

EXECUTIVE

Tuesday 16 June 2009

Present:-

Councillor Fullam (Chair)

Councillors S Brock, Cole, Edwards, Mrs Henson, Mitchell, Mrs J Morrish, Newton and Wadham

Chief Executive, Director Economy and Development, Director Community and Environment, Director Corporate Services, Assistant Chief Executive and Member Services Manager

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MINUTES

The minutes of the meetings of Executive held on 24 March and 7 April 2009 were taken as read and signed by the Chair as a correct record.

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DECLARATIONS OF INTEREST

A Member declared the following personal interests:

COUNCILLOR	MINUTE
S Brock	62 and 63 (owner of business subject to inspection)

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FOOD LAW ENFORCEMENT PLAN 2009/10

Councillor S Brock declared an interest as the owner of a business subject to inspection.

The report of the Head of Environmental Health Services was submitted, informing Members of the Council's performance against the previous year's Food Law Enforcement Plan. It also sought approval for the adoption of the Food Law Enforcement Plan 2009/10, which sets out the Council's regulatory function in respect of food safety over the forthcoming year.

Scrutiny Committee – Community considered the report at their meeting on 2 June 2009 and the support and comments of members were noted.

RECOMMENDED that:-

- (1) the Food Law Enforcement Plan 2009/10 be approved; and
- (2) the Head of Environmental Health Services be authorised to make changes to the Enforcement Plan in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

HEALTH AND SAFETY SERVICE PLAN 2009/10

Councillor S Brock declared an interest as the owner of a business subject to inspection.

The report of the Head of Environmental Health Services was submitted, seeking approval of the Health & Safety Service Plan for 2009/2010 which sets out the Council's functions for regulating health and safety in businesses for the forthcoming year.

Scrutiny Committee – Community considered the report at their meeting on 2 June 2009 and the support and comments of members were noted.

RECOMMENDED that:-

- (1) the Health and Safety Service Plan 2009/2010 be approved; and
- (2) the Head of Environmental Health Services be authorised to make changes to the Service Plan in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

POLICY FOR THE ETHICAL CARE OF HUMAN REMAINS AT THE ROYAL ALBERT MEMORIAL MUSEUM (RAMM)

The Head of Leisure and Museums submitted the report, proposing a policy for the ethical care of human remains in the museum collection, in the form of an annexe to the Acquisitions and Disposals Policy 2005-2010.

Scrutiny Committee – Community considered the report at their meeting on 2 June 2009 and the support and comments of members were noted. Executive members welcomed the policy.

RESOLVED that Executive adopt the Policy for the Ethical Care of Human Remains as an annexe to the overall Acquisition and Disposal Policy.

(Report circulated)

REPLACEMENT OF FILTERS AT THE PYRAMIDS SWIMMING POOL

The report of the Head of Leisure and Museums was submitted, seeking approval for the replacement of filters at Pyramids, which have reached the end of their useful life. The Director Community and Environment informed Executive of the urgent need to replace the filters in view of the imminent risk of their failure. She also referred to correspondence circulated to Councillors from the Chairman of Exeter City Swimming Club urging the Council to install an Ultra Violet light system at the Pyramids. She advised members that the Council's specialist water consultant considered that the water quality at the pool continued to reach acceptable standards and it was therefore recommended not to install this equipment at the present time.

Scrutiny Committee – Community considered the report at their meeting on 2 June 2009 and the support of the Committee to the proposal and the comments of members were noted.

Councillor Branston attended this meeting and spoke on this item under Standing Order 44. He urged the Council to proceed with the development of a new pool at Clifton Hill, reminding members of the feasibility study that had previously been undertaken and the reasons why that location had been selected by the Council. He considered that Exeter was under-provided with swimming pools in comparison with cities with similar populations and that the other pools in the city were already operating at capacity. In view of the health and safety concerns regarding water quality, he suggested that it would be appropriate for the replacement of the filters to be funded through the Asset Improvement and Maintenance (AIM) budget. He considered that further delays would increase the cost of a new pool and that development at Clifton Hill should now proceed, particularly in the light of the anticipated return of some of the money invested in Icelandic banks.

