

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Executive Board held in the Council Chamber, Knowle, Sidmouth on Wednesday, 10 February 2010

Present:

Councillors:

Sara Randall Johnson (Chairman)
Graham Brown
Geoff Chamberlain
David Cox
Jill Elson
Ray Franklin
Mike Green
Peter Halse
Stuart Hughes
Andrew Moulding

Also Present:

Councillors:

Vivienne Ash
David Atkins
Ray Bloxham
Peter Bowden
Bob Buxton
Iain Chubb
Andrew Dinnis
Paul Diviani
Christine Drew
Malcolm Florey
Roger Giles
Graham Godbeer
Steve Hall

David Key
Jim Knight
Ann Liverton
Graham Liverton
Frances Newth
Darryl Nicholas
Helen Parr
Tony Reed
Philip Skinner
Pauline Stott
Graham Troman
Tim Wood
Steve Wragg

Also present:

Officers:

Mark Williams, Chief Executive
Denise Lyon, Deputy Chief Executive
Diccon Pearse, Corporate Director
Peter Jeffs, Corporate Director
Karime Hassan, Corporate Director
Simon Davey, Head of Finance
Laurelie Gifford, Senior Accountant
John Golding, Head of Housing and Social Inclusion
Sue Hodges, Assistant Accountant
Rachel Pocock, Head of Legal, Licensing and Democratic Services
Chris Powell, Head of ICT
Claire Read, Assistant Accountant
Chris Roach, Auditor
Diana Vernon, Democratic Services Manager

**Apologies
from non-
Executive
Board
members**

Councillors:

Chris Gibbings
Douglas Hull
Stephanie Jones

Ian Thomas
Eileen Wragg

The meeting started at 5.30 pm and ended at 8.25 pm.

***140 Public Questions**

Adrian Forster, an Ottery St Mary resident and dog owner urged the Board to settle the outstanding issue in respect of Winters Lane Playing Field. He said that the proposed Dog Order did not appear to be consistent with arrangements in place at other Playing Fields and gave Sidford as an example. He said that not everyone agreed with a total ban. The Town Council, EDDC and dog owners had worked hard to arrive at an acceptable compromise - a 20 metre strip segregated for dog owners to exercise their dogs. He said that there had been a lot of good will during negotiations and thanked those involved, particularly Councillors Graham Brown and Ray Bloxham.

Amy Chapman said that a lot of children supported Ottery Dogs and was herself a responsible dog owner. She said that there needed to be space so that she could throw a ball for her dog.

Liam Heath said that he didn't want to lose the Playing Field as a place to play with his family and dog.

Paul Lewis, Local Councillor and Ottery St Mary resident referred to current pressures on the public purse and the cost of creating the strip for dog walkers and access.

***141 Minutes**

The minutes of the meeting of the Executive Board held on 6 January 2010 were confirmed and signed as a true record.

***142 Declarations of interest**

Councillor/ Officer	Agenda Item	Type of interest	Nature of interest
Councillor Jill Elson	10 - Draft Service Plans and Budget 2010/11	Personal	Chairman of the Exmouth & District Community Transport Group (Ring and Ride)

***143 Announcement from Department for Communities and Local Government**

The Leader confirmed that Ministers had decided to take no action on the Boundary Committee's alternative proposal for a unitary County Council in Devon. Members noted that the Minister for Local Government's assessment was contrary to the Boundary Committee's views as the proposal for a unitary county in Devon did not meet all of the required criteria. Her judgement was that there was 'not a reasonable likelihood, if this proposal is implemented, of it delivering the outcomes specified by the broad cross section of support and the neighbourhood empowerment criteria.'

The Department for Communities and Local Government instead proposed, subject to Parliamentary approval, to implement a unitary council for Exeter City from 1 April 2011. The Leader reminded Members of the length of the process and the failure of the Exeter proposal to meet the Secretary of State's own affordability criterion. However the Leader said that the decision not to create a unitary County Council was welcomed.

The Leader of the Liberal Democratic Group said that the outcome was not cut and dried as Devon County Council was likely to challenge the decision. He said that the decision would have a financial effect on this Council and was worried about financial prospects beyond 2011.

The Deputy Leader said that the most important outcome was that East Devon would continue in existence.

*143 **Announcement from Department for Communities and Local Government Cont/..**

The Leader formally thanked the Officers who had been involved in challenging the Boundary Committee proposals, for their efforts and dedication in exploring all avenues.

