

**MINUTES OF A MEETING OF THE EXECUTIVE
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 8 NOVEMBER 2007**

MEMBERS

* Cllr R J Tucker - Chairman

* Cllr P W Hitchins - Vice-Chairman

* Cllr N A Barnes

* Cllr H D Bastone

* Cllr B E Carson

* Cllr D W May

∅ Cllr S L Rankin

* Cllr M F Saltern

* Denotes attendance

∅ Denotes apology for absence

Also in attendance at the invitation of the Chairman:
Cllrs K J Baldry, R F Croad, J D Hawkins, T J Hewitt, R M Lawrence,
C M Pannell, J T Pennington and J W Squire

Also in attendance but not participating:
Cllrs R D Gilbert, M J Howarth, M J Hicks and R C Steer

Officers in attendance:

All Agenda Items: Chief Executive, Strategic Director (Community) and Strategic
Director (Resources);

Items 7 and 8 (minutes E.65/07 and E.66/07 below refer) – Head of Financial
Services;

Items 9 and 10 (minutes E.67/07 and E.68/07 below refers) – Head of Improvement
and Corporate Improvements Officer;

Item 11 (minute E.69/07 below refers) – Member Support Services Manager.

E.61/07 MINUTES

The minutes of the meeting of the Executive held on 4 October 2007 were confirmed as a correct record and signed by the Chairman.

E.62/07 MEMBERS IN ATTENDANCE

It was noted that the following Members were in attendance and participated during the discussion on the under-mentioned items:-

Items 7, 10, 11 and 12 (minutes E.65/07, E.68/07, E.69/07 and E.70/07 below refer) – Cllr Pannell;

Items 9, 11 and 12 (minutes E.67/07, E.69/07 and E.70/07 below refer) – Cllr Squire;

Items 9, 10 and 12 (minutes E.67/07, E.68/07 and E.70/07 below refer) – Cllr Pennington;

Items 10 and 12 (minutes E.68/07 and E.70/07 below refer) – Cllr Hawkins;

Item 11 (minute E.69/07 below refers) – Cllr Baldry;

Item 12 (minute E.70/07 below refers) – Cllrs Hewitt and Lawrence.

E.63/07 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:-

Cllr H D Bastone declared a prejudicial interest in item 7 (minute E.65/07 below refers) by virtue of him being a general manager of a company in charge of a restaurant which holds an alcohol licence and left the meeting during the discussion and vote on this item.

E.64/07 **PUBLIC QUESTION TIME**

In accordance with the Executive Procedure Rules, it was noted that one question had been received from a member of the public as follows:-

Question received from Mr Burns:

*"The Executive's answer to my question at the last meeting did not dispute that £15,000 had been put aside to appoint a Climate Change Officer in partnership with Teignbridge DC. It now appears that Teignbridge has gone ahead, committed their £15,000 and appointed an Officer to help them with their Heat Energy Conservation work. Only £5,000 has been contributed by SHDC. **What work, for how long, has the Officer, Zoë Reed, been contracted to do for SHDC?**"*

In response, the Deputy Leader firstly advised that Zoë Reed was not an employee of this Council and had not been formally contracted to carry out work on behalf of the Council.

"The Council's initial proposal for a joint post with Teignbridge was put on hold as a result of changes within Teignbridge District Council. Therefore it was decided that the allocated budget should be utilised to pay for officer time at Teignbridge to carry out preliminary work to assess this Council's carbon footprint. This arrangement was established as a pragmatic way forward because Teignbridge had in the previous year taken part in the Local Authority Carbon Management Programme, facilitated by the Carbon Trust, and therefore had practical experience which the Council could learn from.

Mr Burns can also be assured that HECA (Home Energy Conservation Act) work was undertaken by the Council's private sector housing team, which was part of the environmental health service."

E.65/07 **BUDGET PROPOSALS 2008/2009 – REVIEW OF CHARGES**

Consideration was given to a report which noted the Council's power to levy fees and charges for various services and functions it undertook. Some of these fees were set by statute while for others the Council could make "reasonable" charges for the services provided. The need to undertake an annual review of fees and charges related to the Council's priority of improving core services in a cost effective way and the Council's commitment to value for money. In conclusion, the report noted that the review of the Council's fees and charges played a significant role in the process for balancing the Council's overall budget.

