

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Executive Board held at Knowle, Sidmouth on Wednesday, 7 April 2004**

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

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

**Also Present** Councillors:  
Miss V Ash  
P W Burrows  
G P Chamberlain  
G K Liverton  
Ms S M Merritt  
R Mudge  
Mrs H E Parr  
Mrs P A Stott  
Dr H W Waterworth  
Mrs E E Wragg

The meeting commenced at 5.30 pm and terminated at 8.45 pm

\*202 **Minutes**

The minutes of the meeting of the Executive Board held on 10 March 2004, were confirmed and signed as a true record.

\*203 **Gittisham – up-date**

The Chairman was pleased to announce that successful negotiations were taking place to overcome the housing problems in Gittisham where 27 families living in leased accommodation had been given notices to quit by their private landlord. A new landlord had now come forward and agreed to take over the majority of properties which meant that local families could stay in their homes. The Chairman thanked John Golding, Head of Housing and Social Inclusion and his team for their significant efforts and the praiseworthy way in which the difficult situation had been dealt with.

The Chairman was thanked for her community leadership and support. The valued efforts of the Ward Member and local MP were also acknowledged.

**\*204 Exempt Information**

**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.

**\*205 Forward Plan**

The contents of the Forward Plan for 1 April to 31 July 2004 were noted.

**\*206 Matters referred to the Executive Board**

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

**207 Overview Committee Minutes**

Consideration was given to the minutes of the meetings of the Environment Overview (26 February 2004), Economy Overview (3 March 2004) and Communities Overview (4 and 24 March 2004) Committees and of the Special Joint Communities, Economy and Environment Overview Committee meeting held on 30 March 2004.

- RESOLVED**
- (1) that the decisions contained in the following minutes be noted:
 

Communities Overview	Minutes 34, 38, 39
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  - (2) that the recommendations contained in the following minutes be agreed:-
 

Environment Overview	Minute 57
Economy Overview	Minute 30
Communities Overview	Minute 32
  - (3) that the recommendations contained in the following minutes be taken into account during consideration of the relevant agenda items taken later in the meeting:-
 

Special Joint Overview	Minute 3
Communities Overview	Minute 35, 36
- RECOMMENDED**
- (1) that the recommendations contained in the following minutes be agreed:-
 

Environment Overview	Minute 58
Communities Overview	Minute 37

**208 Best Value Review of Housing Services (key decision)**

Consideration was given to the report and improvement plan arising from the Best Value Review of Housing Services. The Communities Overview Committee had considered the report at its meeting on 24 March 2004 and had recommended that the Best Value Review be approved.

The review of the service was strategic and covered housing, environmental health and rental with the aim of achieving continuous improvement to the Council's housing services. If implemented, the recommended improvement plan would allow the service provided to proactively meet to our customers' housing and social needs. Members were advised that, if approved, the 25 objectives within the improvement plan would be incorporated into the updated Housing Strategy and Service Plans.

208 **Best Value Review of Housing Services (key decision) – cont.**

- RECOMMENDED**
- (1) that the 25 objectives of the Improvement Plan included within the report of the Best Value Review of Housing Services be progressed within the time scales indicated, with the improvement actions being incorporated into the updated Housing Strategy and Service Plans.
  - (2) that the staff and external representatives involved in the success of the Review be thanked for their dedication and input

\*209 **Stock Options Appraisal Project – scoping report (key decision)**

Consideration was given to the report of the Head of Housing and Social Inclusion in respect of a comprehensive appraisal of the Council's housing stock. This was to be carried out by all local authorities with housing stock under the Stock Options Appraisal process, in accordance with guidance provided by the Government Office. The aim of the project was to determine how to meet the Decent Homes Standard. Members were advised that this Council had already reached the standard required and was now working to maintain this level of provision into the future and make further improvements.

It was suggested that a Task and Finish Forum should be set up to fully engage Councillors in the project and to act as a steering group.

Tenant representatives would also be involved in all aspects of the project and an Independent Tenant Adviser would need to be appointed to assist tenants in the project and provide independent advice.

A significant amount of staff time would be taken up in carrying out the appraisal and it was suggested that a project team should be set up to undertake this work. Members were asked to consider the secondment of a member of staff from within the service or the recruitment of a suitably qualified candidate into a Project Manager post for at least a year. It was likely that additional administrative support would be needed and it was suggested that under-graduates taking relevant social degree courses could be employed temporarily during the recess to help progress the project.

The project would be funded from the Housing Revenue Account and when complete would be reported to the Executive Board.

