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EAST DEVON DISTRICT COUNCIL  
Minutes of the Meeting of the Council held at  
Knowle, Sidmouth, on Wednesday, 22 February 2012

Present:

**Councillors:**

Frances Newth (Vice Chairman in the Chair)

Mike Allen	Mike Howe
David Atkins	Stuart Hughes
Ray Bloxham	Douglas Hull
Roger Boote	John Humphreys
Peter Bowden	Ben Ingham
Graham Brown	John Jeffery
Peter Burrows	Stephanie Jones
Bob Buxton	Sheila Kerridge
Geoff Chamberlain	David Key
David Chapman	Jim Knight
Maddy Chapman	Andrew Moulding
Iain Chubb	John O'Leary
Trevor Cope	Geoff Pook
David Cox	Ken Potter
Deborah Custance Baker	Philip Skinner
Alan Dent	Pauline Stott
Paul Diviani	Peter Sullivan
Christine Drew	Brenda Taylor
Vivien Duval Steer	Ian Thomas
Jill Elson	Graham Troman
Martin Gammell	Phil Twiss
Steve Gazzard	Mark Williamson
Roger Giles	Tim Wood
Graham Godbeer	Eileen Wragg
Pat Graham	Steve Wragg
Steve Hall	Claire Wright
Tony Howard	Tom Wright

**Honorary Aldermen:**

Ron Mudge  
Dr Waterworth

**Officers:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Denise Lyon, Deputy Chief Executive  
Rachel Pocock, Corporate Legal & Democratic Services Manager  
Diana Vernon, Democratic Services Manager

**Apologies**

**Councillors:**

Peter Halse (Chairman)  
Derek Button  
Helen Parr  
Chris Wale

**Honorary Aldermen:**

Vivienne Ash  
Ann & Graham Liverton  
Bob Peachey  
Margaret Rogers  
Tony Wilkinson

Before the start of the meeting, the Chairman introduced the Reverend Jonathan Froggatt, Methodist Minister of Budleigh Salterton and invited him to say a prayer.

The meeting started at 6.30 pm and ended at 7.45 pm.

\*56 Appointment of Vice Chairman  
Councillor John Humphreys was appointed Vice Chairman for the meeting.

\*57 Public question time  
No questions were raised at this part of the meeting.

\*58 Minutes  
The minutes of the meeting of the Council held on 7 December 2011 were confirmed and signed as a true record.

\*59 Former EDDC Councillor Norman Whidden

The Chairman advised, with sadness, that former East Devon District Councillor Norman Whidden had passed away in December. Norman had represented Exe Valley Ward from 1987 until 1997 and served on a number of Committees. These included Finance and Resources Committees and Planning. He was Chairman of Environment and Planning from 1995 until 1997. He also served on a number of Outside Bodies particularly those relating to the environment and countryside.

Members were invited to stand as a mark of respect.

\*60 The Housing Service – new challenges and welfare reform

The Chairman reminded Members that the Housing Service was hosting a housing seminar on Wednesday 29 February at Knowle. Councillors and Parish and Town Councils had been invited together with representatives from key organisations including Exmouth Open Door and West Country Housing. The seminar would include an overview of the housing service and the impact of Welfare Reform. All Councillors were encouraged to attend.

\*61 Queen's Diamond Jubilee Celebration – Parish and Town Awards

All East Devon Parish and Town Councils had been invited to submit details about projects in their parish or town that they had led or helped to deliver. Submissions would be judged by an independent panel. The initiative was much more than a competition; it was a special opportunity to celebrate local achievements and to share good ideas. The Chairman had written to all EDDC Councillors asking them to encourage their local councils to get involved and submit details of projects by the closing date of 20 April. The awards ceremony would be held on Thursday 17 May 2012; the Lord Lieutenant of Devon would be Guest of Honour.

\*62 Revenue Estimates, Capital Programme and Council Tax  
Members were asked to consider the report of the Section 151 Finance Officer and the recommendations of the Cabinet from its meeting on 1 February 2012 relating to the Revenue and Capital Estimates.

The Localism Act 2011 had made significant changes to the Local Government Finance Act 1992 and as billing authority, the Council was required to calculate a Council Tax requirement for the year and not its budget requirement as previously.

The precepts from Devon County Council, Devon & Cornwall Police Authority, Devon & Somerset Fire & Rescue Authority and town and parish councils (preceptors) had been added to EDDC's Council Tax requirement. The Council was now in a position to set the Council Tax for the area to include all the amounts to be collected.

The Chairman invited the Leader of the Council to present the Revenue Estimates and Capital Programme together with proposals for the Council Tax for 2012/13.

The Leader, Councillor Diviani, referred to the reduction in the formula grant settlement and the Government's preference for local authorities to freeze the Council Tax for a further year. The Leader acknowledged the financial difficulties being faced by the Council and thanked Officers for their work in preparing the budget and in providing Members with regular up-dates on expenditure and revenue. He thanked Members for their involvement in setting the draft budget and their engagement in the process. He referred to the Council's assets and the need for these to work harder to help reduce costs and generate additional income.

The Leader reminded Members that the Capital Budget would need additional funds in future years to support the Capital Programme. He referred to the possible relocation of the Council Offices if this could be achieved as cost neutral. He said that the Council was taking positive step to protect front-line services. He outlined the initiatives being driven by the Portfolio Holders including the extension of the recycling service, sharing IT services across the county and reducing reliance on paper, progressing the work opportunities in the Growth Point Area, the housing agenda and localism.

The Leader advised of uncertainties ahead including the New Homes Bonus, changes to Business Rates and the economic downturn. He referred to the proposed budget as the Council's defence against a ferocious economic downturn. He recognised that the public sector needed to work together to reduce running costs, share systems and deliver services when and where needed.

The Leader moved the printed recommendations set out in Appendix A to the report together with the recommendations of Cabinet on 1 February 2012 relating to the Revenue and Capital Estimates 2012/13. The proposal was seconded by Councillor David Cox, Portfolio Holder – Finance.

Councillor Cox advised that being in a position to freeze the Council Tax for a further year without service cuts was a major achievement. He anticipated the need for future cuts due to further reductions in Government grants, the economic climate and the need to plan for growth. The Council would aim to achieve further savings and increase revenue.

**\*62 Revenue Estimates, Capital Programme and Council Tax (cont)..**

Councillor Cox referred to the need to take advantage of new ways of working, shared services and smart technology. He recognised that the change to the Housing Revenue Account through borrowing was a significant challenge but one which would provide the housing service with more freedom to best serve the local community. He thanked Councillors who had been involved throughout the budget process and the Head of Finance for his timely and clear reports.

Councillor Chamberlain, Leader of the Liberal Democrats, said that the budget was as good as could be achieved in the current economic circumstances. He recognised that the Council's position would become increasingly difficult in future years. He acknowledged that all Councillors had been given ample opportunity to scrutinise and debate the draft budget. His Group had raised a number of concerns which had been satisfactorily addressed through discussion with the Head of Finance. As a result, he was happy to support the proposed budget.

Other contributors referred to the staff as a valued asset and the steps taken to keep them informed, the front loaded Government cuts, the positive recycling initiative, the significant increase in the Fire and Rescue precept, future budget strain, the work of the housing service on preparing the business plan to progress the new self-financial arrangements and the current use of local businesses where possible to maintain housing stock.

The proposal as printed in Appendix A to the report (together with the recommendations of the Cabinet meeting on 1 February 2012) was put to the vote and carried.

- RESOLVED:**
- (1) that the recommendations of the Cabinet (Minute 168 1.02.12) relating to the Revenue and Capital Estimates 2012/13 be approved,
  - (2) that the Cabinet recommendation (Minute 151 of 11.01.12 refers) in respect of calculating the Council Tax Base 2012/13 as follows be approved:
    - (a) for the whole Council area as 57,602 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the 'Act'), and
    - (b) for dwellings in those parts of its area to which a Parish precept relates as in Appendix B to the report.
  - (3) that, as a preliminary step, the Council Tax requirement for the Council's own purposes for 2012/13 (excluding Parish precepts) be calculated as £7,014,770,
  - (4) that the following amounts be calculated for the year 2012/13 in accordance with Sections 30 to 36 of the Act;
    - (a) £81,564,250 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
    - (b) £72,511,210 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

## \*62 Revenue Estimates, Capital Programme and Council Tax (cont)..

- (c) £9,053,040 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 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
- (d) £157.17 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- (e) £2,038,270 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Appendix C attached to the report).
- (f) £121.78 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(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 Parish precept relates.
- (g) The amounts stated in column 5 of the Schedule 1 (attached) given by adding to the amount at 3(f) 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 1(a) 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 (attached) to which one or more special items relate.

## \*62 Revenue Estimates, Capital Programme and Council Tax (cont)..

- (h) The amounts set out in Schedule 2 (attached) given by multiplying the amounts at 3(g) 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.
- (5) that it be noted that for the year 2012/2013 Devon County Council, Devon and Cornwall Police Authority and Devon and Somerset Fire and Rescue 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:

Valuation Bands	Devon County Council	Devon & Cornwall Police Authority	Devon & Somerset Fire & Rescue
A	£744.24	£106.49	£49.28
B	£868.28	£124.23	£57.49
C	£992.32	£141.98	£65.71
D	<u>£1,116.36</u>	<u>£159.73</u>	<u>£73.92</u>
E	£1,364.44	£195.23	£90.35
F	£1,612.52	£230.72	£106.77
G	£1,860.60	£266.22	£123.20
H	£2,232.72	£319.46	£147.84

6. that, having calculated the aggregate in each case of the amounts at 3 (h) and 4 above, the Council, in accordance with Sections 30 and 36 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 2012/2013 for each of the categories of dwellings shown in Schedule 3.
7. The Council has determined that its relevant basic amount of Council Tax for 2012/13 is **not** excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2012/13 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

**\*63 Questions (Procedure Rules 9.2 and 9.5)**

One question had been submitted in respect of the Councillors' gifts and hospitality register. The Portfolio Holder – Corporate Business confirmed that the register, which was currently available for inspection as a paper copy, would be available on line from April 2012. He confirmed that the availability of the on-line register would be publicised.

**\*64 Minutes of Cabinet and Committees**

**RESOLVED** (1) that the under-mentioned minutes be received and the recommendations approved

Cabinet	Minutes	142-159,160-181
Development Management	Minutes	43-49, 50-53
Planning Inspections	Minutes	9-10
Standards Committee	Minutes	10-14
Audit and Governance	Minutes	17-23, 23-35
Licensing & Enforcement Sub	Minutes	31-32, 33-38, 39-41

(2) that the under-mentioned minutes be received.

The Cabinet (minutes 148, 166, 167) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment. The minutes of the Overview and Scrutiny Committee held on 26 January (minutes 67-71) had been referred direct to the Council due to timetabling constraints.

Overview and Scrutiny Committee	Minutes	42-53, 54-57, 58-64, 65-66, 67-71
Housing Review Board	Minutes	26-38, 39-50

Arising from consideration of the above minutes:-

a) Strategy proposal for electronic document management (Cabinet Min 154)

In reply to concerns raised about the possible effect of solar activity and power failure, the Portfolio Holder – Corporate Services assured Members of precautions taken by the EDDC ICT service to protect electronic data. He referred to well designed electronic systems, backing up of digital information as standard and the storage of data by separate suppliers on unconnected sites. He compared this position with the vulnerability of paper copy retention.

b) Priority disposal programme (Cabinet Min 180)

The Leader explained the rationale of adjusting the reserve price in answer to a question raised.

Arising from consideration of the above minutes (cont)..

c) Northern Devon Healthcare NHS (O/S Min 62)

Councillor Stuart Hughes, Chairman of the Overview and Scrutiny Committee agreed to follow up concerns raised by his Committee about the cost of changing the arrangements and structures; the representatives from Northern Devon Healthcare NHS had said that they would provide this information and it was still awaited. Members were concerned that costs could draw funding away from front line services.

**RESOLVED** that Northern Devon Healthcare NHS be reminded to provide the Council with the information they had agreed to supply on the cost of changing the existing arrangements and structures. When received this information would be referred to a future meeting of the Overview and Scrutiny Committee.

(Councillors Trevor Cope and Peter Bowden declared personal interests in this item, the former being a member of the Health Trust and the latter advised that his wife was employed by the Trust.)

d) Housing Review Board – 12 January 2012

**RESOLVED** that the list of those present be amended to include Councillor Jim Knight.

e) Localism Act implementation – Standards and New Code of Conduct (Standards Min 11)

Councillor Geoff Chamberlain, Leader of the Liberal Democrats and member of the Standards Committee spoke of his genuine concerns about the proposed changes under the Localism Act. The membership of the current Standards Committee included representatives from parish and town councils and independent members; the Committee was chaired by one of the independent members. Members felt that it was vitally important for the Council to be seen as open and transparent. Comments were made about the importance of public perception and the need for the Council to retain credibility.

**RESOLVED** that urgent representation be made to the local MPs on proposed changes to the current Standards arrangements to raise their awareness of Council concerns and ask them to take pre-emptive action to change the Government intention to exclude independent and parish/town representatives from membership with voting rights on Councils' Standards Committee.

\*65 Administration of Universal Credit - Motion

The following motion (in the names of Councillors Jill Elson (Portfolio Holder Sustainable Homes and Communities), Stephanie Jones (Deputy Portfolio Holder – Sustainable Homes and Communities), Paul Diviani (Leader), Geoff Chamberlain (Leader of the Liberal Democrat Group) and Trevor Cope (Leader of the Independent Group) was proposed by Councillor Jill Elson and Seconded by Councillor Stephanie Jones:

“East Devon District Council supports the concept of Universal Credit and that people, if they are able, to be helped into work. We believe that East Devon District Council is better placed than the local job centres to manage this benefit process as it has local offices with mobile working, works in partnership with local charities and knows their local residents.”

In proposing the motion, Councillor Jill Elson emphasised the importance of people being helped into work and to access the benefits to which they were entitled. She supported a comprehensive streamlined system that would reduce administration costs. Her concern was the Department of Work and Pensions’ wish for application forms to be completed on line and the difficulties this would pose for many. The Government was proposing that Job Centres would be used to administer the Universal Credit Scheme. However Councillor Elson said that Job Centres had a poor track record of customer service and that more vulnerable people within the community would be most greatly affected. She praised the customer-focused service provided by the Council’s Housing Benefit teams and the successful drive to reduce time taken to process benefit claims.

Councillor Elson had met with local MPs Hugo Swire and Neil Parish to emphasise concerns and the Council’s willingness to manage the Universal Credit process for the benefit of local residents. The Department for Work and Pensions had also been made aware of this. Councillor Elson advised that she was continuing to lobby local MPs and sought Council support for the motion.

In seconding the motion, Councillor Stephanie Jones said that she agreed with the aims of simplifying processes but had serious reservations about how this would be achieved. Her main concern was the Government proposal to use Job Centre Plus because this service had been identified by many as in need of immediate reform. She believed that local authorities were best placed to manage Universal Credit. EDDC had staff with knowledge and experience in dealing with benefits systems, local offices, mobile working and worked in partnership with other organisations.

