

EXECUTIVE

Date: Tuesday 11 July 2017

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Sarah Selway, Democratic Services Manager (Committees) on 01392 265275.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

Membership -

Councillors Edwards (Chair), Bialyk, Brimble, Denham, Gottschalk, Leadbetter, Morse, Packham, Pearson and Sutton

Agenda

Part I: Items suggested for discussion with the press and public present

1 Apologies

To receive apologies for absence from Committee members.

2 Declarations of Interest

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

3 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 items 13, 14, 15 and 16 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Part I, Schedule 12A of the Act.

4 Environmental Enforcement Options

To consider the report of the Service Manager Community Safety & Enforcement. (Pages 5 - 8)
Place Scrutiny Committee considered the report at its meeting on 12 June 2017 and its comments will be reported.

5 Environmental Health and Licensing Statutory Service Plan 2017/18

To consider the report of the Environmental Health and Licensing Manager. (Pages 9 - 84)
Place Scrutiny Committee considered the report at its meeting on 12 June 2017 and its comments will be reported.

6 Capital Monitoring 2016/17 and Revised Capital Programme for 2017/18 and Future Years

To consider the report of the Chief Finance Officer. (Pages 85 - 106)
Corporate Services Scrutiny Committee considered the report at its meeting on 22 June 2017 and its comments will be reported.

7 Overview of Revenue Budget 2016/17

To consider the report of the Chief Finance Officer. (Pages 107 - 126)
Corporate Services Scrutiny Committee considered the report at its meeting on 22 June 2017 and its comments will be reported.

8 Treasury Management 2016/17

To consider the report of the Chief Finance Officer. (Pages 127 - 134)
Corporate Services Scrutiny Committee considered the report at its meeting on 22 June 2017 and its comments will be reported.

- 9 **Community Builders roles and Neighbourhood portion of CIL/ Grants Roots Grants**
- To consider the report of the Programme Manager Communities. (Pages 135 - 148)
- 10 **Freedom of the City**
- To consider the report of the Corporate Manager Democratic and Civic Support. (Pages 149 - 152)
- 11 **Appointment of Outside Bodies**
- To consider the report of the Corporate Manager Democratic & Civic Support. (Pages 153 - 158)
- 12 **Proposal to commence Leisure Complex and Swimming Pool and Bus Station**
- To consider the report of the Deputy Chief Executive. (Pages 159 - 186)

Part II: Items suggested for discussion with the press and public excluded

No representations have been received in respect of the following items in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

- 13 **Proposal to commence Leisure Complex and Swimming Pool and Bus Station**
- To consider the report of the Deputy Chief Executive. (Pages 187 - 232)
- 14 **Housing Needs Restructure**
- To consider the report of the Director. (Pages 233 - 398)
- 15 **Review of Staffing in Public Realm**
- To consider the report of Interim Director Public Realm. (Pages 399 - 410)
- 16 **Staffing within Arts and Events**
- To consider the report of the Economy & Enterprise Manager. (Pages 411 - 424)

Date of Next Meeting

The next scheduled meeting of the Executive will be held on **Tuesday 12 September 2017** at 5.30 pm in the Civic Centre.

A statement of the executive decisions taken at this meeting will be produced and published on the Council website as soon as reasonably practicable.

Find out more about Exeter City Council services by looking at our web site *http://www.exeter.gov.uk*. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265115 for further information.

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REPORT TO: Place Scrutiny Committee and Executive Committee
Date of Meeting: 12 June and 11 July 2017
Report of: Service Manager Community Safety & Enforcement
Title: Environmental Enforcement Options

Is this a Key Decision? *

Yes

**One that affects finances over £1m or significantly affects two or more wards. If this is a key decision then the item must be on the appropriate forward plan of key decisions.*

Is this an Executive or Council Function?

Executive.

1. What is the report about?

Identifying options available to provide additional environmental enforcement to support the Clean Streets Strategy.

2. Recommendations:

Place Scrutiny Committee support and recommend approval by Executive of the following :-

- 2.1 to undertake a 12 month pilot scheme using a specialist private contractor in order to test the impact of higher visibility enforcement on littering and dog fouling;
- 2.2 to ensure a sensitive and balanced approach to environmental enforcement through an appropriate operational pre-agreement with the provider; and
- 2.3 to precede such a scheme with a focused campaign via all relevant media in order to educate and engage residents and visitors on the issues of littering and dog fouling.

3. Reasons for the recommendations:

- 3.1 To provide a low financial risk opportunity to test the merits of investment in additional permanent environmental enforcement resource.

4. What are the resource implications including non financial resources.

Specialist environmental enforcement providers offer a range of options and such pilot schemes are provided at nil cost to a Council with the provider funding their costs from any Fixed Penalty income and sharing any surplus with the Council.

5. Section 151 Officer comments:

There appear to be no financial implications contained in the report. The section 151 Officer would expect a detailed business case to be developed prior to any procurement exercise to ensure that all aspects of service delivery are explored.

6. What are the legal aspects?

Councils have the power to issue Fixed Penalties under the Environmental Protection Act 1990.

7. Monitoring Officer's comments:

In the event that the Executive agrees to Pilot such a scheme, the Council must follow a procurement process to select the contractor. The contractual obligations must be in writing in order to comply with the Council's Standing Orders.

In the event the Executive prefers to trial a part-fund in-house resource, then the Monitoring Officer suggests that a more detailed business case is required. This should include the option to employ staff on a fixed term basis whilst the pilot is tested.

8. Report Details:

- 8.1 Since June 2014 a small team of five officers have been providing enforcement for the Council.
- 8.2 This has focused on statutory and business critical areas of enforcement such as collecting stray dogs, parking enforcement and removal of tents from Council land.
- 8.3 Work to combat littering and dog fouling has only extended to low level education and engagement such as street stencils. No Fixed Penalties have been issued by the team during this period for these offences.
- 8.4 High visibility enforcement patrols to deter dog fouling have been successful but often only for as long as officers have been within clear sight. Behaviour is only modified for as long as the offender believes he/she may be observed and fined. Behavioural change will only be successful by sustained education and enforcement activity.
- 8.5 Education and engagement is far more effective if it can be backed up with fair and proportionate enforcement.
- 8.6 Performance standards and baseline data around 'place' are already collected by cleansing managers as part of the Clean Streets Strategy. This can be used to gauge whether an increase in environmental enforcement during a pilot scheme does have a positive, negative or zero impact on how the city looks.
- 8.7 A suitable selection process would be required before contracting a provider.

What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

A reduction in littering and dog fouling has a positive environmental impact. An increased number of uniformed officers representing the Council on the streets would enhance community safety.

9. Are there any other options?

- 9.1 Maintain the status quo and undertake high profile patrols in areas where problems are identified and reported by residents or Members. This is unlikely to improve compliance or drive behavioural change.
- 9.2 Directly employ additional in-house Enforcement Officers to enable greater focus on environmental issues. This is likely to improve compliance but requires investment in salary, training, protective clothing, uniform etc of approx. £25K per officer per annum.
- 9.3 In 2010/11 a total of 619 Fixed Penalties at £75 were issued (total £46,425). There is potential for income to at least part-fund additional in-house resource.

Steve Carnell
Service Manager Community Safety & Enforcement

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

Contact for enquires:

Democratic Services (Committees)
Room 2.3
01392 265275

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REPORT TO PLACE SCRUTINY COMMITTEE, EXECUTIVE AND COUNCIL

Date of Meeting: Place Scrutiny 12 June 2017 / Executive 11 July 2017 / Council 25 July 2017

Title: Environmental Health and Licensing Statutory Service Plan

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council Function

1. What is the report about?

To seek approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2017/18. 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. A draft copy of this is available in the Members' Room, on the Council's website or available on request.

2. Recommendations:

That Place Scrutiny Committee and Executive supports and Council approves the Statutory Service Plan, and the Environmental Health and Licensing Manager being authorised to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

3. Reasons for the recommendation:

- 3.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan). The key aim of the plan is to demonstrate how the Council will fulfil its regulatory obligations in respect of its food safety service.
- 3.2 Section 18 of the Health and Safety at Work, etc. Act 1974 places a duty on the Council to make adequate arrangements for enforcement of health and safety. The Health and Safety Executive (HSE), requires the Council to produce an annual Health and Safety Service Plan. Responsibility for Health and Safety at Work enforcement lies with the HSE and Local Authorities (LAs). Councils are generally responsible for enforcement at premises in which non-industrial activities are undertaken (e.g. retail premises, warehouses, offices etc) whilst HSE is responsible for industrial activities.
- 3.3 The Statutory Service Plan incorporates:
 - the service aims and objectives;
 - information about all enforcement and related services provided by the Council's Environmental Health and Licensing Service

- the Action Plan for 2017/18 detailing the actions and improvements for the service in an effective, risk based, proportionate & consistent way over the forthcoming year; and
- the financial arrangement for providing the service.

4. What are the resource implications including non financial resources.

The Action Plan will be carried out within the existing resource allocation as detailed in both the Statutory Service Plan and Revenues and Estimates for 2017/18.

There are no reductions, restructuring and/or redundancy implications as the key changes identified in this report do not give rise to any additional resource requirements as changes are to existing processes. However, in delivering to the changed requirements there may be some training implications for existing staff.

5. Section 151 Officer comments:

5.1 There are no additional financial implications contained within this report.

6. What are the legal aspects?

6.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan). The key aim of the plan is to demonstrate how the Council will fulfil its regulatory obligations in respect of its food safety service. In the current Framework Agreement and Code of Practice, the Food Standards Agency indicates that full compliance with all inspection frequencies will be expected

6.2 Section 18 of the Health and Safety at Work, etc. Act 1974 places a duty on the Council to make adequate arrangements for enforcement of health and safety. The Health and Safety Executive (HSE), requires the Council to produce an annual Health and Safety Service Plan. Responsibility for Health and Safety at Work enforcement lies with the HSE and Local Authorities (LAs). Councils are generally responsible for enforcement at premises in which non-industrial activities are undertaken, whilst HSE is responsible for industrial activities.

6.3 The Licensing Team play an important role in maintaining a safe and vibrant city by ensuring that licensable activities are effectively regulated, and where non-compliance is found, effective action is taken. Licensing functions are self-funding and following the implementation of the EU Services Directive and subsequent court cases, licence fees must reflect the cost of the service and cannot be used to fund other areas of the Council's activities. Therefore any reduction in overheads to this function means that we are legally obliged to implement a reduction in the licence fees set.

7. Monitoring Officer's comments:

7.1 This report raises no issues to concern the Monitoring Officer.

8. Report details

Key Achievements in 2016/17:

8.1 Programmed Interventions

The service inspected 618 food businesses during the year. Out of those targeted for inspection 99.5% were inspected. There were a low number of self-inspection questionnaires (SIQ's) used during the year as an alternative regulation strategy for low risk businesses and to ensure resources are directed towards high-risk activities. SIQ's are a cost-effective means of maintaining contact with this group as well as providing the business with a useful means of keeping up to date with changes in law and other related issues affecting their business.

8.2 Service Requests

Environmental Health and Licensing is responsible for investigating complaints relating to food safety, health and safety regulation, infectious disease control, air quality, environmental permitting, contaminated land, licensing, anti social behaviour, statutory nuisance and also for providing health promotion and training activities for businesses. 4,465 such requests were received by the service during 2016/17.

In addition during 2016/17, 450 anti social behaviour cases were dealt with by the service. These are often complex, time consuming and require the coordination of a number of different agencies.

8.3 Sampling

The authority participates in national and local food-sampling initiatives to monitor the quality of food on sale in the City which is classified as satisfactory, unsatisfactory or unacceptable. Additional samples are taken in response to food complaints and where it is alleged a premises or foodstuff is implicated in a food poisoning incident.

The service continues to use an Adenosine Triphosphate (ATP) meter which is a simple, rapid method for monitoring cleanliness, hygiene and risk.

8.4 Control and Investigation of Outbreaks and Food Related Infectious Diseases

The service is responsible for the investigation of outbreaks and food related infectious diseases in the City.

Whilst the service has adequate resources to deal with its workload on a day to day basis, however when the service is presented with a large scale outbreak requiring an extensive investigation then the service struggles to complete key elements of the service plan.

8.5 Education and Awareness

A key component of proactively engagement is assisting business compliance through education and awareness. The service runs a number of accredited training courses as well as informal workshops to allow business to access the information that they need to operate safely without being an expensive burden to the business. In addition, the service looks to innovative ways of engaging with business to bring

about compliance such advice visits accompanied by translators and a joined up approach to health and safety, occupational health and public health with businesses throughout the city.

8.6 Primary Authority

The service is actively embracing the Government's primary authority programme. The service currently has 6 active Primary Authority Partnerships.

8.7 Other notable achievements during 2016/17

- Revised the Community Safety Strategy
- Revised action plan for EVANTE which has led to the city being included in the Home Office backed Local Alcohol Action Area Programme.
- Continued to support the Best Bar None Scheme which won an award for innovation
- Worked with other partners to minimise the impact of the start of the academic year on the residents of the city.
- Strengthened and enhanced the role of the Exeter Business Against Crime (EBAC)
- Reviewed the Air Quality Action Plan and updated the Low Emissions Strategy
- Continued to pursue the Better Business for All programme
- Continued to maintain the level of interventions with respect to food safety, ensuring that the level of compliance within the city remains high.
- Worked with other partners to develop a clear set of guidance for the prevention of norovirus in catering and hotel settings.
- Focused greater resource on public communication using new media outlets.
- Continued to foster a stronger partnership approach to the Evening and Night Time Economy
- Reviewed the Taxi Policy, which included compiling a comprehensive policy as well as enhanced training package and competency testing system.
- Drafted and consulted upon a Public Spaces Protection Order for the City Centre
- A focused intervention programme looking at asbestos within workplaces.
- A successful prosecution for illegal street trading
- Introduction of a new handbook for taxi drivers
- All hackney carriage vehicles are now compliant with the new livery requirements

8.8 Proposed key activities for 2017/18

In addition to the traditional intervention methods the following key activities are planned for the service during the forthcoming year:

- **Developing a strong Community Safety Partnership**
 - Revise the Community Safety Strategy for 2018
 - Re-establishment of the multi-agency helpzone
 - Support the work of the Street Attachment Group
 - Work with partners to minimise the impact of the start of the academic year on the residents of the city.
 - Continue to explore a better working relationships with other agencies such as Trading Standards, Police and Devon and Somerset Fire and Rescue Service

- Provide safe guarding training to hotels, retail and other licensed establishments.
- **Developing a sustainable city**
 - Develop a new Air Quality Action Plan (AQAP) for the city, including engagement and consultation stages.
 - Undertake a tender process to replace air quality monitoring equipment at RAMM and Alphington Street. Install and commission the equipment to the satisfaction of DEFRA's air quality network.
 - In conjunction with Public Health Devon, develop procedures which improve the way that public health is considered in the planning process. Develop public health planning guidance if deemed necessary.
- **Maintain high standards in food safety**
 - Continue to maintain high level (>97%) of broadly complaint food businesses in the city.
 - Enhanced coaching/sampling/training for non-complaint businesses, with caution/prosecution as final action for those who continually flout the law. Continued regular meetings with Legal to ensure these matters resolved in a timely fashion.
 - Continue with intelligence led food sampling programme.
- **Promoting Safer Workplaces**
 - Inspect premises regarding the duty to manage asbestos interventions
 - Work with other partners to look at warehouse safety
 - Work with Waste Operations to assist in the restructure and reinvigoration of Trade Waste Services
 - Conduct an audit of tattooists to ensure high standards are being maintained
 - Continue to conduct water quality sampling of swimming pools and other water areas
- **To draft and consult on a policy for animal licensing**
- **To enhance the safety and vibrancy of the evening and night time economy**
 - To set up a review of the Street Trading Policy.
 - Continue to foster a stronger partnership approach to the Evening and Night Time Economy
 - Successfully implement the Local Alcohol Action Areas (LAAAs) Action Plan
 - To work with the Community Safety Partnership to reduce alcohol related disorder in the evening and night time economy
- **Private Hire and Hackney Carriage Licensing**
 - Achieve 100% of drivers either attending the safeguarding training or being presented to committee regarding non-compliance of this licensing condition.
 - Conduct a mystery shopping exercise of the Hackney Carriage and Private Hire trade
 - Review Private Hire Vehicle Licensing Policy

- Re-tender the contract for the taxi marshal scheme
- **Develop a strong Exeter Business Against Crime (EBAC) Partnership**
 - Increase members that are a part of the scheme.
 - Ensure that the EBAC role has a greater presence with members who form the evening and night time economy and seek to support multi-agency partnership working e.g. special events, fresher's week and festivals.
 - To work with the Community Safety Partnership to reduce shoplifting and crimes
 - To increase the number of businesses submitting incident reports
 - To pass the National Association of Business Crime Partnerships Safer Business Accreditation
 - Development of a training programme to cover personal safety, data security, conflict resolution, evidence gathering, drug and alcohol awareness and exploitation
- **Implementation of the Public Spaces Protection Order for Exeter City Centre**

9. How does the decision contribute to the Council's Corporate Plan?

The Environmental Health and Licensing Service Plan will contribute to a healthy and safe city, and lend support to a robust, business friendly economy.

10. What risks are there and how can they be reduced?

The Service Plan specifies targets and priorities to manage risk and establishes staffing levels to achieve the necessary outcomes. The main risk of not achieving the areas outlined in the service plan will be that of public safety, which could lead to serious injury, ill health or death.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

The report has no impact on equality and diversity, young people and vulnerable adults. The report does impact positively on health and wellbeing, community safety and the environment.

12. Are there any other options?

The service plan must be reviewed on an annual basis as there is a legal duty for the food safety and health and safety elements to be reviewed annually.