*144 **Exclusion of the Public**

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

*145 **Forward Plan**

The contents of the Forward Plan for the period 1 February to 31 May 2010 were noted.

*146 **Matters referred to the Executive Board**

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

*147 **Minutes of the meetings of the Overview and Scrutiny Committees**

The Board noted the minutes of the meeting of the following meetings:

- Service Delivery and Performance Overview/Scrutiny Committee 13 January 2010
- Housing Review Board 14 January 2010
- Communities Overview and Scrutiny Committee 20 January 2010
- Economy Overview and Scrutiny Committee 21 January 2010
- Overview and Scrutiny Co-ordinating (Budget & Service Planning) 27 January 2010

The Chairmen of the Overview and Scrutiny Committees were invited to comment on the minutes and the work being carried out by their Committees. The Leader thanked the Chairmen and their Committees for their valued contribution.

RESOLVED: (1) that the following decisions be noted:

Service Delivery & Performance O/S Committee Minute 29	that a Task and Finish Forum be convened to discuss and agree a protocol for Officer – Ward Member Communication. Membership to include: Ann Liverton (Member Champion for Member Development) Roger Boote Douglas Hull Tony Reed
---	---

The TaFF is to examine the following areas:

- the practice and convention of communicating by e-mail
- the length of time given for comments to be made
- the appropriateness of inviting ward members to meetings convened by third parties
- the appropriateness of relying on press statements to inform Councillors.

*147 **Minutes of the meetings of the Overview and Scrutiny Committees cont/..**

RESOLVED: (1) that the following decisions be noted cont/..

Service Delivery & Performance O/S Cttee Minute 30

1. that the outcomes within the Garden User Satisfaction Survey be noted.
2. that Streetscene be congratulated on the success shown in the questionnaire results.

Service Delivery & Performance O/S Cttee Minute 31

1. that the Housing Service – Performance Measures report be noted.
2. that the Housing Service teams be congratulated on their work to date with the Systems Thinking Review.

Service Delivery & Performance O/S Cttee Minute 32

1. that the Housing Benefits Service – Performance Measures report be noted.
2. that the Housing Benefits Service teams be congratulated on their work with the Systems Thinking Review.

Service Delivery & Performance O/S Cttee Minute 33

1. that the Development Management Performance Measures report be noted.
2. that the Development Management teams be congratulated on their work to date with the Systems Thinking Review.

Service Delivery & Performance O/S Cttee Minute 34

1. that Committee’s Forward Plan be noted;
2. that the item on exploring local issues with towns and parishes be removed from the forward plan until the result of Local Government Reorganisation was known.

Housing Review Board Minute 46

that John Golding, Head of Housing and Social Inclusion, prepare a response to the Tenant Services Authority in respect of the new regulatory framework for social housing in England to meet the consultation deadline of 5 February 2010, based on the proposed responses to the consultation contained in section 3 of the report and also the addition of a point about the negative housing subsidy to which the Council is subject.

HRB Minute 47

that the proposals in respect of the Tenancy Fraud initiative set out in the report be adopted to combat tenancy misuse and fraud.

HRB Minute 48

that the Council’s Flood Committee be informed of the current River Otter, Tipton Vale situation and the Ward Members be notified of the Review Board’s recommendation.

*147 **Minutes of the meetings of the Overview and Scrutiny Committees cont/..**

RESOLVED: (1) that the following decisions be noted cont/..

**HRB
Minute 49** that the arrangements for a sample housing stock condition survey, to update the existing information held on the Council's housing stock, as set out in report, be approved.

**HRB
Minute 50** that the Housing and Social Inclusion Service Plan for 2010 – 2013 be approved.

**Communities
O/S
Committee
Minute 24**

1. that the report on the first East Devon Affordable Housing Summit be noted;
2. that the Communities Portfolio Holder call a 'Think Tank' to start in February 2010 to consider the relevant actions identified at the Affordable Housing Summit;
3. that progress on the Action Plan and Think Tank be reported to the next meeting of the Committee on 10 March 2010.

**Communities
O/S
Committee
Minute 26** that the Corporate Director examine the 'Rural Manifesto' and compare this with the EDDC Rural Services Standard and report back.