The motion was championed by all EDDC Groups and received unanimous support when put to the vote.

\*65 Administration of Universal Credit – Motion (cont)..

**RESOLVED** that East Devon District Council unanimously supports the concept of Universal Credit and that people, if they are able, to be helped into work. The Council believes that East Devon District Council is better placed than the local job centres to manage this benefit process as it has local offices with mobile working, works in partnership with local charities and knows their local residents and will lobby accordingly.

(Councillor Peter Burrows declared a personal interest in this item as his son worked for EDDC within the Benefits service).

\*66 Changes to Panel name

**RESOLVED** (1) that the Local Development Framework Panel be renamed Local Plan Panel with immediate effect.

\*67 Standards Committee

**RESOLVED** that that the Council's Constitution be amended to include provision for a further two EDDC Councillors from the non-majority group as substitute EDDC Members of the Standards Committee to create a wider pool of elected Members who can be called on to serve on the Sub Committees' Assessment or Review meetings.

The two additional substitutes appointed were Councillors Douglas Hull and Claire Wright.

\*68 Changes to Membership of Office Relocation Working Party

**RESOLVED** that Councillor Steve Gazzard be appointed to the Office Relocation Working Party to replace Councillor Peter Burrows.

Chairman .....

Date.....

**SCHEDULE 1**

<b>Parish</b>	<b>Parish Precept 2</b>	<b>Tax Base</b>	<b>Basic Tax Parish</b>	<b>Basic Tax Parish + EDDC</b>	<b>Basic Tax + DCC, Fire Service &amp; D &amp; C Police Authority</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>Authority</b>
	£		£	£	£
All Saints	7,900	252	31.35	153.13	1503.14
Awliscombe	3,000	227	13.22	135.00	1485.01
Axminster	135,510	2,586	52.40	174.18	1524.19
Axmouth	6,700	248	27.02	148.80	1498.81
Aylesbeare	6,500	264	24.62	146.40	1496.41
Beer	15,000	679	22.09	143.87	1493.88
Bishops Clyst	15,147	539	28.10	149.88	1499.89
Bramford Speke	6,000	159	37.74	159.52	1509.53
Branscombe	7,000	335	20.90	142.68	1492.69
Broadclyst	47,390	1,171	40.47	162.25	1512.26
Broadhembury	6,000	308	19.48	141.26	1491.27
Buckerell	2,489	109	22.83	144.61	1494.62
Budleigh Salterton	100,000	2,789	35.86	157.64	1507.65
Chardstock	5,470	402	13.61	135.39	1485.40
Clyst Honiton	1,962	112	17.52	139.30	1489.31
Clyst Hydton	2,346	123	19.07	140.85	1490.86
Clyst St George	5,000	361	13.85	135.63	1485.64
Clyst St Lawrence	-	41	0.00	121.78	1471.79
Colaton Raleigh	6,500	306	21.24	143.02	1493.03
Colyton	46,000	1,481	31.06	152.84	1502.85
Combe Raleigh	750	96	7.81	129.59	1479.60
Combpyne-Rousdon	2,900	188	15.43	137.21	1487.22
Cotleigh	3,600	107	33.64	155.42	1505.43
Dalwood	3,570	208	17.16	138.94	1488.95
Dunkeswell	25,000	615	40.65	162.43	1512.44
East Budleigh with Bicton	18,216	512	35.58	157.36	1507.37
Exmouth	403,770	13,459	30.00	151.78	1501.79
Farringdon	3,625	146	24.83	146.61	1496.62
Farway	1,600	132	12.12	133.90	1483.91
Feniton	14,500	646	22.45	144.23	1494.24
Gittisham	7,000	257	27.24	149.02	1499.03
Hawkchurch	6,100	257	23.74	145.52	1495.53
Honiton	167,793	4,155	40.38	162.16	1512.17
Huxham	-	40	0.00	121.78	1471.79
Kilminster	11,500	404	28.47	150.25	1500.26
Luppitt	11,000	211	52.13	173.91	1523.92
Lympstone	35,000	853	41.03	162.81	1512.82
Membury	3,500	273	12.82	134.60	1484.61
Monkton	3,000	77	38.96	160.74	1510.75
Musbury	4,950	249	19.88	141.66	1491.67
Netherexe	-	23	0.00	121.78	1471.79
Newton Popleford	37,500	940	39.89	161.67	1511.68
Northleigh	1,800	87	20.69	142.47	1492.48
Offwell	7,465	193	38.68	160.46	1510.47
Otterton	10,100	315	32.06	153.84	1503.85
Ottery St Mary	136,931	3,675	37.26	159.04	1509.05
Payhembury	4,300	294	14.63	136.41	1486.42
Plymtree	1,950	256	7.62	129.40	1479.41
Poltimore	4,995	130	38.42	160.20	1510.21
Rewe	4,200	196	21.43	143.21	1493.22
Rockbeare	20,000	374	53.48	175.26	1525.27
Seaton	197,000	3,266	60.32	182.10	1532.11
Sheldon	300	87	3.45	125.23	1475.24
Shute	4,000	299	13.38	135.16	1485.17
Sidmouth	342,622	7,154	47.89	169.67	1519.68
Southleigh	2,500	104	24.04	145.82	1495.83
Stockland	4,500	336	13.39	135.17	1485.18
Stoke Canon	5,000	251	19.92	141.70	1491.71
Talaton	7,443	249	29.89	151.67	1501.68
Uplyme	16,260	864	18.82	140.60	1490.61
Uptontery	10,000	322	31.06	152.84	1502.85
Upton Pyne	5,795	225	25.76	147.54	1497.55
Whimble	12,005	727	16.51	138.29	1488.30
Widworthy	2,200	141	15.60	137.38	1487.39
Woodbury	41,016	1,371	29.92	151.70	1501.71
Yarcombe	5,100	215	23.72	145.50	1495.51
	<b>2,038,270</b>	<b>57,471</b>	<b>1,695</b>		

**SCHEDULE 2  
EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS (Town and Parish tax)**

<b>Parish</b>	<b>Band A</b>	<b>Band B</b>	<b>Band C</b>	<b>Band D</b>	<b>Band E</b>	<b>Band F</b>	<b>Band G</b>	<b>Band H</b>
	<b>£</b>							
All Saints	102.09	119.10	136.12	153.13	187.16	221.18	255.22	306.26
Awliscombe	90.00	105.00	120.00	135.00	165.00	195.00	225.00	270.00
Axminster	116.12	135.48	154.83	174.18	212.88	251.59	290.30	348.36
Axmouth	99.20	115.74	132.27	148.80	181.86	214.93	248.00	297.60
Aylesbeare	97.60	113.87	130.13	146.40	178.93	211.46	244.00	292.80
Beer	95.92	111.90	127.89	143.87	175.84	207.81	239.79	287.74
Bishops Clyst	99.92	116.58	133.23	149.88	183.18	216.49	249.80	299.76
Brampford Speke	106.35	124.07	141.80	159.52	194.97	230.41	265.87	319.04
Branscombe	95.12	110.98	126.83	142.68	174.38	206.09	237.80	285.36
Broadclyst	108.17	126.20	144.22	162.25	198.30	234.36	270.42	324.50
Broadhembury	94.18	109.87	125.57	141.26	172.65	204.04	235.44	282.52
Buckerell	96.41	112.48	128.54	144.61	176.74	208.88	241.02	289.22
Budleigh Salterton	105.10	122.61	140.13	157.64	192.67	227.70	262.74	315.28
Chardstock	90.26	105.31	120.35	135.39	165.47	195.56	225.65	270.78
Clyst Honiton	92.87	108.35	123.82	139.30	170.25	201.21	232.17	278.60
Clyst Hydon	93.90	109.55	125.20	140.85	172.15	203.45	234.75	281.70
Clyst St George	90.42	105.49	120.56	135.63	165.77	195.91	226.05	271.26
Clyst St Lawrence	81.19	94.72	108.25	121.78	148.84	175.90	202.97	243.56
Colaton Raleigh	95.35	111.24	127.13	143.02	174.80	206.58	238.37	286.04
Colyton	101.90	118.88	135.86	152.84	186.80	220.76	254.74	305.68
Combe Raleigh	86.40	100.79	115.19	129.59	158.39	187.18	215.99	259.18
Combpyne-Rousdon	91.48	106.72	121.97	137.21	167.70	198.19	228.69	274.42
Cotleigh	103.62	120.88	138.15	155.42	189.96	224.49	259.04	310.84
Dalwood	92.63	108.07	123.50	138.94	169.81	200.69	231.57	277.88
Dunkeswell	108.29	126.34	144.38	162.43	198.52	234.62	270.72	324.86
East Budleigh with Bicton	104.91	122.39	139.88	157.36	192.33	227.29	262.27	314.72
Exmouth	101.19	118.05	134.92	151.78	185.51	219.23	252.97	303.56
Farringdon	97.74	114.03	130.32	146.61	179.19	211.77	244.35	293.22
Farway	89.27	104.15	119.02	133.90	163.65	193.41	223.17	267.80
Feniton	96.16	112.18	128.21	144.23	176.28	208.33	240.39	288.46
Gittisham	99.35	115.91	132.46	149.02	182.13	215.25	248.37	298.04
Hawkchurch	97.02	113.18	129.35	145.52	177.86	210.19	242.54	291.04
Honiton	108.11	126.13	144.14	162.16	198.19	234.23	270.27	324.32
Huxham	81.19	94.72	108.25	121.78	148.84	175.90	202.97	243.56
Kilmington	100.17	116.86	133.56	150.25	183.64	217.02	250.42	300.50
Luppitt	115.94	135.27	154.59	173.91	212.55	251.20	289.85	347.82
Lypstone	108.54	126.63	144.72	162.81	198.99	235.17	271.35	325.62
Membury	89.74	104.69	119.65	134.60	164.51	194.42	224.34	269.20
Monkton	107.16	125.02	142.88	160.74	196.46	232.18	267.90	321.48
Musbury	94.44	110.18	125.92	141.66	173.14	204.62	236.10	283.32
Netherexe	81.19	94.72	108.25	121.78	148.84	175.90	202.97	243.56
Newton Poppleford	107.78	125.75	143.71	161.67	197.59	233.52	269.45	323.34
Northleigh	94.98	110.81	126.64	142.47	174.13	205.79	237.45	284.94
Offwell	106.98	124.80	142.63	160.46	196.12	231.77	267.44	320.92
Otterton	102.56	119.66	136.75	153.84	188.02	222.21	256.40	307.68
Ottery St Mary	106.03	123.70	141.37	159.04	194.38	229.72	265.07	318.08
Payhembury	90.94	106.10	121.25	136.41	166.72	197.03	227.35	272.82
Plymtree	86.27	100.65	115.02	129.40	158.15	186.91	215.67	258.80
Poltimore	106.80	124.60	142.40	160.20	195.80	231.40	267.00	320.40
Rewe	95.48	111.39	127.30	143.21	175.03	206.85	238.69	286.42
Rockbeare	116.84	136.32	155.79	175.26	214.20	253.15	292.10	350.52
Seaton	121.40	141.64	161.87	182.10	222.56	263.03	303.50	364.20
Sheldon	83.49	97.40	111.32	125.23	153.06	180.88	208.72	250.46
Shute	90.11	105.13	120.14	135.16	165.19	195.23	225.27	270.32
Sidmouth	113.12	131.97	150.82	169.67	207.37	245.07	282.79	339.34
Southleigh	97.22	113.42	129.62	145.82	178.22	210.62	243.04	291.64
Stockland	90.12	105.13	120.15	135.17	165.21	195.24	225.29	270.34
Stoke Canon	94.47	110.21	125.96	141.70	173.19	204.67	236.17	283.40
Talaton	101.12	117.97	134.82	151.67	185.37	219.07	252.79	303.34
Uplyme	93.74	109.36	124.98	140.60	171.84	203.08	234.34	281.20
Upottery	101.90	118.88	135.86	152.84	186.80	220.76	254.74	305.68
Upton Pyne	98.36	114.76	131.15	147.54	180.32	213.11	245.90	295.08
Whimble	92.20	107.56	122.93	138.29	169.02	199.75	230.49	276.58
Widworthy	91.59	106.85	122.12	137.38	167.91	198.43	228.97	274.76
Woodbury	101.14	117.99	134.85	151.70	185.41	219.12	252.84	303.40
Yarcombe	97.00	113.17	129.33	145.50	177.83	210.16	242.50	291.00

**SCHEDULE 3**

**EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS, DEVON COUNTY COUNCIL, DEVON & CORNWALL  
POLICE AUTHORITY AND DEVON & SOMERSET FIRE AND RESCUE AUTHORITY**

Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
All Saints	1002.10	1169.10	1336.13	1503.14	1837.18	2171.19	2505.24	3006.28
Awliscombe	990.01	1155.00	1320.01	1485.01	1815.02	2145.01	2475.02	2970.02
Axminster	1016.13	1185.48	1354.84	1524.19	1862.90	2201.60	2540.32	3048.38
Axmouth	999.21	1165.74	1332.28	1498.81	1831.88	2164.94	2498.02	2997.62
Aylesbeare	997.61	1163.87	1330.14	1496.41	1828.95	2161.47	2494.02	2992.82
Beer	995.93	1161.90	1327.90	1493.88	1825.86	2157.82	2489.81	2987.76
Bishops Clyst	999.93	1166.58	1333.24	1499.89	1833.20	2166.50	2499.82	2999.78
Brampford Speke	1006.36	1174.07	1341.81	1509.53	1844.99	2180.42	2515.89	3019.06
Branscombe	995.13	1160.98	1326.84	1492.69	1824.40	2156.10	2487.82	2985.38
Broadclyst	1008.18	1176.20	1344.23	1512.26	1848.32	2184.37	2520.44	3024.52
Broadhembury	994.19	1159.87	1325.58	1491.27	1822.67	2154.05	2485.46	2982.54
Buckerell	996.42	1162.48	1328.55	1494.62	1826.76	2158.89	2491.04	2989.24
Budleigh Salterton	1005.11	1172.61	1340.14	1507.65	1842.69	2177.71	2512.76	3015.30
Chardstock	990.27	1155.31	1320.36	1485.40	1815.49	2145.57	2475.67	2970.80
Clyst Honiton	992.88	1158.35	1323.83	1489.31	1820.27	2151.22	2482.19	2978.62
Clyst Hydon	993.91	1159.55	1325.21	1490.86	1822.17	2153.46	2484.77	2981.72
Clyst St George	990.43	1155.49	1320.57	1485.64	1815.79	2145.92	2476.07	2971.28
Clyst St Lawrence	981.20	1144.72	1308.26	1471.79	1798.86	2125.91	2452.99	2943.58
Colaton Raleigh	995.36	1161.24	1327.14	1493.03	1824.82	2156.59	2488.39	2986.06
Colyton	1001.91	1168.88	1335.87	1502.85	1836.82	2170.77	2504.76	3005.70
Combe Raleigh	986.41	1150.79	1315.20	1479.60	1808.41	2137.19	2466.01	2959.20
Combpyne-Rousdon	991.49	1156.72	1321.98	1487.22	1817.72	2148.20	2478.71	2974.44
Cotleigh	1003.63	1170.88	1338.16	1505.43	1839.98	2174.50	2509.06	3010.86
Dalwood	992.64	1158.07	1323.51	1488.95	1819.83	2150.70	2481.59	2977.90
Dunkeswell	1008.30	1176.34	1344.39	1512.44	1848.54	2184.63	2520.74	3024.88
East Budleigh with Bicton	1004.92	1172.39	1339.89	1507.37	1842.35	2177.30	2512.29	3014.74
Exmouth	1001.20	1168.05	1334.93	1501.79	1835.53	2169.24	2502.99	3003.58
Farringdon	997.75	1164.03	1330.33	1496.62	1829.21	2161.78	2494.37	2993.24
Farway	989.28	1154.15	1319.03	1483.91	1813.67	2143.42	2473.19	2967.82
Feniton	996.17	1162.18	1328.22	1494.24	1826.30	2158.34	2490.41	2988.48
Gittisham	999.36	1165.91	1332.47	1499.03	1832.15	2165.26	2498.39	2998.06
Hawkchurch	997.03	1163.18	1329.36	1495.53	1827.88	2160.20	2492.56	2991.06
Honiton	1008.12	1176.13	1344.15	1512.17	1848.21	2184.24	2520.29	3024.34
Huxham	981.20	1144.72	1308.26	1471.79	1798.86	2125.91	2452.99	2943.58
Kilminster	1000.18	1166.86	1333.57	1500.26	1833.66	2167.03	2500.44	3000.52
Luppitt	1015.95	1185.27	1354.60	1523.92	1862.57	2201.21	2539.87	3047.84
Lypstone	1008.55	1176.63	1344.73	1512.82	1849.01	2185.18	2521.37	3025.64
Membury	989.75	1154.69	1319.66	1484.61	1814.53	2144.43	2474.36	2969.22
Monkton	1007.17	1175.02	1342.89	1510.75	1846.48	2182.19	2517.92	3021.50
Musbury	994.45	1160.18	1325.93	1491.67	1823.16	2154.63	2486.12	2983.34
Netherexe	981.20	1144.72	1308.26	1471.79	1798.86	2125.91	2452.99	2943.58
Newton Poppleford	1007.79	1175.75	1343.72	1511.68	1847.61	2183.53	2519.47	3023.36
Northleigh	994.99	1160.81	1326.65	1492.48	1824.15	2155.80	2487.47	2984.96
Offwell	1006.99	1174.80	1342.64	1510.47	1846.14	2181.78	2517.46	3020.94
Otterton	1002.57	1169.66	1336.76	1503.85	1838.04	2172.22	2506.42	3007.70
Ottery St Mary	1006.04	1173.70	1341.38	1509.05	1844.40	2179.73	2515.09	3018.10
Payhembury	990.95	1156.10	1321.26	1486.42	1816.74	2147.04	2477.37	2972.84
Plymtree	986.28	1150.65	1315.03	1479.41	1808.17	2136.92	2465.69	2958.82
Poltimore	1006.81	1174.60	1342.41	1510.21	1845.82	2181.41	2517.02	3020.42
Rewe	995.49	1161.39	1327.31	1493.22	1825.05	2156.86	2488.71	2986.44
Rockbeare	1016.85	1186.32	1355.80	1525.27	1864.22	2203.16	2542.12	3050.54
Seaton	1021.41	1191.64	1361.88	1532.11	1872.58	2213.04	2553.52	3064.22
Sheldon	983.50	1147.40	1311.33	1475.24	1803.08	2130.89	2458.74	2950.48
Shute	990.12	1155.13	1320.15	1485.17	1815.21	2145.24	2475.29	2970.34
Sidmouth	1013.13	1181.97	1350.83	1519.68	1857.39	2195.08	2532.81	3039.36
Southleigh	997.23	1163.42	1329.63	1495.83	1828.24	2160.63	2493.06	2991.66
Stockland	990.13	1155.13	1320.16	1485.18	1815.23	2145.25	2475.31	2970.36
Stoke Canon	994.48	1160.21	1325.97	1491.71	1823.21	2154.68	2486.19	2983.42
Talaton	1001.13	1167.97	1334.83	1501.68	1835.39	2169.08	2502.81	3003.36
Uplyme	993.75	1159.36	1324.99	1490.61	1821.86	2153.09	2484.36	2981.22
Upottery	1001.91	1168.88	1335.87	1502.85	1836.82	2170.77	2504.76	3005.70
Upton Pyne	998.37	1164.76	1331.16	1497.55	1830.34	2163.12	2495.92	2995.10
Whimble	992.21	1157.56	1322.94	1488.30	1819.04	2149.76	2480.51	2976.60
Widworthy	991.60	1156.85	1322.13	1487.39	1817.93	2148.44	2478.99	2974.78
Woodbury	1001.15	1167.99	1334.86	1501.71	1835.43	2169.13	2502.86	3003.42
Yarcombe	997.01	1163.17	1329.34	1495.51	1827.85	2160.17	2492.52	2991.02

# EAST DEVON DISTRICT COUNCIL

## Minutes of a Meeting of the Cabinet held in the Council Chamber, Knowle, Sidmouth on Wednesday, 7 March 2012

Present:

**Councillors:**

Paul Diviani (Leader/Chairman)  
Andrew Moulding (Vice Chairman)  
Ray Bloxham  
Iain Chubb  
David Cox  
Jill Elson  
Graham Godbeer  
Stephanie Jones  
Ian Thomas  
Chris Wale

Also  
Present:

**Councillors:**

Roger Boote  
Peter Bowden  
Maddy Chapman  
Trevor Cope  
Deborah Custance Baker  
Vivien Duval-Steer  
Martin Gammell  
Steve Gazzard  
Pat Graham  
Steve Hall  
Peter Halse  
Tony Howard  
John Humphreys

Sheila Kerridge  
Frances Newth  
John O'Leary  
Geoff Pook  
Philip Skinner  
Pauline Stott  
Peter Sullivan  
Graham Troman  
Phil Twiss  
Tim Wood  
Eileen Wragg  
Tom Wright

Also  
present:

Hon Alderman Vivienne Ash

**Officers:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Denise Lyon, Deputy Chief Executive  
Simon Davey, Head of Finance  
John Golding, Head of Housing  
Kate Little, Head of Economy  
Karen Jenkins, Corporate Organisational Development Manager  
Rachel Pocock, Corporate Legal & Democratic Services Manager  
Diana Vernon, Democratic Services Manager

Apologies -  
Non-Cabinet  
Members:

**Councillors:**

Graham Brown  
Bob Buxton  
Geoff Chamberlain

Alan Dent  
Ken Potter

The meeting started at 5.30 pm and ended at 8.05 pm.

**\*182 Public Questions**

The Chairman welcomed Councillors and members of the public present at the meeting – no questions were raised at this part of the agenda.

**\*183 Minutes**

The minutes of the meeting of the Cabinet held on 1 February 2012 were confirmed and signed as a true record subject.

**\*184 Declarations of interest**

<b>Councillor/ Officer</b>	<b>Minute number</b>	<b>Type of interest</b>	<b>Nature of interest</b>
Vivien Duval-Steer	191	Personal	Chairman of Elizabeth Hall Advisory Forum
Steve Gazzard	191	Personal	User of Elizabeth Hall
Brenda Taylor	191	Personal	User of Elizabeth Hall

**\*185 Exclusion of the Public**

**RESOLVED:** that the classification given to the documents to be submitted to the Cabinet, be confirmed, and that the reports relating to exempt information, be dealt with under Part B.

**\*186 Forward Plan**

Members noted the contents of the Forward Plan for the period 1 March to 30 June 2012.

**\*187 Matters referred to the Cabinet**

There were no matters referred to the Cabinet by the Overview and Scrutiny Committee or the Council.

A Portfolio Holder decision (application to purchase a former Council house subject to a restriction imposed under Section 157 of the Housing Act 1985) had been 'called in' by Members of the Overview and Scrutiny Committee. The minutes with recommendations would be referred to the next meeting of the Cabinet. The Portfolio Holder decision had stood but related issues would be considered by the Housing Review Board.

**\*188 Minutes of the meeting of the Recycling and Refuse Partnership Board held on 15 February 2012**

The Partnership Board Chairman, Councillor Chubb reported that positive changes were in the pipeline that would help further increase recycling rates. He advised that the meeting had considered the Government initiative to encourage Councils to operate weekly landfill collections and fortnightly recycling collections. However, the Board did not support this initiative as this Council's current arrangement had successfully reduced landfill and increased recycling rates. The success of the current operation would be highlighted through a press release.

## \*188 Meeting of the Recycling and Refuse Partnership Board cont/..

There was a requirement to review the Joint Waste Management Strategy for Devon in respect of dealing with municipal waste management in Devon.

Councillor Chubb asked all Members to encourage the public to further drive up the recycling rates.

- RESOLVED:**
- (1) that the Council does not put in a bid to the Government's £250m Weekly Collection Support Scheme but continues to operate fortnightly refuse collections and weekly recycling and food waste collections,
  - (2) that the Board complies with the programme for reviewing the Joint Waste Management Strategy for Devon to enable the Council to consider approval of the draft Strategy prior to public consultation.

**REASON** The current recycling arrangements had succeeded in increasing recycling rates and reducing waste sent to landfill.

## 189 Proposed Council Plan 2012-2016 and supporting frontline strategies – Key Decision

Councillor Ray Bloxham, Portfolio Holder – Corporate Business outlined the work undertaken on the Council Plan. He added that there had been a useful and positive debate on the emerging Plan at the meeting of the Overview and Scrutiny Committee last week. The document had been written in Plain English and was clearly presented and easily understood. The public, Council partners, Councillors and Officers had been widely consulted on the plans and priorities for the future of the District. The Plan and underpinning strategies (Economy, Environment, Homes and Communities and Finance) had been refined following the consultation and Members were now asked if they wished to recommend the final version for adoption by Council.

Councillor Bloxham acknowledged that the Council Plan was aspirational but at the same time included current service provision as well as future direction, showing how growth could be achieved and giving a clear timescale which would be monitored.

The main proposed amendments to the draft Plan which had been considered and supported by Cabinet at its October meeting were:

- A reflection in the Council Plan of the Council's intention to widen its economic focus beyond the West End, Seaton and Exmouth.
- A clearer explanation of the Council's intention around affordable housing and links with the Local Plan.
- A change in one of the values from 'approachable' to 'accountable' (as feedback suggested that 'approachable' was already included within the 'open/listening/caring' values).

Denise Lyon, Deputy Chief Executive, thanked Councillors and Officers for their positive involvement in developing the Plan.

- 189 Proposed Council Plan 2012-2016 and supporting frontline strategies – Key Decision (cont)..

**RECOMMENDED** that the Council Plan and underpinning strategies be recommended to Council for adoption;

**REASON** To ensure that the Council had clearly laid out plans and priorities for the future.

- \*190 Exmouth Regeneration – Orcombe Point – Key Decision

Richard Cohen, Deputy Chief Executive outlined the Devon County Council scheme to improve the western gateway to the Jurassic Coast at Orcombe Point and at the Geoneedle site. Plans of work already underway were circulated at the meeting. The project had been considered and supported by the Exmouth Regeneration Board. The enhancement of the public realm, street furniture and interpretation would have local strategic value.

Members were asked to consider the proposals detailed in the report and give authority for Council officers to facilitate the delivery of the project. The Council would need to work with the County Council to clarify the land interests involved and to ensure the successful completion of the project.

County Councillor Eileen Wragg noted a comment made about a possible diversion of the cycleway for safety reasons and would raise this with the Highways Authority.

- RESOLVED**
- (1) that the status of the scheme to improve the Jurassic Interpretation of the Western Gateway to the Jurassic Coast be noted;
  - (2) that the scheme's implications for the Council's own land interests be noted and authority be granted to the Deputy Chief Executive – Development, Regeneration and Partnerships, to work with Devon County Council and other partners to facilitate the scheme;
  - (3) that delegated authority be given to the Principal Estate Surveyor to negotiate the surrender of the lease detailed in the report and to any other arrangements necessary for implementation of the scheme.

**REASON** To assist the facilitation of a scheme to enhance the area, primarily with improved interpretation and support the Exmouth Regeneration agenda in general with ambitions for a series of seafront improvements in particular. The proposed improvements to Orcombe Point had been enthusiastically supported by the Exmouth Regeneration Board.

\*191 Exmouth Regeneration: Masterplan Projects and Exemption from Standing Orders.

Members considered the report of Richard Cohen, Deputy Chief Executive which sought authority to commence detailed pre-development tasks on the priority Exmouth Regeneration projects as determined by Cabinet on 30 November 2011. The initial projects were the Estuary-side Transformation, Camperdown Creek Regeneration, the Elizabeth Hall Site and Queen's Drive – Exmouth Splash. The identified projects had also been endorsed by Exmouth District Councillors and the Exmouth Regeneration Board

The report set out details of the proposed governance for the management of the projects together with budgetary implications over a four year period. The aim was to achieve value for money by releasing assets which would more than meet these costs. Delivery of the Masterplan projects would help improve the local economy and increase job opportunities; setting down the foundations for future growth.

The Cabinet was also requested to agree specific exemption from Standing Orders to retain particular professional services. The specialist consultants would be project managed by the Estates and Economic Development team working with the Deputy Chief Executive to facilitate the implementation of the Exmouth Masterplan. The Cabinet would be provided with regular up-dates on progress.

- RESOLVED**
- (1) that the Deputy Chief Executive - Development, Regeneration and Partnerships be given delegated authority for expenditure up to £700,000 over the next four years in consultation with the Portfolio Holder – Strategic Developments and Partnerships via a robust framework of governance;
  - (2) that exemption from Standing Order 1.11 be approved to enable the appointment of sub-contractors to complete the work that was begun during the drafting of the Exmouth Town Centre and Seafront Masterplan.

**REASON**

To secure funding to enable the implementation of the Exmouth Masterplan commencement of individual project development to which the Cabinet had committed at its meeting on 30 November 2011.

Exemption from Standing Orders to retain identified professional services if continuity made sense in cost, time and acquired knowledge.

## \*192 Personal Water Craft use in Exmouth and the River Exe

Richard Cohen, Deputy Chief Executive, introduced the report of the Beach Safety Officer who had outlined several options for the Council to consider as a way of addressing the user conflict at Shelly Beach, Belsher's Slipway and the use of Personal Water Crafts (PWC – Jet Skis). He set out a strategy to help improve 'poor behaviour' which included reducing the number of users at Belsher's Slipway during peak times, agreeing a common sense Code of Conduct for users, supporting ways to enforce the Beach and Estuary byelaws and investigating the use of Harbour View Slipway as a temporary alternative launching site until a long term solution could be found.

