unless this was achieved, the current NHS arrangements would not be sustainable into the future. Although the Council did not directly provide health care, it had a key involvement in local health.

The District Councils in Devon had lobbied for community/local rather than countywide arrangements due to the rural two-tier nature of most local authorities in the South West. The concerns of the Council in respect of large new structures were set out in the letter from the Leader to the Strategic Health Authority (SHA) attached to the report. Also attached was a letter submitted to the SHA on behalf of all the Devon District Councils expressing concern felt about certain aspects of the SHA’s Proposal particularly in relation to local responsiveness and community involvement.

RESOLVED that the Devon Councils’ aim to achieve a new Primary Care Service configuration relating to District Council level structures rather than having a prime reference to County level arrangements be supported.

***97 A Compact for Devon**

Consideration was given to the report of the Corporate Director – Communities seeking formal adoption of the principles set out in the Compact for Devon which aimed to formalise links between the public sector and the voluntary and community sector. Members noted that a joint approach in Devon had been adopted to achieve consistency in respect of cross-border issues and as the most cost effective option.

RESOLVED that the Compact for Devon be adopted.

***98 Temporary Accommodation for homeless households**

Members considered the report of the Head of Housing and Social Inclusion in respect of the Government’s target for local authorities to reduce the use of temporary accommodation for homeless households. The Council had met the 2004 Office of the Deputy Prime Minister (ODPM)’s target to reduce the use of bed and breakfast accommodation for homeless families. The ODPM’s new target was to reduce the number of households living in temporary accommodation by half by 2010. The Council relied on temporary accommodation to meet its homeless duties due largely to the inadequate supply of permanent accommodation. Members were advised that the new target was consistent with the Council’s Housing Strategy but that the specific time deadline of 2010 was not included in the Strategy. The implications of meeting the target were set out in the report. It was recommended that an Action Plan be produced to set out how the Council would achieve this target with this Plan being referred back to the Board for consideration. The Plan would include the ODPM’s identified range of measures that could be used to reduce homelessness and increase the supply of local affordable housing. If adopted, the Action Plan would be an addendum to the Council’s Housing Strategy.

Members were concerned that the target would put further strain on resources with a danger that people currently on the waiting list or in temporary accommodation could be by-passed to provide accommodation for homeless households. Members agreed that the target was very laudable but felt strongly that the Government should match the target with funding.

***98 Temporary Accommodation for homeless households (cont)..**

- RESOLVED**
- (1) that the government target of reducing the use of temporary accommodation by 50% by 2010 be noted with the Head of Housing and Social Inclusion being invited to produce an Action Plan setting out how the Council would achieve this target by the deadline set, with this Plan being referred back to the Executive Board for consideration
 - (2) that this Council asks the Local Government Association to challenge the decision of the Office of the Deputy Prime Minister to set the new target without providing additional funding, with a letter being set to the local MPs for their support in this respect.

99 World Heritage Coast: Feasibility Studies for Exmouth and Seaton Visitor Gateway Centres

Members considered the report of the Corporate Director Environment in respect of the feasibility studies commissioned by the Council on the proposed world class visitor centres for Seaton and Exmouth within the context of the Jurassic Coast World Heritage Coast site interpretation action plan. The recommendations of the Corporate Overview Committee (minute 21) were taken into account during the consideration of this item.

The scale of both Centres was very significant. The proposal was to build large facilities to cater for the anticipated visitor numbers. The quality of the Centres had to be of a world class standard. The Centres would not be in competition with each other but together would increase the potential interest in the World Heritage Coast. The need to undertake a market testing exercise was acknowledged as this would establish if there was private funding available for both Centres.

The initiatives would have significant resource implications for the Council, including land and staffing. The associated risk of the projects to the Council was also acknowledged but cost and risk had to be balanced against the potential regeneration of Seaton and Exmouth. The scheme could transform tourism in East Devon.

It was suggested that the commitment of Devon County Council and other agencies was essential. Members discussed whether this project should be County-led to reduce the impact on the District Council but were advised that as land owner, the District Council would still bear the greatest risk. The Memorandum of Understanding would identify issues including cost implications. There was a need to create a single purpose company to deliver the project. Market testing would be undertaken and if there was insufficient interest as a result, the break clause in the Memorandum of Understanding would be employed.