The Chair reminded Executive that, at the request of members, money refunded from the Icelandic banks had been earmarked to restore specific schemes, including improvements to play areas, to the capital programme.

The Portfolio Holder Environment and Leisure urged members to support the replacement of the filters in view of the serious consequences of their failure. He informed members that the Swimming Pool Working Group continued to investigate all options and emphasised that Councillor Branston's involvement in the group would be welcomed.

Whilst supporting the urgent replacement of the filters, other members hoped that this would not be at the cost of progressing plans for a new pool.

Councillor Edwards reminded Executive of the consistent aspiration of his group to seek a new pool and the reasons for selecting Clifton Hill as the appropriate site. He moved an amendment to the recommendation, seconded by Councillor Mrs Morrish that plans be drawn up to build a new swimming pool at Clifton Hill. The amendment was put to the vote and lost.

The Portfolio Holder Business Transformation and Human Resources reminded members of the range of alternative swimming facilities available in the city. She considered that it would be irresponsible for the Council to borrow significant amounts of money at the present time, particularly in advance of the decision on the local government review. Whilst no-one disputed the desirability of a new pool when the financial situation permitted it, the Chair emphasised the importance of sound financial management in the current economic climate.

RESOLVED that:-

- (1) the filters and associated pipework at Pyramids Swimming Pool be replaced as soon as practicable;
- (2) the work be funded from budget remaining from the new pool project; and
- (3) equipment to disinfect water using ultraviolet light not be installed.

(Report circulated)

EMPTY HOMES STRATEGY 2009 - 2014

The report of the Head of Housing Services was submitted, informing Members of the consultation results for the draft Empty Homes Strategy 2009-2014 and recommending approval of the amended version.

Scrutiny Committee – Community considered the report at their meeting on 2 June 2009 and the support and comments of members were noted. Executive members supported the proposed amendments and welcomed the revised Strategy.

RESOLVED that:-

- (1) the actions and revisions to the Empty Homes Strategy as set out in paragraph 4 of the report be approved;
- (2) the revised action plan contained in Appendix 1 of the report be approved;
- (3) Scrutiny Committee – Community receive an annual update on progress against the action plan; and
- (4) in accordance with the Local Government and Public Involvement in Health Act 2007, the Empty Homes Strategy and action plan be placed on the website and further comments invited from the community.

(Report circulated)

FIRE SAFETY POLICY FOR HOUSING PROPERTIES

The report of the Head of Housing Services was submitted seeking Members approval for a new policy regarding the management of fire safety in the Council's housing stock.

Scrutiny Committee – Community considered the report at their meeting on 2 June 2009 and the support and comments of members were noted.

The Director Community and Environment reported that whilst the safety of residents was paramount, the Council planned to adopt the policy sensitively and in consultation with tenants and leaseholders. Members supported this approach and acknowledged the safety hazards posed by the storage of objects in communal areas. They requested that particular consideration should be given to the storage of vehicles including mobility scooters. It was agreed to involve ward councillors in discussions regarding properties in their local area. The installation of sprinklers was suggested and the Director Community and Environment agreed to explore this further.

RESOLVED that the Fire Safety Policy for the Council's housing stock be approved and that ward Councillors be involved in consultations relating to properties in their wards.

(Report circulated)

CRIME AND DISORDER (OVERVIEW AND SCRUTINY) REGULATIONS 2009

The report of the Assistant Chief Executive was submitted advising Members of the new Regulations under the Police and Justice Act 2006 establishing overview and scrutiny of the work of the Crime and Disorder Reduction Partnerships (CDRPs).

