

EXECUTIVE

Tuesday 12 July 2016

Present:

Councillor Edwards (Chair)
Councillors Bialyk, Bull, Denham, Hannaford, Leadbetter, Morse, Owen and Sutton

Apologies:

Councillors Pearson

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director City Development, Assistant Director Housing, Assistant Director Finance, Assistant Director Public Realm, Assistant Director Environment, Corporate Manager Democratic and Civic Support, Corporate Manager Policy, Communications and Community Engagement, Corporate Manager Property, Economy and Tourism Manager, System Lead - Finance, Service Lead Performance, Strategy and Resources and Democratic Services Manager (Committees)

73

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

74

LEISURE COMPLEX AND BUS STATION PROGRAMME BOARD - MINUTES 28 JUNE 2016

The minutes of the Leisure Complex and Bus Station Programme Board meeting held on 28 June 2016 were submitted.

RESOLVED that the minutes of the Leisure Complex and Bus Station Programme Board meeting held on 28 June 2016 be received and, where appropriate, adopted.

75

ANNUAL SCRUTINY REPORT 2015/16

The report of the Corporate Manager Democratic and Civic Support was submitted which provided an annual update as to the Scrutiny work achieved during the Municipal Year 2015/16.

The Corporate Manager Democratic and Civic Support advised Members that all three Scrutiny Committees had welcomed the report and the work undertaken on the Member led scrutiny function in the Council.

People Scrutiny Committee – 2 June 2016, Place Scrutiny Committee – 9 June 2016 and Corporate Services Scrutiny Committee - 29 June 2016 had all considered this report and comments of the Members were noted.

RESOLVED that the Annual Scrutiny Report 2015/2016 be approved.

DEVOLUTION FOR THE HEART OF THE SOUTH WEST

The report of the Chief Executive & Growth Director was submitted to update Members on progress with devolution discussions and to seek approval to sign up to the principle only of creating a combined authority for the Heart of the South West.

The Chief Executive & Growth Director advised that, in February of this year, Members had supported the themes in the prospectus for working towards securing a devolution deal for the Heart of the South West. The time line was to work towards a deal being announced in the autumn statement which would focus on transport and economic growth for the South West.

The Leader stated that the proposals to be considered were for a Combined Authority and that it was important that there was an Exeter Sub Region to ensure the economic growth of the city and the adjoining authorities. The Combined Authority would enable the South West to have one stronger voice to ensure funding from central government particular in the areas of transport and economic development.

The Chief Executive & Growth Director clarified that the Combined Authority would be asking for powers from Central Government to better deal primarily with transport and economic development for the South West. The recommendation did not commit the Council to entering into a devolution deal or becoming a member of a Heart of the South West Combined Authority. Any deal would be subject to future debate and agreement by the Council and subject to negotiations with Government.

A Member commented that it was important that the transport links within the South West were improved and it was hoped that any deal would help to secure funding for this.

Members were circulated with a revised recommendation.

RECOMMENDED to Council that:-

- (1) it agrees in principle to sign up to the creation of a combined authority for the Heart of the South West, subject to:
 - a) Exeter and the wider growth area being recognised as a fundamental contributor to improving productivity and this being given due prominence in any proposed devolution proposal or deal;
 - b) the inclusion of appropriate, place-based decision making arrangements that reflect sub-regional geographies (i.e. the Greater Exeter area), with powers and flexibilities to agree and oversee, for example, the programmes addressing productivity and economic development, including investment in skills and business development;
 - c) any governance review, consultation on that review and resulting scheme of governance making explicit reference to the principle of subsidiarity and double devolution and that review, consultation and scheme not reviewing, or advocating the review of, the organisation of local authorities in the Heart of the South West area i.e. participating local authorities' electoral arrangements, governance

arrangements, their constitution and membership, and structural and boundary arrangements;

- d) The Leader of the Council participating in any meetings or negotiations, including meetings with Government members and officials, that relate to devolution and/or the creation of a combined authority.
- (2) that giving this in principle agreement it notes that it does not commit the Council to entering into a devolution deal or becoming a member of a Heart of the South West Combined Authority. This would be subject to future debate and agreement by the Council and subject to negotiations with Government.