Simon Lane
Environmental Health and Licensing Manager

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees) Room 2.301392 265275



Exeter
City Council

Environmental Health and Licensing Statutory Service Plan 2017 – 2018

Drawn up in accordance with the: -

- Food Standards Agency Framework Agreement
- National Local Authority Enforcement Code
- Regulators' Code

Issued by: Simon Lane, Environmental Health and Licensing Manager

Issue date: April 2017

CONTENTS

1. [Introduction](#)
 - 1.1 Introduction
 - 1.2 Access to the Service
2. [Services Aims and Objectives](#)
 - 2.1 Aims and Objectives
 - 2.2 Links to Corporate Purposes and other Local and National Strategies and Plans
3. [Background](#)
 - 3.1 Profile of Exeter City Council
 - 3.2 Organisational Structure
 - 3.3 Committee Structure
4. [Food Safety](#)
 - 4.1 Scope of the Food Safety Service
 - 4.2 Remit of the Food Safety Service
 - 4.3 Food Business Profile
 - 4.4 Enforcement Policy
 - 4.5 Food Premises Inspections
 - 4.6 Food Complaints
 - 4.7 Primary Authority Partnerships
 - 4.8 Advice to Business
 - 4.9 Food Inspection / Sampling
 - 4.10 Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease
 - 4.11 Food Safety Incidents
 - 4.12 Liaison with Other Organisations
 - 4.13 Food Hygiene Rating Scheme and Food Safety Promotion
5. [Health and Safety](#)
 - 5.1 Health and Safety Business Profile
 - 5.2 Health and Safety Intervention Programme
 - 5.3 Scope of Health and Safety Service
 - 5.4 Complaints / Requests for advice / Advice to Business
 - 5.5 Statutory Notifications
 - 5.6 National Local Authority Enforcement Code
 - 5.7 Monitoring
 - 5.8 Enforcement
 - 5.9 Staff Resources
 - 5.10 Staff Skills
 - 5.11 Consultation with Stakeholders
6. [Private Water Supplies](#)
 - 6.1 Scope of the Private Water Supply Regulations

- 6.2 Main provisions of the Private Water Supply Regulations
 - 6.3 Enforcement
 - 6.4 Staff Resources
 - 6.5 Staff Skills
 - 6.6 Legal Implications
7. [Licensing](#)
- 7.1 Introduction
 - 7.2 Aims and Objectives
 - 7.3 Service Delivery
8. [Environmental Permitting](#)
- 8.1 Introduction
 - 8.2 Regulated Installations in Exeter
 - 8.3 Implementation of the EP Regulations
 - 8.4 Investigation of complaints
 - 8.5 Enforcement
 - 8.6 Business Support
 - 8.7 Consultation
 - 8.8 Performance
9. [Air Quality](#)
- 9.1 Introduction
 - 9.2 Action to improve air quality
 - 9.3 Air Quality Monitoring
 - 9.4 Fine Particulate Matter
 - 9.5 Performance
10. [Contaminated Land](#)
- 10.1 Introduction
 - 10.2 Environmental Protection Act 1990 Part 2a
 - 10.3 Town and Country Planning
 - 10.4 Other Regulatory Regimes
 - 10.5 Voluntary Remediation
 - 10.6 Council Owned Land
 - 10.7 Contaminated Land Strategy
 - 10.8 Performance
- 11 [Nuisance and Anti-Social Behaviour](#)
- 11.1 Anti-Social Behaviour
 - 11.2 Nuisance and Health
 - 11.3 Objectives
 - 11.4 Methodology
 - 11.5 Performance
12. [Primary Authority Partnerships](#)
- 12.1 Scope of the Primary Authority Partnerships
 - 12.2 Main Provisions of the Regulatory Enforcement and Sanctions Act 2008

- 12.3 Enforcement
- 12.4 Resources
- 12.5 Legal Implications
- 12.6 Current Primary Authority Partnerships

- 13. [Sampling Programme](#)
 - 13.1 Purpose of Sampling
 - 13.2 Requirement to Sample
 - 13.3 Sampling Methodology
 - 13.4 Budget Provision
 - 13.5 Resources

- 14. [Environmental Health Training Service](#)
 - 14.1 Scope of the Training Service
 - 14.2 Main Provisions of the Training Service
 - 14.3 Access to Training
 - 14.4 Financial Implications

- 15. [Resources](#)
 - 15.1 Financial Matters
 - 15.2 Staffing Allocation
 - 15.3 Self Development Plan

- 16. [Quality Assessment](#)

- 17. [Review](#)
 - 17.1 Areas of Improvement

- 18. [Conclusion](#)

- 19. [Glossary of Terms](#)

- 20. [Recommendations for The Food Service Delivery Plan 2017/18](#)

- 21. [Environmental Health and Licensing and Business Support Team Intervention / Work Plan 2017/18](#)

SECTION 1 - INTRODUCTION

1.1 Introduction

- 1.1.1 This document is Exeter City Council's Environmental Health and Licensing Service Plan for 2017/18. It forms the basis of the business regulation enforcement functions for the authority and ensures that national food safety, health and safety, environmental protection, community safety and licensing priorities are addressed along with locally identified needs. It demonstrates our commitment to improving public safety, health and environment outcomes, sets out our priorities and planned interventions for the current year and targets them to maximise their impact.
- 1.1.2 The Council has a duty to act as an enforcing authority in premises for which it is responsible. The plan outlines how the Environmental Health and Licensing will undertake that function.
- 1.1.3 It has been produced to ensure that local businesses, employers and employees, members of the public, council officers and Members understand the approach to regulatory enforcement adopted by the Council. The service plan will help to ensure that the actions of the Council are fair, consistent, open and effective.
- 1.1.4 The Council recognises the important role it plays promoting and securing the safety of those who live, work and visit the City. The key aim of this plan is to demonstrate how the Council will fulfil its statutory obligations in accordance with national guidance set out by the respective regulatory agencies. It includes:
- the Council's aim and objectives;
 - information about the enforcement services provided by the Council;
 - details of the Council's performance management systems;
 - information on the performance of Environmental Health and Licensing.

1.2 Access to the Service

- 1.2.1 Environmental Health and Licensing is based in the Civic Centre, Paris Street. Service users may contact officers on site or by leaving a message in the following ways:
- in person at the Customer Service Centre in Paris Street.
 - by telephone, 01392 265193 between 8.30am and 5.00pm Monday to Friday;
 - whilst there is no formal out of hours service, staff can be contacted in the event of an emergency through the Council's Control Room on 01392 265193 by means of a telephone service;
 - by email: environmental.health@exeter.gov.uk
 - by fax: 01392 265844

SECTION 2 – SERVICE AIMS AND OBJECTIVES

2.1 Aims and Objectives

2.1.1 The Council's Corporate Plan 2015-16 sets out 5 key strands which aim to meet the needs of our citizens and customers. The 5 key strands are:

1. Provide services to meet customers' needs
2. Reduce operating costs
3. Invest in the city
4. Grow the economy
5. Support Exeter's Communities

The corporate plan is available by visiting www.exeter.gov.uk/corporateplan.

2.1.2 In respect of Environmental Health and Licensing, the objectives of the Council are to:

- undertake appropriate and meaningful regulatory interventions at business premises, for which the Council is the enforcing authority, and institute informal or formal action in accordance with the Enforcement Policy, Local Government Regulation and national government guidance (produced by the Food Standards Agency, Health and Safety Executive, Department of Culture, Media and Sport, Home Office and DEFRA) and advice and current good practice. Businesses will be targeted, focusing resources on those businesses presenting a high risk to health, the environment or public safety with a view to securing an improvement in legislative compliance;
- investigate complaints about premises and at the conclusion of investigations institute informal or legal action as appropriate;
- provide appropriate training and education to local businesses to assist them to meet legislative requirements;
- investigate cases of food-borne disease and advise upon appropriate precautionary and control measures;
- issue permits, licences and registrations, monitoring compliance with relevant conditions;
- sample and arrange for microbiological testing of high-risk food products and premises;
- develop "Primary Authority" partnerships, where relevant, with local businesses;
- provide advice and assistance to businesses to help them comply with legislation and to maintain a high standards;
- work in partnership with related organisations to promote the well being of persons living, working or visiting the City;
- provide technical advice to City Development on the environmental and health impacts of development;
- provide environmental monitoring services for other Council Departments;
- implement a strategy to investigate potentially contaminated land; and
- work with partners, including Devon County Council to reduce emissions of local air pollution from transport sources.

2.2. **Links to Corporate Purposes and other local and national strategies and plans**

2.2.1 Environmental Health and Licensing aims to uphold the core values of how the council works, making sure that they underpin our attitudes and behaviours. Accordingly we will:

- Meet customers' needs with high-quality services
- Be flexible and have a can-do approach
- Show trust and respect
- Tell people what is going on, listen and respond to their views
- Be proud to work for the city and the council

2.2.2 Environmental Health and Licensing's role links to 3 key strands of the Council's strategy:

- Provide services to meet customers' needs
- Grow the economy
- Support Exeter's Communities

2.2.3 The following represent key aims for the service. The service:

- embraces the principles of excellence in public services and Better Regulation and will look to make the most effective use of available resources to achieve maximum gain;
- implements the requirements of the Food Law Code of Practice (England) - actively promoting and evaluating the use of effective food safety interventions to facilitate compliance with food law;
- recognises the importance of food and its influence on the wider determinants of health - seeking to work in partnership and play an active role to reduce the inequalities in health in the local population and thereby contribute to current delivery mechanisms such as the Health and Wellbeing Board and Community Safety Partnership;
- recognises the importance of the National Food Hygiene Rating Scheme which gives each premises a numerical rating based on their food safety management system, structure and confidence in management - this scheme is an important tool in maintaining high compliance of businesses with food hygiene law;
- embraces the tenets of Better Regulation to ensure that unnecessary burdens are not placed upon businesses;
- continue to develop new ways to establish and maintain an effective health and safety culture so that all employers take their responsibilities seriously, the workforce is fully involved, risks are properly managed and employees are not being protected;
- Actively seek to work with other areas of the council, business and individuals to ensure that economic development within the city is maintained;
- Work will be targeted to manage the risk in high-risk, poor-performing and rogue trader businesses. It will be proportionate, consistent and transparent and have suitable monitoring and review systems;
- The Council is mindful of the burdens on local businesses particularly where, for example, the economy is seasonal and subject to fluctuation. The Council will work in partnership with national regulators, local partners and with local businesses offering information, advice and assistance.

2.3 **Links to Strategic Objectives and Other Plans**

2.3.1 The Council is committed to working with all relevant stakeholders in order to achieve its vision, playing a part in the health and wellbeing board where appropriate. The key public health indicators are: -

- Public Health Indicator 3.1 – Fraction of mortality attributable to particulate air pollution
- Public Health Indicator 4.7 – Under 75 mortality rate from respiratory diseases
- Public Health Indicator 1.14 – the percentage of the population affected by noise
- Public Health Indicator 4.8 – Mortality rate from infectious and parasitic diseases
- Percentage of Premises Broadly Compliant with Food Hygiene Law
- Public Health Indicator 1.9 – Sickness Absence Rate
- Public Health Indicator 2.18 – Alcohol-related admissions to hospital
- Public Health Indicator 1.12 – Violent Crime
- Public Health Indicator 4.6 – Mortality rate from liver disease

The Devon Health and Wellbeing Board has 4 strategic priorities:

1. A focus on children and families
2. Healthy lifestyle choices
3. Good health and wellbeing in older age
4. Strong and supportive communities

Under these 4 strategic priorities, the key joint health and wellbeing evidence based priorities are: -

- Continuing to reduce health inequalities across Devon
- Improving levels of physical activity and the proportion of people at a healthy weight
- Reducing excessive, harmful alcohol consumption
- Improving mental health and emotional wellbeing
- Working to prevent domestic and sexual violence and abuse and the sexual exploitation of children and young people.
- Increasing social connectivity in communities to reduce social isolation and loneliness and increasing the opportunities we have to improve our own health and wellbeing.

2.3.2 Whilst there are no specific regulatory targets set out in the above, enforcement will contribute to raising business standards, improve health outcomes and reduce health inequalities through the delivery of relevant services, in partnership with other agencies.

2.3.3 In addition to this service plan, the service is also responsible for or contributes to the following strategies, policies and plans: -

- The Environmental Strategy
- The Carbon Management Plan
- The Air Quality Strategy
- The Air Quality Action Plan
- The Licensing Act 2003 Statement of Licensing Policy
- The Contaminated Land Strategy
- Exeter City Council Corporate Plan
- The Exeter Community Safety Partnership Strategy
- Low Emissions Strategy
- Gambling Act 2005 Policy
- Street Trading Policy
- Hackney Carriage and Private Hire Policy
- Sex Establishments Policy

SECTION 3 – BACKGROUND

3.1 Profile of Exeter City Council

- 3.1.1 The geographical enforcement area is relatively confined in local authority terms covering an area of 4,774 hectares and supporting an estimated residential population of 127,300 persons with 68.6% of working age. There is a total of 4,744 registered businesses for business rates with approximately 35,000 people commuting to Exeter on a daily basis, with an average footfall in the city centre of 800,000 people per month. Exeter comprises of a mix of residential and commercial properties as well as industrial and trading estates. With Exeter being the regional administrative, cultural and educational centre, the City has a significant impact on the adjacent areas of East and Mid Devon and Teignbridge.
- 3.1.2 Although set in a predominantly urban area the City offers only a limited range of industry with the main activities being catering, retail sales, office activities, warehousing and distribution. No significant food manufacturing premises are now located within the City. There is an increasing variety of ethnic eating places and fast food takeaway outlets and the food pattern is dynamic.
- 3.1.3 The City's status as a medical, university, and educational centre means that there are several large institutional catering premises located within the boundary. Exeter's specialisms include the largest number of meteorologists, climate change specialists and volcanologists in the UK being based here. Award winning specialists in diabetes and breast cancer can be found at the RD&E hospital and the University of Exeter has many award winning research fellows.
- 3.1.4 The few Product Specific Premises are small scale operations by modern day standards.
- 3.1.5 Exeter is no longer a port authority.
- 3.1.6 The service embraces the core aims of the FSA's food safety issues (including Imported Food Controls), nutrition and diet issues and sustainability.

3.2 Organisational Structure

- 3.2.1 Environmental Health and Licensing is within the Portfolio of Services overseen by the Strategic Director, with the Environmental Health and Licensing Manager is responsible for delivering this Service Plan. In addition to this Environmental Health and Licensing provides:
- the Food Safety Enforcement function;
 - the investigations of notifiable / infectious disease;
 - the Health and Safety Enforcement function;
 - the Private Water Supply Enforcement function;
 - the Health Act Enforcement function;
 - Sunbed Regulations Enforcement function;
 - Licensing duties in relation to Licensing Act 2003, Gambling Act 2005, taxis and miscellaneous legislation;
 - Regulation of premises under the Environmental Permitting Regulations;
 - Monitoring of the city's air quality;
 - Monitoring and guidance with respect to contaminated land;
 - Investigation of complaints relating to business nuisance;
 - support to functions for Environmental Health and Licensing, Waste Operations and Fleet, Public and Greenspaces, and Private Sector Housing;
 - Co-ordination of the council's anti-social behaviour function;

- Co-ordination of the multi-agency Community Safety Partnership

3.2.2 Environmental Health and Licensing Services operates under a Strategic Director.

3.2.3 The Environmental Health and Licensing Manager has various delegations to act on behalf of the Council, with the Principal Environmental Health Officer (Business Regulation and Strategy), Principal Environmental Health Officer (Nuisance and Anti-social Behaviour) and Principal Licensing Officer as delegated as a deputies under the Council's constitution. All non-delegated matters are reported to the appropriate committee.

3.2.4 The officer structure in respect of the service is detailed at the end of this section. Overall co-ordination of the service is the responsibility of the Environmental Health and Licensing Manager with lead officer responsibility given to the following officers:-

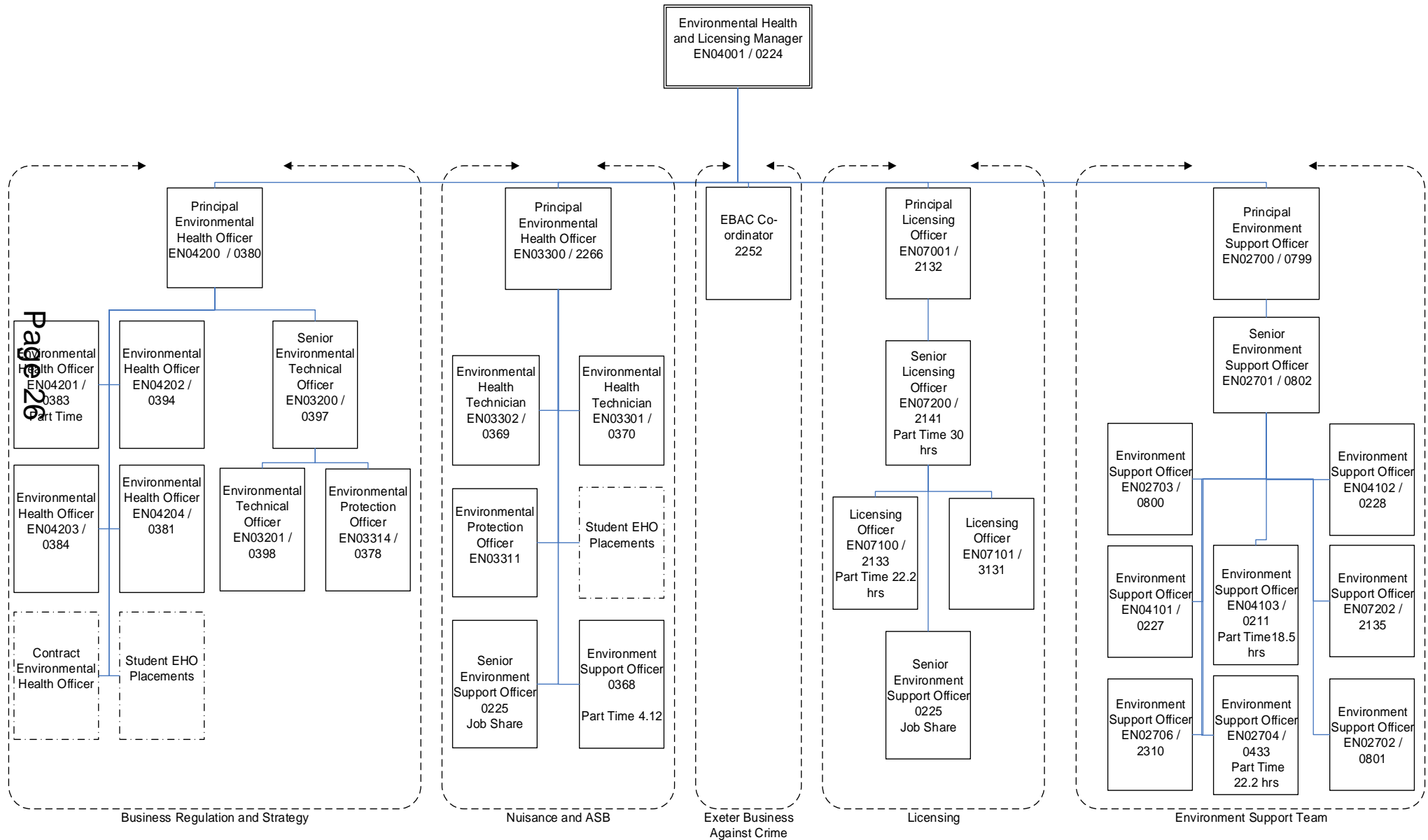
- Principal Environmental Health Officer (Nuisance and Anti-social Behaviour) – nuisance (including noise, odour and light), anti social behaviour and public health (including accumulations, pest control and drainage)
- Principal Environmental Health Officer (Business Regulation and Strategy) - food safety, health and safety, environmental permitting, contaminated land and air quality.
- Principal Licensing Officer – premise licensing, taxis and other licensing functions
- Principal Environment Support Officer – support across the remit covered by Environmental Health and Licensing, Waste Operations and Fleet, Public and Greenspaces, and Private Sector Housing;

3.2.5 In consultation with the Corporate Manager Legal Services, the Environmental Health and Licensing Manager is authorised to deal with the provisions and enforce compliance with legislative areas delegated to the post. This shall include the initiation, defence and settlement of legal proceeding, issuing of formal cautions and fixed penalty fines, service of Notices and Orders, the issue, refusal and revocation of licences, certificates and registrations, carrying out works in default and payment and recovery of costs.