**Economy
O/S
Committee
Minute 16**

1. that the skills deficit in East Devon businesses and the difficulty to recruit appropriate employees be recognised;
2. that a lack of training facilities in East Devon, except for those in Honiton be recognised;
3. that the Business South West Exhibition be further advertised with attention being drawn to its advantages to business in East Devon;
4. that the Broadband black spots in East Devon be identified and British Telecom asked to provide better coverage;
5. that investigation be undertaken to provide training facilities for business within East Devon District Council, which it was felt could provide the Council with a revenue stream;
6. that the use of Business Link should be encouraged for small businesses in East Devon through the Economic Development Manager

*147 **Minutes of the meetings of the Overview and Scrutiny Committees cont/..**

RESOLVED: (1) that the following decisions be noted cont/..

**Economy O/S
Committee
Minute 17**

1. that the following issues be investigated further:
 - a) The District Council's tourism specific policies;
 - b) The Business South West Exhibition and how it could be improved for the benefit of local business;
 - c) The Council's car parking policy;
 - d) The regeneration and out of town developments within the District;
 - e) The budgetary details relating to reduction in Street Scene spending;
 - f) The impact of the Business Rate revaluations on businesses in East Devon;
 - g) A six monthly meeting with business organisations in East Devon.

2. that an urgent informal meeting be held with East Devon business organisations and the Economy Portfolio Holder to discuss the car parking charges in East Devon.

**O/S
Co-ordinating
Committee
Minute 34**

that in respect of the Ward Member role on Development Management Committee no recommendation for change be made at this time, that is, retain the status quo.

(2) that the following recommendations be approved:

**HRB
Minute 48**

that in respect of the River Otter at Tipton Vale, Tipton St John a scheme of river bank protection be prepared and funding secured for the project with the aim of implementing the scheme in 2011.

**Communities
O/S
Committee
Minute 25**

that the Rural Champion be encouraged to develop the following topics:

1. Access to courses for young people living in isolated communities (could be examined in conjunction with the Business Champion);
2. Broadband – increasing speed and bandwidth throughout East Devon. This work to be carried out in conjunction with Devon County Council;
3. Improved transport access for rural areas;
4. Food Security- encouraging development that takes this into account for local people;
5. An item be prepared for the Parishes' and Towns' newsletter explaining the remit of the Rural Champion.

*147 **Minutes of the meetings of the Overview and Scrutiny Committees cont/..**
RESOLVED: (2) that the following recommendations be approved cont/..

Communities O/S Committee Minute 27 that where appropriate, a three year Service Level Agreement be made with the community and voluntary sector groups to whom EDDC provided funding.

(3) that the recommendations of the Overview and Scrutiny Co-ordinating Committee be taken into account by the Executive Board when the relevant Draft Service Plans and Budgets are considered later on the agenda.

(4) that the following recommendation be referred to Council for determination:

HRB Minute 51 that the additional expenditure items for inclusion in the draft Housing Revenue Account for 2010 – 11 be recommended for approval, with the addition of £5,000 for Resident Inspectors/Scrutiny.

148 **Dog Control Orders**

The Leader brought this item forward on the agenda. Members considered the report of the Head of Environmental Health and Health Equalities which followed up the Council's decision to consult the public on a Dog Control Order for Winters Lane Playing Field in Ottery St Mary to exclude a 20 metre strip at the south western end. This would be segregated for the benefit of dog walkers. Members were advised that a significant majority of the public responses were in favour of the compromise.

Councillor Cox, Ward Member, advised that he was still opposed to use of the Playing Field by children and dogs but acknowledged the significant support for the suggested dog exercise area. He asked to be consulted in respect of access, protection of neighbouring gardens and fencing style.

RECOMMENDED that a Dog Exclusion Order be made at Winters Lane Playing Field in Ottery St Mary with the exception of a strip 20 metres wide at the south western end, with the local Ward Members being consulted in respect of the details including access and fencing.

149 **Service Plans and Revenue and Capital Estimates 2010/11 – Key Decision**

Members considered the report of the Head of Finance in respect of the service plans and revenue and capital estimates for 2010/11. At its meeting on 27 January 2010, the Overview/Scrutiny - Service Planning and Budget Committee had reviewed the draft Revenue and Capital Estimates for 2010/11 which the Board had adopted at its meeting in January. The Overview/Scrutiny Committee considered the work and recommendations of the Service Planning and Budget Task and Finish Forum which had reviewed the budgets and plans in detail. Board Members noted and took into account the minutes of the Overview/Scrutiny Committee which had been included with the agenda of this meeting. The Overview/Scrutiny Committee had carefully considered each of the proposed savings and recommended that a number be re-instated; these would largely be offset against other identified savings/increases in income.

