

Date: 28 March 2013
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Our Reference: DV



To: Members of the Council
Honorary Aldermen
Chief Executive
Deputy Chief Executives

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL

Dear Sir/Madam

DX 48705 Sidmouth

**Meeting of the Council of the District of East Devon on
Wednesday 10 April 2013 at 6.30 pm**

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You are called upon to attend the above meeting to be held in the Council Chamber, Knowle, Sidmouth. It is proposed that the matters set out on the agenda below will be considered at the meeting and resolution or resolutions passed as the Council considers expedient.

Members of the public are welcome to attend the meeting which will start at 6.30 pm.

- **A period of 15 minutes has been provided at the beginning of the meeting to allow members of the public to raise questions.**
- **All individual contributions will be limited to 3 minutes – where there is an interest group of objectors or supporters, a spokesperson should be appointed to speak on behalf of group.**
- **The public is advised that the Chairman has the right and discretion to control questions to avoid disruption, repetition - to make best use of the meeting time.**

Should anyone have any special needs or require any reasonable adjustments to assist them in making individual contributions, please contact Diana Vernon. Contact details are at the top of this page.)

A hearing loop system will be in operation in the Council Chamber.

Written Questions by Members: Please note that under Procedure Rule 9.2, Councillors may submit written questions to Council Leader or specific Portfolio Holders.

Councillors and members of the public are reminded to switch off mobile phones during the meeting. If this is not practical due to particular circumstances, please advise the Chairman in advance of the meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read "Mark Williams".

Chief Executive

Prior to the formal start of the meeting, the Chairman will invite Revd John Sibley from the Crossroad Christian Fellowship, Seaton, to say a prayer.

AGENDA

- 1 Public question time – standard agenda item (15 minutes)

Members of the public are invited to put questions to the Council through the Chairman. (The process is set out on the front of the agenda).

Councillors also have the opportunity to ask questions of the Leader and/or Portfolio Holders during this time slot whilst giving priority at this part of the agenda to members of the public.

- 2 To confirm as a true record the minutes of the meetings of the Council held on 27 February 2013.
- 3 Apologies.
- 4 To receive any declarations of interest relating to items on the agenda.
- 5 To consider any items, which, in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances.
(Note: Such circumstances need to be identified in the minutes).
- 6 To formally record Graham Brown's resignation from the Council on 13 March 2013. Arrangements are currently being made for a by-election in the Fention and Buckerell Ward on 2 May 2013 (date of County elections).
- 7 To receive any announcements from the Chairman and Leader.
- 8 To agree any items to be dealt with after the public (including the press) have been excluded. There are no items which Officers recommend should be dealt with in this way.
- 9 The Chairman to invite the Portfolio Holder – Corporate Business to introduce this item on Equalities. 4-5

The Corporate Organisational Development Manager (on behalf of the Chief Executive) will then outline the key issues Members need to take into account in relation to the Equality Act 2010 in light of recent Judicial Review cases. The paper attached outlines progress which has been reported to the Council's Cabinet in relation to the Council's role in advancing and promoting equalities.

- 10 To answer questions asked by Members of the Council pursuant to Procedure Rules No 9.2 and 9.5.
- 11 To consider reports from the Cabinet and the Council's Committees and to receive questions and answers on any of those reports:-

Cabinet	Minutes	167-188, 189-*
†Overview and Scrutiny Committee	Minutes	57-63
†Housing Review Board	Minutes	59-73
Development Management Committee	Minutes	54-56, 57-60
Audit and Governance Committee	Minutes	41-50
Licensing and Enforcement Committee	Minutes	15-18
Licensing and Enforcement Sub Committee	Minutes	37-42

*The minutes of the Cabinet meeting of 3 April 2013 will be forwarded under separate cover.

†The recommendations of the meetings of the Overview and Scrutiny Committee and Housing Review Board have already been referred to the Cabinet for consideration.

To approve the Constitution of the recently formed Arts and Culture Forum.

Decision making and equality duties

The Council will give due regard under the Equality Act 2010 to the equality impact of its decisions. An appropriate level of analysis of equality issues, assessment of equalities impact and any mitigation and/or monitoring of impact will be addressed in committee reports. Consultation on major policy changes will take place in line with any legal requirements and with what is appropriate and fair for the decisions being taken. Members will be expected to give reasons for decisions which demonstrate they have addressed equality issues.

