

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Council held at Knowle, Sidmouth on Wednesday, 25 February 2004

Present:



Councillors:

Mrs A E Liverton (Chairman)
Mrs K J Bamsey (Vice-Chairman)

Miss V Ash	G K Liverton
Mrs M J Boote	S C Luxton
P W Burrows	Ms S M Merritt
D G Button	A T Moulding
G P Chamberlain	R Mudge
B H Clark	B Nicholson
T A Cope	Mrs H E Parr
D J Cox	A S Pascoe
R H H Cross	R C Peachey
A E J Dinnis	Miss S M Randall Johnson
P A Diviani	A W J Reed
Lt Col A J M Drake	T G Reeves
Mrs C E Drew	Mrs L A Roden
Miss J M Elson	Mrs M A Rogers
J E D Falby	N J Spence
R G Franklin	Mrs P A Stott
A R Giles	P C Townsend
J H Glanvill	A J Toye
Mrs P A Graham	B J Toye
M J L Green	C H Wale
J P Halse	Dr H W Waterworth
Mrs M L Hardy	A J Wilkinson
S Hughes	Mrs E E Wragg
D R H Hull	S C Wragg
B O Ingham	
H J Jeffery	
D R A Key	

The meeting commenced at 6.30 pm and terminated at 9.20 pm.

*63 **Minutes**

The minutes of the meeting of the Council held on 10 December 2003 were confirmed and signed as a true record subject to the inclusion of Councillor Mrs Drew in the list of those present.

*64 **Apologies**

Apologies for absence were received from Councillors Mrs R E Burrow, K W George, B C J Hughes, N Rogers, P J Skinner and Mrs B O Taylor

***65 Presentation of Blood donor certificate to the Council**

Mr Alan Hardy, Regional Marketing Manager of the National Blood Service, presented the Chairman, on behalf of the Council, with a plaque from in recognition of the support given by the Council to the service. The Chairman paid tribute to Lorna Porter, Unison Health and Safety Representative, for arranging and co-ordinating the blood donor sessions held at the Council offices.

***66 Questions**

The Leader of the Council pursuant to Procedure Rules No. 8.2 and 8.5 answered a question from Councillor Giles regarding efficient use of Officer time. In answer to a supplementary question, the Leader confirmed that it was a right of the Overview Committees to require Member and Officer attendance at their meetings. In certain circumstances this meant that a number of Officers were present, although the need for efficient use of Officer time should always be borne in mind.

The Resources Portfolio Holder pursuant to Procedure Rule 8.2 answered a question from Councillor Mrs Rogers regarding the state of balances prior to the budget meetings for years 1999-2004.

The Resources Portfolio Holder pursuant to Procedure Rules 8.2 and 8.5 answered a question from Councillor Mudge in respect of delays in the payment of housing benefit caused by the current computer systems changes. In answer to a supplementary question, Councillor Wilkinson stated that when the new system was fully installed and operational, an investigation would be undertaken into the problems which had arisen during the systems change-over. This report would be made available to all Councillors.

The Resources Portfolio Holder pursuant to Procedure Rules No. 8.2 and 8.5 answered a question from Councillor Burrows regarding the future of the development brief of Harbour Road, Seaton following the proposed cuts to the capital budget. In response to a supplementary question, Councillor Wilkinson confirmed that funding was available in the budget for the scheme.

The Economy Portfolio Holder pursuant to Procedure Rules 8.2 and 8.5 answered a question from Councillor Cope regarding the completion of improvements to the Exmouth Town Hall for disability access. In answer to a supplementary question, Councillor Diviani agreed to ask the Head of Economic Development and Property to provide Councillor Cope with a detailed break down of costs in respect of the access improvements being carried out at Exmouth Town Hall.

***67 Revenue Estimates, Capital Programme and Council Tax**

The Chairman of the Executive Board presented the Revenue Estimates and Capital Programme. She also presented proposals for the Council Tax for 2004/05 and consideration was given to an up-dated report, circulated at the meeting, of the Corporate Director - Economy on the subject.

The time that the Overview Committees had dedicated to detailed consideration of the draft budget was acknowledged, as was the value of this process. The Resources Portfolio Holder and key Officers involved in the budget preparation: Corporate Director – Economy, Head of Finance and the Financial Services Manager were thanked for their work and efforts on behalf of the Council.