Rex Frost of the Water Users Group, Exmouth, supported the proposed trial. He welcomed the suggestion to try to encourage PWC users to help 'police' behaviour and abide by a common set of standards. He believed that the area to be allocated for PWC was the safest location.

Mike Fowler, National Coastwatch, Exmouth spoke of local concerns about any extra utilisation of the Harbour View Slipway which he asked the Cabinet to take into account. He advised that this was a busy part of the beach as it was handy for local facilities and easy access. He said that vehicles with trailers posed a serious risk to beach users. It was an area that was very busy with potential conflict between pedestrians, cyclists and vehicles. He also referred to the risks to users of PWC in this area due to fast currents and use by other wind and kite surfers. He asked the Cabinet to postpone the trial and to address these concerns.

Councillor Chubb, Portfolio Holder – Environment, advised that his Think Tank had met in January 2012 to discuss concerns, including public safety, and had recommended the proposed well regulated trial.

The Cabinet discussed the on-going problems between water users and traffic and supported the usefulness of a structured trial which would be closely monitored. The RLNI encouraged families away from Harbour View area as this was a red flag/no bathing beach and it was suggested that additional flags might be helpful. Arrangements would need to be revisited and new solutions found as the seafront area developed.

County Councillor Eileen Wragg acknowledged the long-running problems and offered financial support from her County allocation. She had also contacted the Highways' Authority in respect of providing signage to slow down users of the cycleway and to ensure that the parking bay next to the first aid post was kept clear for emergency vehicles.

**RESOLVED**

- (1) that a structured trial use of 'Harbour View Slipway' in Exmouth for use by Personal Water Craft (Jet Ski) users be carried out and parking in the vicinity of the slipway be investigated, with the findings being reported back to Cabinet;

\*192 Personal Water Craft use in Exmouth and the River Exe (cont/..)

- (2) that the Beach Safety Officer and key stakeholders investigate how launching could be improved from the Harbour View Slipway to encourage uptake by personal water craft users and to investigate ways of monitoring, registering and policing this and slipway usage,
- (3) that the 'Code of Conduct' be publicised and dispersed to local tourist information offices, holiday parks, water sports shops/chandleries and included in various publications such as tide tables;
- (4) that the Personal Water Craft area currently located off the beach near Orcombe Point be moved to an area south east (seaward side) of Pole Sands to improve safety of other beach users and improve the uptake of use of the Personal Water Craft area;
- (5) that the Harbour Patrol Board be supported through partnership working with Exeter City Council with other options for its continuation being investigated and costed;
- (6) that further assistance, through officer time, be given to help set up a Personal Water Craft club to add peer pressure to Jet Ski users and aid in dissemination of the 'Code of Conduct'.

**REASON**

To help to address problems and tensions associated with increased use of Personal Water Craft along the district's coastline and within the River Exe in particular. This included positive management to guide and educate users (including enforcement) plus use of alternative launch sites.

\*193 Honiton Community Centre

The Chairman invited Members of the public, who had indicated a wish to speak, to address the Cabinet on this item. Reference was also made to communication received from Mr Payne and Sheila McBrearty.

Jill McNally of Honiton raised concerns about the financial viability of the Centre and the limited fundraising reported so far. Income from user partners was not guaranteed and she anticipated that there would be a funding shortfall. She was worried about the burden on local Council Tax payers for the next 50 years.

Vernon Whitlock, Mayor of Honiton Town Council asked the Council for continued support. He believed that the project was cost effective and took into account local needs. EDDC concerns raised at the Cabinet meeting in November had been addressed and the independent scrutiny and validation (by Business Information Point) of the business plan had been very helpful. He believed that the range of partners wishing to use the facility would meet outgoings over time to achieve financial security and ability to offer realistic hire charges to the community. He emphasised the need for a community hall and that the costs would be met without increasing Honiton's Council Tax precept.

## \*193 Honiton Community Centre (cont)..

Sid Taylor had attended the Development Management Committee the day before and would be submitting a complaint.

Honorary Alderman Vivienne Ash said that Honiton needed a multi-purpose community facility in the heart of the town. This would help to retain Honiton as a thriving market town that supported the needs of local residents and the wider community. The project was reliant on the on-going support of EDDC to make sure that it was delivered.

Richard Cohen's report set out the current Council position agreed by Cabinet at its meeting on 5 October 2011, namely to continue to make the District contribution available but not to increase it and to ask Honiton Town Council to review the business plan to test the scheme's viability. He had worked closely with the Town Council and confirmed that the business plan for the new community centre on the Dowell Street car park site had been independently and professionally scrutinised and endorsed. It indicated that the complex could be delivered within budget and could realistically generate income/rental to cover running costs and meet community needs.

Although the Chief Executive had delegated authority to progress the scheme, the Project Steering Group and Town Council had asked that the issue be referred back to Cabinet for their information and views. Members noted that plans for the new community centre had been submitted for planning approval the day before in anticipation of the Cabinet's support. The application had been approved.

In response to concerns raised about the limited fund raising activity, Richard Cohen, Deputy Chief Executive advised that this would be raised with the Steering Group to make sure that this important issue was factored into forward planning. Councillor John O'Leary, Member Culture Champion added that now that the project was a reality, fundraising was going ahead.

Members acknowledged the importance of the positive relationship between the Town Council and EDDC, the need for the facility and the importance of the backing of the local community.

Councillor Moulding, Deputy Leader and Portfolio Holder for Strategic Development and Partnerships and Councillor Godbeer, Portfolio Holder for Economy gave credit to Vivienne Ash for her focus and dedicated support over the years.

**RESOLVED**

- (1) that on the basis that the revised Community Complex Business Plan has been endorsed by independent scrutiny from the Business Information Point Team (BIP) (see Appendix 1 to the report), the existing approved funding and land continue to be made available to the project subject to the following conditions:
  - (a) the District Council continues to provide project management support through construction and fit out,

## \*193 Honiton Community Centre (cont)..

- (b) the District Council participates in the project steering group through to initial operation of the Centre or for as long as it sees fit,
- (c) The Deputy Chief Executive (through delegated authority) determines that suitable contract conditions are in place that allow for the District to review its spending commitment if the project delivery gives sufficient cause,
- (d) Following planning approval, the District Council to set a 2-year time limit during which time works must be commence or the District Council will review its funding commitment,
- (e) The District Council's contribution to the project being restricted to a front-end capital sum in the confident expectation that the Community Complex, will, in accordance with its business plan, maintain income over expenditure.

**REASON**

The revised business plan, independently reviewed, offers a strong indication that the community complex can be delivered in budget (including provision for 'soft spots') and will offer a mix of facilities and services that will generate income/rental and meet a range of community needs.

## \*194 Financial monitoring report 2011/12 – Month 10 January 2012

Members considered the financial monitoring report which gave a summary of the Council's overall financial position for 2011/12 at the end of month 10 (31 January 2012). The Head of Finance highlighted key areas within the report including the continued under-spend in the General Fund, increase in income for the Manor Pavilion (which could achieve a break-even position at year end), significant increases in recycling income against budget and increase in income from planning fees.

Current monitoring indicated that:

- The General Fund Balance was being maintained at or above the adopted level.
- The Housing Revenue Account Balance would be maintained at or above the adopted level.
- There was sufficient Capital Reserve to balance this year's Capital Programme. However it was estimated that there would only be £1.950m available in the Reserve to support the programme from 2012/13 onwards.
- The first self-financing payment in respect of the Housing Revenue Account debt on 28 March 2012 would incur 4 days of interest charge in 2011/12. Details of how this was calculated were set out in the report.

\*194 Financial monitoring report 2011/12 – Month 10 January 2012 (cont)..

- RESOLVED**
- (1) that the variances identified as part of the Revenue and Capital Monitoring process up to Month 10 be noted;
  - (2) that the Government's Housing Revenue Account subsidy 2011/12 draft special determination in respect of payment of interest incurred prior to 1 April on the self-financing debt settlement be noted.

**REASON** To keep the Council's finances under review, including considering whether any corrective actions were required for the remainder of the financial year.

\*195 Asset Management: Tenanted non-residential property review – industrial estates asset cluster

The Head of Economy presented the report on the review being undertaken by the Asset Management Forum on the management of the Council's Industrial Estates Asset cluster. A CIPFA report had been commissioned and recommendations were made on the future of each individual asset. This had resulted in a set of principles for the general management of the portfolio and a revised lettings policy.

The principles for the general management included the presumption that all capital receipts from the disposal of any non-residential assets should be re-invested strategically in the retained estate. This re-investment preference would be to secure either an increase in the value of the estate or improve its revenue potential.

- RESOLVED**
- (1) that the general recommendations of CIPFA on the management of the Council's Industrial Estate be accepted;
  - (2) that delegated authority be given to the Head of Economy in consultation with the Asset Management Forum, the Economy Portfolio Holder and the relevant Ward Member(s) to determine whether to retain or dispose of specific industrial assets;
  - (3) that the General and Strategic Asset Management principles form the adopted practice of this Council for the Industrial Estate;
  - (4) that the Property Management principles set out in the report be adopted.

**REASON** To allow the Council to improve the management efficiency of the estate and pursue identified redevelopment opportunities which would result in increased revenue income or a capital receipt.

## 196 Corporate Debt Recovery Policy

Members considered the report of the Revenues and Benefits Manager which set out a Corporate Debt Recover Policy to establish clear guidelines for the recovery of all debt outstanding to the Council. The policy was to ensure that collection was both fair and cost effective and that the Council adopted a proportional, consistent and transparent corporate approach across all of the different recovery teams.

**RECOMMENDED** that the Corporate Debt Recovery Policy be adopted.

**REASON** To ensure that the Council dealt with customers fairly and consistently.

## \*197 Implementation of the Localism Act

The Corporate Legal and Democratic Services Manager presented her report which set out work being carried out by officers and various Council committees on an implementation programme for the Localism Act which placed new obligations on Local Authorities.

General misunderstanding about the Localism Act and its implications was acknowledged. Concern was expressed about the abolition of Standards for England and changes to the Code of Conduct. Members felt that the report provided helpful clarification.

- RESOLVED**
- (1) that the report be noted and up-loaded onto the Council's website as a useful reference document for Councillors, local councils and community organisations;
  - (2) that further reports be referred to Members as the detail of supporting regulations, guidance and policy became known.

**REASON** As preparation for implementing the Act.

## \*198 Planning Policy: Annual Monitoring report 2010/11

Members considered the report of the Head of Economy which summarised details of the Planning Policy Annual Monitoring Report for 1 April 2010 to 31 March 2011. Details included levels of development and planning policy document production.

**RESOLVED** that the Annual Monitoring report be endorsed as a record of planning policy activity and development for the 2010/11 period.

**REASON** The Council was required to report on planning policy activity and achievements on an annual basis.

\*199 EDDC Office relocation up-date including exemption from Standing Orders

Members considered the report of Richard Cohen, Deputy Chief Executive giving an up-date on actions undertaken to progress the Council Office Relocation Project. Cabinet approval was sought to extend the consultancy support contract pending commencement of a selected Relocation Management resource.

The Deputy Chief Executive advised the meeting on progress in respect of the Relocation Management recruitment. An interview panel had met with 3 interested companies and had chosen Davis Langdon which had offices in Exeter and Plymouth and relevant experience of relocating business on time and within budget.

- RESOLVED**
- (1) that progress on EDDC Office relocation activity be noted including the Relocation Management recruitment,
  - (2) that an exemption under Standing Orders be agreed for an extension of the contract for Kensington Taylor to continue to support the relocation project pending handover to new Relocation Management,
  - (3) that a further sum of up to £20,000 be allocated from within the existing approved budget for initial relocation management costs.

**REASON** To keep Members informed of progress on relocation.

To extend the contract of Kensington Taylor to reflect additional tasks required of them in the initial preparatory phase of the relocation project, maintain continuity and to support the Deputy Chief Executive and Working Parties pending arrival of a dedicated Relocation Manager.

\*200 Performance monitoring report until January 2012

Denise Lyon, Deputy Chief Executive, presented the performance information for the 2011/12 financial year until January 2012. Performance reports were now available on line.

Councillor Jill Elson, Portfolio Holder Sustainable Homes and Communities praised the efforts of the Housing Rental Team which had succeeded in retaining a good and improving collection rate through the traditionally difficult months of January and February.

**RESOLVED** that the progress and proposed remedial action for performance measures for the 2011/12 financial year until January 2012 be noted.

**REASON** To enable the Cabinet to continue to monitor the Council's progress in achieving excellent customer service using relevant performance measures.

## \*201 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, is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

## \*202 Office Accommodation Working Party

Members noted the action points of a meeting of the Office Accommodation Working Party held on 31 January 2012. Richard Cohen, Deputy Chief Executive highlighted key points within the notes including the identified potential energy saving in the new building, the useful feedback from Councillors on visits to local modern offices and from the Member questionnaire, the use of South West Audit Partners and the proposed communications strategy.

In respect of the proposed presence within Exmouth, Richard Cohen was recommended to meet with representatives from the NHS and Social Services to try to explore a possible joint working solution.

## \*203 Asset Management up-date – quarterly review

Members considered the report of the Head of Economy setting out progress made on the delivery of the Council's Strategic Property Asset Management Plan. Appendix 1 to the report set out the Membership of the Asset Management Forum - key officers would continue to be in attendance at meetings with other officers invited to attend on an 'as required' basis. The Appendix also set out the Forum's core responsibilities and key outputs.

**RESOLVED**

- (1) that progress in the delivery of the Asset Management Plan 2011/14 be noted;
- (2) that the governance change for the Asset Management Forum be endorsed.

**REASON** To ensure that the Council's property assets were managed in a strategic and structured way to achieved best value for money to serve the strategic needs of the organisation and the local community.

## \*204 Affordable housing – land off Grove Road, Whimple

Members considered the report of the Housing Enabling Officer setting out a revised proposal seeking consent to transfer EDDC owned land at Grove Road, Whimple to a preferred Registered Provider for the provision of 7 affordable homes (mix of social/affordable rent and shared ownership) and 4 open market homes. Due to a significant change in the Homes and Communities Agency grant funding arrangements the original proposal (previously considered by the Executive Board on 3 December 2008) had been amended to achieve a viable scheme.

**RESOLVED** that the land off Grove Road, Whimple be transferred by way of a 125 lease agreement at a nominal amount to the Registered Provider to be used for the provision of affordable homes

**REASON** To continue to take steps to address the shortage of affordable housing.

- \*205 Priority Disposal Programme – York Street car parking spaces, Sidmouth

Members considered the report of the Head of Economy in respect of the 6 car parking spaces at York Street which had been identified as part of the Council's Priority Disposal Programme in July 2011.

**RESOLVED** that 6 York Street (Sidmouth) car parking spaces, identified for disposal, be offered on the open market through an informal tender process subject to the purchaser to meet the Council's legal costs, and a covenant restricting their use to the parking of cars only

**REASON** As set out in the main body of the report.

- \*206 Agreement for sale of land adjacent to 148 Sidford Road, Sidford –  
REPORT WITHDRAWN

**RESOLVED** that the report be withdrawn for further investigation and referred for determination to the next meeting of the Cabinet.