3.2.6 The Council's Corporate Manager Legal has delegated authority for the initiation, defence, settlement and conduct of any legal proceedings which may affect the interests of the Council or the inhabitants of the City.

3.2.7 Specialist analytical and microbiological services are provided by external agencies such as the Public Health England and Somerset Scientific Services.

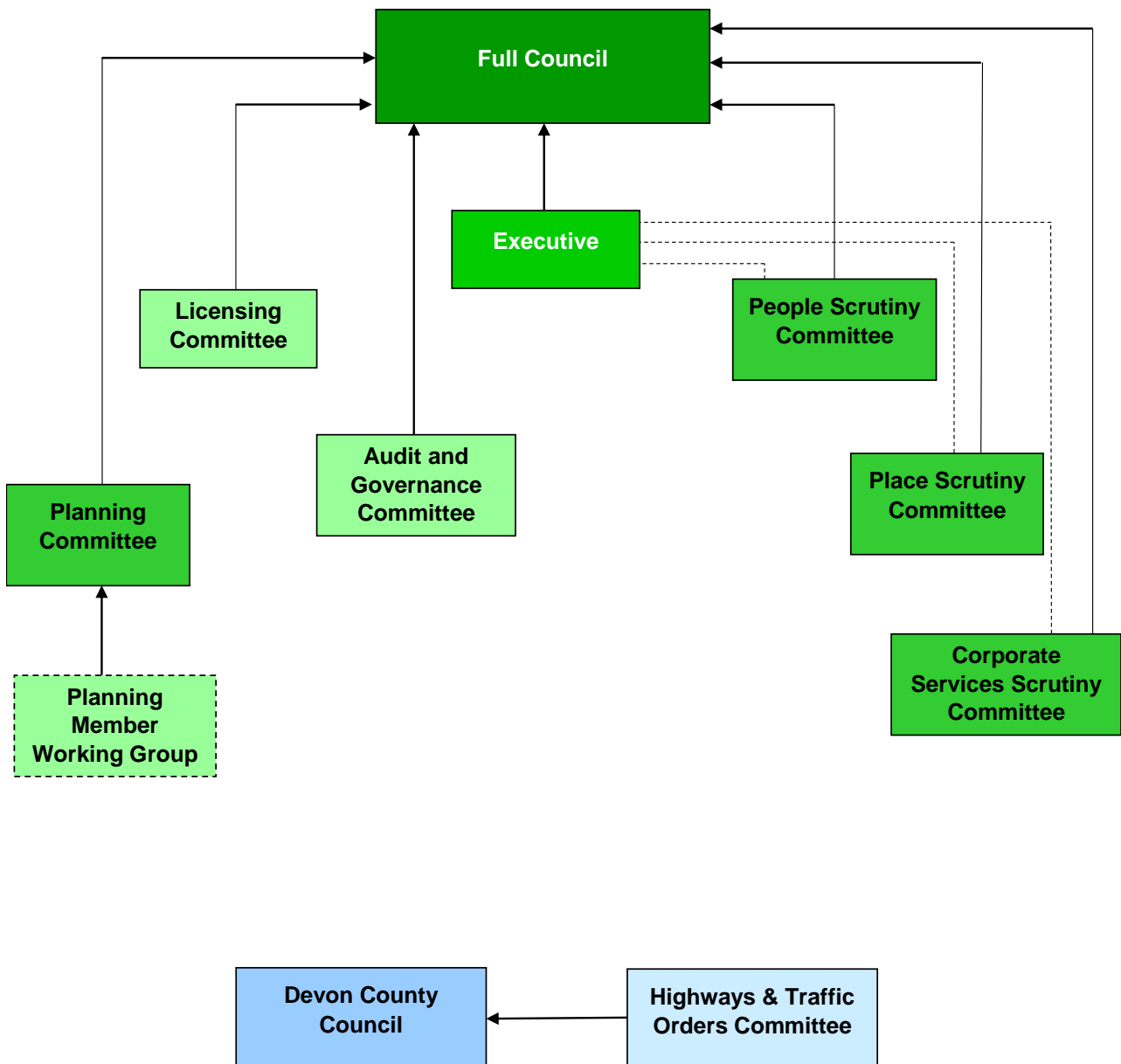
THE OFFICER STRUCTURE IN RESPECT OF ENVIRONMENTAL HEALTH AND LICENSING



Page 20



The Council's Committee Structure



SECTION 4 – FOOD SAFETY

4.1 **Scope of the Food Safety Service**

4.1.1 Environmental Health and Licensing is responsible for undertaking the following activities associated with the Food Safety Service:

- programmed food hygiene interventions and revisits;
- approval of food businesses
- monitoring the database
- food sampling
- investigation of food complaints;
- assisting Public Health England in investigation of food poisoning and infectious disease outbreak control;
- responding to Food Standards Agency Food Alerts, product withdrawals and recalls;
- provision of export food certificates;
- inspection of food;
- advisory and training services for businesses;
- promotion of food safety.

4.1.2 The council believes in fair regulation. Whilst engaged in the above activities, Environmental Health and Licensing uses a variety of means to ensure that individuals and organisations meet their responsibilities including education, negotiation, advice, guidance, warning letters, formal notices and prosecution. Overall the service seeks to work in collaboration with businesses while avoiding unnecessary bureaucracy in the way it works.

4.1.3 Exeter City Council supports the Food Standards Agency's strategic goal of 'Food We Can Trust' and the 5 principles which are currently being looked at nationally.

1. Businesses are responsible for producing food that is safe and what it says it is, and should be able to demonstrate that they do so. Consumers have a right to information to help them make informed choices about the food they buy – businesses have a responsibility to be transparent and honest in their provision of information.
2. Decisions should be tailored, proportionate and based upon a clear picture of UK food businesses.
3. The regulator should take into account all available sources of information.
4. Businesses doing the right thing for consumers should be recognised; action will be taken against those that do not.
5. Businesses should meet the cost of regulation, which should be no more that they need to be.

4.2. **Remit of the Food Service**

4.2.1 **Interventions**

The Council will:

- carry out a range of official and other food controls as set out in the Food Law Code of Practice (England), the Food Hygiene Rating Scheme Brand Standard and other centrally issued guidance;

- inspect/audit and approve relevant premises in accordance with the relevant legislation, Code of Practice and centrally issued guidance;
- liaise with the Primary Authority of any company whose premises have been inspected and offences identified which are, or appear to be, associated with the company's centrally defined policies and procedures;
- assess the compliance of premises and systems to the legally prescribed standards having due regard to any relevant Industry Guides to Good Hygiene Practice and other relevant centrally issued guidance;
- take appropriate action on any non-compliance found, in accordance with the Council's Enforcement Policy;
- set up and monitor documented intervention procedures and record legible data and information following interventions, in a retrievable way.

4.2.2 Complaints

The Council will:

- implement the documented policy and procedure in relation to food complaints;
- liaise with the Primary, Home and/or originating authorities regarding matters associated with a company's centrally defined policies/procedures;
- take appropriate action on complaints received in accordance with the Council's policy/procedure.

4.2.3 Primary Authority Principle

Where the Council acts as Primary Authority we will:

- provide advice on legal compliance;
- have regard to any information or advice received as a result of any liaison;
- notify any authorities the Council have initiated liaison with of the outcome.

4.2.4 Advice to Business

The Council shall continue to work with businesses to help them comply with the law; for example the Council will:

- promote training courses and seminars;
- provide advice during visits and other official food controls;
- respond promptly to queries;
- maintain a dialogue with business through the appropriate business forums;
- provide business with written information and advisory leaflets where appropriate.

4.2.5 Food Premises Database

The Council will:

- maintain the database of food premises in the City and take steps to ensure that the information is accurate and up to date.

4.2.6 Food Inspection and Sampling

The Council will:

- inspect food in accordance with relevant legislation to ensure it meets the legally prescribed standards;
- take appropriate action in cases of non-compliance in accordance with the Council's Enforcement Policy;
- maintain an annual sampling programme taking account of current guidance;
- adhere to the Council's procedures for procurement or purchase etc of samples;

- the Council has appointed Public Analysts Scientific Services (PASS) and the Public Health England Porton Down Laboratory as the Council's Public Analyst and Food Examiner respectively.

4.2.7 Control and Investigation of Outbreaks and Food Related Infectious Disease

The Council will:

- have regard to the Food Standards Agency's guidance on the management of outbreaks of foodborne illness and Public Health England's operational guidance on communicable disease outbreak management.

4.2.8 Food Safety Incidents

The Council will:

- respond to food alerts, product withdrawals and recalls in accordance with the documented procedure;
- maintain a computer system capable of receiving food alerts, product withdrawals and recalls;
- document our response to and the outcome of food alerts, product withdrawals and recalls where intervention is required;
- notify the Food Standards Agency of any serious localised incident or wider food safety problems.

4.2.9 Enforcement

The Council will:

- carry out food law enforcement in line with the Council's Enforcement Policy and the Codes of Practice (England) and Food Law Practice Guidance (England);
- document any departure from the criteria set out in the Policy.

4.2.10 Records and Intervention reports

The Council will:

- maintain up to date accurate records in a retrievable form for each food premises in the City, for at least 6 years.

4.2.11 Complaints about the Service

The Council's adopted complaints procedure is available to the public and food businesses.

4.2.12 Liaison with Other Organisations

Liaison with neighbouring authorities aimed at facilitating consistent enforcement will be exercised through the Devon Chief Environmental Health Officers Food Sub-Group having regard to advice issued by Local Government Regulation and the FSA. Regular contact will be maintained with Devon and Somerset Trading Standards and periodic meetings will be held with the local business forums & interested groups to provide advice and promote good practice. The Health Protection Advisory Group provides a forum for regular liaison with Public Health England.

Where appropriate, partnerships will be formed with educational establishments, Devon County Council's Public Health Team, the Clinical Commissioning Group and other bodies to promote food safety.

4.2.13 Internal Monitoring

Internal monitoring procedures to verify conformance with this Service Plan are well established and will be exercised. These include senior officer auditing, peer review and

consistency exercises.

4.2.14 Audit

The Council will:

- participate in third party and peer review processes against this Service Plan and associated procedures.

4.2.15 Food Safety Promotion

The Council will:

- actively promote food safety issues through award schemes, campaigns, dissemination of information and support to schools, colleges and targeted groups.

4.2.16 Other Services

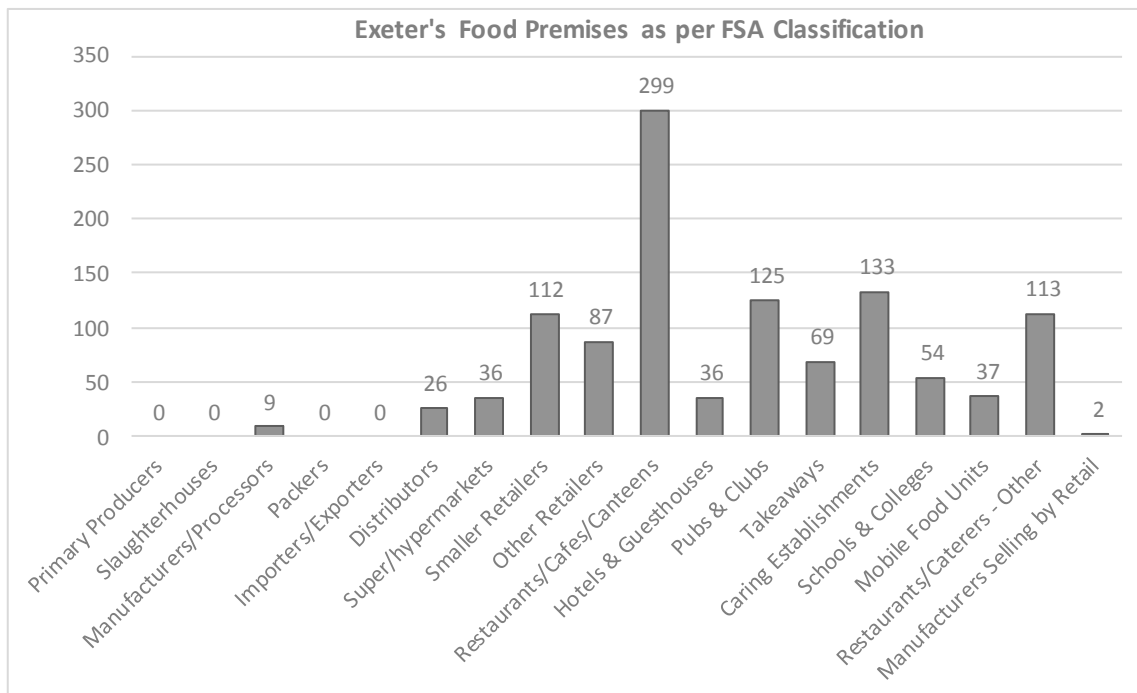
Environmental Health and Licensing has responsibility for undertaking a parallel role in respect of other Environmental Health related legislation in commercial premises.

General (non-food related) complaint work will initially be undertaken by the service in accordance with the relevant procedure. Pest control treatment may be undertaken by officers from the section in liaison with the district Environmental Health Officer, but only when it will not comprise future enforcement action.

The service seeks to work in partnership with relevant agencies to promote business regulation related matters in the wider context of public health.

4.3 Food Business Profile

4.3.1 The current profile of the food premises in the City as per Food Standards Agency classification is illustrated below.



4.3.2 Following an inspection/audit, food premises are scored and categorised (A to E) in respect of the risk to food safety in accordance with the Food Law Code of Practice (England). The categories dictate the interval between inspections. For example, category A premises are inspected every 6 months, category D premises are inspected every 2 years. The service currently operates an alternative enforcement strategy for category E premises that are outside of the Food Hygiene Rating Scheme, which includes forwarding such businesses a self-inspection questionnaire, and inviting businesses to attend food safety workshops.

4.3.3 The current profile of food premises in terms of risk category are shown below.

	A	B	C	D	E	U	Total
03 April 2017	0	41	196	480	369	31	1117

4.3.4 There are a small number of food premises in the City where business owners do not speak English as their first language. This can impact on the ability to successfully inspect premises and to effectively promote food safety. The Food Standards Agency provides food hygiene information in a number of languages to which food business operators will be signposted whenever appropriate. The Council also aims to provide food hygiene training in other languages if sufficient demand arises (for example, a Level 2 food hygiene course in Cantonese and Mandarin is offered on an annual basis).

4.3.5 Some food business operators employ a number of migrant workers. Where appropriate, inspecting officers will look for evidence of modern slavery or inadequate accommodation/working conditions and share this intelligence with the appropriate agencies (Police, Immigration etc.). A migrant workers group meets on a regular basis, bringing together all relevant regulatory bodies to discuss these issues.

4.4 **Enforcement Policy**

4.4.1 The Enforcement Policy includes the principles contained in the Regulators' Code which the Council is committed to incorporating into its regulatory functions. The Enforcement Policy will be subject to periodic review at which time amendments will be made to specifically reflect the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement and other relevant and appropriate guidance.

4.4.2 The key elements of the Enforcement Policy are detailed below:

- a belief that enforcement must be firm but fair;
- the need for proportionality in the application of the law;
- showing transparency about how the service operates;
- a need for targeting of enforcement action;
- a need to deliver consistency of approach;
- the need to balance enforcement and education in the way the service works.

4.5 **Food Premises Interventions**

4.5.1 A programme of official and other food controls form the core activity of the Food Enforcement function. The range of interventions are specified in the Food Law Code of Practice (England) and Food Hygiene Rating Scheme Brand Standard. In addition to the programme of interventions, other visits may be made to food premises following complaints from the public or requests from businesses for information and guidance.

4.5.2 Whilst the primary responsibility for identifying food hazards and controlling risks rests with food business operators, food hygiene interventions will be undertaken to:

- establish whether food is being produced hygienically;
- establish whether food is, or will be, having regard to further processing, safe to eat;
- identify foreseeable incidences of food poisoning or injury as a consequence of consumption of food.

- to issue the relevant rating as laid out in the Food Hygiene Rating Scheme Brand Standard, where the premises is part of the scheme

4.5.3 With the foregoing in mind, the main objectives of the interventions programme will be to:

- determine the scope of the business activity and the relevant food safety legislation;
- thoroughly and systematically gather and record information;
- identify potential hazards and risks to public health;
- assess the effectiveness of process controls and HACCP based systems;
- identify specific contraventions of food safety legislation;
- consider appropriate enforcement action (proportionate to risk), to secure compliance with food safety legal requirements;
- produce advice and information and recommend good practice where appropriate;
- promote continued improvements in food hygiene standards to meet national / local performance indicators and the relevant Food Standards Agency strategy.
- to issue the relevant rating as laid out in the Food Hygiene Rating Scheme Brand Standard, where the premises is part of the scheme

4.5.4 In order to achieve the inspection programme not less than 3 (FTE) qualified food inspectors will be required. This figure takes no account of the burden of any extra targeted inspection activity, sampling or investigations arising from complaints or Food Alerts, product withdrawals and recalls for example.

4.5.5 All officers undertaking inspections, investigating complaints, giving advice and taking samples shall meet the qualifications and experience requirements in the Food Law Code of Practice (England).

4.5.6 It is not envisaged that arrangements will need to be made to ensure the Council has access to specialist expertise for the inspection of any specialised processes located in the city.

4.6 **Food Complaints**

4.6.1 Food complaints received and investigated by the service fall into one of the following broad categories:

- food contamination;
- complaints about food businesses (poor hygiene, pests, lack of food handler training etc);
- food alerts, product withdrawals and recalls.

4.6.2 There is an established procedure for dealing with food complaints which sets out the action to be taken regarding investigation. Our investigation will be guided by the detailed considerations laid down in the LG Regulation publication "Dealing with Food Complaints".

