

## EXECUTIVE

Tuesday 2 October 2012

### Present:

Councillor Edwards (Chair)  
Councillors Fullam, Hannaford, Mrs Henson, Sheldon and Sutton

### Apologies:

Councillors Denham and Martin

### Also present:

Chief Executive, Strategic Director (KH), Strategic Director (MP), Assistant Director Finance, Assistant Director Housing and Contracts, Projects and Business Manager and Member Services Manager

94

### MAJOR GRANTS AND NEW HOMES BONUS PANEL

The minutes of the Major Grants and New Homes Bonus Panel held on 13 September 2012 were circulated.

The Projects and Business Manager updated Executive in respect of Minute 6 (Application 1 – Wear United and Countess Wear Village Hall). He reported that previous discussions had been on the basis of the new building being constructed on tennis courts, requiring their relocation at additional cost to the project. The presentation to the Major Grants and New Homes Bonus Panel was however based on a revised proposal whereby the building would be located away from the tennis courts. The Parks and Open Spaces Manager was concerned that the revised plans would reduce the space available for playing pitches, which was also unlikely to be acceptable to Sport England. The applicants and their architect were working on plans for a revised arrangement whereby they hoped to demonstrate that sufficient space could be maintained for playing pitches.

Executive considered options for the application, namely approval with extra conditions, refusal or deferral pending a written update to the next meeting of the Panel. Members commented that they would be concerned about any overall loss of playing pitches on the site.

#### **RESOLVED** that:-

- (1) Minutes 3, 4 and 5 of the Major Grants and New Homes Bonus Panel held on 13 September 2012 be received, and where appropriate, adopted; and
- (2) in respect of Minute 6 (Application from Wear United and Countess Wear Village Hall), no decision be made at present, but an update be provided to the Panel at its meeting on 22 November as to whether the proposals are acceptable to the Parks and Open Spaces Manager and the Panel make a fresh recommendation to Executive.

(Minutes circulated)

**DECLARATIONS OF INTEREST**

The following personal interest was declared:

<b>COUNCILLOR</b>	<b>MINUTE</b>
Fullam	104 – Daughter is member of a swimming club which uses Pyramids Swimming Pool.

**CAPITAL MONITORING STATEMENT TO 30 JUNE 2012**

The report of the Assistant Director Finance was submitted, reporting on the current position in respect of the Council's revised annual capital programme and advising Members of the anticipated level of deferred expenditure into future years. He reported that the revised capital programme for the current year was £19.757 million, of which 9.97% had been spent in the first three months. He identified the requests for additional funding and the main variances, achievements and issues affecting expenditure.

In response to a query regarding the cost of kitchen replacements, the Assistant Director Housing and Contracts undertook to confirm to Executive members the average cost per home for a recent programme. Whilst acknowledging the need for the Council to ensure value for money, members emphasised the importance of investing in Council stock and continuing to work towards the Decent Homes Standard.

Scrutiny Committee – Resources considered the report at the meeting on 19 September 2012 and the support of the Committee was noted.

**RECOMMENDED** to Council to approve:-

- (1) the current position in respect of the annual Capital Programme; and
- (2) the amendments to the Council's annual Capital Programme.

(Report circulated)

**OVERVIEW OF GENERAL FUND REVENUE BUDGET 2012/13**

The report of the Assistant Director Finance was submitted, advising Members of the overall projected financial position of the General Fund Revenue Budget and Housing Revenue Account after three months, for the 2012/13 financial year. He reported that the Service Committee budgets showed a small forecast overspend of £35,430 and outlined the main variances across the Council.

Scrutiny Committee – Resources considered the report at the meeting on 19 September 2012 and the comments and support of members were noted.

**RECOMMENDED** to Council to approve:

- (1) the General Fund forecast position for the 2012/13 financial year;
- (2) the HRA forecast financial position for the 2012/13 financial year;
- (3) the outstanding Sundry Debt position as at June 2012; and
- (4) the creditors' payments performance.