**REASON** To progress the disposal of the site.

- \*207 Agreement of terms for the sale of former public toilets and land at Littleham, Exmouth

Members considered the report of the Head of Economy in respect of the former public conveniences at Littleham, Exmouth which had been identified as part of the Council's Priority Disposal Programme in July 2011.

**RESOLVED** that the former public conveniences at Littleham, Exmouth be sold subject to a 50% uplift clause in the Council's favour should any development be permitted on the site.

**REASON** To raise a capital receipt as part of the Priority Disposal Programme implemented to assist Capital Programme delivery.

- \*208 Agreement of terms for the letting of land at Littleham Industrial Estate, Exmouth

Members considered the report of the Head of Economy advising that the agreement of terms for the letting of specified land at Littleham Industrial Estate had expired on 13 April and the leasees did not wish to renew. Tenants of the adjacent property had expressed a wish to take a long ground lease on terms set out in the report.

**RESOLVED** that the grant of a long lease at Littleham Industrial Estate, Exmouth be authorised.

**REASON** A long ground lease was a secure and valuable investment for the Council and the favourable terms would enable the leases to expand their business.

Chairman .....

Date .....

EAST DEVON DISTRICT COUNCIL  
Minutes of a Meeting of a Special  
Overview and Scrutiny Committee held  
at Knowle, Sidmouth on 1 March 2012

Present:

**Councillors:**

Stuart Hughes (Chairman)	Sheila Kerridge
John Humphreys (Vice Chairman)	John O'Leary
Mike Allen	Brenda Taylor
Peter Bowden	Graham Troman
David Chapman	Tim Wood
Deborah Custance Baker	Eileen Wragg
Vivien Duval Steer	Claire Wright
Roger Giles	Tom Wright
Mike Howe	

**Officers:**

Simon Davey – Head of Finance  
John Golding – Head of Housing  
Kate Little – Head of Economy  
Denise Lyon – Deputy Chief Executive  
Debbie Meakin – Democratic Services Officer  
Chris Powell - ICT

Also Present

**Councillors:**

Graham Godbeer	Trevor Cope
Stephanie Jones	Frances Newth
Ian Thomas	Peter Sullivan
Iain Chubb	Ray Bloxham
Paul Diviani	Steve Gazzard
Geoff Chamberlain	Pauline Stott
David Cox	
Phil Twiss	

Apologies:

**Committee Members:**

Graham Brown  
Peter Burrows  
Derek Button  
David Key

**Councillors:**

Jill Elson  
Steve Hall  
Andrew Moulding  
Steve Wragg

The meeting started at 6.30pm and ended at 9.17pm.

\*72 Public Question Time  
There were no questions from the public.

\*73 Minutes

The minutes of the meetings of the Overview and Scrutiny Committee held on 18 and 26 January 2012 were signed and confirmed as a true record.

\*74 Urgent Item – Call in of Portfolio Holder decision

The Chairman proposed that the called in Portfolio Holder decision be considered in Part B of the agenda.

\*75 Cabinet Agenda

The Chairman proposed that Cabinet agenda item 27 – Sale of Land at Sidford be considered by the Committee in Part B of the agenda.

\*76 Exclusion of the Public

**RESOLVED** that exempt classification Para 2 Schedule 12A (Information which is likely to reveal the identity of an individual) be applied to the called in Portfolio Holder decision (Minute 74 refers) and exempt classification Para 3 Schedule 12A (Information relating to the financial or business affairs of any particular person – including the authority holding that information) be applied to the Cabinet agenda item 27 (Minute 75 refers) and dealt with under Part B.

\*77 Update on Planning Enforcement

The Chairman welcomed Kate Little, Head of Economy, to the meeting. The Ward Member satisfaction with Planning Task and Finish Forum (TaFF) report had requested the report in their recommendations. This interim report outlined the resource level changes to the Enforcement element of the Development Management service and the continued efforts to clear the backlog of cases following a period of low staffing level. She highlighted the reduction in cases, and the short turnaround period for cases deemed as no breach or too minor to pursue. The Committee were concerned to learn that the service had lost another staff member the previous day. Mrs Little assured the Committee that she had already started the recruitment process to fill the post as swiftly as possible.

Councillor Bowden encouraged Members to respond to a request for feedback on the recent Planning Open Evening in February. The responses will be considered as part of the ongoing work of the TaFF in ensuring the recommendations have been implemented. The Committee agreed that the Open Evening had been a useful event.

\*77 Update on Planning Enforcement (continued)

**RESOLVED**

1. that Members acknowledge that, subject to the team being back to full capacity, the Planning Enforcement Service is providing an efficient and high quality service to its customers;
2. that an update on the Planning Enforcement Service be provided to the Overview and Scrutiny Committee at the 27 September 2012 meeting;
3. that a full report on the implementation of the Ward Member satisfaction with Planning Task and Finish Forum be provided to the Overview and Scrutiny Committee at the 27 September 2012 meeting.

\*78 Consultation on the emerging Council Plan

The Committee reviewed the draft Council Plan and the supporting strategies on Economy; Environment; Housing and Communities; and Finance.

Councillor Ray Bloxham, Portfolio Holder for Corporate Business, outlined the history of the development of the new Plan and the underpinning strategies. He stressed how the Plan is written to be clear to any reader – staff, Councillor, or member of the public. The consultation undertaken to date had shown a positive response to the Council Plan, and the feedback from that consultation had helped refine the plan further.

Questions on the Council Plan and supporting strategies included:

- Confirmation on the involvement of Chambers of Commerce. They had been contacted by letter in the early stages of the consultation and had a later opportunity to contribute via the East Devon Business Forum;
- Concern on how deliverable elements of the Economy strategy were, such as Business Development Units. The Head of Economy outlined some progress pending application submissions in Seaton and Axminster;
- A desire to see more encouragement of mixed economy in the towns contained in the Economy Strategy;
- Include reference to rail passing loops within the Economy Strategy;
- Should the Council Plan include clarity on what resources were available to carry out the Plan, or at least prioritise elements, so as not to give unrealistic expectation on achievement of the many elements in the strategies? Many of the projects involved partner working and therefore clarity on resources and funding was not always easy to define;
- The target of 13,500 new jobs in the Local Plan should be linked to a target within the Economy Strategy;
- Exe Estuary reference should be improved to help raise its profile, and Clyst Estuary should be added.

The Committee was reminded that much of the detail behind the supporting strategies was contained in the Local Plan, and therefore the Council Plan was intended to compliment it rather than repeat it. The intention of the Council Plan is to give a strategic view on how the Council will progress in the next four years

\*78 Consultation on the emerging Council Plan (continued)

Debate also took place over how specific elements of the plan would be carried out, such as keeping food supply chains short and funding tourism strategies. Councillor Bloxham advised Members that they could contact him directly on any specific comments on the Council Plan and supporting strategies prior to Cabinet considering the documents on the 7 March 2012.

Denise Lyon, Deputy Monitoring Officer, gave thanks to those involved in the production of the Council Plan, including in particular Councillor Bloxham for his support and advocacy of the plan. She also thanked the Heads of Service for their work alongside service plan and budget setting; and Councillor Godbeer and Mrs Little for their patience.

**RECOMMENDED** that the Council Plan and supporting strategies be recommended for approval by Council.

\*79 Outside Bodies, Panels and Forums

Councillor Ray Bloxham, Portfolio Holder for Corporate Business, outlined recent work undertaken by his Think Tank in reviewing the formally appointed Council representatives. He stressed that the intention was not to stop representation, only to narrow down formal representation agreed by Council. He outlined his reasoning for the criteria, and the other informal means of representation to be facilitated by Democratic Services.

The Chairman asked how each Portfolio Holder would ensure that representatives regularly reported information from the body, panel or forum. Councillor Bloxham explained that each formal representative relates to a specific portfolio, and that this could be developed to placing that representative on the appropriate Think Tank as a means of enabling two-way communication. This would lead to feedback from and information sent to, the outside body, panel or forum.

The Committee discussed past poor practices of a lack of information from some representatives. They welcomed the report and suggested recommendations.

- RECOMMENDED**
1. that Appointments of Members to Outside Bodies, Panels and Forums be made by Council only where one or more of the following criteria apply:
    - a) The Council makes a financial contribution to the outside body;
    - b) There is a clear need for the business of the outside body to be reported back to Council;
    - c) The Council has a partnership relationship with the outside body;
  2. in the case of outside bodies falling outside the criteria in 1. above, Democratic Services will provide the contact details of the ward member(s) so that arrangements can be made direct;

\*79 Outside Bodies, Panels and Forums (continued)

- RECOMMENDED** 3. that appointed Representatives engage with the relevant Portfolio Holder to ensure information is both fed back, and fed into, each Outside Body, Panel and Forum that meets the criteria for formal appointment.

\*80 Quarterly Monitoring of Performance – Third Quarter 2011/12

The Committee reviewed the key issues report and raised questions on the “concern” marked key objectives. The Head of Economy gave an update on the Skypark and explained the funding administration relating to the Science Park. A suggestion was made to amend the officer comments relating to the Strand Gardens to better reflect the actual cost of the commercial building.

\*81 Forward Plan

Members noted the forward plan relevant to the current and next financial year. The Vitality of High Streets and Town Centres Task and Finish Forum have their first meeting on the 9 March 2012.

\*82 Update from Portfolio Holder for Economy

Councillor Graham Godbeer, Portfolio Holder for Economy, reminded the Committee of his wide-ranging remit.

His Think Tank had recently covered:

- Preparation of the new Economy Strategy;
- Agriculture, succession planning for it, and the impact on AONBs;
- Rural broadband issues;
- BIP presentation that went on to be presented to full Council;
- Joint working with other Think Tanks on Asset Management and Growth Point.

Other portfolio work covered:

- Working with Chambers of Commerce – he advised the Committee of a new Business Development Officer at Seaton, working with their Chamber of Commerce for a six month term;
- East Devon Business Forum – recently amended constitution to help attract small businesses to the Forum;
- Asset Management Forum – the database of assets was now in use and he thanked the IC for their work in enabling that database;
- Positive work on the Exmouth Regeneration Board continued;
- Seaton Regeneration Board – interviewing for operator for the Visitor Centre;
- Involvement with Exeter & Heart of Devon on tourism issues;
- Working with other authorities to consider a joint approach to LEP as the conduit for funding;

The Portfolio Holder planned to continue with the work outlined above and also improve links with Exeter. He also intended to look at ways to grow capital to re-invest in profitable assets.

\*82 Update from Portfolio Holder for Economy (continued)

The Committee welcomed the update and suggested that work is carried out to identify companies who may consider locating in the District. These companies can be targeted to show the many benefits of the District.

\*83 Update from Portfolio Holder for Corporate Services

Councillor Ian Thomas, Portfolio Holder for Corporate Services, highlighted his areas of responsibility to the Committee. These included:

- Communications. There had been a number of positive press releases in the past few months, and the East Devon Talk had been replaced with an online publication East Devon Connect, giving a cost saving. The reduction in press staff had impacted on the ability to cover all press related work;
- Feedback from newly elected Members had resulted in a refresher programme for all Members currently underway;
- Electronic government – enabling services availability online;
- Staff satisfaction survey results are positive despite recent redundancies, and take up of e-learning modules is good;

The Portfolio Holder outlined some recent work by the ICT service, presenting to the Committee how a number of issues are reported online. An example used was for reporting a missed bin collection, with a number of targeted questions online that enabled actioning the request quicker and more efficiently. He explained the LAGAN system that linked together all forms of contact with the Council to log and follow up on a reported issue.

He also showed an example of mobile working, with the replacement of a paper log to a handheld device enabling the operative to easily log work carried out and report faults. The Committee particularly enjoyed this example.

The Portfolio Holder outlined his concerns about rural broadband and the Devon and Somerset project to deliver superbroadband (24MB) to 90% of the two counties, with the remainder at the universal standard of 2MB. The 10% left are likely to be rural, end of line locations; businesses would suffer as a result. He informed the Committee that he would be giving a series of sessions about Rural Broadband to help better inform Members of the issues and hoped to deliver his first session prior to Cabinet on 7 March 2012.

The Chairman thanked both Portfolio Holders for their informative presentations.

\*84 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 it likely to be disclosed, and on balance the public interest is in discussing the items in private session (Part B).

\*85 Call in of Portfolio Holder decision

The Committee heard the reasons for the call in of the recent decision by the Portfolio Holder for Communities. The Deputy Portfolio Holder for Communities spoke on behalf of the Portfolio Holder.

- RECOMMENDED**
1. that the decision by the Portfolio Holder for Communities on the application for the sale of a former Council house stands;
  2. that the policy relating to the sale of former Council houses be considered at the meeting of the Housing Review Board on 8 March 2012, with a view to a full review in due course;
  3. that future publications of Portfolio Holder decisions in the Confidential Knowledge contain more information about the application, in order to provide other Members with the full facts to see how the decision was reached.

\*86 Cabinet agenda item

The agenda item related to an agreement for a sale of land. The Ward Members spoke on their views on the proposed sale, highlighting concerns about public safety. Discussion took place on alternative uses for the site to retain it as amenity land.

In light of the discussion, the Leader agreed to withdraw the item from the Cabinet agenda in order to reconsider the report and look at alternatives for the site.

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

# EAST DEVON DISTRICT COUNCIL

## Minutes of a meeting of the Housing Review Board held at Knowle, Sidmouth on 8 March 2012

Present:

Councillors:

Pauline Stott (Chairman)  
Christine Drew  
Jim Knight  
Peter Sullivan

Co-opted Tenant Members:

Victor Kemp  
Christine Morrison  
Sally Lancaster  
Sue Saunders (Vice Chairman)

Co-opted Independent Community Representative:

Julie Adkin

Officers:

Sue Bewes, Landlord Services Manager  
Emma Charlton, Housing Projects Officer  
Amy Gilbert, Support Services Manager  
John Golding, Head of Housing  
Jane Reading, Tenants & Communities Section Leader  
Giles Salter, Solicitor  
Alethea Thompson, Democratic Services Officer

Also Present:

Councillors:

Jill Elson - Portfolio Holder for Sustainable Homes and Communities  
Stephanie Jones – Deputy Portfolio Holder for Sustainable Homes and Communities  
Alan Dent  
Paul Diviani  
Martin Gammell  
Steve Gazzard  
John O'Leary  
Phil Twiss

Tenants (Tenant Scrutiny Panel):

Olwyn Denyer  
Eric Howard  
Jose Ireland  
Roger Pell

Apologies

Councillors:

Douglas Hull

Co-opted Tenant Member:

Pat Rous

Co-opted Independent Community Representative:

Rob Finch

The meeting started at 6.00pm and ended at 8.00pm.

\*51 Chairman’s welcome

The Chairman welcomed all those present to the meeting, especially members of the Tenant Scrutiny Panel.

\*52 Public Question Time

There were no questions raised by members of the public.