4.6.3 The number of food complaints/service requests received annually has been at a constant level over the last few years.

4.6.4 It is estimated that 0.2 FTE qualified inspectors will be required to deal with food complaints.

4.7 **Primary Authority Partnerships**

4.7.1 Details of Primary Authority Partnerships are detailed in Section 12.

4.8 **Advice to Business**

4.8.1 The full suite of food courses will be promoted to enable local businesses to fulfil their training requirements, including training provision for non-English speaking food handlers.

In addition, the service provides a bespoke 2-hour session to help new food business operators understand their duties under food law. The session focusses on those elements required to attain a good food hygiene rating.

- 4.8.2 Inspectors provide advice during routine interventions and respond to queries from the public and food businesses.
- 4.8.3 Advice on topics of general and current food safety interest will be placed on the Council web site and information leaflets will be produced and made available as necessary. Officers from the service will also be participating in the Food Standards Agency's Food Safety Week.
- 4.8.4 The Council will use local business and other forums as a means to disseminate relevant food safety information to help assess their needs and obstacles to compliance.
- 4.8.5 The service will actively seek participation in or look to co-ordinate appropriate forums to promote food safety and disseminate information.
- 4.8.6 It is estimated that 0.1 FTE qualified food inspectors will be necessary to provide information and advice to food businesses.

4.9 **Food Inspection and Sampling**

- 4.9.1 The Council will ensure that food is inspected in accordance with relevant legislation, The Food Law Code of Practice (England) and the Practice Guidance (England) and centrally issued guidance and ensure that food meets prescribed standards.
- 4.9.2 In December 2016, the Food Standards Agency announced that, from 2017/18, it would not be continuing the centrally managed national coordinated food standards sampling programme in its current form. It would look to develop a new interim approach to food sampling for the next two years but emphasized that sampling should continue to be an important aspect of official controls with the businesses themselves responsible for ensuring that food is safe and what it says it is. The FSA's objective for the interim solution is to take a more strategic approach to identifying risks in the food system with surveillance sampling focussing on national priorities.
- 4.9.3 Public Health England's Coordinated National Studies are separate to the FSA's sampling programme and will continue. Sampling projects are determined following consultation on various options with stakeholders. Local sampling studies are also organised via the Devon Food Sub Group and, in 2017/18, are likely to include mobile food vendors and sous-vide.
- 4.9.4 The Council's sampling priorities are detailed in Section 13.
- 4.9.4 Routine sampling will be undertaken by the Environmental Health Officers supported by the Environmental Technical Officer. Activity reports will be submitted on a periodic basis. A procedure has been set up and implemented in respect of taking samples and the arrangements made for Analysis and Examination.

4.10 **Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease**

- 4.10.1 Environmental Health and Licensing's objective in respect of the control of food related disease is to:
 - contain the spread of any outbreak;
 - identify the focus of infection;
 - identify the causative organism/chemical;
 - trace carriers and cases;
 - trace the source of infection;

- determine the causal factors;
- recommend practices to prevent recurrence of disease; and
- determine whether criminal offences have been committed.

4.10.2 Investigations into outbreaks of foodborne illness are carried out in consultation with and under the direction of Public Health England.

4.10.3 The Principal Environmental Health Officer fulfils the role as lead officer in respect of infectious disease control and it is anticipated that adequate resources exist within the full complement of Environmental Health and Licensing to deal with this service demand.

4.10.4 It is estimated that 0.1 FTE qualified food inspectors will be required to investigate outbreaks and food related infectious diseases.

4.11 **Food Safety Incidents / Hazards**

4.11.1 The Council has and will maintain a computer system capable of receiving food alerts, product withdrawals and recalls and will implement the documented procedure for responding to food alerts and food safety incidents received from the FSA, in accordance with the relevant Food Law Code of Practice (England). The current informal out of hours contact arrangements will be used.

4.11.2 Documented responses to the outcome of appropriate food alerts will be in accordance with the adopted procedure.

4.11.3 In the event of any serious localised incident or a wider food safety problem, the Principal Environmental Health Officer will notify the FSA.

4.11.4 It is considered that adequate resources exist within the full complement of Environmental Health and Licensing to deal with this demand.

4.11.5 It is anticipated that 0.1 FTE will be required to deal with food hazard alerts.

4.12 **Liaison with Other Organisations**

4.12.1 The Council is committed to ensuring the enforcement approach it takes is consistent with other authorities. Regular dialogue on food enforcement matters and food related issues takes place with:

- Primary Authority business partners
- Trading Standards
- Devon Chief Environmental Health Officer Food Sub-Group
- Health Protection Advisory Group
- Exeter and Heart of Devon Hoteliers & other appropriate business forums
- Chartered Institute of Environmental Health (CIEH)
- University of Exeter
- Exeter College
- Other services within the Council (e.g. Planning & Building Control)
- Devon and Somerset Better Business for All Partnership

4.12.2 In delivering the food service, the Council recognises the increasing importance of partnership working. Examples of this include:

- consultation with businesses and community leaders;
- participation in third party audits, joint sampling initiatives etc;
- Food Safety Week;
- organising the Exeter Chef Competitions and similar events;
- identify funding opportunities;
- development of food hygiene training;

- providing focused training sessions on nutrition;
- other food related subjects.

4.13 Food Hygiene Rating Scheme and Food Safety Promotion

4.13.1 The service utilises many methods to promote food safety and increasingly is led by the developing body of research. Since April 2011, the service has operated the National Food Hygiene Rating Scheme which has helped drive improvements in food law compliance. 980 businesses fall within the scope of the scheme, with all ratings being published on the national web portal at www.food.gov.uk/ratings and businesses encouraged to display stickers. The service will continue to promote usage of the scheme by consumers by harnessing the power and influence of the local media, health promotion initiatives and public events. The service will also continue to encourage at the time of visits voluntary display of rating stickers and certificates at premises that fall within the scope of the scheme.

4.13.2 Numerous promotional activities also occur during the course of a typical year usually in response to need/requests from the different communities in Exeter, for example:

- presentations to schools, interested groups, professional bodies, (e.g. Infection Control Study Days, Chef Focus Group, Exeter Food Festival Members, Early Years providers);
- circulation of advisory leaflets or guidance notes in response to topical issues or changes in legislation;
- participation in the annual Exeter Food and Drink Festival.
- Free food hygiene awareness sessions targeted a new food business operators.

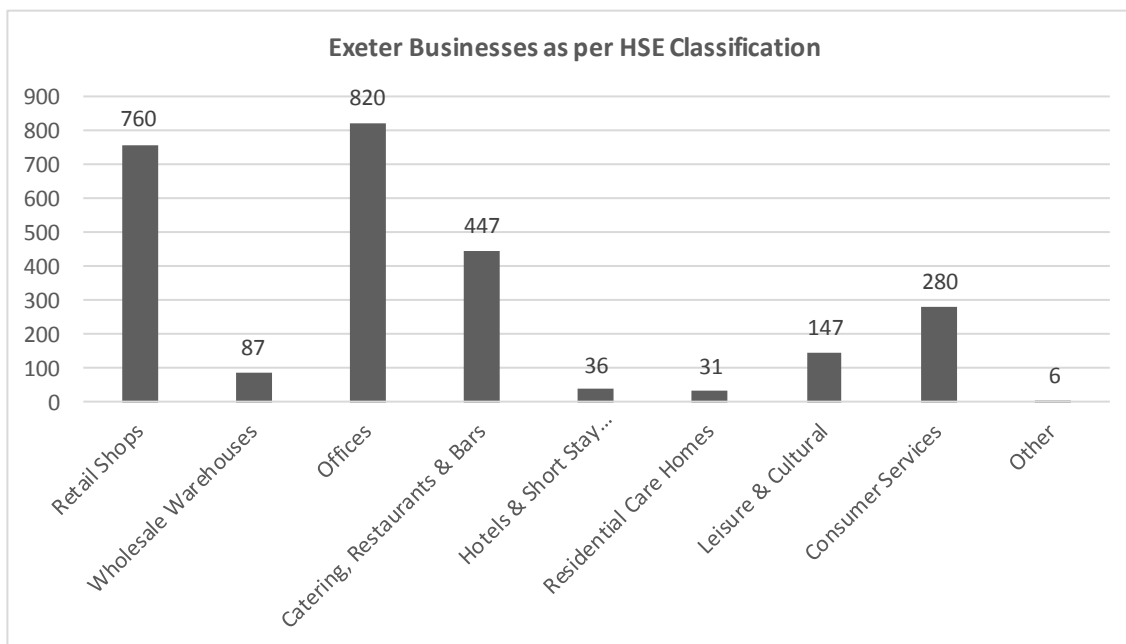
4.14 Food Safety Performance 2016/17

- There are currently 1,117 food premises registered within the city
- During 2016/17, 618 rated food hygiene inspections were conducted.
- 99.5% of those inspections that were due within 2016/17 were conducted
- 31 requests for food hygiene rating scheme revisit were received and the premises were subsequently revisited.
- 97.5% of food premises within the city are broadly compliant with food hygiene law
- 242 compliance check / advice visits were conducted.
- 214 food poisoning cases were investigated
- The service received 300 service requests / complaints related to food safety

SECTION 5: HEALTH AND SAFETY

5.1 Profile of Businesses in Exeter

- 5.1.1 Exeter is predominantly an urban area and the area has many small businesses. The Council enforces health and safety in mostly small and lower risk businesses that are predominantly in the service sector and is responsible for around 2614 premises.



5.2 Health and Safety Intervention Programme

- 5.2.1 Health and Safety law clearly sets out that the primary responsibility for managing risk to workers and the public who might be affected by work activity lies with the business or organisation that creates the risk in the first place.
- 5.2.2 The role of the Council is to support, encourage, advise and where necessary hold to account businesses to ensure that they effectively manage the occupational health and safety risks they create. The service uses the guidance given in HELA Circular (67/2 Revision 5) to set its priorities and target its interventions. Businesses are risk-rated from category A (high risk), through B1 and B2 (medium risk) to C (low risk). These ratings are *not* used to determine proactive inspection interventions – the choice of proactive inspections follows the principles within the National Local Authority Enforcement Code (see Section 5.6) – they do, however, help the Council target other interventions on the basis of risk.
- 5.2.3 As a result of current national and local drivers for change we aim to focus Health and Safety enforcement resources into areas where they are likely to have the greatest impact. In the coming year, we will continue to concentrate on specific topic areas during proactive interventions and reactive investigations, rather than complete all-encompassing inspections. The areas focussed on have been identified nationally and locally as contributing to the highest rate of accidents/incidents and ill health at work, across all health and safety enforcing authorities.

5.3 Scope of the Health and Safety Service

5.3.1 With regard to health and safety, the Council will be directed by the Health and Safety Executive's National Local Authority Enforcement Code issued under Section 18 (4)(b) of the Health and Safety at Work etc. Act 1974. The key elements of the code are:

- Ensuring that the authority takes a risk-based approach to regulation;
- Ensuring that the authority applies proportionate decision making in accordance with the LA's Enforcement Policy Statement and Enforcement Management Model;
- A requirement for the authority to legally appoint suitably qualified staff to carry out the necessary regulatory duties;
- A requirement to produce an annual service plan;

5.3.2 In the UK during 2015/16

- **1.3 million** working people suffered from a work-related illness
- **144** workers killed at work
- **72,702** other injuries to employees were reported under RIDDOR (621,000 injuries occurred at work from the Labour Force Survey)
- **30.4 million** working days were lost due to work-related illness and workplace injury
- Workplace injuries and ill health (excluding cancer) cost society an estimated **£14.1 billion** (2014/15)

5.3.3 The Rogers review (2007) reported on the National Priorities for local authority enforcement. This identified improving health at work as one of the national priorities. The Lord Young Report (2010) "Common Sense, Common Safety" reviewed health and safety with a view to "setting out the rational proportionate approach that the Health and Safety at Work etc Act demands". The Löfstedt Report (2011) looked further into the application of Health and Safety legislation and the effects of regulation upon business. All of these reports clearly identified good health and safety as being vital to good business, with sensible and proportional law enforcement as a key priority to try and reduce the incidence of ill health and days lost arising from work activities.

5.3.4 The objective of the health and safety service in contributing to this aim is to ensure that risks to person's health, safety and welfare from work activities are properly controlled through advice and proportionate enforcement.

5.3.5 The health and safety service comprises a range of key functions:

- to carry out interventions in line with HELA Circular 67/2 (rev.5), the National Local Authority Compliance Code and the Devon Health & Safety (Enforcement) Sub Group's annual workplan;
- to take the most appropriate action upon inspection of relevant workplaces including the use of advice, informal correspondence, improvement and prohibition notices and the institution of legal proceedings;
- to educate proprietors of relevant workplaces in health, safety and welfare matters and their legal responsibilities in relation to their occupation by the distribution of leaflets and the provision of advice and information;
- to investigate specific accident notifications;
- to advise on the design of relevant workplace premises prior to and during alterations and construction;
- to liaise and work in partnership with the Health and Safety Executive (HSE), Public Health England and the Fire Authority regarding the enforcement of the legislation;

- to comply with the HSE'S National Local Authority Enforcement Code in respect of inspection programmes;
- seek to promote a simplified risk assessment procedure for low hazard workplaces such as offices and shops through the use of the Devon Local Authority devised toolkit Safer Workplaces, Better Business;
- to focus on emerging issues such as modern slavery and migrant workers, through liaison with the police and immigration authorities.

5.3.6 Proactive aspects of the health and safety service are often delivered jointly with other proactive services such as food hygiene inspections. For example, a current Devon Health and Safety Sub Group initiative is raising the awareness of the duty to manage asbestos. This matter is therefore discussed (where relevant) during food hygiene interventions. The reactive aspects of the service, for example accident investigations, are responded to along with other complaints and requests for service.

5.3.7 Health and safety interventions are delivered by suitably trained and experienced officers, in accordance with a competency and development scheme. This scheme has been designed to meet the requirements of Health and Safety Executive and Local Authority Enforcement Liaison Committee (HELA) Section 18 guidance.

5.3.8 The premises profile according to the inspection rating scores is as follows:

Highest hazard/Risk	A	3
Intermediate hazard/Risk	B1	41
	B2	364
Lowest hazard/Risk	C	1405
Uncategorised	U	801

5.3.9 In accordance with HELA Circular 67/2 (rev.5), these risk ratings are not used to determine proactive inspection interventions but health and safety issues may be addressed during food, and licensing inspections or following complaints or accidents.

5.3.10 External consultants may be used to undertake other intervention strategies of low risk premises. The decision to employ contractors is taken by the Environmental Health and Licensing Manager in consultation with the Principal Environmental Health Officer and will be subject to the following criteria:

- there is a direct need to ensure statutory performance targets are met;
- external contractors must meet the requirements of HELA Section 18 guidance;
- the cost of the work can be met within existing budgets; and
- previous knowledge of the competency and quality of the consultants.

5.3.11 The Council still has a duty to enforce health and safety standards in intermediate and low risk premises and we will work with such businesses and/or their representatives to improve health and safety standards through the promotion of a Safer Workplace Better Business pack that has been devised by all Local Authorities in Devon.

5.3.12 The performance analysis for the last year is detailed at the end of this section. There has been a reduction in proactive inspections, reflecting national priorities regarding better regulation.

5.3.13 The database will be continually updated in conjunction with the Environment Support Team who will assist with a street/district premises audit (4yr programme). A proportion of uncategorised premises will be visited, though the active audit (see above) may influence progress as new premises are identified.

- 5.3.14 The health and safety service operates from the Civic Centre between 9.00am and 5.00pm Monday to Friday. Evening and weekend inspections are carried out as determined by the risk based inspection programme and the premises opening hours.
- 5.3.15 Emergency health and safety issues are currently directed initially to a 24-hour central control team and then onto senior officers as required. In addition the Council's continually revised website is used to provide information about health and safety services for consumers and businesses and also provides a direct email address for service requests.

5.4 Complaints / Requests for Advice / Advice to Business

- 5.4.1 Additional interventions will also arise during the year by virtue of complaints, new business start-ups, change of use, major alterations/refurbishments and request for inspection. A revisit will always be carried out where statutory notices have been served, in all other cases the officer will make a professional judgement as to the requirement for a revisit.
- 5.4.2 In accordance with the current strategy contained in "Helping Great Britain Work Well: A health and safety system strategy" (HSE, 2016) and HELA Strategy, as outlined in 67/2, the focus of inspection activity within the planned programme will concentrate on:
- Acting together: Promoting broader ownership of health and safety in Great Britain
 - Tackling ill health: Highlighting and tackling the costs of work related ill health
 - Managing risk well: Simplifying risk management and helping businesses to grow
 - Supporting small employers: Giving SMEs simple advice so that they know what they have to do
 - Keeping pace with change: Anticipating and tackling new health and safety challenges
 - Sharing our success: Promoting the benefits of Great Britain's world class health and safety system.

In addition to these elements the Council will base its Health and Safety Plan on Section 18 guidance, taking into account national, regional and local priorities.

- 5.4.3 From 1 July 2007, all enclosed workplaces became smoke free, as a result of the Health Act 2006 and subsequent regulations. All Environmental Health Officers, Technical Officers, Licensing Officers and Environmental Protection Officers are also authorised to enforce the smoke-free provisions. Smoke free compliance for businesses will be incorporated into the proactive inspection work undertaken by the Environmental Health and Licensing, in addition to responding to complaints.
- 5.4.4 The approach is therefore about focussing health and safety enforcement resources into areas where they are likely to have the greatest impact rather than completing all-encompassing inspections. This will fall in line with the principles advocated by Regulatory Delivery and Health and Safety Executive.
- 5.4.5 The above does not preclude the importance of providing wider guidance on health and safety compliance to new businesses and following specific service requests. Proactive health and safety education work will be suitably balanced against targeted enforcement activity.
- 5.4.6 The authority has a duty to investigate complaints about health and safety conditions/issues and about its health and safety service provision. A number of complaints/service requests about health and safety are received annually, all of which will be dealt with as appropriate or passed to other agencies.
- 5.4.7 No complaints have been received regarding the service provision of the Authority.

5.4.8 The service recognises the importance of providing advice to businesses as part of effective health and safety enforcement. As well as the provision of specific advice during interventions and with post intervention correspondence, a wide range of general health, safety and welfare advice is distributed to businesses.

5.4.9 The Council website is also continually revised and allows direct access and links to local and national health and safety information detailed within this service plan.

5.5 Statutory Notifications

5.5.1 Prescribed accidents, dangerous occurrences and occupational diseases are reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. Accidents would include fatalities and accidents involving visits to hospital or currently more than 7 days off work. Certain accidents involving employees, the self-employed and members of the public are also reportable.