(Report circulated)

98

### **ANNUAL SUSTAINABLE PROCUREMENT AND COMMISSIONING REPORT**

The report of the Assistant Director Housing and Contracts was submitted on progress made against the Sustainable Procurement and Commissioning Action Plan 2011/12. The report also outlined the Sustainable Procurement and Commissioning Action Plan for 2012/13.

Scrutiny Committee – Resources considered the report at their meeting of 19 September 2012 and their comments were noted.

Executive supported the Action Plan and good practice standards and particularly welcomed the opportunity for small businesses to compete for work from the Council.

**RESOLVED** that:-

- (1) the Sustainable Procurement and Commissioning Action Plan for 2012/13 be noted ; and
- (2) the actions taken to reflect the new national requirements identified in section 4 of the report be noted.

(Report circulated)

99

### **SUPPLEMENTARY PLANNING DOCUMENT ON SUSTAINABLE TRANSPORT**

The report of the Assistant Director City Development was submitted requesting Members to approve a draft Supplementary Planning Document (SPD) on Sustainable Transport for public consultation. The Projects and Business Manager reported that the document had been supported by Planning Member Working Group at its meeting on 18 September and members had enquired about the involvement of Devon County Council; he confirmed that relevant County officers had been consulted during preparation of the draft.

Scrutiny Committee – Economy considered the report at their meeting on 6 September 2012 and their comments were noted.

The Portfolio Holder Sustainable Development and Transport commended the positive impact of Supplementary Planning Documents and the clarity of the guidance.

Members welcomed the identification of the infrastructure needs of the various strategic allocations set out in site specific Masterplans. In response to a query regarding car clubs, the Projects and Business Manager reported that the Council had no financial involvement other than Section 106 contributions from developers and the car club in Exeter operated as a not-for-profit organisation. Members commented on the adverse impact of landbanking on the economy. They were pleased to note the successful applications for the development of significant numbers of additional homes approved by Planning Committee recently.

**RESOLVED** that Executive approve the draft Sustainable Transport SPD for public consultation.

(Report circulated)

100

### **ASSETS OF COMMUNITY VALUE (THE "COMMUNITY RIGHT TO BID")**

The report of the Projects and Business Manager was submitted, advising Members of the implementation of the part of the Localism Act relating to assets of community value, and seeking authority for setting up the list of assets and related processes. He reported that the implementation date for the provisions had been brought forward from 12 October to 21 September.

Executive welcomed the proposals which they felt may be particularly beneficial for residents of rural and suburban communities. Members expressed some reservations about the organisational challenges and governance issues which the development of bids might present for voluntary or community organisations. The Portfolio Holder Housing and Community Involvement stated that he would be happy to consult with ward Councillors in considering the merits of nominations for inclusion of assets on the list.

**RECOMMENDED** to Council to approve that:

- (1) authority be delegated to the Projects and Business Manager (or in his absence another officer nominated by the Assistant Director City Development):-
  - i) to maintain the list of assets of community value, and to consider and decide the technical correctness of nominations for inclusion of assets on the list;
  - ii) in consultation with the Portfolio Holder for Housing and Community Involvement, to consider and decide the merits of nominations for inclusion of assets on the list.
- (2) authority be delegated to the Corporate Manager Policy/ Communications/ Community Engagement to conduct listing reviews and compensation reviews in respect of assets of community value; and
- (3) the Scheme of Delegation in the Constitution be amended accordingly.

(Report circulated)

101

### **REPRESENTATION AT COURT**

**RESOLVED** that, in accordance with Section 223 of the Local Government Act 1972, the following officer be authorised to represent the Council at the County and Magistrates Courts:-

Anne-Marie Annal – Civil Litigator

102

### **MEMBERSHIP OF COMMITTEES**

**RECOMMENDED** to Council that changes are made to the membership of Licensing Committee and Scrutiny Committee - Economy, details to be confirmed to Council by Group Leaders.

103

### **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 during consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of the Act.