Scrutiny Committee – Community considered the report at their meeting on 2 June 2009 and supported its enhanced role to scrutinise the Exeter Community Safety Partnership.

RECOMMENDED that:-

- (1) the enhanced role of Scrutiny Committee – Community to encompass scrutiny of the Exeter Community Safety Partnership be approved;
- (2) an addition be approved to the terms of reference of the Scrutiny Committee – Community, enabling that Committee to discharge the functions of a Crime and Disorder Committee to oversee and scrutinise the work of the Exeter Community Safety Partnership, and the Constitution be amended accordingly.

(Report circulated)

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RESPONSE TO THE RECESSION

The report of the Director Economy and Development was submitted, advising Members on a range of possible initiatives intended to respond to the impact of the recession on businesses and individuals in Exeter.

Scrutiny Committee – Economy considered the report at their meeting on 11 June 2009 and the support and comments of members were noted.

Executive welcomed the report and endorsed the range of positive measures proposed by the Council. They particularly welcomed the Trinity Project which aimed to provide debt advisers in the Council's Customer Service Centre and Exeter County Courts.

RESOLVED to proceed with the proposals outlined in Section 3 of the report.

(Report circulated)

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USE OF BEDFORD SQUARE

The joint report of the Director Economy and Development and the City Centre Manager was submitted seeking guidance from Members on the use of Bedford Square by political organisations.

The Director Economy and Development clarified that Bedford Square comes within the remit of the City Council and not Land Securities as had been reported in the press.

Executive members agreed on the profound importance of freedom of speech as one of the overriding principles of democracy. However distasteful the views of certain political parties may be considered, members felt that it was important for society to have the opportunity to hear, rather than suppress, those views. It was acknowledged that many charities now had lobbying roles and it would be very difficult to define "political organisations".

The threat to public safety was also taken seriously, particularly since social media now provided the opportunity for greater levels of organised protest. Since Community Safety was the responsibility of the Police, it was agreed that it was most important to take into account their advice in respect of any threats to public safety. It was proposed that the police should be consulted on any requests for bookings where it was considered there may be public disorder considerations and that the final decision on whether to approve these applications be made by the Chief Executive in consultation with the Leader of the Council. It was also agreed to amend the Bedford Square usage guidelines to clarify that proposed changes to the guidelines would be decided by the City Centre Management Partnership Board

RESOLVED that:-

- (1) political organisations be permitted to use Bedford Square;
- (2) the advice of the police be sought on bookings where there was considered to be any threat to public order, the final decision to be made by the Chief Executive in consultation with the Leader of the Council; and
- (3) the Bedford Square Usage Guidelines be amended to clarify that proposed changes to the guidelines would be approved by the City Centre Management Partnership Board.

(Report circulated)

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CORPORATE PLAN 2007-2010 (2009/10 UPDATE)

The report of the Strategic Management Team was submitted seeking Members' approval of the Council's Corporate Plan 2007-2010 (2009/10 update).

RECOMMENDED that the draft Corporate Plan 2007-2010 (2009/10 update) be endorsed and that any necessary drafting amendments before publication be delegated to the Chief Executive, in consultation with the Leader of the Council.

(Report circulated)

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LOCAL DEVELOPMENT FRAMEWORK - AMENDMENTS TO THE CONSTITUTION

The report of the Head of Legal Services was submitted recommending amendments to the Council's Constitution, to update it in relation to the Local Development Framework.

Planning Committee considered the report at their meeting on 1 June 2009 and the support and comments of members were noted.

RECOMMENDED that the Constitution be amended to reflect changes to the Regulations in respect of the approval of the Local Development Framework as set out in Appendix 1 to the report.

(Report circulated)

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

A schedule of appointments to outside bodies was circulated.

RESOLVED that the appointments to outside bodies as set out in the Appendix to the minutes be agreed and **RECOMMENDED** that outstanding appointments be agreed by Council.

