

 EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Executive Board held
at Knowle, Sidmouth on Wednesday, 29 October 2003

Present: Councillors:
P A Diviani
Miss J M Elson
J H Glanvill
M J L Green
S Hughes
A T Moulding
A J Wilkinson

Also Present Councillors:
Miss V Ash
P W Burrows
D G Button
D J Cox
K W George
A R Giles
D R H Hull
Ms S M Merritt
R Mudge
T G Reeves
Dr H W Waterworth

Apologies: Councillors:
Miss S M Randall Johnson (Chairman)
R G Franklin (Vice-Chairman)
Mrs M A Rogers

The meeting commenced at 5.30 pm and terminated at 7.40 pm

- *83 Chairman for the Meeting
In the absence of the Chairman and Vice Chairman, Councillor A J Wilkinson was elected Chairman for the meeting.
- *84 Comprehensive Performance Assessment Results
On behalf of the Leader, the Chairman paid tribute to all staff who had contributed to the Council being given a good CPA rating. He congratulated the leadership and staff on this tremendous result.
- *85 Minutes
The minutes of the meeting of the Executive Board held on 1 October 2003, were confirmed and signed as a true record.
- *86 Axmouth Harbour – Void Filling and Encasement
The Chairman agreed to this matter being dealt with, as a matter of urgency, after the public (including the press) had been excluded in order to progress the programmed works for Axmouth Harbour.

*87 Exempt Information

RESOLVED that the classification given to the documents to be submitted to the Board be confirmed and that the report relating to exempt information, including the item referred to in Minute 86 above, be dealt with under Part B of the agenda.

*88 Forward Plan

The contents of the Forward Plan for 1 November 2003 to 29 February 2004 were noted as was the progress of consultation in respect of key decisions time-tabled for November. Members were advised that the recommendations arising from the Best Value Review of Refuse and Recycling were now likely to be referred to the Executive Board in January and the Review of Housing would be deferred to the March or April meeting.

*89 Matters Referred to the Executive Board

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

90 Asset Management Forum

Members received the report of the meeting of the Asset Management Forum held on 7 October 2003 and considered the recommendations contained therein. Members noted that at its meeting the Forum had recommended that a report be referred to this meeting of the Executive Board on improving the foyer and disabled access to Exmouth Town Hall, (agenda Item 24 – Minute *107 below refers)

RECOMMENDED that the revised policy for the disposal of land be agreed;

- RESOLVED**
- (1) that all mandatory capital project schemes be reviewed to:
 - a) make sure they are correctly categorised;
 - b) check whether a mandatory element should be removed from the scoring procedure,
 - c) revise the definition of a mandatory scheme.
 - (2) that a meeting be set up between Accountancy Section and all Heads of Service as a moderation exercise for capital projects, which should include a check on their capacity to undertake the number of projects presented.
 - (3) that all revenue projects be removed from the Appraisal Forms.
 - (4) that Public halls be reviewed at the next meeting of the Asset Management Forum with each Head of Service looking at the Halls from their Directorate's point of view, reviewing items such as costs and usage.
 - (5) that the new central database for recording utilities costs for buildings be introduced and used by all services.
 - (6) that a feasibility study in respect of the Withycombe Road toilets, Exmouth, be prepared for the next meeting of the Forum, concerning the transfer of the site to the Communities Directorate for use for social housing.

*91 Local Joint Panel

Members received the report of the meeting of the Local Joint Panel held on 8 October 2003 and considered the recommendations contained therein.

RESOLVED

- (1) that the extra statutory holiday, previously taken at Whitsun, be taken on New Year's Eve;
- (2) that in order to facilitate a Christmas to New Year closure of the Knowle offices the flexitime system be based around 12 periods;
- (3) that the Corporate Director – Central Services liaise with the Payroll & Pensions Manager to ensure the fairest point at which to adjust the flexi periods, with a view to changing to 12 flexi periods with effect from 1 January 2004;
- (4) that with effect from 1 January 2005 the leave year run from January to December;
- (5) that the Chief Executive confirm the above arrangements to all staff as soon as possible.
- (6) that details of the Christmas and New Year office closure be sent to all households with the dates for refuse collection.