**RESOLVED** that the proposed approach to the Stock Options Appraisal project be agreed and the following be approved:

- The main objectives of the project
- The establishment of a Project Team
- The establishment of a Task and Finish Forum made up of 8 members of the Communities Overview Committee with the Forum having a rural/urban balance, with the Chief Executive being given delegated authority to approve the membership in advance of the next meeting of the Communities Overview
- The advertisement for an Independent Tenant Adviser
- The secondment or recruitment of a Project Manager
- The outline timetable for the project

**210 Balancing Housing Markets (key decision)**

Consideration was given to the report of the Corporate Director – Communities in respect of the Balancing Housing Markets Strategy which had now been through the consultation process. This had proved to be very useful and new ideas generated as a result of feedback had been incorporated within the action plan. It was noted that some of the actions had already been approved and were being processed.

**RECOMMENDED** that the programme of actions in the Strategy be adopted

**211 Community Safety Best Value Review report (key decision)**

Members considered the report of the Policy Manager in respect of the Community Safety Best Value Review. The Review identified the range of good initiatives already undertaken by the Council in promoting Community Safety. The Review had considered whether a Member Champion for Community Safety should be appointed. The Communities Overview Committee at its meeting on 24 March 2004 had considered the Review and Members noted its recommendations.

- RECOMMENDED**
- (1) that the recommendations of the Review Team set out on Page 8 of the report arising from the Review of Community Safety be approved.
  - (2) that the Portfolio Holder – Communities be appointed Member Champion for Community Safety.

**\*212 Draft Waste Management Strategy (key decision)**

Members considered the report of the Corporate Director – Economy in respect of the above Strategy which had been considered by the Joint Meeting of the three Overview Committees on 30 March 2004. Members noted the minutes of that meeting and the recommendation that the Strategy be adopted.

Members were advised that although the Council's recycling statistics were good, the year on year increase was levelling out. In order to meet Government targets and improve the Council's performance, there was a need to introduce new initiatives. One of the key initiatives proposed was to target the recycling of organic kitchen waste which to-date had not been collected.

Currently recyclable waste was collected fortnightly but a turn-about was proposed to increase the tonnage of waste which could be recycled. It was proposed that organic and dry recyclable waste be collected weekly and non-recyclable waste fortnightly.

- RESOLVED**
- (1) that the draft Waste Management Strategy be approved as a basis for consultation with key stakeholders and for the formation of the new refuse and recycling contracts.
  - (2) that the Government grant awarded this year be used to fund the appointment of consultants to work up the new refuse and recycling contracts.

**213 Customer Access Strategy (key decision)**

Consideration was given to the report of the Corporate Director – Central Services which outlined the progress to-date in respect of the above strategy. The strategy supported the Council's top priority to deliver services how, when and where our customers want them. The Council had progressed the initiative in partnership with other agencies, significantly including the County Council.

213 **Customer Access Strategy (key decision) cont.**

Members were advised that Richard Pascoe, Head of ICT, was due to take up a new appointment with Dorset County Council. Members wished Richard well for the future and thanked him for his valued input and the progress he had made towards the implementation of e-government.

**RECOMMENDED** that the position be noted and the development of the strategy in tandem with the work of the Devon e-Government Partnership and particularly ensuring links with Devon County Council, be approved.

214 **Proposed Exmouth Waterside Centre at Foxholes Car Park (key decision)**

Consideration was given to the report of the Corporate Director – Environment in respect of a proposal of the Exmouth Waterside Group to site the Waterside Centre at Foxholes Car Park on Queens Drive. The outline of the project had been referred to each Overview Committee and the Exmouth Waterside Group had now completed a business plan. Members acknowledged the benefits of the proposals to the town and its visitors. However, the business plan relied on public sector funding and included the Council gifting the land and awarding funding of at least £525,000. Members also had concerns about the proposed siting of the development and the potential danger to other beach uses at this location.

**RECOMMENDED** (1) that the business plan submitted by the Exmouth Waterside Group for the development of an Exmouth Waterside Centre be noted,

(2) that the Exmouth Waterside Group be informed that the Council does not have the finance to take this project forward.

\*215 **Council Tax on Second Homes – housing initiatives**

Members considered the report of the Head of Housing and Social Inclusion which outlined a number of housing uses for the additional income, available in 2004/05, generated by the reduction of the Council Tax discount on second homes in the district. Members noted that the County Council had agreed to invest the additional income into mutually agreed priorities with districts, including affordable housing schemes. Members considered which initiatives could be recommended to the County Council.

**RESOLVED** that the Leader and the Portfolio holders of Communities and Resources be nominated to negotiate with Devon County Council in respect of the most appropriate use for the additional income generated through reducing the Council Tax discount on second homes, with the Chief Executive being given delegated authority to approve the recommendations resulting from these negotiations.