77 **ENVIRONMENTAL HEALTH AND LICENSING STATUTORY SERVICE PLAN**

The report of the Assistant Director Environment was submitted which sought approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2016/17 (Appendix I). The Statutory Service Plan sets out the Council's regulatory function in respect of food safety, health and safety, licensing, Environmental Permitting and other statutory functions over the forthcoming year.

Place Scrutiny Committee considered the report at its meeting on 9 June 2016 and its comments were reported.

RECOMMENDED to Council that:-

- (1) the Statutory Service Plan 2016/17, be approved ; and
- (2) the Assistant Director Environment be authorised to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

78 **CAPITAL MONITORING 2015/16 AND REVISED CAPITAL PROGRAMME FOR 2016/17 AND FUTURE YEARS**

The report of the Assistant Director Finance was submitted to update Members on the overall financial performance of the Council for the 2015/16 financial year, in respect of the annual capital programme and to seek approval of the 2016/17 revised capital programme, including commitments carried forward from 2015/16.

Members were advised that the capital expenditure amounted to £15,085,951, and the actual expenditure during 2015/16 represented 63.51% of the revised capital programme. The sum of £8.923 million had been identified and would need to be carried forward to be spent in future years. The Assistant Director Finance also drew attention to a future funding request of £50,000 to purchase a new server and associated oracle licenses, which was a requirement to upgrade the financial system. This cost of the server would be shared with the other local authority Strata partners at Teignbridge and East Devon District Councils.

The Assistant Director Finance brought Members' attention to the schemes to be deferred to 2016/17 and beyond and that officers had been working to identify the details of a revised programme for schemes in 2016/17 and this would be reported back to Members in the autumn.

Members raised concerns regarding the number of schemes that were to be deferred and noted that officers would be addressing this issue and reporting back to Members.

In response to a Member, the Assistant Director Public Realm clarified that the repair to the Canal Bank at the M5 had been delayed due to the requirement to find an engineering solution to the problem.

Corporate Services Scrutiny Committee considered the report at its meeting on 29 June 2016 and its comments were reported.

RECOMMENDED that Council notes and approves the:-

- (1) overall financial position for the 2015/16 annual capital programme; and
- (2) amendments and further funding request to the Council's annual capital programme for 2016/17.

79

OVERVIEW OF REVENUE BUDGET 2015/16

The report of the Assistant Director Finance was submitted to advise Members of the overall financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2015/16 financial year and to seek approval for the General Fund working balance, HRA working balance, a number of supplementary budgets and the creation of new earmarked reserves.

The Assistant Director Finance advised that there was an underspend on the General Fund due to additional income generated, this income was not included in the budget as it could not be relied upon. There was also an underspend on the HRA relating to the Repairs and Maintenance Programme with a saving in respect of resolving damp ingress following lower tender prices and a lower level of remedial repairs than had been originally anticipated.

Corporate Services Scrutiny Committee considered the report at its meeting on 29 June 2016 and its comments were reported.

RECOMMENDED that Council:-

- (1) approves the net transfer of £198,695 from Earmarked Reserves as detailed in paragraph 8.3.6;
- (2) approves the supplementary budgets of £1,457,409 as detailed in paragraph 8.3.8;
- (3) notes the Earmarked Reserves at 31 March 2016;
- (4) notes the Council Tax account and collection rate;
- (5) notes the outstanding sundry debt, aged debt analysis and debt write-off figures;
- (6) notes the creditor payments performance;
- (7) by taking into account the overall financial position of the Council, approves the General Fund working balance at 31 March 2016 at £5,516,722; and

- (8) approves the Housing Revenue Account working balance at 31 March 2016 at £7,068,670 and approves the Council Own Build working balance at £169,004.

80

TREASURY MANAGEMENT 2015/16

The report of the Assistant Director Finance was submitted reporting on the current Treasury Management performance for the 2015/16 financial year and the position regarding investments and borrowings at 31 March 2016. The report was a statutory requirement and was for information only with no key decisions required.