92 Medium Term Financial Plan 2004/05 to 2006/07

Consideration was given to the report of the Head of Finance in respect of the above Plan which set out the Council's financial requirements for the next 3 years for both revenue and capital expenditure. Members noted the extent of the shortfall between the financial requirements and resources available and how this would impact on service provision. The likely future demands on the budget, the cost of borrowing, anticipated level of Central Government grant, inflation and pooling of capital receipts were noted. The Plan included the suggested steps which could be taken in order to set future budgets to match the resources available.

RECOMMENDED

that the contents of the Medium Term Plan – 2004/05 to 2006/07 be noted and the stages outlined in Section 9 of the Plan be followed;

RESOLVED

that the three Overview Committees be requested to hold a Special Joint Meeting in November in order to have an informed debate about the Council's financial position and discuss the way forward, including car parking charges;

93 Strategy to integrate Sustainable Development aims into Council policy and practice

Consideration was given to the joint report of the Corporate Director – Environment and the Sustainable Development Officer in respect of above strategy, which each of the Overview Committees had recommended be adopted to promote sustainable practices within the Council. The development of the new community would give the Council an ideal opportunity to positively integrate sustainability principles within the vision of the community.

Strategy to integrate Sustainable Development aims into Council policy and practice (Cont.)

RECOMMENDED that the Strategy to integrate Sustainable Development aims into Council policy and practice be adopted.

*94 Revenue and Capital Monitoring Report 2003/04 – Quarter Two

Consideration was given to the second quarter report of the Head of Finance as part of the revenue and capital monitoring process. Members noted the areas of significant variation from budget, primarily as a result of the fall in investment interest, and considered whether corrective action for the remainder of the financial year was appropriate. Members' were asked to note the additional requirement to draw on the General Fund balance and of the estimated sum which would be left at the year end.

RESOLVED that the variances identified as part of the Revenue and Capital Monitoring process for Quarter Two 2003/04, including the effect of the Council's Balances and Reserves and the actions proposed in Appendix A to the report be agreed.

95 Independent Remuneration Panel

Consideration was given to the report of the Corporate Director – Economy in respect of the proposed membership of the above Panel in compliance with the Local Authorities (Members Allowances) (England) Regulations 2003.

Members noted that at least three of the members of the Panel had been proposed by present Councillors which appeared to fall short of recent Guidance issued by the Office of the Deputy Prime Minister. There was therefore a requirement for the Members of the Board to determine whether the current panel listed in the report with their proposers should be allowed to operate or whether all or some of the members should be released.

Consideration was also given to the report with recommendations of the Independent Remuneration Panel of 29 September 2003. Members noted that the existing Members' Allowance scheme would cease with effect from 31 December 2003. A new scheme needed to be introduced in order to pay allowances beyond that date for the remainder of the current financial year. Under the new regulations, the scheme could include additional benefits such as pensions.

- RECOMMENDED**
- (1) that the composition of the Independent Remuneration Panel be amended with Mr M Bull, who had been proposed by a Member of the Executive Board, being released from the membership and a public advertisement for nominations be placed, with the Chief Executive in consultation with the Leaders of all political groups being given delegated authority to appoint a replacement for the Panel;
 - (2) that one Member of the Panel be replaced annually following a public notice being placed to invite nominations, with the appointment being made as detailed in (1) above;
 - (3) that the Basic Allowance, Special Responsibility Allowances, Child Care and Dependent Carer Allowance and the Travel and subsistence allowances remain at their current level without change for the period until 31st March 2004;

Independent Remuneration Panel (Cont.)

- (4) that when an additional Overview Committee is established the Chairman and Vice Chairman receive Special Responsibility Allowances at the same level as those for the other Overview Committees;
- (5) that approval be given for the payment of allowances to be backdated when appropriate;
- (6) that the scheme of allowances be not index-linked at the current time;
- (7) that the principle of an annual sum for co-optees be approved, but the existing method of payment continue at the current time with the matter being reconsidered when the allowances scheme is determined for 2004/05;
- (8) that no Councillors be permitted to join the Local Government Pension Scheme at this time.

96 Car Parking Charges 2004/5

Consideration was given to the report of the Assistant Treasurer – Revenues in respect of proposed car parking tariffs and permit charges to increase income and achieve uniformity of car parking charges across East Devon. Members were advised that charges had not kept up with inflation. The proposal would allow tickets purchased to be transferred between the Council-owned car parks.