149 **Service Plans and Revenue and Capital Estimates 2010/11 – Key Decision cont/..**

The Portfolio Holder introduced the item by thanking Diccon Pearse and Simon Davey and their teams for the work that they had carried out in preparing the budgets. He praised the work of the Overview Committee and the Service Planning and Task and Finish Forum. He said that monitoring budgets throughout the year by the Executive Board had been helpful and worthwhile. The budget shortfalls had been predicted but did not take into account the level of anticipated cuts in Government grant. The work of Service Heads in reducing the deficit was acknowledged but despite their efforts £592,000 would have to be taken from the General Fund Balance.

The current ways of working could not be sustained and the Council had to consider alternative structures as a way of reducing costs and continuing to provide quality services.

The estimates included a cash saving target of £200,000 derived from sharing, including that of a Chief Executive (dealt with specifically at a separate agenda item at this meeting) and the sharing of a director for 9 months with Exeter City Council (agreed at the December meeting).

The Portfolio Holder – Communities recommended that partnership working with town and parish councils should be further explored.

In response to concerns raised by the Leader of the Liberal Democratic Group, the Leader reminded the Board that the Council Tax had not been increased last year as a way of helping local people during the recession. The Portfolio Holder – Economy confirmed that it was good management to keep the Council Tax down but that drawing from Reserves could not be sustained. The Board discussed the importance of providing quality services that the public needed and not just mandatory services that the Council was required to provide.

The Board was asked to recommend the Revenue and Capital Estimates for 2010/11 and Service Plans and set prudential indicators as part of the process. These indicators were used for monitoring purposes, designed to support and record local decision making and show the overall effect on various financing and borrowing strategies.

- RECOMMENDED**
- (1) that the inclusion of items to be reinstated in the 2010/11 budget as proposed by the Overview/Scrutiny Co-ordinating Budget and Service Planning Committee detailed in the minutes of that Committee be agreed,
 - (2) that the Service Plans and Net Revenue General Fund Estimates of £16.264m and the Housing Revenue Account Estimates of a net deficit of £0.004m be approved,
 - (3) that a Council Tax requirement be set for 2010/11 at £6.926m with a resulting Council Tax Band 'D' of £121.78 (2009/10 £118.24),
 - (4) that Council House Rents be increased from April 2010 in line with the Government Social Rent Reform guidelines with the general increase being given as a 3.1% increase,
 - (5) that Council garage rents be increased from April 2010 by 10%,
 - (6) that the Prudential indicators detailed in Appendix A of the report be adopted.

150

South Somerset Partnership Working – Key Decision

Angela Wright, Vice Chairman of the East Devon Business Forum said that the Forum was very concerned that it had not been consulted by the Council about the proposed partnership with South Somerset DC. She asked that the Forum be given the opportunity to explore the benefits of partnership working and other options available before a decision was made.

Roy Stuart of the East Devon Business Forum was disappointed that the Forum had not been consulted and felt that the implications had not been thoroughly discussed.

The Chief Executive gave an illustrated presentation that had been prepared by South Somerset District Council which identified the similarities between the Councils, the benefits of a formal partnering arrangement and South Somerset's willingness to proceed. This supported the report of the Chief Executive which Members considered.

The partnership arrangement would require a Joint Integration Committee to be set up with councillors from both this Council and South Somerset. The Committee would meet regularly during the forthcoming year. The initial process would involve sharing a Chief Executive, who would act as lead advisor to the Joint Committee, and, if appropriate, would then extend into a more comprehensive sharing arrangement of officers. The aim of the arrangement was to achieve savings and provide potential to unlock and deliver savings. The Board had agreed to the principle at its December meeting and recognised the benefits and savings which would put both Councils in a stronger position to meet future cuts in the public sector budget.

The Leader of the Independents Group appreciated the similarities between the two Councils and believed that there was significant potential for learning from each other and sharing best practice. He reminded Councillors that although the Councils would be collaborating to reduce management and administration costs as a means of protecting key services, each Council would retain its sovereignty.