5.5.2 The Council has a duty to investigate accidents to determine whether offences have been committed and to prevent a recurrence. The authority also receives notifications of certain unsafe equipment and must respond and investigate such notifications. Decisions as to which accidents require a full investigation are made by the Principal Environmental Health Officer.

5.5.3 The service has a formal policy and procedure covering the type of accident, industrial disease notification or related service request, which the authority will investigate. This was revised during 2009 following new national guidance issued by the HSE. The Council is committed to reducing workplace accidents.

5.5.4 As a 'responsible authority' for the purposes of the Licensing Act 2003 and the Gambling Act 2005 the section has a duty to respond to premises licence applications etc. A number of applications will require scrutiny, some of which may require amendments by negotiation.

5.5.5 Liaison with other organisations is essential in order to achieve consistency and effectiveness of the health and safety service. The service is represented on the Devon CEHOs Health and Safety (Enforcement) Sub Group, which meets bi-monthly. This group includes a representative from the Health and Safety Executive (HSE) and maintains links with other local authority health and safety enforcement officers.

5.6 National Local Authority Enforcement Code

5.6.1 The Authority has a duty to focus its activities on national priorities and strategies and in particular the National Local Authority Enforcement Code, to secure a reduction in accidents and ill health in the workplaces for which we are responsible. The code is 'designed to ensure that Local Authority health and safety regulators take a more consistent and proportionate approach to enforcement' and 'provides direction to LAs on meeting these requirements, and reporting on compliance.'

5.6.2 The following list of activities/sectors for proactive inspection by Local Authorities – only these activities falling within these sectors or types of organisation should be subject to proactive inspection

No	Hazards	High Risk Sectors	High Risk Activities
1	Legionella infection	Premises with cooling towers/evaporative condensers	Lack of suitable legionella control measures
2	Explosion caused by leaking LPG	Premises (including caravan parks) with buried metal LPG pipework	Buried metal LPG pipe work. (For caravan parks to communal/amenity blocks

			only)
3	E.coli/Cryptosporidium infection esp. in children	Open Farms/Animal Visitor Attractions	Lack of suitable micro-organism control measures
4	Fatalities/injuries resulting from being struck by vehicles	High volume Warehousing/Distribution	Workplace transport
5	Fatalities/injuries resulting from falls from height/ amputation and crushing injuries.	Industrial retail/wholesale premises e.g. steel stockholders, builders/timber merchants	Workplace transport/work at height/cutting machinery /lifting equipment.
6	Industrial diseases (occupational deafness/ cancer/ respiratory diseases)	Industrial retail/wholesale premises e.g. steel stockholders, builders/timber merchants, in-store/craft bakeries, stone wholesalers	Noise (steel stockholders), use of loose flour (in-store/craft bakeries), exposure to respirable crystalline silica (outlets cutting/shaping their own stone)
7	Falls from height	High volume Warehousing/Distribution	Work at height
8	Crowd control & injuries/fatalities to the public	Large scale public gatherings e.g. cultural events, sports, festivals & live music	Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue.
9	Carbon monoxide poisoning and gas explosion	Commercial catering premises using solid fuel cooking equipment	Lack of suitable ventilation and/or unsafe appliances.
10	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling e.g. betting shops/off licences/hospitality) and where intelligence indicates that risks are not being effectively managed.	Lack of suitable security measures/procedures. Operating where police/licensing authorities advise there are local factors increasing the risk of violence at work e.g. located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign.

5.6.3 The work of Environmental Health and Licensing will address other issues when undertaking visits/developing initiatives in workplaces; health at work is an important issue. Interventions with regard to compliance responsibilities to reduce exposure to occupational tobacco smoke will continue to be considered.

5.6.4 The Council offers leaflets and posters in different languages (and offers translation services if necessary) for the performance of its functions. The service endeavours to be resourced to ensure equality of access to information. Training courses for the Level 2 Award in Health and Safety in the Workplace qualification as well as Manual Handling and Risk Assessment are also provided, and a Health and Safety Handbook has been revised and produced for distribution across the City and at training courses.

5.7 Monitoring

- 5.7.1 A swimming pool monitoring programmed based upon risk, using SMART sampling and a detailed assessment of pool management systems will be exercised throughout the year. The need for provision of further training/information for local pool operators will be explored, based upon the sample results.

5.8 Enforcement

- 5.8.1 Enforcement (or the fear of enforcement) is an important motivator for rogue employers. Evidence confirms that enforcement is an effective means of securing compliance and promoting self-compliance. We will work in partnership with the HSE, other enforcement agencies, regulators and stakeholders to secure proportionate compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard health and safety and welfare. The scope of these activities will continue to be evidence based and is clearly set out in the Council's enforcement policy statement.

5.9 Staff Resources

- 5.9.1 The national local authority enforcement code requires the Council to have sufficient capacity to undertake our statutory duties. Exeter City Council Environmental Health and Licensing is split into 3 districts. Each district is allocated to a full time equivalent District Environmental Health Officer.
- 5.9.2 The Council's Principal Health and Safety Officer is also a very experienced and specialist officer for Health and Safety and will be available to the team for specialist advice on the health and safety function.
- 5.9.3 All Environmental Health Officers will undertake some health and safety duties along with their other functions which include food safety, training, health initiatives, some licensing duties and infectious disease control.
- 5.9.4 The staff resources allocated to the functions is currently deemed adequate to fulfil the Council's duties. Officers will vary their approach to the health and safety intervention programme to enable them to meet Performance Indicators by targeting resources on high-risk premises and national priorities.

5.10 Staff Skills

- 5.10.1 The section has a procedure for authorisation of officers and only trained and competent staff will be able to undertake full health and safety duties. The authorisation, and hence action they can take, for each officer will reflect their personal skills. As part of the annual Regulator Development Needs Assessment all staff who undertake health and safety duties are mandated to complete this assessment, which is subject to review as part of the annual appraisal process. Any training and development needs identified at the Growth and Development Review process are added to the service wide training plan which provides for the priority resourcing of both qualification based training and continuing professional development.
- 5.10.2 All officers have completed Regulators Development Needs Analysis to identify areas where they can benefit from development activities, and training has been provided throughout the year. Further details are contained within section 15.

5.11 Consultation with Stakeholders

- 5.11.1 The Health and Safety at Work etc Act 1974 places general duties on all employers to protect the health and safety of their employees and those affected by their work activities. Its goal-setting approach makes clear that those who create risks are best able to manage them. We will make clear that effective health and safety management is a collective responsibility in which individuals too must play their part.
- 5.11.2 Experience shows that many organisations do not contact us. Some may be fearful of contact, which deters them from seeking advice. We will make a special effort to explore new ways to establish and maintain an effective health and safety culture, so that all employers take their responsibilities seriously, the workforce is fully involved and risks are properly managed.
- 5.11.3 We will aim to demonstrate the moral, business and economic case for health and safety. Appropriate health and safety management is an integral part of effective business management and, we will promote it as an enabler and not a hindrance.
- 5.11.4 We will explore ways to promote greater access to authoritative health and safety advice and guidance and we will continue to offer advice in the course of our other enforcement activities where appropriate. We will listen to business's health and safety concerns and assist (by the provision of appropriate guidance, advice, training etc.) as much as is practicable.

5.12 Health and Safety Performance 2016/17

- In total 188 premises have been the subject of a health and safety intervention.
- The service has dealt with 222 health and safety service requests / complaints
- 150 accident reports have been received and looked into by the service
- A joint initiative took place with a number of partners including the Police and Immigration Enforcement looking at nail bars within the city. This included looking at welfare facilities, health and safety and whether those working at the establishments were doing so of their own accord.
- Duty to manage asbestos advisory visits have been undertaken at 171 premises

SECTION 6: PRIVATE WATER SUPPLIES

6.1 Scope of Private Water Supply Regulations

- 6.1.1 The regulations apply to any private supply intended for human consumption, for domestic purposes and/or food production purposes and include water from wells, boreholes and springs which is supplied from someone other than a Water Undertaker or Licensed Water supplier or;
- water supplied by Water Undertakers or Licensed Water Suppliers, which is then further distributed by another person – a private distribution network. (Examples include mobile home sites, MOD property, Universities, Schools etc).

6.2 Main Provisions of the Private Water Supply Regulations

- 6.2.1 The purpose is to protect human health by ensuring that water for consumption is wholesome, clean and the adverse affects of contamination are minimised. New and revised standards are set for drinking water quality and new audit and monitoring regimes as regarding sampling and analysis are specified.
- 6.2.2 The regulations require the Council to complete a risk assessment of all Private Water Suppliers PWS's) within 5 years (except for supplies to single non- commercial dwellings) to maintain supplies and develop an annual sampling programme. Single non-commercial dwellings must be assessed for risk if a request by the user is made.
- 6.2.3 The Council can make reasonable charges to cover costs of carrying out the duties under the new regulations. These charges can be found within the Council's published fees and charges.
- 6.2.4 There is a requirement for local authorities to make returns (which are fairly comprehensive) to the Drinking Water Inspectorate (DWI) on an annual basis.

6.3 Enforcement

- 6.3.1 There is a procedure to follow where a private water supply is found unwholesome – including the requirement to investigate the cause to notify the users. There are some strict permitted levels declared in the regulations which, if a supply fails, would invoke this procedure. The Council would need to liaise with Public Health England and the Drinking Water Inspectorate for the potential of any failure or non compliance to be assessed.
- 6.3.2 There are options for effecting improvements of a private supply, up to the service of a formal notice or prohibiting the use of a supply.

6.4 Staff Resource

- 6.4.1 At present the most economical and practical method is to contract out the inspection of private water supplies and private distribution networks to a neighbouring authority who is willing to provide a qualified Environmental Health Officer to conduct the necessary risk assessment and report. As the cost is borne by the owner of the private water supply or private distribution network, this is done at no cost to the authority.
- 6.4.2 The arrangement for microbiological and chemical sampling and analysis which is a countywide arrangement has currently been awarded to an accredited laboratory.

6.5 Staff Skills

- 6.5.1 The Section has a procedure for authorisation of officers and only trained and competent staff will be able to undertake full private water supply duties. The authorisation, and hence action they can take, for each officer will reflect their personal skills. As part of the section's procedural requirements all staff who undertake private water supply duties are subject to an annual appraisal which identifies training and development needs. These individual training needs are then linked into the service wide training plan which provides for the priority resourcing of both qualification based training and continuing professional development.
- 6.5.2 At present no member of staff within the section have received training to undertake all of the requirements of the Private Water Supply Regulations.

6.6 Legal Implications

- 6.6.1 Exeter City Council has a duty to implement the Private Water Supply Regulations 2009. Failure to discharge these duties adequately may result in legal challenge from consumers and/or owners of private water supplies.

6.7 Private Water Supply Performance 2016/17

- The one premise identified as having a private water supply has been sampled and was found to be compliant with the regulations.

SECTION 7: LICENSING

7.1 Introduction

7.1.1 The City Council has a number of licensing powers and duties. These powers and duties are delegated to the Licensing Committee. The provision of a Licensing Service is a statutory duty placed on the Local Authority. The granting and issuing of specific licences, permits and registrations is delegated to the Environmental Health & Licensing Manager on the understanding that any applications giving rise for concern may be referred to the Licensing Committee for determination.

7.1.2 The Licensing Committee plays a vital and unique role in an administrative function regarding the grant, suspension and revocation of Licences. The legislation delegated to the Licensing Committee includes:

- Zoo Licensing Act 1981
- Animal Boarding Establishments Act 1963
- Breeding of Dogs Act 1973 and 1991
- Riding Establishments Act 1964-1970
- Game Act 1831
- Game Licences Act 1860
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Pet Animals Act 1951
- Gambling Act 2005
- Pleasure Boat Licensing
- Boatman's licence.
- Guard Dogs Act 1975
- Exeter City Council Act 1987 - the powers, duties and functions of the Council under Part 4 and Sections 21, 22, 23, 24 and 29.
- Local Government (Miscellaneous Provisions) Act 1982 Part II (in accordance with the Council's agreed policies)
- Licensing Act 2003 (to the extent permitted by section 10). In particular to determine:
 - applications for Personal Licences, where no police objection is made;
 - applications for Premises Licences/ Club Premises Certificates, where no relevant representations have been made;
 - applications for provisional statements, where no relevant representations have been made;
 - applications to vary Premises Licences/ Club Premises Certificates, where no relevant representations have been made;
 - applications to vary designated Premises Supervisor, where no police objection has been made;
 - requests to be removed as designated Premises Supervisor;
 - applications for transfer of Premises Licences where no police objection has been made;
 - applications for interim authorities where no police objection has been made;
 - decisions on whether a complaint is irrelevant, frivolous, vexatious etc.
 - to determine applications under the Licensing Act 2003 Minor Variations to Premises Licence Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009.
- Local Government (Miscellaneous Provisions) Act 1982 (Schedule 3) - to determine applications for the renewal of a sex shop licence in accordance with the Council's agreed policy
- Scrap Metals Dealers and Collectors

- Enforcement of local bylaws.
- To deal with all matters, powers, duties and functions, which shall include the issuing of Licences and permits in respect of lotteries and house to house and street collections in accordance with the House to House Collections Act 1939, the Police Factories (Miscellaneous Provisions) Act 1916 (Street Collections) and Schedule 17 of the Gambling Act 2005.

7.2 Aims and Objectives of Licensing

- 7.2.1 The key aim of the Licensing Committee and the Licensing Team is to contribute to the growth of Exeter by improving public safety and thereby public confidence in licensing, by raising standards of people, vehicles and premises licensed in Exeter.
- 7.2.2 To protect public health and animal welfare, reduce crime and disorder and ensure awareness of the licensing requirements through enforcement of legislation and the provision of advice information and education by:
- Fulfilling the Council's Statutory Duties under relevant legislation e.g. Licensing Act 2003, Gambling Act 2005, Animal Welfare Act 2005, Local Government (Miscellaneous Provisions) Act 1982 etc.
 - Responding to public complaints and other requests for service and investigating within service standards.
 - Delivering educational initiatives and awareness campaigns.
 - Fulfilling the Council's statutory duty under the Crime and Disorder Act 1998.
 - Working in partnership or in co-operation with the Police, Fire Authority, Social Services, Public Health Team, Community Safety Partnership and other external agencies.
- 7.2.3 To actively promote the Licensing Act 2003 licensing objectives by encouraging applications which contribute to a more mixed and family friendly night time economy, through dialogue with applicants and statutory consultees to ensure appropriate licence conditions are added, and through supporting voluntary schemes such as Beat Bar None and the LVA.
- 6.2.3 To promote and support the taxi trade through regular dialogue with the trade representatives, through promotion of the standards contained in the updated taxi policy, and by enforcement and disciplinary proceedings in line with departmental and local government enforcement policies.
- ## **7.3 Service Delivery**
- 7.3.1 During the course of the year, a percentage of all categories of premises that are licensed will be inspected for compliance, greater emphasis will be placed on ensuring that every premises about which a complaint or Request For Assistance or relevant intelligence is received will receive an inspection visit.
- 7.3.2 The service conducts intelligence led inspections which will mean that our resources are focussed towards problem traders and that our enforcement practices comply with government policy on cutting red tape and reducing burdens on business (Better Regulation principles).
- 7.3.3 There is a particular focus on the night time economy within the city. Evening compliance visits will be conducted in known problem areas.

7.4 Licensing Performance 2016/17

- Licensing Officers undertook joint inspections with the Gambling Commission looking specifically at local risk assessment procedures. Exeter is also still the only licensing authority in Devon and Cornwall to have published its Local Area Profile.
- The policy and procedures of Private Hire and Hackney Carriage Licensing were updated in line with changes adopted by the Licensing Committee
- Best Bar None scheme in Exeter was at 45 accredited members at the end of the second year. It received the award for Most Innovative Scheme at the National Best Bar None Awards in January 2017.
- The team continued to support the pilot of Club Hosts who aim to look after the welfare of patrons in clubs, in two establishments in the city. Club Hosts are specially trained staff who work in bars and clubs to reduce drunken anti-social behaviour and help keep people safe. Working in pairs, the club hosts will have a presence in the venue throughout the night, talking to customers at the start of the evening when a queue is forming, supporting customers who are vulnerable due to alcohol and ensuring guests leave safely after the venue has closed
- The team successfully prosecuted an individual for illegal street trading.
- 170 Compliance checks were conducted in relation to premises licensed under the 2003 Act. In addition to this regular night time working was conducted to improve the evening and night time economy.
- All 24 premises licensed under the Gambling Act were also inspected.
- Approximately 80% of licenced taxi drivers have attended a mandatory training workshop on safeguarding and child sexual exploitation, with further sessions planned running up to July 2017.
- An additional pilot workshop on Conflict Resolution was held for taxi drivers and Community Safety Partnership Members. A total of 68 delegates attended the two pilot sessions.
- Disability Awareness workshops were held for new taxi driver applicants (and those who had recently qualified).
- A taxi driver handbook was produced and issued to all licenced drivers. The handbook covers subjects such as safeguarding, personal safety, modern slavery, and Exeter specific taxi information.
- The first ultra low emission Hackney Carriage plate has been issued since derestriction of taxi numbers (since derestriction an additional 9 vehicles have been issued with a plate).
- The roll out of the new Hackney Carriage livery continued throughout 2016, with all vehicles compliant with the new livery by the end of January 2017.
- The team took part in a Home Office pilot project looking at the eligibility of taxi drivers to work in the UK. Of the 10 local authorities who took part, Exeter was the only local authority who did not find any eligibility issues.

- A successful application was made for Exeter to become a Local Alcohol Action Area. Exeter is one of 33 other LAAAs across the England and Wales, and will benefit from expert Home Office project support. Officers will be working on a variety of LAAA projects throughout 2017/2018 focused on improving safety in the night time economy, and on dealing with the issues arising from sale of alcohol to drunks (particularly off-sales).

SECTION 8: ENVIRONMENTAL PERMITTING REGULATIONS

8.1 Introduction

- 8.1.1 The Environmental Permitting Regulations 2010 require the Council to regulate certain types of factory and other activities such as dry cleaners. This is to reduce any pollution they may cause and, in particular, to help improve air quality.
- 8.1.2 Businesses which operate these specified types of premises must have a permit. The Council decides whether to give a permit and, if so, what conditions to include within it so as to minimise pollution.
- 8.1.3 In the regulations, the premises are known as "installations". Some are called 'Part B', and local authorities can only deal with air pollution from these. Other installations, which have a greater potential environmental impact, are known as 'Part A2' and permits for these must control many different sorts of pollution. This includes waste, noise, water pollution, energy use etc.
- 8.1.4 Other installations (known as 'Part A1') are regulated by the Environment Agency. They are usually larger or more complex.

