

EXECUTIVE

Tuesday 14 April 2015

Present:

Councillor Edwards (Chair)
Councillors Denham, Fullam, Hannaford, Leadbetter, Owen, Pearson and Sutton

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Economy, Assistant Director Environment, Assistant Director City Development, Assistant Director Customer Access, Assistant Director Finance, Corporate Manager - Legal, Museums Manager, Major Projects Officer, Service Improvement Lead (Benefits) and Democratic Services Manager (Committees)

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DECLARATIONS OF INTEREST

Councillor Fullam declared an interest in relation to Minute 41.

No declarations of disclosable pecuniary interest were made.

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LOCAL WELFARE SUPPORT

Councillor Fullam declared an interest as an employee of a Social Housing Provider.

The report of the Assistant Director Customer Access was submitted updating Members on the first two years of operation of the Local Welfare Support Scheme (LWS) and the plans for year three. Members were advised that, during the first two years of the scheme, LWS Exeter had made over 4,000 awards of assistance to individuals at a total cost of £280,000. Additionally, £180,000 had been spent on the Exeter Money Advice Partnership, a partnership between Exeter Citizen Advice Bureau and Homemaker South West providing debt and budgeting assistance to Exeter City Council customers. The administration of the scheme had been from within existing resources.

In response to Members' questions, the Service Improvement Lead (Benefits) clarified that, with regards to the Local Tax Support Scheme, the observations were that the higher percentage of applicants were from non-tax paying households and of the 4,000 individual awards some householder's would receive multiple payments.

Members discussed the implications that the introduction of Universal Credit could have on the need for emergency assistance.

RESOLVED that the contents of the report on plans for the third year of the Local Welfare Support scheme be noted.

UPDATING OF THE DEPUTIES FOR DELEGATED POWERS

The Assistant Director Environment advised of the amendments to the deputies for delegated powers regarding the powers available to local authorities under the Anti-Social Behaviour, Crime and Policing Act 2014.

RECOMMENDED that Council approves the changes to the Deputies for Delegated Powers as set out below and that the Constitution be amended accordingly:-

OFFICER WITH DELEGATED AUTHORITY	DELEGATION NUMBER	DEPUTY
Assistant Director Environment	1 – 12	Environmental Health and Licensing Manager
	1- 7	Private Sector Housing Manager
	4.4	Cleansing and Fleet Manager
	10	Principal Licensing Officer

ADOPTION OF THE LOW EMISSIONS STRATEGY

The report of the Assistant Director Environment was submitted advising Members on the development of a Low Emissions Strategy for Exeter, and requesting the adoption of the strategy. Poor local air quality affected the health of those living and working in Exeter and the Low Emissions Strategy had been developed to achieve further reductions in emissions of local and global air pollutants from traffic in the city. The Council had taken the lead in developing the Low Emissions Strategy but was just one partner involved in reducing emissions of local air pollutants and their health impacts.

Members were advised that a foreword to the Low Emissions Strategy had been drafted and would be signed by the Director of Public Health for the NHS and Devon County Council, the Chair of Exeter Health and Wellbeing Board, the Leader of Exeter City Council and Councillor Leadbetter (Devon County Council) as a joint commitment to the Strategy.

In response to Members' questions, the Assistant Director Environment clarified that Stagecoach South West would be one of the key partners on the Low Emissions Strategy Steering Group and he would update Members on the position with regards to the personal air monitors.

Scrutiny Committee – Community considered the report at its meeting on 3 March 2015 and its comments were reported.

RECOMMENDED to Council that the Low Emissions Strategy circulated with the report be adopted as the Low Emissions Strategy for Exeter for the period 2015-2018.

OVERVIEW OF REVENUE BUDGET 2014/15

The report of the Assistant Director Finance was submitted, advising Members of the overall projected financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2014/15 financial year after nine months. The General Fund had an overspend of £51,370 and the Housing Revenue Account (HRA) an underspend of £2,629,576. Members were updated on the main variances within the General Fund and HRA.

In response to Members' questions, the Assistant Director Finance clarified that the overspend in Domestic Refuse Collection was due to the use of agency staff to provide sickness and holiday cover. This use of agency staff was reducing and Scrutiny Committee – Resources would be updated on the position at its next meeting.