During discussion, a Member queried what a family entertainment centre premises licence entailed. In response, the Head of Financial Services advised that he would check this matter and inform interested Members accordingly. Members were also reminded that the fees and charges relating to the Gambling Act 2005 had recently been agreed by Council (minute 20/07 refers).

RECOMMENDED

That the Council be **RECOMMENDED** that the proposed fees and charges set out in the presented report be approved.

E.66/07 **WRITE-OFF REPORT**

A report was considered which informed Members of the individual debts for all revenue streams, up to the value of £3,000, written off by the Head of Financial Services under delegated authority, and for those debts in excess of £3,000 for which permission to write off was sought. The report concluded in stating every effort was made to collect all debt owing to the Council, and that the decision to write off any amount was not taken lightly.

RESOLVED

- (i) That it be noted, that in accordance with Financial Regulations, the Head of Financial Services had authorised the write-off of individual debts totalling £34,068.20 as detailed in Table 1 of the presented report;
- (ii) That the write off of individual debts in excess of £3,000 as detailed in Table 2 of the presented report be approved.

E.67/07 **TOWARDS & BEYOND EXCELLENCE PLAN – INTERNAL CORPORATE IMPROVEMENT PLAN**

Consideration was given to a report which set out the Council's approach to improvement and incorporated all current initiatives with respect to the Value for Money and transformation agenda in Local Government. It was noted that the Towards & Beyond Excellence Plan would be essential to securing value for money for service users and the taxpayer, as any dip in performance or increase in service cost could be identified quickly and action taken to investigate the likely cause.

During discussion, a non-Executive Member expressed concern that the development of this plan was an overly bureaucratic process and unnecessary. In response, it was noted that the Council needed to demonstrate a commitment to corporate improvement plan, which provided essential information for the Shared Services agenda as well as providing key information for internal service performance management.

In conclusion, a Member wished for a textual amendment to the Plan be made so it read that "a commitment with Teignbridge and West Devon Council to *explore* shared services has been entered into" as opposed to "*undertake* shared services" as the presented plan stated.

RESOLVED

That, subject to the textual amendment (above), the Towards & Beyond Excellence Plan as presented in the circulated report be adopted.

E.68/07 **REVISED CORPORATE COMPLAINTS PROCEDURE**

Members considered a report that advised on the revised complaints procedure and leaflet. The revised corporate procedure would help to streamline the administration side of the procedure. It would also assist officers in determining whether it was a complaint and to be aware of the corporate approach to dealing with complaints in an effective and efficient manner. The monitoring of complaints would take place and would be reported to senior management and would also appear on the performance indicator balanced scorecard reported to Informal Executive and Scrutiny.

Both Executive and non-Executive Members expressed the importance of this procedure. However, during discussion, particular reference was made to:-

- a) a Members opinion that 'face to face' communication with those expressing concerns be encouraged. In response, officers highlighted that in the first instance complainants were contacted to discuss the issue;

- b) confirmation that the system would enable Members to monitor the number of complaints received and it was the responsibility of managers to update the covalent system. Furthermore, the process was subject to internal audit;
- c) the importance of acknowledging a complaint within three working days and providing a response within ten working days;
- d) a non-Executive Members belief that the ethnicity of a complainant was irrelevant. In response, the Member was advised that this was a legal requirement;
- e) confirmation was sought that all complaints regarding waste collections were being recorded.

RESOLVED

That the revised complaints procedure and leaflet as presented in the circulated report be approved.

E.69/07

HONORARY ALDERMEN

Members considered a report which sought approval for the criteria and procedure to appoint Honorary Aldermen. Members were being asked if they wished to recommend to Council that the criteria for appointing Honorary Aldermen of the Council be approved. Subject to approval of the criteria, nominations would be sought and agreed with Group Leaders prior to the agreement of a Special Council.