8.2 Regulated Installations in Exeter

- 8.2.1 The table below shows all of the Part B, A(2) and A(1) installations in Exeter that were permitted in April 2017.

Part B	Dry Cleaner	Johnsons	Cowley Bridge Road
		Johnsons	South Street
		RD&E Hospital	Barrack Road
		Care Clean	Sidwell Street
		Kenjo Washeteria	Sidwell Street
		Morrisons	Prince Charles Road
	Service Station	Dunns Motors	Trusham Road, Marsh Barton
		Alphington Service Station	Alphington Road
		Sainsburys	Alphington Road
		Sainsburys	Pinhoe Road
		Morrisons	Prince of Wales Road
		University Service Station	Cowley Bridge Road
		Pinhoe Garage	Main Road, Pinhoe
		Birchy Barton Service Station	Honiton Road
		Tesco Express	Fore Street, Heavitree
		Tesco	Russell Way
		Shell	Topsham Road
		Moto Services	Honiton Road
		Paint Sprayer	Sowton Motor Body Repairs
	Nationwide Crash Repair		Water Lane
	Exeter Diesels		Marsh Barton Road
	Vospers		Marsh Barton Road
	Motofix		Exhibition Way
	Timber	System Six Kitchens	Christow Road, Marsh Barton

	Heavy Clay or Refractory Goods	Original Style	Falcon Road, Sowton
	Cremation	Exeter and Devon Crematorium	Topsham Road
	Concrete Batching	Hanson	Hennock Road, Marsh Barton
		E&JW Glendenning	Kenton Place, Marsh Barton
		Aggregate Industries	Heron Road, Sowton
Part A(2)	Animal Rendering	J.L. Thomas	Canal Banks, Water lane
	Non-Ferrous Foundry	Alcoa Howmet	Kestrel Way, Sowton
	Timber Treatment	Jewson	Kestrel Way, Sowton
Part A(1)	Animal Feed Compounding	BOCM Pauls	Bittern Road, Sowton
	Solvent, Acid and Surface Cleaning	South West Metal Finishing	Alphinbrook Road, Marsh Barton
	Waste Incineration	Viridor	Grace Road, Marsh Barton

8.3 Implementation of the Environmental Permitting Regulations

- 8.3.1 Permit applications - The operator of a new installation must apply for a permit before starting to operate. There is an application fee, which is set annually by DEFRA to cover the regulator's costs. The application must contain sufficient information for the Council to consider whether or not to approve it. The Council is required to consult relevant members of the public and other organisations.
- 8.3.2 If the Council decides to issue a permit, it must include conditions. These conditions will say how pollution is to be minimised. DEFRA publish guidance for each type of installation which says what are likely to be the right pollution standards. Under the law, the standards must strike a balance between protecting the environment and the cost of doing so. The Council must have regard to the guidance and consider local circumstances.
- 8.3.3 There is a right of appeal if a permit application is refused, or if an operator does not agree with some or all of the conditions which have been included in a permit.
- 8.3.4 Once a permit is issued, the operator must comply with the permit conditions and pay an annual charge. This charge is set by DEFRA to cover the regulator's costs in checking that the permit is complied with.
- 8.3.5 The Council uses a risk assessment process to determine how often an installation should be inspected to check for compliance with the permit. Installations are rated as high, medium or low risk, based on two things. Firstly, what the environmental impact would be if something went wrong and secondly, how reliable and effective the operator of the installation is. The annual charge is lower for low- and medium-risk installations.
- 8.3.6 The Environmental Permitting Regulations give the Council powers if a business does not comply with its permit or operates without one, such as service of notices or prosecution.

8.4 Investigation of Complaints

- 8.4.1 The Council receives complaints about the operation or impact of regulated installations. These are investigated in accordance with the Environment Enforcement Policy to identify whether there is or has been a breach of any permit condition(s). Investigations may identify that the permit conditions are not appropriate, for example if they do not control a certain aspect of the process well enough, in which case the Council can vary the conditions. The Operator has a right of appeal against any varied conditions.

8.5 Enforcement

- 8.5.1 The Council carries out its duties under the Environmental Permitting Regulations in accordance with guidance from DEFRA and the Council's Enforcement Policy. Any enforcement decisions are documented, and advice is sought from the corporate legal team where appropriate.

8.6 Business Support

- 8.6.1 The Council will generally try to work with businesses to solve problems, and provide advice on compliance with their permit. They cannot operate as a free consultancy service for the Operator however. The Council keeps a record of income generated by application and annual fees and expenditure on Environmental Permitting work. Fees are set by DEFRA so the Council has no control over income but does endeavour to provide a cost effective service that supports business whilst protecting human health and the environment.

8.7 Consultation

- 8.7.1 Much of the information about permits must be put on a public register. Anyone can ask their local authority to see it. The public must also be consulted in various circumstances on permit applications etc.

8.8 Environmental Permitting Performance 2016/17

- 27 Part B and 9 Part A(2) inspections were conducted
- 25% of premises required additional interventions
- No applications for new permits were received, and no applications for variations that involved a substantial change.
- 5 minor variation or permit transfer applications were received.
- 29 complaints were received relating to authorised processes.
- The JL Thomas liaison committee continues to meet bi-annually.

SECTION 9: AIR QUALITY

9.1 Introduction

- 9.1.1 The Environment Act 1995 requires local authorities to review air quality, and to assess this against national objectives. Where an exceedence of an objective is identified, the authority must declare an Air Quality Management Area (AQMA) and produce an Air Quality Action Plan (AQAP), which must work towards achieving the objective level within the AQMA.
- 9.1.2 Exeter City Council declared an AQMA in 2007 because levels of nitrogen dioxide (NO₂) exceeded the annual average objective level at various locations. The area covers all of the main traffic routes in the city. This boundary was determined using the NO₂ concentration data, which are highest beside busy roads. Further studies showed that the high NO₂ concentrations are caused by traffic emissions along congested routes.
- 9.1.3 In April 2011 the AQMA order was amended to include exceedence of the short-term objective for NO₂ as well as the annual average objective. This occurred at a few locations within the existing area because of localised high traffic emissions. Exeter City Council's two Further Assessment Reports provide greater information on the local scale of the exceedences, specific sources of emissions and the type of improvements needed in order to meet the objective level. There are large-scale maps of each part of the area in the 2016 Annual Status Report. This, and Exeter City Council's other air quality reports are available at: www.exeter.gov.uk/airpollution

9.2 Action to Improve Air Quality

- 9.2.1 The first Exeter AQAP covered the period 2008-2011. Because the source of the NO₂ emissions is traffic on the local road network it drew heavily from the Devon County Council (DCC) Second Local Transport Plan (LTP2, 2006-2011). Air quality was one of the four national shared priorities within the LTP2 and progress against Action Plan targets was generally good.
- 9.2.2 With the replacement of LTP2 in 2011, the AQAP also needed updating. The AQAP2, published in 2012, reflects the changed priorities in LTP3 along with changes in national, regional and local policy that have occurred since 2008. The measures are proportionate to the funding and resources within LTP3 and from partners. Another key change since the first AQAP was the significant upward pressures on NO₂ emissions which will result from the proposed development in the greater Exeter area.
- 9.2.3 The AQAP2 explained what actions the City Council would take with partners to reduce air pollution as part of delivering sustainable development. It identified that the plans and policies available at the time would have a low positive impact on air quality, although it was accepted that there was some uncertainty associated with this. This is a modest predicted change, but should be set against the background of significant development in the city and therefore significant upward pressure on emissions.
- 9.2.4 Progress with implementing the AQAP2 has generally been good. Key measures commenced or completed in 2015 and 2016 were:
- Newcourt station.
 - Cranbrook station.
 - Tithebarn link for new bus route to Cranbrook.

- Car clubs on new areas of development.
- Personal exposure projects to highlight the beneficial effects of alternative travel modes, or travel routes on personal exposure to PM_{2.5}.
- Taxi emissions licensing standards.
- Reductions in Exeter City Council fleet fuel use.
- Bridge Road widening.
- Car club bike hire scheme.
- Ecostars scheme to reduce emissions from commercial vehicle fleets

Forthcoming projects include:

- Work to update the Air Quality Action Plan, to include ambitious targets for reduction of NO₂ concentrations and PM_{2.5} exposure.
- Ide Park and Ride.
- Marsh Barton Station.
- Bus Real-Time Information.

The Council has also applied for DEFRA grant funding to extend the network of electric vehicle charging points, and for additional bike hire points. We will hear in late February whether these applications have been successful.

- 9.2.5 The Council is in the process of updating its AQAP and the third iteration of the document will be published in 2017. This will incorporate elements in common with East Devon, Mid Devon and Teignbridge District Councils, in recognition of the trans-boundary nature of the problem.

9.3 Air Quality Monitoring

- 9.3.1 The Council operates a network of 66 air quality monitoring sites, which measure pollution from vehicle emissions. The full results from this monitoring are available online in our Annual Status Report at www.exeter.gov.uk/airpollution, but in summary concentrations of all pollutants measured show a downward trend. This means that in 2015 only four locations in the city measured levels above the government objective, which is a significant improvement. Five years previously to that there were 14 locations where measured levels above the objective. The 2016 data has not yet been ratified, but is expected to show similar results to 2015.

- 9.3.2 Environmental Health and Licensing have applied for capital funding to replace the equipment at the two continuous monitoring sites (at RAMM and Alphington Street). If this funding is approved, the service will need to tender for the equipment and may need to obtain planning permission (subject to the extent of any external changes).

9.4 Fine Particulate Matter (PM_{2.5})

- 9.4.1 Changes to the Local Air Quality management regime in 2016 placed a new responsibility on local authorities to take action to reduce concentrations of PM_{2.5}. There is no local objective for PM_{2.5} and so it is left to authorities to decide what action is appropriate for their area. This could include monitoring and setting a locally based objective. Exeter City Council will develop a policy that will be published in the updated AQAP in 2017. It is hoped that the replacement air quality monitoring equipment at RAMM and/or Alphington Street will be capable of measuring PM_{2.5}.

9.6 Air Quality Performance 2016/17

- 56 enquiries / complaints were received during the year.
- Working in partnership with East Devon, Mid Devon and Teignbridge District Council to submit bids to DEFRA for grant funding, undertake a personal exposure study with school children, and implement a Devon-wide Eco-Stars scheme to reduce emissions from freight vehicles.
- Work started on common elements of an updated AQAP with neighbouring districts.
- 91% of roadside monitoring locations do not exceed NO₂ objective levels.
- The average extent by which objective level is exceeded at monitoring locations where an exceedance has been identified was 8 µg/m³
- The maximum extent by which objective level is exceeded at monitoring locations where an exceedance has been identified was 18 µg/m³

SECTION 10: CONTAMINATED LAND

10.1 Introduction

- 10.1.1 Land affected by contamination from either natural or anthropogenic sources is widespread throughout the UK. It is often only when a risk assessment determines that the level of contamination is or is likely to cause significant harm to a receptor that regulatory intervention is required.
- 10.1.2 The definition of significant harm is based on the pollutant linkage being present. A pollutant linkage consists of three parts:
- A "contaminant" is a substance which is in, on or under the land which has the potential to cause harm or to cause pollution of controlled waters.
 - A "pathway" is one or more routes or means by, through, which a receptor is being exposed to, or affected by, a contaminant, or could be so exposed or affected.
 - A "receptor" (as specified in the relevant guidance for the regulatory regime involved).
- 10.1.3 The level at which harm becomes significant depends on the regulatory regime being implemented and how precautionary it is.
- 10.1.4 Local Authorities are the primary regulators for the majority of the legislation which relates to contaminated land, although the Environment Agency is also involved in some circumstances. Environmental Health and Licensing provides specialist support and technical advice to other parts of the Council in the discharge of their relevant duties, including the management of Council owned sites which are affected by contamination. The Council has adopted a Contaminated Land Strategy which describes its approach to all these areas of work, as summarised in the following sections.

10.2 Environmental Protection Act 1990 Part 2A

- 10.2.1 Part 2A of the Environmental Protection Act 1990 ("Part 2A") establishes a legal framework for dealing with historic contaminated land. It has a high threshold for the definition of "contaminated land" as follows:

"contaminated land" is any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that –

- (a) significant harm is being caused or there is a significant possibility of such harm being caused; or
- (b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused. (Section 78A(2))

"Harm" means harm to the health of living organisms or other interference with the ecological systems of which they form part and, in the case of man, includes harm to his property. (Section 78A(4))

- 10.2.3 Part 2A is intended to deal only with the most significantly affected sites. Under the Act, Local Authorities have a duty to inspect their area for such "contaminated land". Statutory Guidance describes two broad types of "inspection":

(a) strategic inspection, for example collecting information to make a broad assessment of land within an authority's area and then identifying priority land for more detailed consideration; and

(b) carrying out the detailed inspection of particular land to obtain information on ground conditions and carrying out the risk assessments which support decisions under the Part 2A regime relevant to that land.

10.2.4 If land is determined to be “contaminated land” following inspection, Part 2A provides for the Council to apportion liability and require remediation of the site.

10.2.5 The Contaminated Land Strategy provides further detail on how Part 2A will be implemented and how strategic and detailed inspection will be carried out.

10.3 Town and Country Planning

10.3.1 The National Planning Policy Framework contains the following guidance on delivering sustainable development:

To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location.... Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Planning policies and decisions should also ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.

10.3.2 Environmental Health and Licensing provides specialist advice to both the Local Planning Authority and to Devon County Council as the Waste and Minerals Planning Authority on land contamination in order to ensure that this and other relevant guidance is followed. In practice this involves scrutinising development sites and planning applications for potential contamination impacts, reviewing third party risk assessment reports for their adequacy, agreeing relevant planning conditions and making recommendations on the discharge of these. This is a significant area of work for Environmental Health and Licensing in terms of specialist knowledge and time resources.

10.4 Other Regulatory Regimes

10.4.1 Building Regulations 1991 – these may require measures to be taken to protect the fabric of new buildings, and their future occupants, from the effects of contamination. Approved Document Part C (Site Preparation and Resistance to Moisture) gives guidance on these requirements. Environmental Health and Licensing provides specialist advice to Building Control on contamination, risk assessment and remediation when required.

10.4.2 Environmental Protection Act 1990 Part III – Statutory nuisance provisions now only apply where land gives rise to a nuisance (such as an odour) that is an offence to human senses but which is not covered under the various categories of harm set out in the Contaminated Land Statutory Guidance.

- 10.4.3 Environmental Permitting Regulations 2010. Some sites permitted by either the Local Authority or the Environment Agency are required to submit a Site Condition Report which provides baseline evidence on ground conditions when a permit is first issued. The site must be returned to this state if the permit is surrendered. The regulators also have powers to control contaminative activities at some permitted sites.
- 10.4.4 Water Resources Act (WRA) 1991 – The WRA 1991 gives the Environment Agency powers to take action to prevent or remedy the pollution of controlled waters, which could occur as a result of land contamination.
- 10.4.5 Environmental Damage Regulations 2009 - The EDR implement the European directive on Environmental Liability. They are based on the "polluter pays principle", so those responsible prevent and remedy environmental damage, rather than the taxpayer paying for it. Environmental damage has a specific meaning in the regulations covering only the most serious cases, and including damage to land.

10.5 Voluntary Remediation

- 10.5.1 Site owners and those responsible for potentially contaminated sites can also decide to undertake voluntary investigation and remediation. There is no legal requirement to consult with the Local Authority in this event, but site owners will often do so. Environmental Health and Licensing support voluntary remediation, and endeavour to ensure that such sites are investigated and remediated to a suitable standard and that evidence to demonstrate this is provided to the Council for future reference.

10.6 Council Owned Land

- 10.6.1 The Council is a significant land owner in the city, with responsibility for both receptor sites (eg housing which could be affected by contamination) and sites which have potentially contaminative former uses. Environmental Health and Licensing provides specialist advice to the Estates Department and to land managers regarding contamination. This involves some routine monitoring and reporting, where sites have previously been investigated by an external consultant. It is important to maintain a separation between regulatory functions and technical support to internal customers.

10.7 Contaminated Land Strategy

- 10.7.1 The Council published its first Contaminated Land Strategy in 2001. It was reviewed and an updated strategy published in 2014 to reflect the recently updated Part 2A Statutory Guidance and the changed circumstances of the last ten years. Following publication, the Strategy will be kept under periodic review to ensure it remains up to date, especially in the event of further changes to the Statutory Guidance. The Council will aim to review the Strategy at least every five years.
- 10.7.2 The updated strategy describes how the Council will implement Part 2A, but also how it will apply alternative regimes when relevant. Decisions about the most appropriate regime in any particular case will be handled through consultation between the Council and the Environment Agency. The Council will take a strategic approach to carrying out its duties. This approach will be rational, ordered and efficient, and it will reflect local circumstances in Exeter. The Council will take a precautionary approach to the risks raised by contamination, whilst avoiding a disproportionate approach given the circumstances of each case or placing unnecessary burdens on businesses or individuals. The aim will be to consider the various benefits and costs of taking action, with a view to ensuring that the intervention produces net benefits, taking account of local circumstances in each case.

10.7.3 As part of the implementation of the Strategy, the Council will maintain databases and GIS files of sites which have been inspected, or require inspection in some form. This work will be undertaken by Environmental Health and Licensing.

10.8 Contaminated Land Performance 2016/17

- The service commented on 308 new planning applications during the course of the year.
- 18 new sites were entered onto the service's contaminated land database.
- The methane, stream water and groundwater monitoring results were reviewed and reported upon where changes have taken place.

SECTION 11: Anti Social Behaviour and Nuisance

11.1 Anti-Social Behaviour

11.1.1 Anti-social behaviour (ASB) can be a real issue for some neighbourhoods within the city. The Crime and Disorder Act (1998) defines ASB as behaving in a manner that 'caused or is likely to cause harassment, alarm and distress to one or more persons not of the same household.' Recognising the impact of the behaviour on the victims and the community, as well as looking at the risk factors that cause such behaviour, is key to tackling the problems.

ASB can include:

- Harassment/ Intimidation
- Verbal Abuse
- Criminal Damage
- Graffiti and vandalism
- Noise nuisance
- Substance misuse
- Assault
- Vehicle related nuisance

ASB is not:

- Children playing in the street or communal areas
- Young people gathering socially - unless they are being intimidating to individuals.
- Being unable to park outside your own home
- DIY and car repairs- unless these are taking place late at night
- Civil disputes between neighbours e.g. shared driveways.
- One-off complaints of noise nuisance e.g. one-off parties.