It was proposed that this system should be used in all car parks, excluding Colyton and Lypstone, with effect from April 2004. It was suggested that Beer Cliff Top car park could also be an exception as in previous years to give visitors an incentive to park out of town. It was also suggested that details of the free car parks should also be included.

- RECOMMENDED**
- (1) that real time parking be introduced in all car parks currently subject to a charge, excluding Colyton and Lypstone, to allow customers to purchase parking in units of 15 minutes,
 - (2) that Appendix A to the report (proposed car parking tariffs 2004/05) be approved, namely
 - a) a uniform charging policy be introduced with charges being increased to a rate equivalent to 60p per hour in all car parks, excluding Colyton and Lypstone, subject to the maximum stay restrictions currently in force. (This policy will not apply to free car parks.)
 - b) in respect of the car parks in Colyton and Lypstone, the tariff be 20p per hour.
 - c) the cost of all parking permits and weekly tickets including heavy goods and public service vehicles be increased as detailed.
 - d) the maximum charge for 24 hour parking at Beer Cliff Top car park be £2.40
 - (3) that the Parking Places Order be amended accordingly.

*97 Panels/Forums - Protocol

Consideration was given to the report of the Head of Legal and Member Services in respect of the proposed adoption of a protocol which could be used to guide the work of panels/forums established by the Executive Board or an Overview Committee.

RESOLVED that the protocol for Panels/Forums be referred to the Overview Committees for adoption.

*98 Performance Monitoring 2003/04 – Quarter 2 (1 July -30 September 2003)

Consideration was given to the report of the Policy Manager in respect of the performance indicators for the second quarter of 2003/04. The report allowed the Executive Board to monitor performance and identify any service areas where action to improve the performance was thought necessary. An officer's comments column had now been included within the report to explain poor performance. In addition comparative data and other supporting information was included to give Members a clear indication of overall performance within key service areas. Members felt that this new method of reporting was particularly useful.

It was noted that the target for BV183 – the length of stay of homeless persons in bed and breakfast accommodation – had not been met. Members were advised that it was likely to be 6–12 months before this could be achieved due to the lack of available accommodation.

It was suggested that, where appropriate, targets should take into account seasonal variations to reflect staff shortages and increased demands upon individual services at different times of the year.

Officers who had achieved the targets within their service areas were congratulated.

RESOLVED that the performance monitoring against key indicators be noted.

*99 Members' Surgeries

Consideration was given to the report of the Head of Legal and Member Services in response to a request from a Member for use of the Committee Room at Knowle, Sidmouth on a Saturday to hold a surgery for his electorate. The request highlighted a possible need for all Councillors within the district to have access to suitable accommodation for surgeries within their wards.

RESOLVED that further consideration of the proposal be deferred pending a more thorough assessment of best practice and how the Council can facilitate Councillors' needs for holding surgeries (across the District) as well as generally communicating with their constituents.

100 Members e-services policy – conditions of use

Consideration was given to the e-services policy in respect of conditions of use for Members when issued with council-owned equipment and/or software to facilitate the Members' e-services project. It was proposed that the policy would be issued to all Councillors and signed by them when the equipment/software was provided.

It was suggested it would be appropriate to include an allowance for consumables, including paper and ink cartridges, as part of the Councillors' remuneration.

Members e-services policy (Cont.)

- RECOMMENDED**
- (1) that the e-services policy – Conditions of Use – be adopted subject to reference to support for Councillors, under 14.1 of the policy being amended to Monday – Friday 8.30 am to 8.30 pm and Saturdays only 10 am to 4 pm.
 - (2) that the Independent Remuneration Panel be asked to consider the appropriateness of including an allowance for computer consumables within Councillors' allowances.

RESOLVED that the list of questions frequently asked by Councillors in respect of the e-services project be circulated to all Members with the prepared answers

101 Motor Salvage Operators Regulations 2002

Members considered the report of the Head of Environmental Health and Health Equalities in respect of a duty of the Council to register Motor Salvage Operators to comply with the Vehicles (Crime) Act 2001 and Motor Salvage Operations Regulations 2002. This legislation required the local authority to accept and process applications for registration and maintain this register and make it available to the police. A memorandum of understanding had been drawn up between Devon and Cornwall Constabulary and Devon Local Authorities to clarify the role and responsibilities of the various bodies. The maximum fee for registration and renewal of registration had been set nationally at £70.