216 **'Home Board' – animal boarding establishments**

Members considered the report of the Head of Environmental Health and Health Equalities in respect of the introduction of 'home boarding' schemes for dogs as an alternative to traditional commercial kennel arrangements. 'Home boarding' was when homeowners, for a fee, take in dogs from one household into their homes. Although this arrangement fell within the terms of the Act and a boarding establishment licence was required, the current licence conditions were not flexible enough to take account of this type of service.

216 **'Home Board' – animal boarding establishments (cont)**

- RECOMMENDED**
- (1) that the conditions in appendix A to the report for licences for 'home board' animal boarding establishments, be adopted subject to the deletion of general condition 1.2
  - (2) that an initial licence fee be set at the veterinary surgeon's costs plus an £25.00 administration fee.

217 **East Devon Local Plan – from revised deposit to Local Plan Public Inquiry**

Consideration was given to the report of the Corporate Director – Environment setting out the next stages in the Local Plan making process to take the Local Plan to public inquiry. Members noted the summary of representations received and that the Local Plan Inquiry was due to start on 7 September 2004. Two independent Inspectors had been appointed by the Office of the Deputy Prime Minister to examine the objections to the Plan. A Programme Officer, employed by the Council, would organise the paperwork and related administrative tasks linked to the inquiry.

- RECOMMENDED**
- (1) that late representations to the Revised Deposit Plan, received up until the end of November 2003, be accepted.
  - (2) that, at this stage, no pre-inquiry changes be made to the Plan,
  - (3) that the Corporate Director - Environment in consultation with the Environment Portfolio Holder be given delegated authority to endorse minor suggested changes to the Local Plan and supporting reasoned justification, to be presented to the Local Plan Inspectors, where such changes may overcome, in part or full, objections to the Plan.

218 **Draft Supplementary Planning Guidance for the New Community**

Consideration was given to the report of the Corporate Director – Environment giving the background to the production of the above guidelines which would provide the development framework for the new community.

- RECOMMENDED**
- (1) that the aims and objectives of the draft new community SPG be endorsed subject to the following amendments:
    - 3B point 5 – delete 'to investigate the feasibility of' and replace with 'provide a combined heat and power plant ..'
    - 3B point 6 – increase percentage of household energy to be generated to 30%
    - Chapter 3 – include use of grey water to reduce use of treated water
    - Chapters 5 – include provision for tourist/visitor parking
    - 4D - look at a means of specifying an appropriate density for the development which would also facilitate future growth in housing need
    - 5D – delete 'to seek'
    - 5G – include representatives from disabled and elderly people who are not car owners but who have to rely on public transport
    - 7B – delete 'as far as possible'
    - 8F – add reference to 'exploring use of installation of water sprinklers as fire safety measure'
    - Chapter 9 – to include reference to community safety.

218 **Draft Supplementary Planning Guidance for the New Community(cont)**

- (2) that the aims and objectives be amended as in (1) above and circulated to all Members at the next meeting of the Council.
- (3) that delegated authority be given to the Head of Planning and Countryside Services in consultation with the Environment Portfolio Holder to agree a draft SPG incorporating the aims and objectives as a basis for public consultation, subject to the amendments indicated in (1) above,
- (4) that the up-dated aims and objectives be referred to the Overview Committees for scrutiny during the consultation stage.

**\*219 The Planning Delivery Grant 2004/05**

Members considered the report of the Corporate Director – Environment in respect of the Government grant being awarded to East Devon in recognition of its progress towards adopting the local plan and for improvements in performance in development control.

The Corporate Director – Environment and his team were thanked for their dedication and efforts which had secured this grant which was the highest awarded in Devon.

Members considered the proposed options for using the grant and noted the need for the Council to continue to make improvements in plan making and development control in order to secure funding from the Planning Delivery Grant next year.

**RESOLVED**

- (1) that the Government's award of £549,161 Planning Delivery Grant reflecting the improvement in the performance of the Planning Services be noted.
- (2) that the Corporate Director Environment be authorised to investigate the use of planning consultancies to take forward the production of the Local Development Framework and supporting documents, including Area Studies for Axminster and Exmouth; and in accordance with the Council's financial Orders to work up a proposal for consideration by the Executive Board.
- (3) that in accordance with the Council's Financial Orders the Head of Planning & Countryside Services be authorised, in consultation with the Portfolio Holder for Environment, to engage consultancies to address work load issues within Development Control, (to include the collating, management and monitoring of Section 106 Agreements), up to and not exceeding £90,000 in the period 1 April 2004 to 31 March 2005.
- (4) that £5,000 be allocated to provide a programme of training for all Members,
- (5) that £5,000 be allocated to provide a training programme for Parish and Town Councils on planning matters.