*67 **Revenue Estimates, Capital Programme and Council Tax (cont)**

Councillor Miss Randall Johnson acknowledged that it had been a difficult process this year with the budget being challenged by the low interest rates, reduced government grant, the requirement to pool capital receipts, legislative changes and new responsibilities, imposed by Central Government, including those in respect of homelessness.

Successful lobbying of central government, which had gained the Council transitional relief in respect of capital receipts, was acknowledged.

It was anticipated that setting next year's budget would be even more difficult. Borrowing would be resisted, as this would have future revenue implications.

Capital schemes had been prioritised on a consistent basis. Capital schemes which the Council was committed to, mandatory schemes, those essential to the running of services and maintaining the Council's assets, and initiatives to meet e-government targets had been retained. This meant that hard decisions had been made to bring the budget in at a level acceptable to the Government and Council tax payers. Discretionary grants had been the hardest hit by the cuts although the Overview Committees had recommended the reinstatement of Rural Aid by making budget cuts elsewhere.

The County Council had confirmed, on 17 February 2004, its precept requirement at the level shown in the Corporate Director – Economy's report.

- RESOLVED**
- (1) that the recommendations in Executive Board Minute No 164 on 11 February 2004 (relating to the Revenue Estimates and Capital Programme) be approved.
 - (2) that it be noted that at its meeting on 20 January 2004, the Executive Board calculated the following amounts for the year 2004/05 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-
 - (a) 55,179 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, (as amended by Local Government Act 2003 – Section 84) as its Council Tax Base for the year.
 - (b) the amounts stated in column 3 of Schedule 1 attached calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area set out in column 1 of Schedule 1, to which one or more special items relate.
 - (3) that the following amounts be now calculated by the Council for the year 2004/05 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
 - (a) £56,658,780 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act.
 - (b) £43,647,220 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.

***67 Revenue Estimates, Capital Programme and Council Tax (cont)**

- (c) £13,011,560 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
- (d) £6,407,890 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, increased by the amount of the sums which the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97(3) of the Local Government Finance Act 1988.
- (e) £119.68 being the amount at 3(c) above less the amount at 3(d) above, all divided by the amount at 2(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council tax for the year.
- (f) £970,450 being the aggregate amount of all special items referred to in Section 34 (1) of the Act.
- (g) £102.09 being the amount at 3(e) above less the result given by dividing the amount at 3(f) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council tax for the year for dwellings in those parts of its area to which no special item relates.
- (h) the amounts stated in column 5 of schedule 1 attached given by adding to the amount at 3(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area specified in column 1 of Schedule 1 divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council tax for the year for dwellings in those parts of its area set out in column 1 of Schedule 1 to which one or more special items relate.
- (i) the amounts set out in Schedule 2 attached given by multiplying the amounts at 3(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

***67 Revenue Estimates, Capital Programme and Council Tax (cont)**

- (4) that it be noted that for the year 2004/05 Devon County Council, Devon and Cornwall Police Authority and the Fire Authority have stated the following amounts in precepts issued to the District Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Precepting Authority:

Valuation Bands	Devon County Council (indicative)	Devon & Cornwall Police Authority	Devon Fire Authority
A	£600.24	£75.59	£37.06
B	£700.28	£88.19	£43.24
C	£800.32	£100.79	£49.41
<u>D</u>	<u>£900.36</u>	<u>£113.39</u>	<u>£55.59</u>
E	£1,100.44	£138.59	£67.94
F	£1,300.52	£163.79	£80.30
G	£1,500.60	£188.98	£92.65
H	£1,800.72	£226.78	£111.18

- (5) that, having calculated the aggregate in each case of the amounts at 3(i) and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts set out in Schedule 3 attached as the amounts of Council tax for the year 2004/05 for each of the categories of dwellings shown in Schedule 3.
- (6) that consideration be given to next year's budget at an early stage with the draft budget being referred in the first instance to the Overview Committees for detailed analysis.