The Assistant Director Finance confirmed that the historic investment with Iceland's Glitnir Bank had been put forward into an auction on the Foreign Exchange and converted from euros at a more favourable rate than had been anticipated. The Council had received £397,000 back from the outstanding investment and in excess of the £2m originally invested in total.

In response to a Member, the Assistant Director Finance clarified the position with the investment in the Local Authority Property Fund, the type of markets invested in and confirmed a strong approach to stewardship and ethics.

Corporate Services Scrutiny Committee considered the report at its meeting on 29 June 2016 and its comments were reported.

RECOMMENDED that Council approves the Treasury Management report for the 2015/16 financial year.

81

DEVELOPMENT OF AN EXETER PLAYING PITCH STRATEGY

The report of the Assistant Director City Development was submitted informing Members of the production of the Exeter Playing Pitch Strategy (EPPS), the steps to its adoption, and seeking Members' views on the means to accelerate the process of its preparation.

Members were advised that the need for an EPPS was urgent in the context of current applications and, in particular, with regard to an appeal on the non – determination of a planning application at Wear Barton which would be heard towards the end of the year. The EPPS would be brought back to Executive for a final decision.

RECOMMENDED that Council delegate the approval of the draft Exeter Playing Pitch Strategy for consultation purposes to the Portfolio Holder for City Development in consultation with the Portfolio Holder for Sport and Health and Wellbeing and Assistant Director City Development, as set out in Option 2 shown in Appendix 1. A follow up report would be produced at a later date for consideration by Executive to agree the adoption of the strategy.

82

APPLICATION FOR EXTINGUISHMENT OF VEHICULAR RIGHTS IN PARIS STREET

The report of the Assistant Director City Development was submitted recommending that Exeter City Council agree to make an application to the Secretary of State for the extinguishment of the right to use motor vehicles on Paris Street (between Dix's Field and High Street) under the terms of Section 249 of the

Town and Country Planning Act 1990 to facilitate the improvement of the amenity of that area. Whilst the order would be made by the Council an indemnity would be sought from the developer with regards to costs incurred.

RESOLVED that, provided the developer undertake to meet the City Council's full costs, delegated power is given to the Assistant Director City Development to submit an application (or applications) to the Secretary of State for the extinguishment of rights to use motor vehicles on Paris Street (between Dix's Field and High Street) under the terms of Section 249 of the Town and Country Planning Act 1990. The purpose of this application is to improve the amenity of that area in accordance with the scheme set out within the approved outline planning application (reference 15/0791/01) for the redevelopment of the Bus and Coach Station site. That redevelopment scheme includes the formation of a public amenity space on the land.

(In accordance with Standing Order no.43 Councillors requested that their vote be recorded - Councillors Bialyk, Bull, Denham, Edwards, Hannaford, Morse and Sutton voted in support of the recommendation, Councillor Leadbetter voted against the recommendation and Councillor Owen abstained from voting).

83

GREATER EXETER STRATEGIC PLAN

The report of the Assistant Director City Development was submitted advising Members of the proposal for a Joint Strategic Plan for the Greater Exeter area which would be prepared in partnership between East Devon District Council, Exeter City Council, Mid Devon District Council and Teignbridge District Council with assistance from Devon County Council. The plan would cover the geographical area of the four partner authorities (excluding the area of Dartmoor National Park) but would be limited in scope to cover strategic issues and strategic allocations within those areas with local issues to be considered through linked local plans prepared by each partner authority for their area.

In response to a Member, the Assistant Director City Development clarified that the Greater Exeter Strategic Plan would be a statutory document and be used to support recommendations for planning applications.

RECOMMENDED to Council that:-

- (1) a Strategic Plan be prepared for the development of the Greater Exeter area intended to cover the period up to 2040 and that it be jointly prepared by East Devon, Mid-Devon and Teignbridge District Councils and Exeter City Council with the support of Devon County Council;
- (2) a joint budget of £330,000 be established for the current financial year to fund the preparation of the necessary evidence base for the plan on the basis of an equal split of £70,000 per district level authority with Devon County Council also contributing and holding the joint budget;
- (3) a budget of £70,000 as Exeter's share of the joint budget be approved; and
- (4) a detailed scope, timetable, terms of reference, governance and staffing arrangements be worked up for a Joint Strategic Plan and reported to Members at their next available meeting.