\*53 Minutes

The minutes of the meeting of the Housing Review Board held on 12 January 2012, were confirmed and signed as a true record, subject to Councillor Jim Knight being added to the list of those present.

\*54 Declarations of Interest

<b>Board Member</b>	<b>Minute number</b>	<b>Type of interest</b>	<b>Nature of interest</b>
Jim Knight		Personal	Daughter lived in a Council owned property.
Peter Sullivan	60	Personal	He was registered with Devon Home Choice.
Jim Knight	64	Personal	He had solar panels installed on his roof.

\*55 Urgent item – Restrictions on the sale of former Council homes

The Chairman agreed for this item to be dealt with as a matter of urgency. A report was circulated before the meeting indicating that a Portfolio Holder decision (application to purchase a former Council house subject to a restriction imposed under Section 157 of the Housing Act 1985) had been ‘called in’ by members of the Overview and Scrutiny Committee. The Portfolio Holder decision had stood but it was recommended that the policy relating to the sale of former Council houses in rural areas be considered by the Housing Review Board, with a view to a full review in due course.

The policy in relation to the restriction on the sale of former Council homes was intended to retain affordable housing in rural areas for people with a local connection to Devon. It allowed the Council to refuse to agree to a sale where the purchaser did not currently live or work in the County. Section 157 of the Housing Act 1985 allowed for the restriction to be imposed. A number of situations where the Council would not normally apply the conditions were noted. It had been recent practice not to object to sales that met the additional criteria where the ward member was supportive. The key question was whether the Council should stick rigidly to the restriction or allow the wider group of circumstances contained in the report to continue to apply, where the ward member supported the sale.

- RECOMMENDED:**
- 1 that the Council continue to apply the existing policy restricting the sales of ex-Right to Buy properties.
  - 2 that a one-off TaFF be set up to review the policy at a future date.

\*56 Housing Review Board Forward Plan

The Head of Housing presented the forward plan. He reported that at the next meeting there would be a significant report on the work of the Sheltered Housing Task and Finish Forum, the vision for sheltered housing and changes to Supporting People arrangements.

**RESOLVED:** that the forward plan be noted.

\*57 Tenant Scrutiny Panel report – scrutinising community centres

The Chairman agreed for this agenda item to be brought forward. She welcomed the members of the Tenant Scrutiny Panel (TSP) present and invited them to stay for the duration of the meeting.

The Chairman of the Tenant Scrutiny Panel introduced the Panel, what they did and why they chose to scrutinise community centres. He explained how the Panel had carried out its investigations. The report highlighted areas of concern which required more discussion.

The five main recommendations were:

- Make updated fire risk and health and safety assessments a matter of urgency.
- Appoint an officer to oversee the community centres.
- Promote and make better use of the community centres.
- Inspect and survey all community centres to establish a 3-5 year work plan (on-going maintenance programme) and inspect/update equipment/furniture.
- Develop community centres' self sufficiency.

The TSP concluded that if brought up to standard, advertised properly and made easy to book, community centres would be used more regularly, thus increasing revenue. Eventually they could become cost neutral or even cost positive.

The Portfolio Holder for Sustainable Homes and Communities suggested that officers would work through the TSP report and that she would also have a Think Tank on the topic. The findings of these two groups could then be brought back to the Housing Review Board and the Chairman of the TSP would be invited to attend.

The Chairman of the Tenant Scrutiny Panel thanked the Tenants and Communities Section Leader and her team for all their support. On behalf of the Housing Review Board the Chairman thanked the Panel for their hard work.

**RECOMMENDED:** that the officers and Councillors review the Tenant Scrutiny Panel report on scrutinising community centres and that a further report be brought back to a future meeting of the Housing Review Board, with the Chairman of the TSP invited to attend and discuss.

\*58 Housing Revenue Account Business Plan

The Board considered the Head of Housing's report which presented the new Housing Revenue Account (HRA) Business Plan to sit with the financial models considered by the Board at its last meeting. This was part of the Council's preparations for the reform of the social housing finance regime. The Business Plan set out the known income and expenditure plans over the next thirty years and incorporated the repayment of debt instead of an annual housing subsidy payment.

A cautious approach would be taken during the early years of the Business Plan, as the Council became familiar with issues such as servicing debt, assessing the impact of Welfare Reform on income streams and movement in the Retail Prices Index. Financial monitoring reports would initially be brought to every meeting of the Housing Review Board.

It was suggested that a set of priorities for additional expenditure be set, to include new build and /or property acquisitions; carbon management/improved energy efficiency; community development; and many more items where some of the surpluses could usefully be reinvested. Before any of these were implemented a business case would be made to consider the impact on the Business Plan.

The borrowing strategy was outlined in the Business Plan. A straightforward approach of a portfolio of fixed interest loans maturing over different periods was advocated. The 'one off' cost of administering the loan was factored into the budget.

It was noted that the final settlement figure was £84,376,000. The valuation figure was £87,197,000 and the current level of housing debt was shown as £646,000.

The Portfolio Holder for Sustainable Homes and Communities reported that a very exciting and challenging time lay ahead, with great opportunities for the future.

The Head of Housing was thanked for his report.

**RECOMMENDED:** that the Council approve the Housing Revenue Account Business Plan.

\*59 Homes and Communities Strategy

Consideration was given to the report of the Head of Housing which presented a new-style Homes and Communities Plan that effectively replaced the Housing Strategy and formed part of the corporate suite of strategy documents that integrated with the new Council Plan. It had also been presented to the Overview and Scrutiny Committee and Cabinet.

The Head of Housing thanked the Housing Projects Officer for her extensive work on this new style Plan.

**RECOMMENDED:** that the Council agree the draft Homes and Communities Plan 2012.

\*60 Devon Home Choice – statutory guidance on the allocation of accommodation

The Housing Review Board considered the Housing Needs and Strategy Manager's report which outlined the Government's proposed changes relating to the allocation of accommodation by the Council. The draft statutory guidance introduced changes to the advice on allocations that would impact on the Devon Home Choice Policy and would require some changes to who was eligible for housing; how transfers by existing tenants were dealt with; additional priority for certain groups of applicants; and a greater flexibility to make allocation decisions locally.

The Government was currently consulting on changes to the statutory guidance on the allocation of accommodation. The two main changes of emphasis were:

- Giving greater priority to ex-service personnel.
- Giving greater priority to those in work or actively seeking work.

Members discussed the reasoning behind these two priority categories and the work of the Housing Needs team was recognised in meeting housing need and preventing homelessness.

It was reported that the Devon Home Choice scheme was working well. A review of the Devon Home Choice Policy was currently being conducted by the Devon Home Choice Board and it was recommended that decisions on policy changes be postponed until a further report was presented to the Board in June 2012.

- RECOMMENDED:**
- 1 that the recommendations contained in Annex B to the report be approved.
  - 2 that the draft reply at Annex D to the consultation on the draft statutory guidance be approved.
  - 3 that a further report be presented to a future meeting of the Board.

(Councillor Peter Sullivan declared a personal interest in this item as he was registered with Devon Home Choice).

\*61 Local standards update

The Board considered the report of the Housing Projects Officer which set out the monitoring of local standards, new proposed local standards and the proposed revised regulatory framework for social housing.

An update paper on Local Standards was considered by the Housing Review Board on 13 January 2011, where the Board agreed the proposed standards and monitoring arrangements. Local standards were agreed for the Tenant Involvement and Empowerment, Home, and Neighbourhood and Community Standards. Further local standards had now been proposed for the remaining two standards:

- Value for money.
- Tenancy issues.

\*61 Local standards update (cont'd)

The Council had consulted with tenants, via a postal questionnaire and online survey, as to their views on how it was meeting some of the current local standards, and the proposed new standards for Value for Money and Tenancy Issues. The report outlined the findings from this survey.

The Tenant Services Authority (TSA) had recently undertaken a consultation on a revised regulatory framework for social housing and it was planned that this new framework would come into effect on 1 April 2012. The report also outlined the potential implications to local standards arising from this revised framework.

- RECOMMENDED:**
- 1 that the Council adopts the proposed new local standards on Value for Money and Tenancy.
  - 2 that the proposed changes to the regulatory framework and the Council's response to this be noted.

**RESOLVED:** that the progress being made against the Tenant Involvement and Empowerment Standard be noted.

\*62 Credit unions

The Board considered the report of the Head of Housing outlining the work of credit unions. The report proposed a way of raising awareness of their work amongst the Council's tenants and low income households who might benefit from the savings schemes and the ethical lending policies. It was felt that these were particularly important now due to the times of austerity and the apparent proliferation of loan sharks.

A credit union was a member-owned financial co-operative, democratically controlled by its members, and operated for the purpose of promoting thrift, providing credit at competitive rates, and providing other financial services to its members. The main features of credit unions were:

- Ethical lending arrangements.
- Encourage savings.
- Properly regulated.

A number of local authorities operated or promoted credit unions because of the social and financial inclusion benefits. Many low income households could not or did not operate a bank account and were denied access to financial institutions and mainstream banking services. Devon County Council promoted and supported the value of credit unions. Encouraging the use of credit unions would be consistent with EDDC's social inclusion responsibilities.

It was suggested that credit union activities be advertised in the Housing newsletter and members discussed opening another service point in East Devon, possibly at the Knowle.

\*62 Credit unions (cont'd)

- RECOMMENDED:**
- 1 that the Head of Housing investigate the benefits of local credit unions in more detail with a view to raising awareness of locally based Credit Unions to the Council's tenants and other low income groups.
  - 2 that the Council consider providing another Service Point in East Devon.

\*63 Tenancy fraud

The Board considered the report of the Tenants & Communities Section Leader, which provided an update on tenancy fraud, the measures taken so far and further work planned for the future. The Housing Review Board had considered a report on the Government's national drive to crackdown on tenancy misuse and fraud at its meeting in January 2010. It was noted that tenancy fraud was considered to be at a very low level in East Devon.

The Government had recently launched a consultation exercise that proposed strengthening legislation around social housing fraud, increasing the deterrent to tenants considering cheating the system and allowing those who did cheat to be detected more easily and punished more severely. The consultation deadline was 4 April 2012 and the full document could be found at <http://www.communities.gov.uk/publications/housing/socialhousingfraud>.

The Tenants & Communities Section Leader reported that she would like to take more information out on estate inspections. Discussion then took place on the issues surrounding photographic evidence of tenants. It was noted that the Council had been photographing all new tenants for a few years, but that it did not have a photograph of every tenant. Once the new housing management computer system was available the aim would be to set up more sophisticated tenancy audit records so that all officers could easily access, view and amend the data. This could also be used to flag up any high risk tenancies.

On behalf of the Board the Chairman thanked the Tenants & Communities Section Leader for her report.

- RECOMMENDED:** that the progress made to date with addressing tenancy fraud be noted and the suggested next steps contained within the report be approved.

\*64 Electricity generating technology and the Green Deal

The Board considered the report of the Housing Needs and Strategy Manager, which set out the options available to the Council to provide electricity generating technology to tenants' homes to help improve the energy efficiency. The report also set out a brief introduction to the Government's Green Deal proposals contained in the Energy Act 2011.

\*64 Electricity generating technology and the Green Deal (cont'd)

Further research would need to take place to understand better whether tenants would actually benefit from electricity generating technology and the Green Deal, and whether the Council should invest in its properties to boost energy efficiency and help reduce tenants' energy cost. This was the first in a series of reports on energy efficiency/impact of climate change on Council homes. A second report would be presented to the Board on the Green Deal with a third report on 'retrofitting' improvements to homes and how this would benefit tenants.

Members discussed the benefits of solar panels and the dilemmas involved with needing south facing properties. It was noted that new homes were built to be excellent in energy efficiency and the Board agreed that all homes should be made more energy efficient.

**RECOMMENDED:** that a more detailed report be presented to the Board on the Green Deal once the Government had finalised its proposals.

**RESOLVED:** that the report and position relating to electricity generating technology opportunities available to the Council be noted.

(Councillor Jim Knight declared an interest in the above item as he had installed solar panels on his roof).

\*65 Empty properties (voids) performance

Consideration was given to the report of the Housing Needs and Strategy Manager which set out the performance in respect of letting void properties for the period April to December 2011 (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> quarters).

The report showed the average length of time taken to relet properties. Performance for the year so far showed that it had taken on average 23 days to relet each empty property compared with a target for 2011/12 of 25 days.

**RESOLVED:** that the report be noted.

Chairman .....

Date .....

## EAST DEVON DISTRICT COUNCIL

### Minutes of a Meeting of the Development Management Committee held at the Council Chamber, Knowle, Sidmouth, on Tuesday 7 February 2012

- Present: Councillors:  
Mark Williamson (Chairman)  
Helen Parr (Vice Chairman)  
Vivien Duval Steer  
Geoff Chamberlain  
Tony Howard  
Ben Ingham  
Stephanie Jones  
David Key  
Geoffrey Pook  
Ken Potter  
Peter Sullivan  
Phil Twiss  
Steve Wragg
- Ward  
Members: Councillors:  
Graham Brown  
Bob Buxton  
Paul Diviani  
Steve Gazzard  
Philip Skinner  
Pauline Stott  
Tom Wright
- Also Present: Councillors:  
Iain Chubb  
John Humphreys  
Andrew Moulding  
Tim Wood
- Officers: Richard Cohen, Deputy Chief Executive  
Ed Freeman, Development Manager  
Christopher Holland, Democratic Services Officer  
Andrew Seddon, Senior Solicitor  
Hannah Whitfield, Democratic Services Support Officer
- Apologies: Councillors:  
Alan Dent  
Jill Elson  
Graham Godbeer  
Steve Hall  
Mike Howe  
Eileen Wragg

The meeting commenced at 2.00 pm and ended at 7.00 pm

**\*54 Minutes**

The minutes of the meetings of the Development Management Committee held on Tuesday 10 January 2012 were agreed and signed as a true record.

**\*55 Meeting dates**

The Chairman announced a change of meetings dates due to the Police Authority Elections being moved to November 2012. This allow for meetings in May to follow the normal time scale.

- RESOLVED:** 1) that it be noted that the Development Management Committee on 24 April 2012 will be held on Tuesday 8 May 2012.
- 2) that it be noted that the Planning Inspections Committee scheduled for 11 May will be held on 18 May.

**\*56 Vote of Thanks**

The Chairman paid thanks to Christopher Holland, Democratic Services Officer for his time in support of the various planning Committees of the Council over the past 15 years and who was attending his last meeting before taking up a new post as Sidmouth Town Clerk.

- RESOLVED:** that the Development Management Committee place on record, its thanks to Christopher Holland for his excellent service to the Committee and to the Planning Inspections Committee, over many years. His professionalism and commitment will be greatly missed. The Committee offers its congratulations to Christopher on his appointment as Town Clerk to Sidmouth and wishes him happiness and fulfilment in his new role.

**\*57 Planning Appeal Statistics**

The Committee received and noted the report of the Interim Development Manager setting out appeals recently lodged and recent appeal decisions notified.