The scheme was likely to attract lottery funding because it was large and unique. It was felt that if lottery funding was secured, private financing would certainly follow.

The Corporate Director – Environment would bring back a report to the Executive Board which would set out the resource implications, funding, and the work programme for delivering the project.

99 **World Heritage Coast: Feasibility Studies for Exmouth and Seaton Visitor Gateway Centres (cont)..**

- RECOMMENDED**
- (1) that the report by Locum Consulting on the Exmouth Visitor Gateway Centre: Options Appraisal and Preliminary Feasibility review be welcomed and the work of the project steering group in taking this project forward to delivery be supported,
 - (2) that the report by Locum Consulting on the Seaton Visitor Gateway Centre: Options Appraisal and Preliminary Feasibility review be welcomed and the work of the project steering group in taking this project forward to delivery be supported,
 - (3) that subject to key stakeholders on behalf of the project steering group demonstrating financial commitment to fund market testing for delivery of a Exmouth Gateway Visitor Centre (EGVC); otherwise known as a World Heritage Coast & Exe Shoreline Visitor Centre at Exmouth, the Imperial Recreation Ground be safeguarded as the potential site of a privately funded and owned EGVC; that a building zone be identified and the proposed capital programme scheme dealing with contamination at the foreshore be designed to accommodate a future building and car parking,
 - (4) that the inclusion within the project outline brief of a public meeting room within the Exmouth GVC be supported,
 - (5) that the concept framework diagram for the location of the Seaton GVC that seeks integration of the Seaton GVC with the wider Seaton regeneration area be supported,
 - (6) that the financial and staff resource commitment required from East Devon District Council to take these projects forward be recognised,
 - (7) that following negotiations with the Steering Group Members concerning the project management arrangements, a further report, setting out the likely financial and staffing implications associated with delivering these projects together with likely timescales and key steps in the delivery of the project be reported back to the Executive Board,
 - (8) that the stakeholder steering groups be requested to sign a memorandum of understanding covering the on going management of the projects.
 - (9) that a bid be made to the Living Landmarks Big Lottery Fund on behalf of both Gateway Visitor Centres as part of a single bid for the Jurassic Coast Interpretation Action Plan.

(Councillor T Cope who was an observer at the meeting advised that he had now resigned from the project group for the Centre to give himself freedom to speak at Council meetings on this issue).

(Councillor R Mudge who was attending as an observer declared a personal interest as a member of one of the interest groups involved in this initiative.)

***100 The Planning Delivery Grant and Additional Staff for the Planning and Countryside Service**

Consideration was given to the report of the Head of Planning and Countryside Services in respect of approval sought to use the Planning Delivery Grant (PDG) funds and anticipated funds to employ additional Development Control and Arboricultural staff which would help the service to meet Government targets. The ability to win PDG grant was largely dependent on the development control team being able to process applications within the targets set. Members noted that if performance against targets could be further improved, increased Planning Delivery Grant funds would be awarded.

Members noted the increasing workload placed on the existing Arboricultural Officer and new responsibilities introduced through changes in legislation and Government guidelines. A second Arboricultural Officer for the Countryside Team would help to bring the District's Tree Preservation Orders up to date as well as helping provide advice on planning applications affecting trees.

RESOLVED that authorisation be given to the following posts, to be funded from the PDG fund, with these posts being permanent to attract suitable candidates:

- Two Senior Officers – Development Control
- One Arboricultural Officer – Countryside Team

***101 Renewal of maintenance contract for CCTV cameras – suspension of Standing Orders**

Consideration was given to the report of the Property Services Manager seeking agreement to the suspension of Standing Orders under Section 1.02, to obtain three competitive quotations for work in excess of £3,000 in value, relating to the continued maintenance arrangements for CCTV equipment at Exmouth Town Hall.

- RESOLVED**
- (1) that the suspension of Standing Orders under Section 1.02 to obtain three competitive quotations for work in excess of £3,000 relating to the continued maintenance arrangements for CCTV cameras be approved.
 - (2) that a further report in respect of CCTV provision, replacement equipment and funding be brought back to the Board for consideration with the report including reference to partnership working and the recommendations of the CCTV Task and Finish Forum.

Chairman Date