The Portfolio Holder for Environment and Wellbeing clarified that, whilst there had been a overspend on the pool of regular agency staff for cover for the domestic refuse collection, some of this overspend would be off set against the underspend on permanent staff.

Members were advised that the Council would look to recover any Housing Benefits overpayment, although there was a limit to how much could be recovered in any one go.

Scrutiny Committee – Resources considered the report at its meeting on 18 March 2015 and its comments were reported.

RECOMMENDED that Council approve the:-

- (1) General Fund forecast financial position for the 2014/15 financial year;
- (2) HRA forecast financial position for 2014/15 financial year;
- (3) additional supplementary budgets listed in Appendix C;
- (4) outstanding Sundry Debt position as at December 2014;
- (5) creditors' payments performance; and
- (6) Council Tax and Business Rates collection performance.

CAPITAL MONITORING STATEMENT TO DECEMBER 2014

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. The revised capital programme for the current financial year was £23.168 million. During the first nine months of the year, the Council spent £11.098 million on the programme, which equated to 47.90% of the revised programme. The current programme showed a total forecast spend for 2014/15 of £18.940 million with £3.957 million of the programme potentially being deferred to 2015/16.

The Assistant Director Finance advised that an additional capital request had been made to develop a tree management system which would enable the exact location of fallen or damaged trees in the city to be accurately recorded. The Council had

secured funding from the UK Space Agency to develop this system and the only expense was for minimal amount of travel and subsistence.

In response to a Member's question, the Assistant Director Finance clarified that the capital expenditure for the Leisure and Swimming Pool Complex could not be incorporated into the capital programme until planning permission had been secured.

Whilst the majority of Members supported the development of the Leisure and Swimming Pool Complex on the Coach and Bus Station site, two other Members were of the opinion that there were other more cost effective sites within the city where a pool could be located.

Scrutiny Committee – Resources considered the report at its meeting on 18 March 2015 and its comments were reported.

RECOMMENDED that Council notes and approves the:-

- (1) revisions to the capital programme detailed in Section 8.1;
- (2) revision of the annual capital programme to reflect the reported variations detailed in 8.4 and 8.5; and
- (3) proposed additions to the Capital Programme detailed in section 8.7.

(In accordance with Standing Order 43, Councillors Fullam and Leadbetter requested that their names be recorded as having voted against the recommendation)

MID DEVON DISTRICT LOCAL PLAN PROPOSED SUBMISSION CONSULTATION

The report of the Assistant Director City Development was submitted seeking Members approval for a consultation response to the Mid Devon Local Plan Proposed Submission document. The report also updated Members on proposals for development at Junction 27 of the M5.

Members were advised that Mid Devon District Council had now published the Local Plan Proposed Submission document which did not include a proposed allocation of land at Junction 27. This had been dropped in light of the concerns raised. Instead, the Submission document proposed to focus residential and employment development at Tiverton and Cullompton. There was no cause for the City Council to object to this proposal. The Submission document proposed that 7,200 dwellings be provided in the District over the plan period although this was less than the housing requirement identified for Mid Devon in the new Strategic Housing Market Assessment (SHMA).

Whilst the Submission document did not propose to allocate land for development at Junction 27, a consortium of developers/consultants had presented an initial concept scheme including a motorway service area, leisure activities and outlet retailing although on a smaller scale than proposed during the options consultation. The consortium had suggested some level of retail to ensure viability. The consortium wished to secure a land allocation at Junction 27 in the Mid Devon Local Plan and until their proposals and impact assessments were finalised it would be difficult for the City Council to make an informed response.

Members raised concerns regarding the negative impact any development at Junction 27 could have upon the vitality and viability of Exeter.

The Assistant Director City Development clarified that if Mid Devon District Council decided to support the consortium's proposals for a land allocation at Junction 27 it would need to undertake a further round of public consultation on the Local Plan. The Council's response would be brought to Executive for Members to consider.

RESOLVED that:-

- (1) the consultation response to the Mid Devon Local Plan Proposed Submission document be approved; and
- (2) the emerging proposals for a revised scheme of development at Junction 27 be noted.