(Report circulated)

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

RE-TENDERING OF THE HOUSING RESPONSIVE MAINTENANCE CONTRACTS - PROCUREMENT STRATEGY

The joint report of the Head of Housing Services and Head of Contracts and Direct Services was submitted seeking approval to the proposed procurement strategy for the re-tendering of the housing responsive maintenance contracts.

Scrutiny Committee – Community considered the report at their meeting on 2 June 2009 and the support and comments of members were noted.

Executive welcomed the proposals for the packaging and tendering of the housing responsive maintenance contracts. Members particularly welcomed the opportunity to make use of mobile working and electronic communication to improve the efficiency of the service.

RESOLVED that:-

- (1) the preferred contract packaging option as described in paragraph 3.9 of the report be approved;
- (2) provided that value for money can be clearly evidenced, the management and administration of the electrical testing and re-wire programme be awarded to the in-house team (BEST) from 1 October 2010; and
- (3) the final decision on contract packaging following contractor interviews be delegated to the Head of Housing Services and the Head of Contracts and Direct Services in consultation with the Portfolio Holder for Housing and Social Inclusion and the Leader of the Council.

(Report circulated to Members)

POST OF CITY ARTS AND FESTIVALS MANAGER

The report of the Head of Economy and Tourism was submitted seeking approval of the merger of the City Arts Officer post (ED05127) and the Festivals and Events Manager post (ED05111) to become the City Arts and Festivals Manager (post ED05127).

Scrutiny Committee – Economy considered the report at their meeting on 11 June 2009 and the support and comments of members were noted.

RESOLVED that the proposals set out in paragraph 3.3 of the report be approved and the functions and responsibilities of the posts of City Arts Officer (ED05127) and Festivals and Events Manager (ED05111) be merged into the post of City Arts and Festivals Manager (ED05127) at Grade 10 from 1 July 2009, with the post of Festivals and Events Manager (ED05111) being deleted.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.20 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 14 July 2009.

EXETER CITY COUNCIL

EXECUTIVE
16 JUNE 2009

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

<u>BODY AND TERM OF OFFICE</u>	<u>REPRESENTATIVES AND EXPIRY OF APPOINTMENTS</u>	<u>NUMBER OF MEETINGS PER ANNUM</u>	<u>TERMS OF REFERENCE</u>
City Centre Management Partnership 1	Cllr Edwards Cllr P.A. Smith 15.06.2010	4	Improves the quality of the City Centre for residents, businesses and visitors by developing strategies and opportunities to maximise the Centre's vitality and viability. Supports the development of the City of Exeter as the Regional Capital of the South West, to encourage new investment and to provide an economic "engine" for the City and the County of Devon.
Councillor Development Steering Group 1	Cllr Mrs J. Morrish (Chair) Cllr Martin Cllr Newton Cllr Starling Portfolio Holder for Business Transformation and Human Resources (Cllr Cole) 15.06.2010	4	To advise on the implementation of the Training and Development Strategy for Councillors and promote training and development opportunity.
Charities of John Shere and Others, Topsham	Mr W.J. Underhill - 17.10.2013 Mr F. Luscombe - 08.07.2013	2	To assist residents of Topsham in financial need.