Members and co-opted members remember!

- ❑ You must declare the nature of any disclosable pecuniary interests. [Under the Localism Act 2011, this means the interests of your spouse, or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living as if you are civil partners]. You must also disclose any personal interest.
- ❑ You must disclose your interest in an item whenever it becomes apparent that you have an interest in the business being considered.
Make sure you say what your interest is as this has to be included in the minutes. [For example, 'I have a disclosable pecuniary interest because this planning application is made by my husband's employer'.]
- ❑ If your interest is a disclosable pecuniary interest you cannot participate in the discussion, cannot vote and must leave the room unless you have obtained a dispensation from the Council's Monitoring Officer or Standards Committee.

Getting to the Meeting – for the benefit of visitors



The entrance to the Council Offices is located on Station Road, Sidmouth. **Parking** is limited during normal working hours but normally easily available for evening meetings.

The following **bus service** stops outside the Council Offices on Station Road: **From Exmouth, Budleigh, Otterton and Newton Poppleford – 157**

The following buses all terminate at the Triangle in Sidmouth. From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).

From Exeter – 52A, 52B
From Honiton – 52B
From Seaton – 52A
From Ottery St Mary – 379, 387

Please check your local timetable for times.

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The Committee Suite has a separate entrance to the main building, located at the end of the visitor and Councillor car park. The rooms are at ground level and easily accessible; there is also a toilet for disabled users.

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

Equalities update for Full Council 10 April 2013

EDDC is using the local government equality framework to ensure it is meeting its equality duties which are outlined in the Equality Act 2010.

This paper documents our progress and activity against key performance questions since April 2012. The presentation at Full Council will outline key parts of the Equality Act.

Ensuring that our services and decisions are assessed from an equalities perspective is now more important than ever. Some councils have been subject to judicial review (including Devon County Council). These cases are costly to defend and have significant customer service and reputational impacts. Most of the judgements against councils are made where it is evident that the decision makers simply have not paid 'due regard' to the equalities' impacts.

1 Equality Act – general and specific duties

1.1 EDDC has a general duty to advance and promote equalities as well as a specific duty to publish its equalities objectives. Following consultation, EDDC has published the following equality objectives:

- **Knowing our communities**
- **Serving our communities**
- **Including equalities in our decision making**

1.2 The Equality Framework asks local government organisations to consider the following areas in relation to equalities and this report charts our progress under each of the key headings.

- **Knowing your communities**
- **Leadership, partnership and organisational commitment**
- **Community engagement and satisfaction**
- **Responsive services and customer care**
- **A skilled and committed workforce**

1.3 Knowing your communities

- EDDC has purchased a tool called LG Futures which provides important statistical data about the district. We have recently published a document called Knowing East Devon – a profile of people and place.
- Corporately, we are developing a profile for each Ward so that Members will have a greater understanding of the community they serve.

1.4 Leadership, partnership and organisational commitment

- We have an officer and member equalities group which meet regularly to discuss equality issues and feedback for services from our partners.
- We are meeting regularly with our equalities partners including groups representing those with visual impairments, disabilities, race and faith

groups and ensuring that they are engaged with us in helping to assess equality impacts.

- Equality training is mandatory for all EDDC staff.
- We have committed to training front line staff from Customer Services, CSC and Homesafeguard in visual awareness skills.
- We have clear guidance and training for people completing equality impact assessments.
- We have incorporated equalities into the Cabinet agendas so that Members are reminded to consider equality impacts when making decisions.
- We have significantly updated our web pages to publish our new Equality Policy and corporate equality objectives.

1.5 Community engagement and satisfaction

- Community engagement takes place on an ongoing basis with a wide range of stakeholders.
- In 2012/13 we will be sending out a Residents' Survey in June 2013 to ask residents what they think of our services and seek their views on how we should consult and communicate with them.
- We are planning to send out an equality community needs' survey in 2013 to help continue to improve our services.
- We are delivering training to officers and members on consulting with hard to reach groups and communicating with people who have learning disabilities.

1.6 Responsive services and customer care

- Managers and staff have been briefed at all levels on the importance of carrying out an equality impact assessment. Guidance is available on the intranet.
- We are tracking through SPAR all equalities actions.
- We are monitoring corporately to ensure that all policies and strategies are equalities assessed where they have a potential high or medium equalities impact.