The Board was reminded that the on-going partnership work with the other Devon authorities would continue and opportunities to share working and service delivery would be pursued. However, to date it was only South Somerset which had come forward with a proposal for partnership working that could achieve significant savings.

The Portfolio Holder - Streetscene asked for more details of the proposed savings and for the scheme to be assessed/validated independently before a final commitment beyond sharing a Chief Executive was progressed. He believed that the existing structure at East Devon District Council needed to be stringently reviewed to see what savings could be achieved and for this review to be carried out at the same time as the partnership structure with South Somerset was being explored.

The Portfolio Holder – Economy agreed that an internal review of this Council's structure should be carried out and for the other partnership opportunities within Devon not to be neglected.

The Leader advised that the fact finding work carried out by the Leader's Service Transformation Group would provide a useful basis for the organisational review. She suggested that Councillors from both Councils should be given the opportunity to meet to gain a better understanding of each other and to share information/practice/experience.

The Member Champion – Business agreed that a robust review of EDDC's structure was important with a re-examination of priorities.

The Portfolio Holder – Communities recognised that no service worked within arbitrary district or county boundaries. She also reminded Members of their responsibility as an employer and the importance of the Council retaining the right mix of skills to serve the community.

150 **South Somerset Partnership Working – Key Decision cont/..**

The Leader said that any decisions made needed to be in the best interests of East Devon. It was anticipated that the Government would cut funding further. This Council's priorities would have to be re-visited so that resources could be directed to those services.

- RECOMMENDED**
- (1) that a Joint Integration Committee (JIC) be set up as from April 2010 under the terms of reference set out at Appendix A to the report and that members be appointed.
 - (2) that, mindful of the current and likely financial environment, and the potential for shared savings to be achieved (as referred to in Appendix B of the report the contents of which are noted) the Joint Integration Committee be charged with bringing forward a report(s) setting out an appropriate, affordable and sustainable joint management structure, identifying which posts can be shared and also those posts which should remain specific to either or both councils.
 - (3) that in pursuance of the above the Council agrees:
 - (i) to the post of Chief Executive (and Head of Paid Service) being shared with South Somerset District Council with effect from 22 March 2010.
 - (ii) that the services of the Chief Executive (and Head of Paid Service) be formally offered to South Somerset District Council for the purpose of that Council's functions in accordance with section 113 of the Local Government Act 1972.
 - (iii) that the Chief Executive (and Head of Paid Service) be appointed by South Somerset as its joint Head of Paid Service with effect from 22 March 2010.
 - (iv) that the related costs associated therewith be shared on a 40/60 basis.
 - (v) that a formal agreement be entered into with South Somerset District Council under section 113 of the Local Government Act 1972 (dealing with the sharing of costs and the working arrangements relating to the joint Chief Executive) and that delegated authority be given to the Leader of the Council to sign the agreement.
 - (vi) that that the Chief Executive (and Head of Paid Service) act as lead advisor to the Joint Integration Committee.
 - (vii) that detailed arrangements on day-to-day working be as agreed with the Leaders of both Councils.
 - (viii) that the ongoing costs of the post be shared on a 50/50 basis and that the terms and conditions be as advised by the South West Employers.

150 **South Somerset Partnership Working – Key Decision cont/..**

- (4) that in principle the Council agrees to commence joint arrangements in areas where management vacancies already exist as from April 2010 and that the costs of the posts are funded on a shared or other equitable basis.
- (5) that the protocol (Appendix C) of the report be approved.
- (6) that all references in the Constitution to the Chief Executive (or Head of Paid Service) shall apply to the joint Chief Executive with effect from 22 March 2010.
- (7) that , as part of the partnership working with South Somerset DC, this Council adopts the practice of commissioning an external assurance/validation assessment to assist in deciding what structural changes are recommended by JIC to both partners.
- (8) that a politically balanced panel be set up (to run in parallel with the Joint Integration Committee) to look in detail at ways of rationalising the service delivery structure and all other areas of expenditure within the Council with the recommendations of the panel being referred to the Executive Board for consideration.

151 **Adoption of revised Code of Practice for Treasury Management in the Public Services – Key Decision**

Members considered the report of the Head of Finance and Accountants advising the Council on the Chartered Institute of Public Finance and Accountancy's Fully Revised Code of Practice for Treasury Management in the Public Services which the Council was now required to adopt as best practice. The revision was as a result of the money market turmoil of 2008 and was relevant to all aspects of treasury management – the organisation's investments and cash flows, its banking, money market and capital market transactions, the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks.