104

### **PROPOSAL TO BUILD A NEW SWIMMING AND LEISURE COMPLEX ON THE BUS AND COACH STATION SITE**

Councillor Fullam declared a personal interest in the item as his daughter belonged to a swimming club which used the Pyramids swimming pool.

The report of the Strategic Director (KH) was submitted, advising Members on the recommendations arising from an assessment of need and the business case for a new swimming and leisure complex in Exeter, and seeking Members' guidance on whether to proceed with the recommendations.

The Strategic Director outlined the background to the proposal, noting the need for additional water space in the city to meet identified recreational and casual needs which were likely to increase as the population of the city grows. With reference to paragraph 2.10 he stated that, whilst it was not critical to the viability of the whole scheme, the leisure project would be a significant component in the Bus and Coach Station site redevelopment scheme. He explained the business case and resource implications of the proposal, circulating a revised table indicating the potential indicative costs of the options. He emphasised the importance of high quality frontage to the building in the context of its highly visible and strategic location.

Councillor Ruffle attended the meeting and spoke on this item under Standing Order 44. He acknowledged that the Pyramids pool was in urgent need of replacement but was concerned about the significant financial implications of the proposed leisure complex. He warned that the Council should be particularly cautious regarding assumptions about the long-term continuation of New Homes Bonus and low interest rates. He suggested that the Council should instead establish a dedicated fund on which to draw.

Councillor Leadbetter attended the meeting and spoke on this item under Standing Order 44. Whilst acknowledging the need for a new swimming pool, he shared concerns about the financial impact of the project and its prioritisation in the context of the Council's Capital Programme. He enquired about the potential for grant funding, for example from Sport England, and was assured that the Council would explore all potential funding sources.

Councillor Fullam also expressed concern about the major financial commitment and impact on the capital programme, and specifically the cumulative effect of debt repayments which could arise from unforeseen risks. He reminded Executive of the importance of the Flood Defence Scheme in the Capital Programme.

The Chair reminded members that the leisure pool had been identified as an aspiration of the Council within the Corporate Plan. Whilst understanding concerns about the significant financial commitment, he urged members to support a longer-term vision for the City. He drew attention to other major investments such as the Princesshay development which had contributed significantly to the economic success of the City. He urged members to support further investigation into the feasibility of the project.

In supporting the proposal, Councillor Mrs Henson stated that whilst acknowledging the level of the potential financial commitment, she would not wish the Council to lose the opportunity to use this important site for the benefit of the city.

Other members concurred in supporting the proposal, commenting on the urgent need to look at options to replace Pyramids pool before further major investment was required or it ceased to function altogether. They commented that this was the type of project for which New Homes Bonus was entirely suited and that the historically low interest rates presented a good opportunity to borrow at low fixed rates. They welcomed the proposal to construct to high standards of energy efficiency.

**RESOLVED** that:-

- (1) the intention to replace the existing Pyramids Swimming and Leisure Centre with a new facility on the Bus and Coach Station site identified in the Exeter Local Plan First Review as part of the wider regeneration of the area be confirmed;
- (2) the identified facility mix be confirmed as set out in paragraph 4.2.6, to include a 25m 8 lane competition pool, a 20m x 4 lane training pool together with the option of including a spa and an enhanced café;
- (3) detailed capital cost estimates for the facility as now defined be obtained;
- (4) provision be made within the medium term financial plan to fund the capital cost of the facility and that capital funding options, procurement and operational management routes most appropriate to this facility be investigated and brought back to Members for future consideration prior to formal commencement of the procurement exercise;
- (5) the Strategic Director be requested to put in place project management capacity to advance the project including arrangements for commissioning project architects; funding for initial design and project management to be funded from the New Homes Bonus major infrastructure account estimated at £150,000; and

- (6) a review be commissioned of the City Council's car parking stock in relation to meeting the needs of the redevelopment of the bus and coach station site, including the proposed swimming and leisure complex.

In accordance with Standing Order 43, Councillor Fullam requested that his name be recorded as having voted against the recommendation.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.10 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 16 October 2012.**