Council of the Devon County Agricultural Association	Cllr Newby	1	Promotion of agriculture, horticulture and forestry. Holding and promoting shows, exhibitions and competitions connected with the use of agricultural land in all its aspects.
Community Safety Partnership 1	Leader (Cllr Fullam) 15.06.2010	11	The Partnership established following the Crime and Disorder Act 1998 which placed a joint responsibility on local authorities and the Police to reduce Crime and Disorder in local areas.
Safer Devon Partnership 1	Leader (Cllr Fullam) 15.06.2010	6	Mechanism to deliver on behalf of the Devon Strategic Partnership the safer communities theme of the Devon LAA
Devon Authorities Waste Reduction and Re-cycling Committee 1	Portfolio Holder for Environment and Leisure (Cllr Mitchell) 15.06.2010	3	Co-ordinates the establishment of waste minimisation and recycling schemes whether provided by the County Council, the District Councils or Devon Unitary Authorities, or jointly with each other, with commercial concerns or with community/voluntary groups.
Devon Conservation Forum - Executive 1	Chair of Planning Committee (Cllr Mrs Henson) 15.06.2010	6	Aims to promote the wise sustainable use and enjoyment of Devon's resources. Monitors environmental issues affecting Devon bringing together under one umbrella all who manage the natural and built landscape.
Devon County Council Health and Adult Services Overview and Scrutiny Committee 1	Cllr Newton 15.06.2010	5	To review the implementation of existing policies and to consider the scope of new policies for all aspects of the discharge of the Council's functions concerning adult social care and community learning and to discharge its functions in the scrutiny of health services.
Devon Playing Fields Association 1	Portfolio Holder for Environment and Leisure (Cllr Mitchell) 15.06.2010	4	Independent charitable body offering information, advice, support and small grants to its Members. Helps provide playing fields for all sections of the community and properly equipped playgrounds for children. Encourages the full use of all recreational activities.

Exeter and Heart of Devon Economic Partnership 1	Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) 15.06.2010	5	Promotes the economic development of the sub-region comprising Exeter, Mid Devon, East Devon and Teignbridge.
Exeter Archaeological Advisory Committee 1	Cllr Shiel (Chair) Cllr Martin Cllr D.J. Morrish Cllr Wadham 15.06.2010	3	Committee of City Council Members, professionals and academics from the University and Institutions receiving detailed reports from the AFU on archaeological investigations carried out in Exeter.
Exeter Area Rail Project Working Party 1	Cllr D.J. Morrish Cllr Shepherd Portfolio Holder for Sustainable Development and Transport (Cllr Wadham) 15.06.2010	3	Promotes the use of local rail services in the Exeter area and hinterland. Makes recommendations to operators of local train services and lobby them for improvements Develops infrastructure projects at stations, to improve access and waiting facilities for all passengers
Exeter Arts Council 1	Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) Cllr Coates 15.06.2010	6	Independent group funded by the City Council with membership drawn from the major arts and cultural organisations in the City. It encourages creative activities in Exeter, both individuals and groups by providing financial support.
Exeter Business Centre Board 1	Cllr Mrs Henson Cllr Edwards Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) Cllr Mrs Morrish 15.06.2010	4	The Board oversees the affairs of the Business Centre.

Exeter Council for Sport and Recreation 1	Portfolio Holder for Environment and Leisure (Cllr Mitchell) Cllr Taghdissian 15.06.2010	6	To encourage and promote increased participation in sport, recreation and play in the Exeter district in co-operation with Exeter City Council, Devon County Council and other interested organisations.
Exeter Canal and Quay Trust Ltd. 1	Cllr P.J. Brock Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) Cllr Edwards Cllr Newcombe Cllr Shepherd Cllr Sheldon Cllr Starling Cllr Winterbottom 15.06.2010	3	The preservation of land, buildings and other features of beauty or historical or architectural interest in or around the Exeter Canal and Quay Basin; The promotion and encouragement of high standards of architecture, building and town planning and the promotion of civic pride in the Area; The promotion and support of musical, artistic, educational and other cultural activities within the Area; and The promotion and support of community participation in any form of healthy recreation involving waterborne sports in the Area.
Exeter Municipal Charities (General List) 4	The Lord Mayor Cllr Branston - 31.12.2013 Ald N.W.F. Long - 31.12.2013 Mr J.F. Marshall - 31.12.2013 Cllr D.J. Morrish - 31.12.2013 Ald W.H.J. Rowe - 31.12.2013 Cllr Wadham - 31.12.3013 Cllr Winterbottom - 31.12.2013	12	To provide accommodation for people who feel unable to remain in their own homes by reason of failing health or reduced circumstances.
Exeter Municipal Charities (Church list) 4	Ald J.F. Landers - 30.06.2013 Ald N.W.F. Long - 30.06.2013 Mr J.F. Marshall - 30.06.2013 Cllr Shiel - 30.06.2013	12	To provide accommodation for people who feel unable to remain in their own homes by reason of failing health or reduced circumstances. Originally for Church of England members but now other denominations.