The key principles of the Code were:

- effective management and control
- control of risk
- value for money

CIPFA advised councils to balance risk against return but be more concerned with avoiding risk that maximising return.

The Code recommended included the requirement to have an annual Treasury Management Strategy formally adopted by an authority's Executive Board which was dealt with at the following agenda item.

RECOMMENDED that the Council adopts the Revised Code with immediate effect which includes the Treasury Management Policy Statement and the twelve Treasury Management Practices detailed in the report.

152 **Adoption of Treasury Management Strategy for 2010/11 – Key Decision**

Members considered the report of the Head of Finance setting out the requirement for the Council to have an annual Treasury Management Strategy formally adopted by the Council's Executive Board. The Code also required the Council to set prudential indicators relating to all Treasury activities that the Council would undertake in the forthcoming financial year. These indicators had been appended and discussed at the earlier agenda item in respect of the 2010/2011 budget.

The overall aim of the strategy was to minimise risks whilst maximising returns. During 2010/11 the emphasis would be on minimising financial risk. The result of this approach would be lower interest receipts but help ensure the security of any funds invested. It was proposed that the majority of the authority's surplus cash funds would be with a Fund Manager in accordance with the existing contract which kept risk exposure as its paramount requirement. The Council would continue to manage investment for day to day flow requirements in accordance with its own internal procedures.

The Council was currently debt free but would have to borrow to finance the capital programme. Members noted the anticipated borrowing limits required for the forthcoming financial year in addition to short term borrowing to meet day to day cash flow shortfalls.

RECOMMENDED that the Treasury Management Strategy for 2010/11 be adopted.

*153 **Financial monitoring report 2009/10 Month 9**

Members considered the report of the Accountants summarising the Council's overall financial position for 2009/10 at the end of Month 9 and indicating areas that may require corrective action before year end. The summary of predicted over and under spends to year-end was noted together with the overall effect these would have on the Council's General Fund balance. Members were advised that under spend had increased since the last report. Borrowing would be required if the Capital Programme was to be supported.

RESOLVED that the variances identified as part of the Revenue and Capital Monitoring process up to month nine be noted.

*154 **Performance Monitoring report April – Dec 2009**

Members considered the report of the Communications and Improvement Manager setting out performance information for the 09/10 financial year until December 2009 to enable the Council to monitor the performance of selected performance indicators and recommend any remedial action.

RESOLVED that the performance and proposed remedial action against these PIs for the 2009/10 financial year until December 2009 be noted.

*155 **Absence Management – quarterly report (Quarter 3)**

Consideration was given to the report of the Head of Organisational Development to up-date Members on the Council's current absence levels (Quarter 3) for monitoring purposes due to Councillors' concern about the levels of sickness absence within the authority. Members noted that short term absence (less than 8 days) was at its lowest level for 3 years in Quarter 3 but that medium term absence (over 8 days but less than 3 months) had increased. Steps being taken to reduce long term absence had effectively reduced long term absence levels. Examples of pro-active interventions were included in the report.

RESOLVED that the information relating to absence and the actions being taken to reduce these current high levels of absence be noted.

156 **Programme of Council, Executive Board and Committee meetings 2010/11**

Consideration was given to the report of the Democratic Services Manager setting out the proposed programme of Council, Executive Board and Committee meetings for 2010/11 which would be referred to the Annual Meeting of Council for approval.

RECOMMENDED that the Council be recommended:

1. To hold the 2010 Annual Meeting of the Council on Wednesday, 19 May, commencing at 6.30 pm,
2. To approve the draft programme of meetings, for submission to the 2010 Annual Meeting.

*157 **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).

*158 **Beach Gardens, Exmouth**

Consideration was given to the report of the Principal Estates Surveyor in respect of the proposed disposal of public open space at Beach Gardens, Exmouth for a commercial development by way of tender. The Board was asked to authorise the advertisement of the Council's intention to dispose of public open space for public comment.

- RESOLVED**
- (1) that the advertisement of the Council's intention to dispose of public open space with planning permission at Beach Gardens, Exmouth as required under the Local Government Act 1972 be authorised.
 - (2) that a review of any responses to the advertisements be presented to the March Executive Board for consideration.

Chairman Date