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STAFFING WITHIN THE ELECTORAL SERVICES TEAM

The report of the Corporate Manager Democratic and Civic Support, Electoral Registration Officer and Returning Officer was submitted setting out a proposal to create a permanent member of staff within the Electoral Services team (to replace a temporary member of staff) to assist with the increased workload associated with the introduction of Individual Electoral Registration.

RECOMMENDED that Council approves the permanent increase in the establishment of the Electoral Services Team, by the appointment of an additional post of Electoral Services Assistant.

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FREEDOM OF THE CITY

The report of the Corporate Manager Democratic and Civic Support was submitted setting out a proposal to offer the Freedom of the City to Mr Tony Rowe in recognition of his outstanding services to the field of sport (particularly Rugby Union) which had led to Exeter's name being known around the world as one which supported sport.

Councillor Winterbottom having given notice under Standing Order no.44 spoke on this item. He stated that it was right that the Council should honour Mr Tony Rowe by awarding him the Freedom of the City in recognition of his vision and achievements in raising the profile of Exeter Rugby Club nationally and internationally. He had also played a key role in setting up the Exeter Foundation Trust which supported numerous Exeter charities.

Members welcomed and supported the offer of Freedom of the City to Mr Tony Rowe.

RECOMMENDED to Council that:-

- (1) the title of Honorary Freeman of the City Status be conferred on Mr Tony Rowe; and
- (2) the Right Worshipful the Lord Mayor be requested to convene an Extraordinary Meeting of the Council to be held on the rising of the ordinary meeting on 21 April 2015, for the purpose of passing the appropriate resolution under Section 249 of the Local Government Act 1972.

APPOINTMENT OF NEW POSTS AT RAMM, IN CONNECTION WITH MAJOR PARTNER MUSEUM FUNDING AND OPERATION OF NEW SHOP.

The report of the Museums Manager and Culture Lead was submitted requesting Members approval to establish a number of new posts at the Museum. The first group of four posts related to the delivery of the Activity Plan that formed part of the 2015-18 Major Partner Museum (MPM) funding agreement between Arts Council England and the City Council. These temporary posts (initial contracts to March 2016) would be fully funded by the financial award from Arts Council England (ACE). The second group of four posts related to the establishment of a museum shop. The capital requirements of this initiative were considered and approved by Executive on 17 March 2015. These would be revenue funded but covered by shop income.

In response to a Member's question, the Museums Manager and Culture Lead clarified that the four posts relating to the delivery of the Activity Plan would be on fixed term contracts.

The Portfolio Holder for Economy and Culture advised that all new posts were made available for staff at risk of redundancy to apply for.

RESOLVED that:-

- (1) the establishment of four temporary posts (as listed in the report) paid for by the Major Partner Museum funding Grant (MPM) 2015-18 be approved; and

RECOMMENDED that Council approves:-

- (2) an increase in the Council's establishment as a result of the creation of four retail posts (one full-time and three part-time), the cost of which will be covered by sales income from the new museum shop.

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.

MONKERTON LOCAL ENERGY NETWORK

The report of the Assistant Director City Development was submitted advising Members of the request made by Developers at Monkerton that the Council accepted an assignment of Master Agreement setting out the parties' obligations relating to the provision of a District Heating System. The Master Agreement was still in draft form.

Members continued to support the Council's policy of the provision of a District Heating System and agreed an amendment to recommendation (2).

RESOLVED that:-

- (1) the Council continues to use best endeavours to work with Devon County Council, Teignbridge District Council, East Devon District Council, The University of Exeter, the Royal Devon and Exeter NHS Trust, Exeter University and the RD&E to establish a public sector Joint Venture Company whose objectives include the continuation of the supply of heat through the various District Heating Systems in the event of operator underperformance. It is anticipated that the Monkerton Master Agreement will be assigned to this body; and
- (2) the Leader of the Council, the Chief Executive & Growth Director and the Corporate Manager - Legal Services be authorised to consider the risks associated with this request and come to a view as to whether it is lawful and reasonable to accept such an assignment of the developers' obligations as set out within the Monkerton Master Agreement (once this agreement is finally settled) for a limited period and until such time as the organisation described above is incorporated. Executive to be advised of any decisions taken.

(The meeting commenced at 5.30 pm and closed at 6.40 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 21 April 2015.