EXWICK AND FLOWERPOT PLAYING FIELDS

The report of the Corporate Manager Property was submitted advising Members of the proposal to transfer by lease, the whole of Exwick and Flowerpot Playing Fields (shown on the circulated plan), including the changing rooms, to Exeter College but with continued use by the community.

Members were advised that the proposals were considered by Scrutiny Committee Resources on 16 March 2016 and the Committee was supportive of the proposals.

The Leader supported this proposal to work in partnership with Exeter College to improve this well used sports facility.

Members welcomed the way forward to ensure that the playing fields were used to their maximum potential to benefit the whole community.

RESOLVED that:-

- (1) the transfer by lease of the Exwick and Flowerpot Playing Fields be approved, along the lines set out in this report; and
- (2) the detailed terms be agreed by the Corporate Manager Property in consultation with the Leader and the Portfolio Holder Enabling Services.

OUTSIDE BODIES APPOINTMENTS

The report of the Corporate Manager Democratic and Civic Support was submitted to appoint Members to serve on outside bodies.

The Corporate Manager Democratic and Civic Support advised Members that there were over 50 nominations to outside bodies and one of the recommendations was that a review of the membership of the bodies listed in the appendix to this report be undertaken to confirm the continuing appropriateness for the Council to be so represented. A further report would be brought to Members on the outcome of the review.

RECOMMENDED to Council that:-

- (1) appointments be made to those outside bodies as set out in the Appendix with the following amendments;
 - Community Safety Partnership** – Also appoint Portfolio Holder for Place
 - Devon and Cornwall Food Association** - Councillor Wood
 - Devon Authorities Strategic Waste Committee** – Councillor Wood;
- (2) the Corporate Manager Democratic and Civic Support be granted delegated authority, in consultation with the Group Leaders, to appoint, when necessary, representatives to outside bodies during the course of the Municipal Year; and
- (3) the Corporate Manager Democratic and Civic Support be requested to undertake a review of the membership of those bodies listed in the appendix to this report, and to which the Council appoints representatives, to confirm the continuing appropriateness for the Council to be so represented, and to bring a report to the Executive in due course on his findings.

86 **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 items on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1,2, 3 and 4 of Part 1, Schedule 12A of the Act.

87 **HELP ME WITH MY FINANCIAL/HOUSING PROBLEM SYSTEM - FINAL RESTRUCTURE REPORT FOR FINANCE ASPECT**

The report of the Assistant Director Customer Access was submitted for the restructure in the Customer Access Directorate, within the finance element of the system. The report had been considered at Executive on 6 October 2015 when permission had been given to proceed through the consultation phase in accordance with Exeter City Council's Organisational Change Policy.

Members were advised of the changes that had been made to the proposed structure as a result of the feedback received from staff through the consultation process.

Members welcomed the restructure and expressed their thanks for all the work that was undertaken in the Customer Service Centre.

RESOLVED that:-

- (1) the capturing of the proposed establishment of the immediate and short to medium term needs be noted. With further changes to come in Welfare Reform and Business Rates;
- (2) it be noted that there would be a need for the service to remain as agile as possible to reflect the changes in the way the service would be resourced. The structure may therefore need to be reviewed again in 2019; and

RECOMMENDED that Council approves:-

- (3) the proposed new establishment so that formal implementation can commence; and
- (4) an additional budget of £130,000 for 2016/17 as a consequence of the approval of the new establishment.

88 **RESTRUCTURE OF OLDER PERSONS' SERVICES FOR HOUSING**

The report of the Assistant Director Housing was submitted providing a draft business case that sets out proposals for how housing support services would be delivered to tenants living in Exeter City Council's older persons' accommodation from April 2017.