**\*58 Applications for Planning Permission and matters for determination**

- RESOLVED:** that the applications before the Committee be determined as set out in Schedule 9 – 2011/2012 (attached).

The following declarations of interest were made during consideration of the applications:

<b>Councillor/ Officer</b>	<b>Ref. / Site</b>	<b>Type of interest (action taken)</b>	<b>Nature of interest</b>
Councillor Peter Sullivan	11/2801/FUL Phear Park, Exmouth	Personal Interest (remained in Chamber to speak and vote)	Councillor was the EDDC representative on Leisure East Devon

## \*58 Applications for Planning Permission and matters for determination

## Declarations of interest (cont'd)

Councillor Vivien Duval Steer	11/2801/FUL Phear Park, Exmouth	Personal Interest (remained in Chamber to speak and vote)	Councillor was a Governor of Exmouth Community College and a representative on Leisure East Devon
Councillor Vivien Duval Steer	11/2769/FUL The Pavilion, Esplanade, Exmouth	Personal Interest (remained in Chamber to speak and vote)	Councillor was a representative on Leisure East Devon
Councillor Geoff Chamberlain	11/2769/FUL The Pavilion, Esplanade, Exmouth	Personal Interest (remained in Chamber to speak and vote)	Councillor was a representative on Leisure East Devon Advisory Committee
Councillor Pauline Stott	11/2801/FUL Phear Park, Exmouth	Personal Interest (remained in Chamber to speak and vote)	Councillor was a representative on Leisure East Devon

## \*59 Vote of Thanks

The Chairman paid thanks to Andrew Seddon, Senior Solicitor who was leaving the Council. He thanked him for his valued legal support of the planning Committees adding that he would miss his amenable and friendly approach. Members expressed their thanks to Andrew for his clarity and logical advice over many years and wished him well as he took up his new venture as a Sub Post Master in Norfolk.

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

## EAST DEVON DISTRICT COUNCIL

### Minutes of a Meeting of the Development Management Committee held at the Council Chamber, Knowle, Sidmouth, on Tuesday 6 March 2012

- Present: Councillors:  
Mark Williamson (Chairman)  
Alan Dent  
Vivien Duval Steer  
Geoff Chamberlain  
Tony Howard  
Mike Howe  
Stephanie Jones  
David Key  
Geoffrey Pook  
Peter Sullivan  
Phil Twiss  
Steve Wragg
- Ward Members: Councillors:  
David Atkins  
Douglas Hull  
Claire Wright
- Also Present: Councillors:  
Steve Gazzard  
Roger Giles  
Honorary Alderman Vivienne Ash
- Officers: Ed Freeman, Development Manager  
Rachel Pocock, Corporate Legal and Democratic Services Manager  
Claire Rodway, Senior Planning Officer  
Hannah Whitfield, Democratic Services Officer
- Apologies: Councillors:  
Derek Button  
Ben Ingham  
Andrew Moulding  
Helen Parr  
Ken Potter

The meeting commenced at 2.00 pm and ended at 6.21 pm

#### \*60 Minutes

The minutes of the meetings of the Development Management Committee held on Tuesday 7 February 2012 were agreed and signed as a true record.

\*61 Appointment of Acting Vice Chairman for the meeting

**RESOLVED:** that in the absence of the Vice Chairman, Councillor Stephanie Jones be appointed as Vice Chairman for the meeting.

\*62 Neighbourhood Plans

The Committee considered an update report from the Senior Planning Officer setting out what was intended to be a helpful and realistic assessment of the present position regarding Neighbourhood Plans.

Following the enactment of the Localism Bill, Regulations to set out the detailed procedures for producing Neighbourhood Plans were awaited. Members heard that a suggested process, set out in the report, for the production of the Plans had recently been the subject of consultation as part of the East Devon Local Plan. Subject to the outcome of the consultation and the forthcoming Regulations, it was proposed that the suggested process be refined and a template produced, using a grant from Devon County Council, for use by local communities wishing to produce Neighbourhood Plans.

The Committee noted that 12 Parish Councils had indicated that they would like to produce Neighbourhood Plans and that this would require formal approval from the District Council in order to commence the process. The District Council would then be required to offer ongoing support and fund certain parts of the process, including the examination and referendum.

A Neighbourhood Plan was required to comply with the strategic element of the East Devon Local Plan, however could amend/replace some of the Development Management Policies so that they were more applicable to the local area.

A number of concerns regarding Neighbourhood Plan production were highlighted, particularly the level of resources required, cost implications, whether they were the best means of achieving community aspirations. Young people would not be eligible to vote on the referendum. There was scope to actively involve local Councils in the allocation of land as part of the Local Plan process and this could achieve the same outcome as Neighbourhood Plans in a much more direct and cost effective way.

The Committee thanked the Senior Planning Officer for producing a helpful and timely report regarding the present position of Neighbourhood Plans and welcomed the production of Neighbourhood Plan template for Towns and Parishes. They asked for the Neighbourhood Plan Committee report to be circulated promptly to Towns and Parishes for information.

## \*62 Neighbourhood Plans cont...

- RESOLVED:**
1. that the Neighbourhood Plan Committee report be circulated to Town and Parish Councils for information;
  2. that Town and Parish Councils be advised that at this time the Council was unable to provide financial or staff support for Parish or Town Councils undertaking a Neighbourhood Plan other than for examination and referendum costs;
  3. that Standard guidance for the production of Neighbourhood Plans in East Devon be produced, including a template, once the content of regulations and guidance was known;
  4. that subject to further clarification of the formal process required under legislation, the Development Management Committee consider any application for the designation of a Neighbourhood Area and production of a Neighbourhood Plan once the relevant Regulations were in place.

## \*63 Design Review Panel: Small scale infill development in existing settlements

The Development Manager reported that in July 2011 the Design Review Panel had been tasked with considering three small scale infill developments in existing settlements sites. The sites in Budleigh Salterton, Sidbury and Sidmouth had been chosen due their planning background, varying constraints of the sites and the degree of impact on the public realm.

The overarching themes from the Review were highlighted as:

- Site constraints should be seen as positive and an opportunity;
- Space should be used as an asset to development;
- Design detailing, including materials, should be controlled and managed where possible through the planning system.

Members felt that Design Review Panels were a valuable learning and reflecting opportunity for both Councillor and Members, highlighting the successful and unsuccessful aspects of the schemes considered; this information helped greatly when considering future schemes.

The Chairman welcomed the report and thanked the officers and Members involved in the Review.

- RESOLVED:**
1. that the Design Review Panel's Small scale infill development in existing settlements report be noted;
  2. that a letter of commendation be issued to the architect for the Peak Hill Reservoir Scheme which received particular praise during the Review.

**\*64 Planning Appeal Statistics**

The Committee received and noted the report of the Development Manager setting out appeals recently lodged and recent appeal decisions notified.

Members commented that, if possible, they wished to see information about the Council's success rate on applications for costs and the financial implications of awards of costs over the last year incorporated into the annual appeals report to Committee.

**\*65 Applications for Planning Permission and matters for determination**

**RESOLVED:** that the applications before the Committee be determined as set out in Schedule 10 – 2011/2012 (attached).

The following declarations of interest were made during consideration of the applications:

<b>Councillor/ Officer</b>	<b>Ref. / Site</b>	<b>Type of interest (action taken)</b>	<b>Nature of interest</b>
Councillor Mike Howe	11/1277/MFUL Land south of Oil Mill Lane, Clyst St Mary	Prejudicial Interest (remained in Chamber to speak and then left the Chamber during discussion and voting)	Councillor's business traded with the applicant's second business.
Councillor Alan Dent	11/1277/MFUL Land south of Oil Mill Lane, Clyst St Mary	Prejudicial Interest (left the Chamber during discussion and voting)	Councillor was a season ticket holder and member of Exeter Chiefs Rugby Club.
Councillor Vivien Duval Steer	11/1277/MFUL Land south of Oil Mill Lane, Clyst St Mary	Personal Interest (remained in Chamber to speak and vote)	Councillor was a member of the Exeter Chiefs Supporters Club.

Chairman .....

Date .....

## EAST DEVON DISTRICT COUNCIL

### Minutes of a Meeting of the Planning Inspections Committee held at the Knowle, Sidmouth on Friday 17 February 2012

- Present: Councillors:  
Mark Williamson(Chairman)  
Geoff Chamberlain  
Alan Dent  
Tony Howard  
Helen Parr  
Geoff Pook  
Ken Potter  
Peter Sullivan
- Officers: Ed Freeman, Development Manager  
Lynne Shwenn, Senior Planning Officer  
Hannah Whitfield, Assistant Democratic Services Officer
- Apologies: Councillors:  
Steve Hall  
David Key

The meeting started at 10.00 am and ended at 10.44 am.

- \*11 Minutes  
The minutes of the meeting of the Planning Inspections Committee held on 25 November 2011 were confirmed and signed as a true record.
- \*12 Application referred to the Planning Inspections Committee  
The Committee considered the application referred to it by the Development Management Committee.
- a) Budleigh: Application No: 11/2346/FUL – Removal of existing buildings and construction of new dwelling at 1 West Hill Lane, Budleigh Salterton

**RESOLVED:** that the application be REFUSED for the following reasons:

#### Reasons for Refusal

1. The proposed dwelling, by virtue of its siting and position would present a cramped form of development that would be out of keeping with the surrounding form of low density residential development. The substantial trees and other vegetation around the site cast shadow over much of the site which would be to the detriment of the amenities of occupants of the proposed dwelling leading to pressure for their removal in the future. As a result it would fail to preserve or enhance the character and appearance of the Budleigh Salterton Conservation Area within which it is located, and would be contrary to national guidance contained in PPS3 - Housing and PPS5 - Planning for the Historic Environment; policies CO6 (Quality of New Development) and CO7 (Historic Settlements and Buildings) of the Devon Structure Plan 2001 – 2016; and policies D1 (Design and Local Distinctiveness), and EN11 (Preservation and Enhancement of Conservation Areas) of the East Devon Local Plan 1995 -2011.

\*12 Application referred to the Planning Inspections Committee cont...

a) Budleigh: Application No: 11/2346/FUL – Removal of existing buildings and construction of new dwelling at 1 West Hill Lane, Budleigh Salterton

2. The existing access to West Hill Lane, even when improved as shown on the submitted drawing no. 6450-10 rev.A is inadequate in respect of visibility to serve any additional traffic generating development which will thereby prejudice the existing condition of highway safety contrary to Policy TA7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan 1995 - 2011.

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

## EAST DEVON DISTRICT COUNCIL

### Minutes of a Meeting of the Planning Inspections Committee held at the Knowle, Sidmouth on Friday 16 March 2012

Present: Councillors:  
Mark Williamson(Chairman)  
Geoff Chamberlain  
Alan Dent  
Tony Howard  
David Key  
Geoff Pook  
Peter Sullivan

Officers: Paul Barkley, Legal Locum  
Charlie McCullough, Senior Planning Officer  
Hannah Whitfield, Assistant Democratic Services Officer

Ward Members: Councillors:  
Douglas Hull  
Andrew Moulding

Apologies: Councillors:  
Stephanie Jones  
Helen Parr

The meeting started at 11.00 am and ended at 11.47 am.

\*13 Minutes

The minutes of the meeting of the Planning Inspections Committee held on 17 February 2012 were confirmed and signed as a true record.

\*14 Application referred to the Planning Inspections Committee  
The Committee considered the application referred to it by the Development Management Committee.

- a) Axminster Town: Application No: 11/1992/FUL – Construction of 2no 2 bedroom apartments and 2no 2 bedroom houses and alterations to 2no existing flats to form single 2 bedroom dwelling, alterations to parking at communal areas at Land at Cedar Gardens

**RESOLVED:** that the application be REFUSED contrary to officer recommendation for the following reasons:

Reasons for Refusal

1. The proposed development would constitute an overdevelopment of the street frontage to Cedar Gardens reducing its open character, setting and original design concept and would be seriously detrimental to the character of Musbury Road which relies on both elements of openness and built frontages for its inherent character. The proposed development would therefore be contrary to Policy CO6(Quality of New Development) of the Devon Structure Plan 2001 to 2016 and Policies S4 (Development Within Built-Up Area Boundaries) and D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 1995 to 2011.

- \*14 Application referred to the Planning Inspections Committee
- a) Axminster Town: Application No: 11/1992/FUL – Construction of 2no 2 bedroom apartments and 2no 2 bedroom houses and alterations to 2no existing flats to form single 2 bedroom dwelling, alterations to parking at communal areas at Land at Cedar Gardens continued...

2. The proposed development would appear cramped and as a result of the juxtaposition between the proposed development and Pennys Terrace, on the opposite side of the Musbury Road, would result in poor levels of amenity for occupiers of both the existing and proposed properties resulting in a significant loss of privacy and having an overbearing and oppressive impact contrary to Policy C6 (Quality of New Development) of the Devon Structure Plan 2001 to 2016 and Policies S4 (Development Within Built-Up Area Boundaries) and D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 1995 to 2011.

Members resolved against the Officers' recommendation of approval for reasons relating to over development, loss of amenity to occupiers and residents of Pennys Terrace and that the development would have a detrimental impact on the character of Musbury Road, reducing the openness of the area.

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

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Audit and Governance Committee  
held at Knowle, Sidmouth, on Thursday 15 March 2012

- Present: Councillors:  
Ken Potter (Chairman)  
Peter Bowden (Vice Chairman)  
David Atkins  
Roger Boote  
Steve Gazzard  
Steve Hall  
Tony Howard
- Also Present: Councillor:  
Peter Halse
- Officers: Simon Davey, Head of Finance  
Chris Lane, Democratic Services Officer  
Denise Lyon, Deputy Chief Executive and Monitoring Officer  
Chris Powell, Corporate Manager, ICT
- Internal Auditors: Andrew Ellins, South West Audit Partnership
- External Auditors: Jenny Dwyer, Grant Thornton  
Barrie Morris, Grant Thornton
- Apologies; Councillors  
David Cox  
Geoff Pook

The meeting started at 2.30 pm and ended at 4.20 pm.

- \*36 Public Questions  
No questions were raised by members of the public.
- \*37 Minutes  
The minutes of the meeting of the Audit and Governance Committee held on 19 January 2012 were confirmed and signed as a true record.
- \*38 Declarations of interest  
There were no declarations of interest from Members.
- \*39 Exclusion of the Public
- RESOLVED:** that the classification given to the documents to be submitted to the Cabinet, be confirmed, and that the reports relating to exempt information, be dealt with under Part B.

**\*40 External Audit Plan 2011/12**

Members gave consideration to the report of the Council's External Auditors, Grant Thornton which set out the work that they would be carrying out in discharging their responsibilities to give an opinion on the Council's financial statements and a conclusion on the Council's arrangements for achieving Value for Money.

The plan also set out the work Grant Thornton proposed to undertake in relation to the audit of the 2011/12 accounts at EDDC. The plan was based on the risk-based approach to audit planning and used the assessment of the potential business and audit risks that needed to be addressed by the audit and the controls the Council had in place to mitigate these risks.