**\*219 The Planning Delivery Grant 2004/05(cont)**

- (6) that a separate allocation of £10,000 be allocated for in-house urban design training for planning staff.
- (7) that a sum of £90,000 be allocated for the employment of consultants to take forward the commercial marketing, development and implementation of sites identified in the Council's asset management plan and that delegated authority be given to the Corporate Director Economy in consultation with the Portfolio Holder Resources to appoint such consultants and to agree the terms of reference.

**220 Best Value Reviews in 2004/05**

Members considered the report of the Policy Manager in respect of the Council's five-year programme of Best Value Reviews. It was proposed that one Best Value Review be undertaken during 2004/05, namely on equalities as this was relevant to all Council services. Consideration would be given to the possibility of some joint Best Value Reviews being included in 2004/05 if a bid for resources to support a joint Devon Improvement Plan was successful.

**RECOMMENDED** that one Best Value Review, on Equalities, be undertaken during 2004/05 with the possibility being noted of some joint Best Value Reviews arising during the year as part of the joint Devon Improvement Plan.

**\*221 Performance Monitoring 2003/04– February 2004**

Consideration was given to the report of the Policy Officer in respect of the performance indicators for February 2004.

Specific comment was made on the following indicators:

- BV8 payment of invoices - it was noted that this was the first time this indicator had been met. The Head of Finance was thanked for this achievement.
- BV9 council tax collection - need to reschedule the timetable as it was felt that March 2005 as date for achieving normal collection performance was unacceptable.
- L47A homelessness - target met
- L50 urgent repairs - target not met – identified local skills shortage
- BV109 planning applications - 20% increase in applications received – concern that this could impact on future performance
- L86 waste collections - target not met. Head of Service asked to investigate Contract Service Level Agreements

**RESOLVED** that the performance against key indicators and the comments made by the Executive Board, be noted.

**\*222 Exclusion of the Public**

**RESOLVED** that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the descriptions set out in the agenda, is likely to be disclosed.

**223 Legal Services – cost of early retirement**

Consideration was given to the report of the Head of Legal and Member Services in respect of funding three early retirements within the legal service. Approval of these retirements would mean that the new structure for the legal service could be implemented. The aim was to provide a flexible and modern service.

This matter had been brought before the Board at its meeting on 17 December 2003 but the costs of the early retirements had been under-reported. Members reconsidered the request for approval for three retirements and noted the corrected costs.

In view of the increase in costs, Members had a lengthy discussion around whether there was still a business case for agreeing the retirements. Despite this being a difficult decision, the final conclusion was that the resulting prospects for modernising and improving the service warranted the proposed retirement costs.

- RECOMMENDED**
- (1) that the Corporate Director (Central Services) agrees appropriate terms, in accordance with the Council's existing policies, for early retirement of postholders 04/002, 04/005, and 04/006, in consultation with the Portfolio Holder (Resources) as the final stage in implementing the re-structure of the Council's legal service,
  - (2) that additional budgetary provision of up to the amount specified in the report, to fund the early retirements, be made from the General Fund balance.

**224 Restructuring of Financial Services and Revenues Sections**

Members considered the report of the Head of Finance in respect of the proposed staffing structures of the Financial Services and Revenues Sections as recommended through the Best Value Review process. Members noted that the proposals took into account two requests for early retirement with employer's consent.

- RECOMMENDED**
- (1) that the Corporate Director – Economy agrees appropriate terms, in accordance with the Council's existing policies, for early retirement of Postholders 03/015 and 03/017, in consultation with the Portfolio Holder – Resources,
  - (2) that the proposed Financial Services structure be approved with full implementation being subject to (1) above.
  - (3) that the proposed Revenues structure be approved,
  - (4) that a post be created in Housing Benefits of Systems Administrator to be graded ED2 linking to a similar post in the Revenues structure in (3) above,
  - (5) that the responsibility for training and standards within the Benefits Section be given to postholder 03/164 designated from Scale 2-4 to Scale 5.

**\*225 Financial Management, Income Management and Human Resource and Payroll Systems Procurement**

Members considered the report of the Payroll and Pensions Manager in respect of the tender process for the above.

**RESOLVED** that the successful tenderers in respect of Financial Management Systems (FMS), Income Management System (IMS) and Human Resource and Payroll System (HR & Payroll), as identified in the report, be approved.

**\*226 Local Settlement following planning decision**

Consideration was given to the report of the Corporate Director – Environment in respect of the payment made in compensation for the shortcomings in the processing of a planning application. The District Valuer had been employed to assess the financial impact resulting from the action and the level of compensation was agreed between the parties.

**RESOLVED** that the local settlement made under the provisions of the Local Government Act 2000, as detailed in the report, be noted.

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