11.1.2 The Crime and Disorder Act (1998) places a statutory duty upon the council to act. The team works in partnership with a number of other partner organisations, to tackle anti-social behaviour. These include: Devon and Cornwall Police Exeter Neighbourhood Policing Team, Devon and Somerset Fire and Rescue Service, NHS, voluntary sector services and housing associations.

11.1.3 Environmental Health and Licensing seeks to work with Partners to put sustainable solutions in place, to prevent anti-social behaviour from happening in the first place. Following this the council will support individuals and groups to change their behaviour. We only use enforcement as a final measure.

11.2 Nuisance and Health

11.2.1 The protection of our environment is important for human health. The adverse impacts of the environment on health are therefore important to the Council. The main principle laid out under the Environmental Protection Act 1990 is to inspect the city in order to protect those who live, work and visit the city against public health nuisances and to safeguard the against the effects of environmental pollution.

11.2.2 The Environmental Protection Act 1990 provides powers to individuals and Local Authorities to take action where a person is subjected to an unreasonable and significant nuisance at their property. There is no definition of a statutory nuisance but in

general terms it could be described as "what an ordinary reasonable person would consider unacceptable". This definition would exclude any personal circumstances being taken in to account when assessing nuisance. It is assessed from the average person's perspective, so matters such as shift work patterns, medical conditions, sensitivities etc, cannot be taken into account.

11.2.3 To be considered a statutory nuisance something must be, or likely to be a nuisance or prejudicial to health. It must be something which seriously affects and disturbs the comfort and enjoyment of a person's property and can include:

- any premises in such a state as to be prejudicial to health or a nuisance
- smoke and ash emitted from premises, such as from bonfires or chimneys
- fumes or gases emitted from premises
- any dust, steam, smell or other effluvia arising on business premises
- accumulations or deposits of rubbish or offensive materials causing smells, flies etc
- any animals kept in such a place or manner as to be prejudicial to health or a nuisance
- any insects emanating from a business premises
- noise from domestic or commercial premises including licensed premises
- noise emitted from or caused by a vehicle, machinery or equipment in a street
- artificial light emitted from premises

11.2.4 Environmental health has an important contribution to make to improving public health and reducing health inequalities and regularly has to intervene with properties that have become filthy and verminous. These are often quite complex cases that involve dealing with individuals and families who are struggling to cope, with such cases frequently characterised by an accumulation of material that can make access to the premises difficult and that may present a physical or fire risk to the occupants of adjoining premises. Such premises have to be dealt with sensitively and normally in partnership with the Social or Children's Services and other organisations.

11.3 Objectives

11.3.1 The service provides a proactive and reactive service dealing with routine Environmental Health complaints such as:

- To investigate Public Health Nuisances arising in the city (such as drainage, smoke, noise, illegal dumping, abandoned vehicles)
- To provide a co-ordinated response to anti social behaviour
- To respond to consultations from Planning
- To investigate all complaints from commercial, industrial and domestic premises.
- To provide advice on all environmental protection matters
- To investigate incidences of fly-tipping.

11.4 Methodology

11.4.1 Environmental Health and Licensing has a small team of dedicated staff to tackle anti-social behaviour and nuisance issues. The officers' work with a number of services across the Council, the main role of the team is to coordinate a response to anti-social behaviour, by using their problem solving skills and their extensive knowledge of services to ensure every organisation that can provide solutions is involved.

11.4.2 The Section undertakes monitoring of noise for the Council. Monitoring may also be undertaken prior to a proposed development, as part of the planning process, post development noise monitoring may also be undertaken to ensure compliance with planning conditions. Noise surveys are also undertaken from time to time

11.4.3 Environmental Health Services address environmental issues and provides a fast-acting complaint response service. It:

- works to reduce noise pollution in the city;
- provides an effective and safe pest control service;
- helps the Council carry out its duties whilst causing the least possible damage to the environment;
- deals promptly, sensitively and effectively with problems relating to all of these issues at the request of the public; and
- enforces the relevant laws and bylaws in a transparent and fair fashion.

11.5 Nuisance and Health Performance 2016/17

- The service received and investigated 763 noise complaints, 5 of which had noise abatement notices served. 1 warrant was issued by the magistrates' court to seize noise equipment and a formal caution has been issued for breaching a noise abatement notice.
- The service received and investigated 613 complaints relating to other public health issues such as rubbish, drainage and bonfires. As a result 14 notices were served under Public Health legislation.
- The service received and investigated 340 nuisance vehicles.
- 794 requests were made to the Pest Control Service.
- 450 Anti-Social Behaviour cases were dealt with by the service in conjunction with other agencies. As a result 27 community protection warnings and 2 notices were served.
- Staff from across the service supported the Police, Exeter University, Students Guild, Residents and Licensed Premises to welcome the new student intake to the city at the start of the academic year. This was largely a proactive engagement to educate, support and prevent issues arising, but where necessary respond quickly to matters when needed. Initiatives included enforcing the Drinking in Public Places Order, joint residential patrols with University Patrol, working with Licence premises to ensure effective management around premises and taking councillors and residents out to see the partnership in operation.
- Work is ongoing with the Police to collate evidence and seek a prosecution against those who have been damaging property with graffiti around the city.

SECTION 12: PRIMARY AUTHORITY PARTNERSHIPS

12.1 Scope of the Primary Authority Partnerships

- 12.1.1 The Regulatory Enforcement and Sanctions Act 2008 established a statutory scheme for businesses trading across local authority boundaries. The scheme known as the Primary Authority Scheme enables businesses and local authorities to enter into formal partnerships. The advice provided by the local authority has to be taken into account by other councils before enforcement action can be taken against the business concerned.
- 12.1.2 Businesses that operate from more than one site can be subject to regulation and enforcement action by multiple local authorities. As a result, BRDO has found that on occasions these organisations may find themselves subject to regulatory enforcement using different approaches in different locations
- 12.1.3 Currently, there are voluntary 'Home' and 'Lead' Authority schemes which aim to address this issue. Generally, the Local Authority where the businesses head office is based will become a contact point for other authorities so that regulatory issues that apply across the business can be addressed. For example the company would liaise with the home authority to ensure that their policy for reporting accidents complies with the legislation.
- 12.1.4 Whilst the majority of businesses have been content with the voluntary arrangements, some others, particular national retailers, have not and so pressed for the introduction of a statutory 'Primary Authority' scheme, which is specifically designed to build on the successes of the current arrangements whilst addressing deficiencies. The Regulatory Enforcement and Sanctions Act provides for the introduction of this statutory scheme.

12.2 Main Provisions of the Regulatory Enforcement and Sanctions Act 2008

- 12.2.1 For the first time companies gain the legal right to form a statutory partnership with a single local authority, which must then provide robust and reliable advice on compliance which other Councils must take into account when carrying out inspections or dealing with non-compliance.
- 12.2.2 The idea of the scheme is that:
- a. Formal partnerships are made between businesses and a local authority for that local authority to act as a Primary Authority and provide advice and guidance on the legislation covered by the partnership.
 - b. Where a local authority other than the relevant Primary Authority (described as an "enforcing authority") proposes to take enforcement action against an organisation with a Primary Authority, the enforcing authority must consult the relevant Primary Authority first.
 - c. The Primary Authority will then have the right to direct the enforcing authority not to take the proposed enforcement action if they believe that it is inconsistent with advice or guidance that they had previously given.
 - d. Partnerships can cover all environmental health legislation, or be more specific, relating to functions such as food safety, health and safety, licensing and environmental permitting.

12.3 Enforcement

- 12.3.1 Where a proposed enforcement action has been referred to a Primary Authority and the parties involved cannot reach an agreement as to the action that should be taken, the enforcing authority, the Primary Authority or the organisation involved can refer the action to BRDO for determination. The purpose of this determination process is to examine whether the Primary Authority's previous advice was correct, and the proposed enforcement action is inconsistent with that advice.
- 12.3.2 While the flexibility to adapt to local circumstances must be retained, eliminating inconsistent interpretation serves to enhance the credibility of all local regulators, as well as preventing unfair variations in the level of protection that the public receives. This will inevitably support the creation of a level commercial playing field, giving businesses more confidence to invest and grow.
- 12.3.3 It is recognised that the co-ordination of advice and enforcement is essential to ensure uniformity of treatment and consistency in dealing with businesses which have more than one branch or unit situated in different food authority areas. The Council will therefore be guided by the LG Regulation Home Authority Principle or where applicable the Primary Authority Principle.
- 12.3.4 A national inspection plan can be produced by the primary authority to improve the effectiveness of inspection, avoid repeated checks, and enable better sharing of information. If a problem arises, the primary authority can coordinate enforcement action to ensure that the business is treated consistently and that responses are proportionate to the issue.
- 12.3.5 Regulatory burdens will be reduced through embracing the Primary Authority Concept. The requirement for other enforcement authorities to consult the Primary Authority prevents unwarranted enforcement actions. Where an inspection plan is in place, unnecessary checks and tests are avoided whilst undertaking intelligence/risk based local inspections.

12.4 Resources

- 12.4.1 The primary authority scheme is overseen by the BRDO who have a statutory responsibility to register the partnerships, issue guidance and resolve any disputes that may arise. Once legally nominated by BRDO, partnerships are automatically recognized by all local regulators and details of the partnership is maintained on a central national register providing an authoritative reference source for businesses and councils.
- 12.4.2 Resourcing the partnership is considered by both the council and businesses concerned and where necessary, a primary authority can recover its costs in relation to the level of service provided. Section 31 of the Regulatory Enforcement and Sanctions Act states that 'the primary authority may charge the regulated person such fees as it considers to represent the costs reasonably incurred by it in the exercise of its functions under this Part in relation to the regulated person'. The approach that must be taken by local authorities in recovering costs is set out in treasury guidance.
- 12.4.3 Charges levied upon any business that we enter into agreement with will be set based on official guidance and will reflect the extra level of support and assistance given to Primary Authority businesses. Any charge will be based on a cost recovery basis.
- It is the most effective means for councils to deliver support to businesses, through impact partnerships.
 - Better relationships between the regulated and the regulators mean better regulation.
 - It can increase the prosperity of communities.

12.4.4 As partnerships are established, the council will gain access to better intelligence in relation to any business risks. This will assist inspection and regulation, avoiding duplication of effort and the ability to target resources on the areas of highest need.

12.5 Legal Implications

12.5.1 There is no statutory obligation on the authority to enter into any partnership agreement. A business can request the level of support it needs from its primary authority and the authority will then determine whether it has the capacity to meet the needs of the business before entering into any partnership agreement.

12.5.2 The Council will take responsibility for giving advice to those businesses on matters relating to food safety and hygiene, health safety and welfare, licensing, and environmental protection as required by the business.

12.5.3 Where the Council are unable to adhere to this principle the Council will discuss our concerns with the Better Regulation Delivery Office and, should the matter not be resolved, with the relevant agency (Food Standards Agency, Health and Safety Executive, or Environment Agency).

12.5.4 On 1 October 2013 the Enterprise and Regulatory Reform Act extended the scope of the Primary Authority scheme. Previously, a business had to be regulated by at least two councils to form a primary authority partnership with a local authority, but the Enterprise and Regulatory Reform Act now opens participation up to businesses which share an approach to compliance such as trade associations and franchisees

12.6 Current Primary Authority Partnerships

12.6.1 Primary Authority partnership agreements have been established with:

1. Lloyd Maunder (Food Safety)
2. Devon Norse (Food Safety, Health and Safety and Licensing)
3. Brownsword Hotels (Food Safety, Health and Safety and Licensing)
4. Artigiano Retail Ltd (Food Safety, Health and Safety and Licensing)
5. Shauls Bakery Ltd (Food Safety and Health and Safety)
6. KM Innovations Ltd (Food Safety)

SECTION 13: SAMPLING PROGRAMME

13.1 Purpose of Sampling

13.1.1 The food and water quality sampling programme is devised to ensure effective use of resources and fulfil the requirements of the Food Sampling Policy, Private Water Supply Regulations and water quality standards in respect to swimming pools.

13.2 Requirement to Sample

13.2.1 The sampling programme operates on a total sampling allocation of 10 samples per 10,000 population. This will require approximately 127 samples per year to be taken. The authority is required to provide a statistical return to the Food Standards Agency (FSA) and Drinking Water Inspectorate on its annual sampling activity. All local authorities have an arrangement with the Public Health England Laboratory, which provides a credit allocation to facilitate this work.

13.2.2 The authority has a duty under the Private Water Supply Regulations to conduct periodic sampling of Private Water supplies within the City. All local authorities within Devon have an arrangement with South West Water, which provides a pay as you sample contract to facilitate this work.

13.2.3 The authority also conducts routine swimming pool sampling of all public and private swimming baths within the city. All local authorities have an arrangement with the Public Health England Laboratory, which provides a credit allocation to facilitate this work.

13.3 Sampling Methodology

13.3.1 Primary Authority Partnership role: There is only a very limited role for the Council to play in this respect as we are without any large national companies producing high-risk products. There are however a few small producers whose products are distributed locally and sampling will provide a means of surveillance of their goods and services.

13.3.2 Devon & Cornwall Chief Officers Food Sub Group: The food sub group produce a sampling plan that is applicable to both Unitary and district council members. This sampling plan will act as a 'pick list' and along with nationally agreed surveys will inform the majority of the food sampling methodology. In addition to the national surveys the food sub group have also agreed several local surveys.

13.3.3 Vulnerable Foodstuffs: High-risk foodstuffs, which give cause for concern or suspicion, may need to be sampled on an ad hoc basis. This will include sampling verification of controls at a critical step in a food operation and monitoring of imported food from third world countries, for example.

13.3.4 Complaints: Food samples may be taken when investigating consumer complaints, either to confirm suspected contamination or in undertaking enquiries resulting from complaints.

13.3.5 Statutory Samples: We have a statutory obligation to monitor water distributed by SWWS Ltd and to a limited extent premises with private water supplies.

13.3.6 Survey Work: The number of samples taken as a result of Food Alerts, locally/nationally agreed surveys and food poisoning investigations is subject to annual variation, but provision will be made for these items.

13.3.7 Environmental Swabs: The swabbing of key food contact and hand contact surfaces is seen as an effective means of contributing to the assessment of hygiene standards during routine

food hygiene inspections. Officers will use a combination of swabs sent to the Public Health England laboratory and ones analysed at the time of visit using an ATP meter.

13.4 Budget Provision

13.4.1 In addition to the credit allocation provided by the Public Health England laboratory, sums of £260 (analyst's fees) and £300 (samples) are included within the budget. These sums are intended to cover all sampling and a proportion of this will be reserved for Health and Safety sampling (e.g. asbestos, COSHH etc.).

13.5 Resources

13.5.1 There is adequate provision within the present budget to undertake the proposed sampling programme. Allowing for some flexibility between the two budget entries ensures that problems in financing the purchase and analysis of samples for the Food and Health and Safety enforcement functions of the section will be minimised. The programme assumes the current staffing level as outlined in section 3 of this report will be maintained throughout the year.

Year	2017												2018			
Months of sampling	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A
Public Health England Studies																
Study 59: Sauces where caterers refill the bottles																
Study 60 – Reactive study																
Study 61																
Study 62																
South West Co-ordinated & Exeter Specific Sampling																
Microbiological quality of cooked rice																
Microbiological quality of pre-packed sandwiches at point of sale																
Microbiological quality of fermented and dried meat products at point of sale																
Non-compliant premises sampling / ATP swabs																
Swimming Pool Sampling																
Private Water Supply Sampling																

13.6 Sampling Performance 2016/17

- 148 samples were taken during the year
- 110 samples were taken of food products, with samples taken across all classifications. Of these samples 74% were found to be satisfactory with 26% shown to be unsatisfactory or borderline. All unsatisfactory / borderline results were investigated further by officers.
- 38 samples were taken of swimming / spa and paddling pools. Of these, 82% were found to be satisfactory with 18% having an unsatisfactory / borderline sampling

result. Where an unsatisfactory / borderline result was returned by the laboratory, officers worked with pool operators to ensure immediate remedial action was taken.

SECTION 14: ENVIRONMENTAL HEALTH TRAINING SERVICE

14.1 Scope of the Training Service

14.1.1 The service has established a robust cost effective training service for Exeter and the surrounding area. The service in the past has been successful in receiving external funding initiatives and will apply for funding schemes as and when they become available.

14.2 Main provisions of the Training Service

14.2.1 Food handlers must receive adequate supervision, instruction and /or training in food hygiene for the work they do. The owner of the food business is responsible for ensuring that this happens. There is an equivalent legal position under Health and Safety legislation and businesses have a legal duty to assess the risks within their operation and the take precautions to minimise that risk.

14.2.2 The Environmental Health training services provision has been at the forefront of training since the establishment of the first formal courses. Over the last 10 years, the Environmental Health Training Portfolio has established itself as a primary provider of Environmental Health training courses in Exeter and the surrounding area. The authority aims to provide this service on a cost neutral or profit making basis.

14.2.3 The training and education activities are principally directed to workplace and consumer health protection, although increasingly educational establishments and the voluntary sector are using the service. The service embraces the principles of excellence in public services and Better Regulation and looks to make the most effective use of available resources to achieve maximum gain.

14.2.4 The service is currently achieving a 95% pass rate for its training courses.

14.3 Access to training

9.3.1 The service looks to actively encourage delegates who require additional support in terms of, language difficulties, poor literacy or numeracy skills, physical or mental challenges, dyslexia or other literacy problems.

14.3.2 Where additional support is required, this can be provided through the provision of language specific course materials, extension of guided learning hours, oral examinations, extended examination period, alterations to the method of instruction or provision of specific courses. The service also provides training in other languages to meet the diverse needs of the business community.

14.4 Financial Implications

14.4.1 A robust cost effective training service for Exeter has been established and to the same degree this also serves the surrounding area. The service has been innovative and successful in receiving external funding and will apply for funding schemes as and when they become available.

14.4.2 The costs of providing training in other languages significantly increases the costs as the service needs to employ the services of a translator or course tutor who can deliver the course in the desired language to ensure that the courses are equally successful.

14.5 **Education and Awareness Performance 2016/17**

- During 2016/17, 784 delegates have attended education and awareness sessions run by the service.
- The Level 2 Award in Personal Licence Holders has been added to the portfolio of training provided.
- The service facilitated two workshops on behalf of the Community Safety Partnership in safeguarding.
- The service facilitated two workshops on behalf of the Community Safety Partnership in conflict resolution attended by 68 people.

SECTION 15: RESOURCES

15.1 Financial Matters

15.1.1 Detailed figures to determine the overall specific level of expenditure involved in providing individual elements of the service are not available as there are fluctuations in priority and need across the wide range of legislative areas. Likewise with changes in the intervention pattern it is difficult to accurately determine the trend of growth, of the various functions of the service. The food safety function can occupy the significant portion of time of the Section, at the expense of the other services.