Barrie Morris, Grant Thornton reported that there had recently been an Electors Challenge on the 2010/11 Accounts relating to the way the District Council was recording parking charge notice income for Off/On Street Parking. This had been sent for Counsel opinion as a number of other Councils had experienced similar challenges and costs of obtaining this opinion were being shared. Grant Thornton was attempting to minimise the costs to the Council of this challenge.

**RESOLVED:** that the External Audit Plan 2011/12 be noted.

**\*41 Future of External Audit update**

Members considered the report of Council's External Auditors, Grant Thornton concerning the Government response to the future of local audit consultation.

Members noted that the design principles of the new framework for local public audit were that it should be local and transparent, achieve a reduction in the overall cost of audit, and uphold high standards of auditing, ensuring that there was effective and transparent regulation of public audit, and conformity to the principles of public audit.

**RESOLVED:** that the updated Code of Corporate Governance be agreed.

**42 Anti-Fraud, theft and Corruption Policy**

Members considered the report of Denise Lyon, Deputy Chief Executive and Monitoring Officer concerning the Anti-Fraud, Theft and Corruption Policy.

Members noted that the Council had always set itself high standards of honesty and probity. Although the instances of fraud and theft were rare, and the Council was not aware of any corruption, the Policy was the Council's stance on these matters. The Committee in Public Life had produced a report, which set out seven principles of public life. The Council endorsed these principles, which applied to everybody who was involved with the work of the Council.

**RECOMMENDED:** that the Anti-Fraud, Theft and Corruption Policy be adopted subject to the inclusion of details as outlined in Appendix 2 of the Policy and the identities of responsible Officers for each level of documentation.

## 43 Anti Bribery Policy

Members considered the report of Denise Lyon, Deputy Chief Executive and Monitoring Officer concerning the Anti-Bribery Policy. The Council had a zero tolerance approach to bribery and was committed to its prevention, deterrence and detection. The Council was committed to helping everyone involved in the work of the Council to act honestly and with integrity at all times. The Anti-Fraud and Corruption Policy was closely linked with the Anti-Bribery Policy and both were designed to:

- Encourage prevention of unlawful activity
- Promote detection, and
- Identify a clear approach for investigation

Members noted that the letter summarised the key issues arising from the work carried out by the External Auditors for the Council during 2010/11. The letter was aimed to communicate the auditor's key messages resulting from the audits to the Council and public.

It was noted that an opinion had been given to the Council concerning both the Accounts for 2010/11 and Value for Money conclusion and that further actions had been suggested in the key area of financial controls for 2012/13.

**RECOMMENDED:** that the Anti-Bribery Policy be adopted

## \*44 Update on Regulation of Investigatory Powers Act

Consideration was given to the report of Rachel Pocock, Corporate Legal & Democratic Services Manager giving an update on the Regulation of Investigatory Powers Act. Members noted that the Council had recently been inspected by the Office of the Surveillance Commissioners and received a positive report. The Committee were mindful of the need to notify the Leader of Council of any particular action taken under the Regulation of Investigatory Powers Act which would impact upon the integrity or reputation of the Council.

Members wished to express their thanks to Rachel Pocock, Simon Davey, Denise Lyon and Anne Bailey for the work they had undertaken with regard to the Regulation of Investigatory Powers Act.

- RESOLVED:**
- (1) that it be noted that the Council's Regulation of Investigatory Powers (RIPA) policy had been amended in line with the Office of Surveillance Commissioner's Inspector's report and that the other recommended action in his reports had been carried out;
  - (2) that the revised policy be accepted, subject to the addition of a statement that if any action taken under the Regulation of Investigatory Powers Act impacted upon the integrity or reputation of the Council then the Monitoring Officer would notify the Leader of the Council immediately.

**\*45 Retention and Disposal of Documents Policy**

Members considered the report of Chris Powell, Corporate ICT Manager concerning the Retention and Disposal of Documents Policy. It was noted that the Policy had been recommended for approval at the last meeting of the Committee of 19 January 2012 (Minutes no 29 refers), subject to the inclusion of details of the Policy and the identities of responsible Officers for each level of documentation. These details had now been included in the Policy

A question was asked regarding the risk of Solar Storm activity wiping out the electronic storage of Council data. Chris Powell, Corporate ICT Manager agreed to prepare a response to this risk.

- RESOLVED 1.**
- (1) that the revised Retention and Disposal of Documents Policy with the inclusion of details of the Policy and the identities of responsible Officers for each level of documentation be noted;
  - (2) that Chris Powell, Corporate ICT Manager prepare a response to the question regarding the risk to the Council's electronic data storage from Solar Storm activity.

**\*46 Internal Audit Plan**

Members considered the report of Andrew Ellins, Audit Manager, South West Audit Partnership concerning the Internal Audit Plan 2011/12.

It was noted that there was a requirement that authorities made arrangements for the proper administration of their financial affairs and were specifically required to maintain an adequate and effective internal audit of their accounting records and control systems. The internal audit service provided through the South West Audit Partnership gave the Council assurance over these matters.

An effective Internal Audit Plan was a key element of a Council's corporate governance and internal control framework. The Audit Plan assisted the Council's Section 151 Officer in discharging his statutory responsibilities in respect of the proper administration of the Council's financial affairs.

In line with good practice a programme of work or audit plan had been prepared which outlined the likely areas of activity for the coming year. The report presented the Internal Audit programme of work for 2012/13 as detailed in the Appendix to the report.

- RESOLVED:** that the Internal Audit Plan 2012/13 be accepted as presented.

**\*47 Internal Audit Charter**

Members considered the report of Andrew Ellins, Audit Manager, South West Audit Partnership concerning the Internal Audit Charter.

Members noted that as a key element of its Governance arrangements the Council had a partnership arrangement with South West Audit Partnership. The internal audit service provided by the South West Audit Partnership (SWAP) worked to a Charter that defined its roles and responsibilities and the roles and responsibilities of the district Council's managers. Best practice in corporate governance required

\*47 Internal Audit Charter (Cont)

that the Head of Internal Audit should develop terms of reference for delivering the Internal Audit Service. The Charter should be reviewed and approved annually by the Audit & Governance Committee. This year the Charter had been updated to reflect the changes to SWAP Management job titles and their roles and responsibilities since March 2011.

**RESOLVED:** that the Internal Audit Charter revisions be approved as set out in the report.

\*48 Forward Plan

Members noted the contents of the forward plan and future meeting dates. It was requested that the progress in respect of EDDC consultation appointments for large contracts and overall financial controls be included as an item on the agenda of the special meeting in May 2012.

Barrie Moss, Grant Thornton requested that the Grant Thornton fee proposals be added to the meeting on 28 June 2012 and that consideration of the Annual Audit letter be considered at the 8 November meeting rather than the 17 January 2013 one.

\*49 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, is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

\*50 Consultant Fees 2010/11 under £10,000

Members received and noted the Consultant Fees for 2010/11 that were under £10,000. These would be discussed further at the special meeting to be arranged in May 2012.

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

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Committee  
Held at Knowle, Sidmouth on Tuesday, 28 February 2012

Present:

Councillors:

Steve Hall (Chairman)  
Jim Knight (Vice Chairman)

Madeleine Chapman  
Steve Gazzard  
Pat Graham  
John Jeffery

Ken Potter  
Pauline Stott  
Tom Wright

Also Present:

Councillor Christine Drew

Officers:

John Tippin, Licensing Manager  
Chris Lane, Democratic Services  
Officer  
Neil McDonald – Licensing  
Officer  
Elizabeth Schofield – Assistant  
Licensing Officer

Apologies:

Councillors:  
David Atkins  
Roger Boote  
Peter Burrows  
Bob Buxton  
Philip Skinner  
Mark Williamson

The meeting started at 9.30 am and ended at 10.30 am.

\*13 Minutes

The minutes of the meeting of the Licensing & Enforcement Committee held on 22 November 2011, were confirmed and signed as a true record.

\*14 Declarations of interest

<b>Councillor/ Officer</b>	<b>Agenda Item</b>	<b>Type of interest</b>	<b>Nature of interest</b>
Councillor Jim Knight	*15 – Matters Arising	Personal	Member of Devon County Council.

\*15 Matters Arising

Committee update – Licensing Act 2003, Gambling Act 2005 and General Licensing (Min No \*9 of 22 November 2011 refers)

John Tippin, Licensing Manager reported that a meeting had been held in December to discuss the issue of pavement licences in Exmouth. However, following this meeting, subsequent progress on this issue had been disappointing.

\*15 Matters Arising (Cont)

**RESOLVED** that the Licensing Manager arrange a meeting between himself, Councillor Steve Hall, Donna Best and Susan Birkett to discuss the issue of pavement licences for the Strand, Exmouth.

\*16 Committee update – Licensing Act 2003, Gambling Act 2005 and General Licensing

Consideration was given to the report of the Licensing Manager, which provided Members with an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation together with other general licensing matters. Members noted that Officers had completed over 70% of the visits to premises listed as high risk under the risk rating system. There were 36 premises yet to be visited and it is anticipated that these would be completed by the end of March.

Members were advised that the Police Licensing Section had now been relocated to the Police Headquarters at Middlemoor, Exeter. Barry Sleight was now covering both the East and Mid Devon areas for the Police.

The Licensing Team had continued the education based enforcement and monitoring approach to the Hackney Carriage and Private Hire Drivers and Vehicles as used with the Licensing Act. There had been a meeting the Taxi Associations held on Thursday 15 February 2012. Issues arising at this meeting included discussions on solutions to the problem with the Exmouth Taxi Rank, increasing taxi fares and public parking on taxi ranks. It was reported that there were very few Wheelchair Accessible Vehicles in East Devon and the Licensing Office were keen to encourage more of these vehicles in the District.

Members noted that the Live Music Bill passed its final stage in the House of Lords on Friday 27 January 2012, where certain amendments were approved. The Act however, will not come into force until secondary legislation brings it into effect. The changes will mean that a licence will no longer be required for unamplified music taking place between 0800 and 2300 hr, and for amplified music taking place between the same times before audiences of no more than 200.

A refresher programme of training for Members on Licensing would be held on 20 March 2012. The sessions would start at 6.00pm and the programme would be provided by a combination of Rachel Pocock, John Tippin, Giles Salter and Neil McDonald. The programme would include training on Temporary Event Licensing for the Queen's Jubilee.

**RESOLVED** that the report be noted;

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

EAST DEVON DISTRICT COUNCIL  
Minutes of a Meeting of the Licensing &  
Enforcement Sub-Committee held at Knowle,  
Sidmouth on Tuesday, 28 February 2012

Present: Councillors:  
Steve Hall (Chairman)  
Jim Knight

Officers: Chris Lane – Democratic Services Officer  
Neil McDonald – Licensing Officer

Also Present: Councillors:  
Maddy Chapman  
Steve Gazzard

The meeting started at 11.00 am and ended at 11.05am.

\*42 Minutes

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 24 January 2012, were confirmed and signed as a true record.

\*43 Schedule of applications for Sub Committee approval where an agreed position has been reached and all Parties have agreed a hearing is unnecessary

Consideration was given to the report of the Licensing Officer which set out a schedule of applications for Sub Committee approval where an agreed position had been reached and all parties had agreed that a hearing was unnecessary.

The Licensing Officer explained the background of the application and the negotiations carried out.

**RESOLVED** that the applications be granted as below, subject to the agreed positions set out in the schedule and any relevant statutory conditions and the applicants having complied with relevant statutory requirements.

Type of Application	Name of premises and address	Agreed position reached by the parties
Application for a premises licence to be granted	McDonalds Restaurant, Liverton Business Park, Salterton Road, Exmouth, Devon, EX8 2NR.	Following mediation the applicant and the Devon & Cornwall Constabulary have agreed that they consider a hearing to be unnecessary if the following agreed position is approved.  The application be approved as submitted subject to the addition of the following conditions

		<ol style="list-style-type: none"> <li>1. CCTV must be installed, operated and maintained to the satisfaction of the Licensing Authority and the Chief Officer of Police in accordance with the requirements set out in the EDDC Licensing Policy.</li> <li>2. CCTV images must be retained for a minimum of 14 days and to be produced on the request of the Police or a Licensing Officer of East Devon District Council. Recording media must be set to 25 frames per second.</li> <li>3. The CCTV system must be operational at all times whilst the premises are trading. If the system is faulty or not working then the Police and East Devon Licensing Service must be informed immediately. Details of the malfunction must be recorded in the premises incident book.</li> <li>4. A4 sized warning notices must be displayed in public areas of the premises and at all entrances advising that CCTV is in operation. The signs located at entrances should be located on the exterior of the building at, and adjacent to, all public access doors. All signs must comply with the requirements of the Data Protection Act 2002.</li> <li>5. CCTV Cameras will be installed to ensure monitoring of the restaurant car park, in particular the entrance/exit.</li> </ol>
<p>Application for a premises licence to be granted.</p>	<p>Route 303, London Road, Yarcombe, Honiton, Devon, EX14 9ND.</p>	<p>Following mediation the applicant and the Devon &amp; Cornwall Constabulary have agreed that they consider a hearing to be unnecessary if the following agreed position is approved.</p> <p>The application be approved as submitted subject to the below listed amendments and the addition of the following conditions.</p> <p><u>Amendments-</u></p> <ol style="list-style-type: none"> <li>1. Amend Live Music, Recorded Music, Late Night Refreshment and the hours the premises are open to the public to finish at midnight every day of the week.</li> </ol>

		<p>2. Amend the Sale of Alcohol to finish at 11:30pm every day of the week.</p> <p><u>Additional Conditions-</u></p> <ol style="list-style-type: none"> <li>1. CCTV must be installed, operated and maintained to the satisfaction of the Licensing Authority and the Chief Officer of Police in accordance with the requirements set out in the EDDC Licensing Policy.</li> <li>2. CCTV images must be retained for a minimum of 14 days and to be produced on the request of the Police or a Licensing Officer of East Devon District Council. Recording media must be set to 25 frames per second.</li> <li>3. The CCTV system must be operational at all times whilst the premises are trading. If the system is faulty or not working then the Police and East Devon Licensing Service must be informed immediately. Details of the malfunction must be recorded in the premises incident book.</li> <li>4. A4 sized warning notices must be displayed in public areas of the premises and at all entrances advising that CCTV is in operation. The signs located at entrances should be located on the exterior of the building at, and adjacent to, all public access doors. All signs must comply with the requirements of the Data Protection Act 2002.</li> <li>5. An incident book must be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises must be recorded. The incident book must be kept on the premises at all times and must be made available for inspection by officers of both the Licensing Authority and the police.</li> <li>6. A Challenge 21 policy must be employed where those individuals who appear to be under the age of 21 attempting to purchase alcohol must be asked for identification. The only type of identification that will be accepted is</li> </ol>
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		PASS accredited ID, passport or photo driving licence.
<b>Resolved</b>	Approval of applications subject to the amended operating schedule and the relevant mandatory conditions of the Licensing Act 2003	

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