***68 Minutes of Executive Board and Committees**

RESOLVED (1) that the following minutes be received and the recommendations approved:

Executive Board	Minutes	130-182
Development Control	Minutes	30-42
Planning Inspections	Minutes	18-27
General Licensing Sub	Minutes	24-35
Housing Allocations	Minutes	7-15

- (2) that the following minutes be received; their recommendations having been referred to the Executive Board (Min No 162 refers) for decision, when the Board noted or accepted the recommendations contained in the minutes without amendment:-

Special Joint Overview	Minutes	1-3
Communities Overview	Minutes	22-30
Environment Overview	Minutes	38-55
Economy Overview	Minutes	20-29

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Minutes of Executive Board and Committees (cont)

Arising from consideration of the above Minutes:

(a) Council Tax Base 2004/05 (Executive Board Minute 142)

The Chairman of the Executive Board stated that most of the funds resulting from the reduction in Council tax discount would be held by Devon County Council. The County Council would be encouraged to work in partnership with this Council on priority initiatives that would benefit the district.

(b) Ombudsman's Report (Executive Board Minute 161)

The Chief Executive confirmed that the comprehensive report in respect of this issue and the wider implications of the case would be referred in the first instance to the Environment Overview Committee for detailed consideration. The recommendations of the Overview Committee would then be referred to the Executive Board. Planning issues would be considered by the Development Control Committee.

(c) Programme of Council, Executive Board and Committee Meetings 2004/05 (Executive Board Minute 174)

The Programme would be referred to the Annual Meeting of the Council for approval. It was suggested that the Housing Allocations meeting scheduled for 5 May should be changed as this was likely to clash with County elections. Members noted that the date of the Annual Council was 19 May 2004.

(d) Sidmouth International Festival: Organisational Development Review (Executive Board Minute 180)

Councillor R Giles declared a personal interest in this item as a helper.

(e) House of Commons Seminar on Affordable Housing (Communities Overview Committee Minute 28)

The justification in the number of Members and Officers attending a seminar on Affordable Housing in East Devon held in the Houses of Parliament in December was questioned. In a statement, the Resources Portfolio holder confirmed the importance of seeing the wider, national picture and for this Council's commitment to affordable housing to be given a high profile. It would not have been realistic or feasible to invite the key people from the Housing Corporation and Government Officer together with the 2 Members of Parliament down to East Devon. Members were advised that some of the Councillors attending had paid all or part of their own expenses.

(f) Draft Revenue and Capital Estimates 2004/05 (Environment Overview Committee Minute 49)

Councillor Mrs M A Rogers declared a personal interest in this item as Vice Chairman of the East Devon AONB Partnership and a member of the Branscombe Village Hall Committee.

(g) Applications for Planning Permission (Development Control Minute 40)

The Chairman of the Development Control Committee confirmed that the internal investigation into application No 03/P2275 was being carried out and would be reported in due course.

***69 Motion: Council Tax and Alternatives**

The following motion (in the names of Councillors D G Button, Mrs M A Rogers, T A Cope, G P Chamberlain and S C Wragg) was proposed by Councillor D G Button and seconded by Councillor Mrs M A Rogers:-

1. "This Council welcomes recent comments by the Local Government Association to the effect that the present system of financing local government expenditure should be reviewed.
2. To that end, it calls upon Her Majesty's Government to set up an immediate review of local government finance that will result in a less regressive form of local taxation that takes account of peoples' ability to pay and
3. ensure that centrally controlled expenditure (such as Teachers' salaries) are paid from central government resources."

An amendment to substitute the following wording for that contained in the revised motion was moved by Councillor G Liverton and seconded by Councillor T Cope:-

"This Council welcomes recent comments by the Local Government Association to the effect that the present system of financing local government expenditure should be reviewed in order to take into account peoples' ability to pay".

On being put to the vote, the amendment was carried.

The motion as amended was then put to the vote and carried.

***70 Motion: Recording Amendments to Resolutions/Recommendations**

The following motion (in the names of Councillors Mrs M A Rogers, D G Button, T A Cope, G P Chamberlain and S C Wragg) was proposed by Councillors Mrs M A Rogers and seconded by Councillor D G Button:-

"This Council resolves that the Constitution be amended to require that the wording of amendments be submitted in writing to ensure accuracy in minuting proceedings."

Members noted the contents of Standing Order 11.2 and 11.6(a) in relation to this matter.

On being put to the vote, the motion was lost.

Chairman

Date.....