During discussion, a non-Executive Member endorsed the process for honouring past Members who had rendered eminent service to the Council. A fellow Member noted that the report did not specify the definition of "eminent service" as it was considered that those proposing the appointment of an Honorary Aldermen should present their case. Moreover, following a query, it was confirmed that nominations should be sought for those past Members who had not been re-elected during the previous May 2007 election. If following a future election an Honorary Aldermen was re-elected to Council, then his/her status would be suspended for their period in office only.

RECOMMENDED

1. That the Council **RESOLVE** that the criteria for appointing Honorary Aldermen of the Council, as detailed in the presented report, be approved;
2. that, subject to Council approval of the criteria, Group Leaders be invited to make nominations to appoint Honorary Aldermen of the Council, prior to the arrangement of a Special Council meeting specifically convened for this purpose.

E.70/07 **REPORTS OF OTHER BODIES**

RESOLVED

That the following be received and that any recommendations contained therein be approved:

- a) Prosperity Policy Development Group – 25 October 2007**
- (i) PPDG.06/07 Review of Charges – Outdoor Recreation 2008/2009**

RECOMMENDED

That the Council **RECOMMENDED** that the:-

- a) level of charging for 2008/2009 be increase by 3%;
 - b) amended charges for outdoor recreation as set out in Appendix A of the published report be agreed.
- (ii) PPDG.07/07 Review of Waste Charges 2008/2009**

RESOLVED

- a) that differential charging for trade waste services be investigated throughout the district;

RECOMMENDED

That the Council be **RECOMMENDED** that:-

- b) a rental charge for trade waste containers be introduced as detailed in the published report;
- c) the charges for trade waste services for 2008/09 be increased by a minimum 4% together with the additional cost of landfill tax dependant on the outcome of the investigation carried out in accordance with recommendation a. as recorded above;
- d) the other waste charges as described in Appendix A of the presented report be introduced for 2008/09.

(iii) PPDG.08/07 Review of Car Parking and Pannier Market Charges 2008/09

RECOMMENDED

That the Council be **RECOMMENDED** that:-

- a) subject to a cost analysis of tabled option (c) being undertaken, the proposed increase in Pay and Display charges for 2008/09 be one of the options tabled and duly consulted upon accordingly;
- b) all other chargeable services within Car and Boat Parking together with Pannier Markets should be in line with the detail contained in the presented report.

(iv) PPDG.09/07 Review of Charges 2008/09

RESOLVED

That the establishment of a pricing structure for the Ferry Services be deferred pending consideration by a Task and Finish Group. The Task and Finish Group to consist of Cllrs Croad and Pennington to report back to the Prosperity Policy Development Group prior to consideration by Executive.

(v) PPDG.10/07 Review of Sub-National Review of Economic Development and Regeneration

RESOLVED

- a) that the published report and its significant implications for local government generally and this authority be noted;
- b) that recognition that the review gives to the diversity of rural economies and the particular challenges for economic development and regeneration of those areas be acknowledged;
- c) that the proposals to increase the powers, capacity and duty of local authorities to deliver sustainable development and economic well-being provided the duty is accompanied by sufficient resources, be supported;
- d) that the intention for further development of the economic agenda, to and below the level of, Regional Development Agencies be welcomed.

- b) Environment Policy Development Group – 31 October 2007**
- (i) EPDG.6/07 Climate Change Policy and Strategy**

RESOLVED

That the Climate Change Policy and Action Plan be adopted.

- (ii) EPDG.7/07 Review of Household Waste Collection Services**

RESOLVED

- a) that the ongoing Waste Review Programme be agreed and as part of that review, the level of waste service provided in respect of the dry recycling service and the organic waste collection service remains unchanged; and
- b) that the policy amendments as outlined in the presented report should be incorporated.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.65/07, E.69/07 (PART 1) AND E.70/07 (PARTS a(i), a(ii) PARTS b, c AND d) AND a(iii)) WHICH ARE RECOMMENDATIONS TO THE FULL COUNCIL MEETING ON 15 NOVEMBER 2007, WILL BECOME EFFECTIVE FROM 5.00 PM ON MONDAY 19 NOVEMBER 2007 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 11.00 am).

Chairman