Members were advised that, once the proposals had been considered by Executive, the consultation with the staff and affected tenants would commence.

RESOLVED that:-

- (1) the draft Business Case for the restructure of Exeter City Council's Older Persons' Service be approved; and
- (2) the consultation framework set out in the draft Business Case, which follows the Council's Management of Organisational Change Policy, be approved.

89

STAFFING WITHIN ECONOMY & TOURISM

The report of the Economy and Tourism Manager was submitted to update Members on the results of the Economy and Tourism staff consultation in regard to two additional posts being added to the structure and two existing posts being re-evaluated.

RECOMMENDED that Council approves:-

- (1) the addition of two new posts to the Council's establishment with the amendment of two existing posts' job descriptions and job titles to better reflect the work they undertake;
- (2) the re-evaluation of two additional posts and a change in the name of the service area to Growth & Enterprise as a result of the staff consultation;
- (3) the extension of the secondment of the Assistant Director Economy's to Innovation Exeter (located within the University of Exeter) for a further 12 months; and
- (5) an additional budget of up to £60,000 as a consequence of the re-structure.
- (6)

90

BUSINESS CASE FOR VALLEY PARKS TRANSFER

The report of the Assistant Director Public Realm was submitted to consider the implications for the transfer of the City Council's Valley Parks to Devon Wildlife Trust.

Members supported the proposed way forward which would protect the Valley Parks and aid the enhancement of Suitable Alternative Natural Green Space (SANGS) which was an element of the Habitat Mitigation Strategy.

RESOLVED that:-

- (1) the principle of transfer of the lease of land owned or leased by the City Council in Exeter's Valley Parks, namely Riverside, Ludwell, Mincinglake, Belvedere and Duryard, Barley Valley and Withycombe Way, to Devon Wildlife Trust (DWT) for a period of 30 years, be approved;
- (2) the principle of the grant of a development agreement and ground lease for a period of 99 years on any land identified between the Council and the Devon Wildlife Trust as suitable for a Visitor Centre be approved;
- (3) the principle of providing a financial contribution of a sum equivalent to five years' net revenue budget be approved;

- (4) the draft business case for the transfer of the City Council's Valley Parks to Devon Wildlife Trust be approved for consultation with staff and unions in accordance with the Council's Organisational Change Policy; and
- (5) the outcome of the consultation with staff and unions and the final business case be reported to the next meetings of Place Scrutiny Committee and Executive.

(The meeting commenced at 5.32 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

Minute Item 85

APPENDIX

<u>BODY</u>	<u>CURRENT REPRESENTATIVES</u>
Age Concern	Mrs M.A. Clark
Barnfield Theatre Board	Cllr Branston
Central Exeter Relief in Need Charity	P Brock Prof. R. Snowden
Councillor Development Steering Group	Cllr Packham (Chair) Portfolio Holder for Support Services (Cllr Pearson) Cllr Baldwin Cllr Brimble Cllr Leadbetter Cllr Wood Cllr Mitchell
Community Safety Partnership Safer Devon Partnership	Leader (Cllr Edwards) Deputy Leader (Cllr Sutton) (Substitute) Leader (Cllr Edwards) Deputy Leader (Cllr Sutton) (Substitute)
Dartmoor National Park Community Forum	Cllr Newby Cllr Robson
Devon Conservation Forum	Cllr Sutton
Devon and Cornwall Food Association	Portfolio Holder for Place (Cllr Hannaford)
Devon and Cornwall Police and Crime Panel	Deputy Leader (Cllr Sutton)
Devon Authorities Strategic Waste Committee	Portfolio Holder for Place (Cllr Hannaford)
Devon County Agricultural Association	Cllr Leadbetter
Devon Historic Buildings Trust	Portfolio Holder for City Development (Cllr Sutton)
Devon Homeless Partnership	Portfolio Holder for Customer Access (Cllr Morse)
Exe Estuary Management Partnership	Cllr Baldwin
Exeter and Heart of Devon Growth Board	Leader (Cllr Edwards)
Exeter Allotment Forum	Portfolio Holder for Place (Cllr Hannaford) Exeter City Councillors representing Wards with allotments sites
Exeter Area Rail Project Working Party	Portfolio Holder for City Development (Cllr Sutton) Cllr Leadbetter Cllr Wardle
Exeter Business Centre Board	Cllr Pearson Cllr Baldwin Cllr Mitchell
Exeter Business Improvement District Board	Portfolio Holder for Economy and Culture (Cllr Denham)