Exeter International Airport Consultative Committee 1	Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) 15.06.2010	4	Consultation with respect to any matter concerning the management or administration of the airport which affects the interests of the users, local authorities and organisations as required by the Civil Aviation Act 1982.
Exeter Phoenix Arts Centre Board 1	Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) 15.06.2010	6	To promote, maintain, improve, encourage and provide public education in the arts including the arts of drama, music, singing, dance, painting, sculpture, literature, cinematography and handicrafts.
Exeter Social, Health and Inclusion Partnership - Member Forum 1	Cllr D. Baldwin Portfolio Holder for Housing and Social Inclusion (Cllr Newton) Cllr Prowse 15.06.2010	4	Oversees the implementation of work associated with health and social inclusion in the City and comprises partners from the public sector, main agencies and voluntary sector working in Exeter.
Exeter Summer Festival Advisory Group 1	Cllr P.A. Smith (Chair) Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) Cllr Branston Cllr Mrs Danks Nomination sought from Conservative group 15.06.2010	4	To advise on the key Festival objectives.

Exeter Vision Partnership 1	Leader (Cllr Fullam) 15.06.2010	5	Acts as the Local Strategic Partnership for Exeter, a non-statutory partnership that brings together the public, voluntary, community and private sectors to coordinate activity and tackle difficult cross-cutting issues within an area. The Partnership also provides a forum for setting the long-term strategic vision which is expressed through the Sustainable Community Strategy (the Exeter Vision).
J L Thomas Liaison Group 1	Cllr Choules Cllr Newcombe Cllr Prowse 15.06.2010	2	To improve the exchange of information, report upon and monitor instances of nuisance arising from the factory or carriage of waste material and make suggestions for the improvement of the environmental conditions relevant to the operations of the factory.
Local Government Association General Assembly 1	Leader (Cllr Fullam) 15.06.2010	2	Promotes the interests of local authorities and better Local Government.
South West Councils 1	Leader (Cllr Fullam) 15.06.2010	4	Regional forum for south west authorities.
Lord Mayor of Exeter's Appeal Fund 1	Lord Mayor Cllr Coates Cllr Mrs Danks Cllr Edwards 15.06.2010	n/a	Appeal fund.

Parking and Traffic Regulation Outside London Adjudication Joint Committee 1	Cllr Shepherd Portfolio Holder for Sustainable Development and Transport (Cllr Wadham) 15.06.2010	At least once a year	Adjudication service for appellants against penalty charge notices including visible independence of adjudicators from the authorities in whose areas they are working.
South West Provincial Employers 1	Portfolio Holder for Business Transformation and Human Resources (Cllr Cole) 15.06.2010	2	Joint negotiating machinery for the South West comprising the employers' side and the trade union side and provides a forum for discussion, debate and negotiation on human resources.
South West Water Liaison Group 1	Cllr Newby Cllr Mitchell Cllr Robson 15.06.2010	3	To improve the exchange of information of the Countess Wear Sewage Treatment Works operated by South West Water and the carrying out of works to improve odour control. Reports upon instances of complaints arising from odours from works and makes suggestions for the improvement of the environmental conditions relevant to the operations of the works.
Young Single Persons Housing Forum 1	Portfolio Holder for Housing and Social Inclusion (Cllr Newton) 15.06.2010	4	Provides a forum for all agencies involved in issues related to homelessness amongst young (aged 16-30) single people in Exeter and the surrounding area.

ASSISTANT CHIEF EXECUTIVE

16 June 2009

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