- RECOMMENDED**
- (1) that this Council signs up to the memorandum of understanding between the Devon and Cornwall Constabulary and the Devon Local Authorities,
 - (2) that the Motor Salvage Operator registration fee/renewal fee be set at £70.

102 Private Water Supply Sampling Charges

Consideration was given to the report of the Head of Environmental Health and Health Equalities in respect of a recommended increase in the charges for sampling private water supplies to reflect the true cost of the service. Members were advised that under the Private Water Supplies Regulations 1991, the maximum charge to cover costs, in addition to charges for analysis, was £50.

RECOMMENDED that the cost of collection and delivery of water samples taken in accordance with the Private Water Supply Regulations 1991 be set at £50.

*103 Dualling of A303/A30 – Ilminster to Honiton

Consideration was given to the report of the Economic Development Manager in respect of the study, commissioned by Exeter City and East Devon District Councils, to determine the business case for dualling the A303/A30. The specialist transportation consultants, Ove Arup, confirmed that there were strong economic, environmental and other arguments, including traffic accident reduction, to support completing the dualling of the A303/A30 between Ilminster and Honiton.

Dualling of A303/A30 – Ilminster to Honiton (Cont.)

RESOLVED that the findings of the Ove Arup study be endorsed and the conclusions be used to continue to work with other local authorities and the private sector to:

- (a) Lobby the Secretary of State for Transport to complete the dualling of the A303/A30,
- (b) Secure the support of the Regional Assembly for making the complete dualling of the A303/A30 to Exeter the highest priority.

104 Exmouth Shopfront Design Guide – Adoption as Supplementary Planning Guidance

Consideration was given to the report of the Policy and Conservation Manager in respect the above guide, circulated with the agenda, which had been produced by Exmouth Town Management, a group representing the County, District and Town Councils. The aim of the guide was to encourage high quality shop-front design. Members were advised that there had been a six-week public consultation period.

RECOMMENDED that the Exmouth Shopfront Design Guide be adopted as Supplementary Planning Guidance and subsequently used in the determination of relevant planning applications in Exmouth Town Centre.

105 Budgetary Implications in relation to best value performance indicators, completion of computer audit work and risk management

Consideration was given to the report of the Head of Internal Audit and Risk Management highlighting the additional work carried out by the Section relevant to the best value performance indicators, completion of the Internal audit Plan and development of Risk Management. The report included a proposed way forward and the additional budget required to achieve this.

RECOMMENDED that the additional budget requirement of £63,212 in 2003/04 and £47,072 in 2004/05 to undertake the additional work within the Audit and Risk Management sections, as identified in the report, be approved.

*106 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 on the agenda and Para 8 of Schedule 12A regarding the item referred to at Minutes *86 and 108, is likely to be disclosed.

*107 Exmouth – Town Hall, St Andrew’s Road

Consideration was given to the report of the Head of Economic Development and Property which detailed proposals to overcome identified problems at the Town Hall, Exmouth, including improving access for persons with disabilities, improving security and remodelling the foyer and reception.

- RESOLVED**
- (1) that the proposals outlined in the report be approved in principle, subject to final agreement to the detailed plans, and subject to finance being available in the 2004/5 capital programme.
 - (2) that the Head of Economic Development & Property be authorised to discuss with Exmouth Town Council, and other tenants, arrangements for alterations to the building including reception, prior to any scheme being undertaken, with the Portfolio Holder Economy being given delegated authority to agree to any changes in the arrangements, as a result of the discussions.

108 Axmouth Harbour – Void Filling and Encasement

Members considered the report of the Head of Street Scene Services in respect of tenders received for the essential work to repair the harbour wall at Axmouth. Members were advised that the tenders were higher than originally anticipated due to the complexity of the work which could not be foreseen when the scheme was prepared.

- RECOMMENDED** that the Capital Programme allocation for 2003/04 be increased to the amount detailed in the report to allow essential repairs and protections works to Axmouth harbour to proceed.

Chairman Date.....