Exeter Canal and Quay Trust Ltd.	Portfolio Holder for Economy and Culture (Cllr Denham) Cllr Branston Cllr Brimble Cllr Edwards Cllr Leadbetter Cllr Pearson Cllr Wardle Cllr Newby
Exeter Citizen's Advice Bureau	Cllr Bull
Exeter Dispensary and in Sickness Fund	Mrs Brock Cllr Mrs YAC Henson
Exeter Fairtrade Steering Group	Portfolio Holder for Communities and Neighbourhoods (Cllr Bull) Cllr Robson Cllr Prowse
Exeter Health and Well Being Board	Leader (Cllr Edwards) Portfolio Holder for Customer Access (Cllr Morse) Portfolio Holder for Sport and Health and Wellbeing (Cllr Bialyk) Cllr Newby
Exeter International Airport Consultative Committee	Cllr Edwards
Exeter Homes Trust Ltd.	The Lord Mayor Cllr Branston Cllr D Henson Cllr Robson Alderman Williamson.
Exeter Municipal Charities – Church List	The Lord Mayor Portfolio Holder for the Housing Revenue Account (Cllr Owen) Alderman Landers Mrs D Baldwin Alderman Danks
Exeter Phoenix Arts Centre Board	Cllr Pearson
Exeter River and Canal User Group	Portfolio Holder for Economy and Culture (Cllr Denham)
Exeter SAFE (Stop Abuse for Everyone)	Cllr Morse
Exeter School	Cllr Prowse
Joint Habitats Mitigation Executive Committee	Portfolio Holder for City Development (Cllr Sutton)
Local Government Association General Assembly	Leader (Cllr Edwards)
Maynard School	Cllr Thompson
Relate	Cllr Robson
Parking and Traffic Regulation Outside London Adjudication Joint Committee	Portfolio Holder for City Development (Cllr Sutton) Cllr Leadbetter
Royal Albert Memorial Museum Trust	Cllr Leadbetter Cllr Robson
Royal Devon and Exeter Healthcare NHS Trust - Council of Governors	Cllr Hannaford

SecAnim (J L Thomas) Liaison Group	Portfolio Holder for Place (Councillor Hannaford) Cllr Hannan (Priory) Cllr Foale (Alphington) Cllr Sills (St Davids) Cllr Vizard (Newtown and St Leonards) One Councillor each only from the above four wards
South West Councils	Leader (Cllr Edwards)
South West Employers Panel	Leader (Cllr Edwards)
South West Water Liaison Group	Portfolio Holder for Place (Cllr Hannaford) Cllr Newby (Topsham) Vacant (Priory) One Councillor each only from the Priory and Topsham wards
St Edmunds and St Mary Major Charities, Exeter	Mr P Brock Cllr Baldwin Cllr Branston Cllr Edwards
St. Leonard's with Holy Trinity Charities	Ms A Sharp Mrs C Dunn Cllr Branston
St Loyes Foundation	Cllr Leadbetter Cllr Ashwood
St Sidwell's Parish Lands and Other Charities	Cllr Vizard Cllr Spackman
St Thomas Church Charities (Seldon and Others)	Mrs M Long Mrs C Smith
Topsham Community Association	Cllr Newby
Topsham Mooring Owners Association	Cllr Baldwin
Topsham River Commissioners	Cllr Baldwin Cllr Newby Cllr Sheldon
Turntable Furniture Re-cycling Project	Cllr Robson
Wessex Reserve Forces and Cadets Association - Devon Committee	Cllr Newby

**CORPORATE MANAGER DEMOCRATIC AND CIVIC SUPPORT
6 JUNE 2016**

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