1.7 A skilled and committed workforce

- East Devon District Council has a clear profile of its staff and annually we invite staff to update their personal records.
- We are implementing an upgraded HR system which will enable us to track the diversity of job applicants.
- We publish this data on the internet.
- We carry out an annual equal pay audit.
- We have robust procedures for dealing with issues relating to bullying, harassment, acceptable behaviour.

Karen Jenkins

Corporate Organisational Development Manager

EAST DEVON DISTRICT COUNCIL
CONSTITUTION OF THE ARTS & CULTURE FORUM

The Membership of the Forum shall consist of:

Deputy Portfolio Holder for Environment
Culture Champion
Customer Services Champion
Two community representatives
A district or town councillor representing each of the towns of Axminster,
Budleigh Salterton, Exmouth, Honiton, Ottery St Mary, Seaton and Sidmouth

Officers of the Council, other invited guests and invited members of the public are able to attend meetings of the Forum in an advisory capacity.

Meeting agendas will indicate in advance whether any part of the meeting is to be open to the public.

- 1) The Forum shall make recommendations to the Cabinet of East Devon District Council on matters relating to Arts & Culture in East Devon. This remit includes:

Future plans and proposed strategies of towns and surrounding villages and arts and culture organisations within East Devon, as well as achievements of the following:

- a) The Manor Pavilion
 - b) The Thelma Hulbert Gallery
 - c) Countryside Team's events
 - d) Villages in Action
- 2) The Forum shall make recommendations to the Officers on other relevant matters relating to Arts and Culture in East Devon.
 - 3) There will be an annual election for the Chair and Vice-Chair position. The Chair will be a District Councillor and the Vice- Chair can be any member of the Forum.
 - 4) Any Member may resign or in the case of those Members appointed by named bodies may be removed by the appointing bodies. The Advisory Forum must be advised in writing of any changes.
 - 5) The two Community Members will be appointed for a four year term by full Council. They may resign or be removed by the District Council.
 - 6) Town representatives will be appointed by the Town Councils. Substitutes are permitted
 - 7) The meetings of the Forum will be quorate if at least a quarter of the membership is present. (3)
 - 8) Every recommendation from the Forum shall be determined by a majority of the votes of the Members present (including community members) voting on the

matter, the Chairman of the meeting, in the event of a tie, having a second or casting vote.

- 9) The Forum shall meet at least twice each year and at other times if business warrants it. The Forum may set up smaller working groups if necessary to deal with particular issues. The Chief Executive may, and shall at the request of one quarter of the Members of the Forum, convene a special meeting.
- 10) If the Chairman of the Forum is not present at a meeting of the Forum, the Chair shall be taken by the Vice-Chairman and in the absence of both, the Forum shall elect a Chairman for the meeting.
- 11) The minutes of the Forum shall be open to inspection, and a copy of the minutes will be sent to East Devon District Council following each meeting of the Advisory Forum.
- 12) Nothing stated or implied in this Constitution shall be construed as giving power to the Advisory Forum to incur any expenditure or liability on behalf of the District Council.

Appendix 1

Arts and Culture Forum: Membership

District Councillors:

Deputy Portfolio Holder for Environment	Councillor Phil Twiss
Culture Champion	Councillor John O’Leary
Customer Services Champion	Councillor Vivien Duval-Steer

Community representatives:

Gerri Bennett (former Marketing Officer, Exeter City Council)

Nikki Milican (former Artistic Director – New Moves International)

Town representatives:

Town	Representative	Substitute
Axminster	Councillor Douglas Hull	Councillor Andrew Moulding
Budleigh Salterton	Councillor Tom Wright	
Exmouth	Councillor David Chapman	Councillor Maddy Chapman Councillor Geoff Chamberlain
Honiton	Councillor Vernon Whitlock	Honorary Alderman Vivienne Ash
Ottery St Mary	Councillor Claire Wright	
Seaton	Councillor Stephanie Jones	
Sidmouth	Councillor John Dyson	Councillor Graham Liverton

Officers:

Deputy Chief Executive Transformation and Systems Thinking	Denise Lyon
Countryside and Leisure Manager	Charlie Plowden