15.1.2 The training element is also covers subjects across the enforcement disciplines, although it has its own budget and cost centre and aims to be cost neutral. External tutors are used to increase efficiency in delivering this service.

15.1.3 The budgets for sampling and analysis of samples are currently £560 for the year.

15.1.4 **Budget Allocation Figures for 2017/18 – Food Safety Function**

ENFORCEMENT				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Commercial F020</u>	225,840	10,320	740	57,760
Proportion allocated to Food Safety Function (40%)	90,336	4,128	296	23,104
Analysis (max)		260		
Purchase of Samples		300		
Environmental Protection Sampling Technician	2,200			

NB:

- Based on 40% allocation to Food Safety. Analyst fees up to a maximum £260 (may also be used for water/health and safety samples) if required.

15.1.5 **Budget Allocation Figures for 2016/17 – Health and Safety Function**

ENFORCEMENT				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Commercial F020</u>	225,840	10,320	740	57,760
Proportion allocated to Health & Safety Function (40%)	90,336	4,128	296	23,104

NB:

- Based on 40% allocation to Health and Safety. Analyst fees up to a maximum £260 (may also be used for water/health and safety samples) if required.

15.1.6 Budget Allocation Figures for 2017/18 – Training Provision

FUNCTION				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Health Education F018</u>	1,550	15,690	-	1,160
Proportion allocated to Health & Safety function (20%)	310	13,138	-	232
Proportion allocated to Food Safety function (80%)	1,240	12,552	-	928

15.1.7 Budget Allocation Figures for 2017/18 – Licensing

FUNCTION				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Licensing F021 / F022</u>				
Proportion allocated to Taxi Licensing function (F021)	75,380	28,950	100	31,960
Proportion allocated to Premise Licensing function (F022)	97,880	2,740	650	34,930

NB:

- Costs do not include those associated with the licensing committee and associated support given to the committee.

15.1.8 Budget Allocation Figures for 2017/18 – Environment Permitting and Strategy, Contaminated Land, Air Quality and Business Nuisance Investigations

FUNCTION				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Environmental Strategy F025</u>	113,710	22,200	6,660	22,980

15.1.9 Budget Allocation Figures for 2017/18 – Anti Social Behaviour, Nuisance Investigations and Pest Control

FUNCTION				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Environmental Protection F001</u>	160,980	10,050	6,260	60,430

15.2 **Staffing Allocation**

15.2.1 Environmental Health and Licensing is managed by the Environmental Health and Licensing Manager.

Title	Qualification	Role
Environmental Health and Licensing Manager	BSc / Msc Environmental Health	Management

15.2.2 There are currently 3 FTE staff directly working on food, enforcement and related matters and 2 FTE staff directly working on health and safety related matters with a significant and increasing support role by Environment Support staff.

Title	Qualification	Role
PEHO	BSc Environmental Health	Lead Professional Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO (part time)	BSc Environmental Health	Food Safety / Health and Safety Inspector
EHO - Agency	BSc Environmental Health	Food Safety, Health and Safety and Private Water Supplies Contract Inspector

15.2.3 There are currently 3 FTE staff that are directly working on Environment Permitting and Strategy, Contaminated Land, Air Quality and Business Nuisance Investigations

Title	Qualification	Role
Senior Technical Officer	BSc/Diploma in Environmental Health and EHORB Certificate of Registration OR University Science/maths degree or equivalent professional qualification in the field of noise/air quality monitoring or contaminated land	Environmental Permitting, Nuisance Investigations, Contaminated Land, Air Quality, Sampling and Monitoring
Technical Officer	Educated to 'A' level or equivalent	Environmental Permitting, Nuisance Investigations, Contaminated Land, Air Quality, Sampling and Monitoring
Environmental Protection Officer	Good general standard of education and to "O" level	Contract Pest Control, Nuisance Investigations,

	standard in two suitable subjects (Maths and English preferred)	Sampling and Monitoring
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15.2.4 There are currently 3.75 FTE staff that are directly working on Licensing related matters with a significant and increasing support role by other staff within the service.

Title	Qualification	Role
Principal Licensing Officer	Relevant graduate or professional qualification (licensing / regulatory) or equivalent by experience plus 3 years enforcement experience	Licensing process and enforcement
Senior Licensing Officer	Recognised licensing qualification	Licensing process and enforcement
Licensing Officers	Recognised licensing qualification	Licensing process and enforcement
Senior ESO	Educated to 'A' level or equivalent	Assisting with Monitoring and various projects

15.2.5 There are currently 9 FTE staff providing a customer and support service across the whole of the Office of the Assistant Directorate Environment.

Title	Qualification	Role
Principal Environmental Support Officer	Educated to A level standard	Service Support
Senior ESO	Support	Service Support
ESO (x 8.5FTE)	Support	Service Support
Contract Tutors	CIEH/RIPH and/or Highfield Registration	Deliver training courses run by the service

15.2.8 There are currently 4.55 FTE staff that are directly working on Nuisance and Anti Social Behaviour matters such as Noise, Odours, bonfires, defective drains, light, refuse, accumulations and Domestic Pest Control.

Title	Qualification	Role
PEHO	BSc Environmental Health	Lead Professional Officer
Environmental Health Technician	Relevant degree or equivalent qualification in Environmental Health or Anti-Social Behaviour	Nuisance Investigations, Sampling and Monitoring
Senior ESO	Educated to 'A' level or equivalent	Assisting with Nuisance and Anti Social Behaviour Investigations, Monitoring and various projects
Environmental Protection Officer	Good general standard of education and to "O" level standard in two suitable subjects (Maths and English preferred)	Domestic Pest Control, Nuisance Investigations, Sampling and Monitoring

15.2.7 It is currently the policy of the Council to engage the services of outside contractors to assist in programmed food hygiene interventions. This will be subject to any agency contractors meeting the requirements specified in the Code of Practice (England) and the relevant Councils procedure; and the cost of the work being met within existing budgets.

15.3 **Staff Learning and Development Plan**

15.3.1 The service will ensure that staff are appropriately qualified and receive regular training to maintain and improve their level of competency. All officers will have access to at least 20 hours training which will normally be identified at performance appraisal and target setting. For those officers conducting food safety and health and safety enforcement work, a minimum 10 hours food safety and 10 hours of health and safety update training will take place on an annual basis. All Environmental Health staff within the section will be afforded the facility of continuing professional development.

15.3.2 The training structure comprises:-

- the employment of enforcement officers capable of food law, health and safety, licensing, environmental permitting and other enforcement that they are required to undertake;
- evidence of formal qualification (sight of original qualification certificates prior to commencement of employment);
- in-house competency-based training;
- successful completion of Regulators Development Needs Assessments (RDNA) to assure competence;
- identification of training needs during annual performance appraisal to meet current targets to assist and improve upon performance against current job requirements.

15.3.3 The following additional steps are taken to ensure staff development:-

- internal training sessions will be held (anticipated 4 hours CPD in food related topics and 4 hours CPD in health and safety related topics per year);
- briefing notes on topics of current interest will continue to be regularly circulated to bring details of new legislation and technological change in the field of all enforcement areas to the attention of officers;
- those staff who have not attained Chartered Status with the Chartered Institute of Environmental Health will be encouraged to achieve this by successfully completing their Assessment of Professional Development;
- programmes of instruction will be devised to accommodate the needs of new and existing staff and ensure the required level of competency.

SECTION 16: QUALITY ASSESSMENT

- 16.1.1 The Environmental Health and Licensing Manager and Principal Officers monitor the quality and consistency of work through the checking of inspection correspondence, statutory notices and audits of various aspects of work conducted on a periodic basis.
- 16.1.2 Customer perceptions of quality are monitored by a post inspection and service request questionnaires, which are sent to a representative proportion of businesses and service users. The questionnaire requests comments on the inspection process or dealing with a service request and any dissatisfied business proprietors or service users who identify themselves receive a follow-up telephone discussion and, where necessary, a visit from the Environmental Health and Licensing Manager or Principal Officer.
- 16.1.3 Any formal complaints made against the service are investigated and monitored in accordance with Council's Complaint Policy.
- 16.1.4 External verification of quality is actively pursued with a commitment to promote consistency of enforcement through auditing and benchmarking with the Devon CEHO's Health and Safety, Food Safety, Licensing, Environmental Protection and Public Health groups as well the Infection Control group organised by Public Health England
- 16.1.5 Internal monitoring procedures have been set up to verify the service operates in conformance with relevant legislation, the Food Law Codes of Practice (England), Section 18 of the Health and Safety at Work etc Act 1974 and our procedures.
- 16.1.6 The Council will continue to monitor and report on Customer Satisfaction with interventions and enforcement conducted by the service.
- 16.1.7 The Principal Environmental Health Officer and Principal Licensing Officer undertake annual quality monitoring audit with each inspecting officer to ensure consistency of enforcement. These audits are recorded and any outcomes agreed between the Principal Environmental Health Officer or Principal Licensing Officer and inspecting officer.

SECTION 17: REVIEW AND PERFORMANCE

- 17.1.1 Quarterly Performance Indicators on progress in implementing this Service Plan will be made by the Environmental Health and Licensing Manager to the Strategic Director.
- 17.1.2 An annual review against the Service Plan will be made by the Scrutiny Committee (Place).
- 17.1.3 The annual review report will contain information on performance against the Service Plan and Performance Indicators. It will highlight any variances from the plan, reasons for these, and the likely impact that these may have.
- 17.1.4 The Scrutiny Committee (Place) will support and Executive will approve the Service Action Plan for the year. Improvements to the service identified as a result of the review, quality assessment, or benchmarking work will be incorporated in the Plan.
- 17.1.5 Information on our targets and progress towards meeting these will be published and publicised as part of the Council's Performance Plan.

17.2 Targets

17.2.1 Local Performance Indicators for 2017/2018:

- Percentage of food premises broadly compliant with food hygiene law (annual figure provided to FSA as part of annual return – lots of variance if provided on a quarterly basis)
- Percentage of health and safety Interventions compliant with health and safety legislation (this can be provided quarterly – focus of interventions and intervention projects will change based upon nation HSE direction and local intelligence)
- Percentage of samples taken found to be satisfactory (can be provided quarterly or on an annual basis)
- Number of delegates engaging with health education initiatives (can be provided quarterly or on an annual basis)
- Percentage of premises requiring additional interventions above the programmed statutory Environmental Permitting inspection frequency (can be provided quarterly or on an annual basis)
- The percentage of the population complaining about being affected by business related noise (this is based upon the Department of Health public health indicators – would be better reported on an annual basis)
- Percentage of roadside locations that do not exceed NO₂ air quality objectives (this can only be produced on an annual basis)
- Where exceedance occurs, the average level of NO₂ at sites where exceedances of the objectives are occurring (this can only be produced on an annual basis)
- Where exceedance occurs, the maximum level of NO₂ at sites where exceedances of the objectives are occurring (this can only be produced on an annual basis)

17.2.2 There are many performance targets for the service to meet in addition to the requirement to comply with standards issued by the Health and Safety Executive.

17.3 Review of performance

Achievement of these improvements will be monitored by the Environmental Health and Licensing Manager and where there are significant performance issues, reports will be made to the appropriate Committee.

SECTION 18: CONCLUSION

- 18.1 This Service Plan demonstrates that the Council has organised its food safety, health and safety, licensing, environmental permitting and monitoring and other associated functions in such a manner that it is capable of achieving a comprehensive service capable of meeting the corporate aims of the authority, and the expectations of the FSA, Health and Safety Executive, DEFRA, Home Office, Drinking Water Inspectorate and other related legislation that the section has responsibility for enforcing.

SECTION 19: GLOSSARY OF TERMS

GLOSSARY	
CCG	Clinical Commissioning Group
CIEH	Chartered Institute of Environmental Health
EHO	Environmental Health Officer
EHORB	Environmental Health Officers Registration Board
EHT	Environmental Health Technician
FSA	Food Standards Agency
FW&E	Food, Water and Environment Laboratory
HACCP	Hazard Analysis and Critical Control Points
HoS	Head of Services
HPA	Health Protection Agency
LGR	Local Government Regulation
PEHO	Principal Environmental Health Officer
PHE	Public Health England
PCT	Primary Care Trust
RSPH	Royal Society of Public Health
SWWS	South West Water Services plc

SECTION 20: RECOMMENDATIONS FOR THE SERVICE DELIVERY PLAN 2017/18

Environmental Health and Licensing provided by the City Council is a statutory service subject to annual review and periodic audit by the Food Standards Agency, Health and Safety Executive and Drink Water Inspectorate. The core elements of the service and their respective link documents detailing the expectation on the authority can be identified as follows:

- **Organisation / Officer Competency / Authorisations** – refer to officer Growth and Development Reviews and internal procedural guidance.
- **Food hygiene inspections** – refer to section 21 – Intervention / Work Plan
- **Complaints / Service Requests** – referral to internal procedural guidance.
- **Primary Authority** – refer to internal procedural guidance
- **Advice to Businesses** – refer to section 21 – Intervention / Work Plan
- **Food Premises Database** – refer to internal procedural guidance.
- **Food Sampling** – Refer to Sampling Plan contained within Section 12 of this service plan.
- **Control and investigation of Outbreaks of Food Related Infections/ Diseases** – refer to internal procedural guidance.
- **Food Safety Incidents** – refer to internal procedural guidance.
- **Enforcement** - refer to development of Intervention / Work Plan
- **Internal Monitoring and Peer Review** – refer to Work Plans for Devon CEHO's sub groups.
- **Food Safety Promotion/Initiatives** - refer to section 21 – Intervention / Work Plan
- **Facilities and Equipment** – refer to internal procedural guidance.
- **National Food Hygiene Rating Scheme** – to continue to maintain and enhance the scheme within the city.

The following recommendations are key activities to shape the service over the forthcoming year and bring about the necessary improvements to ensure it meets the requirements of regulatory reform / Better Regulation and contributes to the strategic objectives of the Council.

SECTION 21: ENVIRONMENTAL HEALTH AND LICENSING INTERVENTION / WORK PLAN 2017 / 2018

1. Developing a strong Community Safety Partnership

- Revise the Community Safety Strategy for 2018
- Re-establishment of the multi-agency helpzone
- Support the work of the Street Attachment Group
- Work with partners to minimise the impact of the start of the academic year on the residents of the city.
- Continue to explore a better working relationships with other agencies such as Trading Standards, Police and Devon and Somerset Fire and Rescue Service
- Provide safe guarding training to hotels, retail and other licensed establishments.

2. Developing a sustainable city

- Develop a new Air Quality Action Plan (AQAP) for the city, including engagement and consultation stages.
- Undertake a tender process to replace air quality monitoring equipment at RAMM and Alphington Street. Install and commission the equipment to the satisfaction of DEFRA's air quality network.
- In conjunction with Public Health Devon, develop procedures which improve the way that public health is considered in the planning process. Develop public health planning guidance if deemed necessary.

3. Maintain high standards in food safety

- Continue to maintain high level (>97%) of broadly complaint food businesses in the city.
- Enhanced coaching/sampling/training for non-complaint businesses, with caution/prosecution as final action for those who continually flout the law. Continued regular meetings with Legal to ensure these matters resolved in a timely fashion.
- Continue with intelligence led food sampling programme.

4. Promoting Safer Workplaces

- Inspect premises regarding the duty to manage asbestos interventions
- Work with other partners to look at warehouse safety
- Work with Waste Operations to assist in the restructure and reinvigoration of Trade Waste Services
- Conduct an audit of tattooists to ensure high standards are being maintained
- Continue to conduct water quality sampling of swimming pools and other water areas

5. To draft and consult on a policy for animal licensing

6. To enhance the safety and vibrancy of the evening and night time economy

- To set up a review of the Street Trading Policy.
- Continue to foster a stronger partnership approach to the Evening and Night Time Economy
- Successfully implement the Local Alcohol Action Areas (LAAAs) Action Plan

- To work with the Community Safety Partnership to reduce alcohol related disorder in the evening and night time economy

7. Private Hire and Hackney Carriage Licensing

- Achieve 100% of drivers either attending the safeguarding training or being presented to committee regarding non-compliance of this licensing condition.
- Conduct a mystery shopping exercise of the Hackney Carriage and Private Hire trade
- Review Private Hire Vehicle Licensing Policy
- Re-tender the contract for the taxi marshal scheme

8. Develop a strong Exeter Business Against Crime (EBAC) Partnership

- Increase members that are a part of the scheme.
- Ensure that the EBAC role has a greater presence with members who form the evening and night time economy and seek to support multi-agency partnership working e.g. special events, fresher's week and festivals.
- To work with the Community Safety Partnership to reduce shoplifting and crimes
- To increase the number of businesses submitting incident reports
- To pass the National Association of Business Crime Partnerships Safer Business Accreditation
- Development of a training programme to cover personal safety, data security, conflict resolution, evidence gathering, drug and alcohol awareness and exploitation

9. Implementation of the Public Spaces Protection Order for Exeter City Centre

10. Ensuring a strong service for 2017/18

- Review of service IT systems and hardware
- Growth and Development reviews completed
- Develop a Staff training plan
- Review Service Plan (June)
- Examine potential for joint-working, cross-warranting with cluster partners.
- Contribute to Devon Chief Environmental Health Officer working groups.

Report To CORPORATE SERVICES SCRUTINY COMMITTEE,
EXECUTIVE AND COUNCIL

Date of Meeting: Corporate Services Scrutiny Committee – 22 June 2017
Executive – 11 July 2017
Council – 25 July 2017

Report of: Chief Finance Officer

Title: Capital Monitoring 2016/17 and Revised Capital Programme for 2017/18 and Future Years

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

To advise members of the overall financial performance of the Council for the 2016/17 financial year, in respect of the annual capital programme.

To seek approval of the 2017/18 revised capital programme, including commitments carried forward from 2016/17.

2. Recommendations:

It is recommended that Corporate Services Scrutiny Committee supports and the Executive recommends to Council to approve:

(i) The overall financial position for the 2016/17 annual capital programme.

(ii) The amendments and further funding request to the Council's annual capital programme for 2017/18.

3. Reasons for the recommendation:

Local authorities are required to estimate the total of capital expenditure that it plans to incur during the financial year when it sets the prudential indicators for capital expenditure. This shows that its asset management and capital investment strategies are affordable, prudent and sustainable.

Capital expenditure is a significant source of risk and uncertainty since cost variations, delays and changing specifications are often features of large and complex capital projects.

In order to manage the risks associated with capital programming the annual capital programme is updated every three months to reflect any cost variations, slippage or acceleration of projects.

4. What are the resource implications including non financial resources:

The financial resources required are set out in the body of this report.

5. Section 151 Officer comments:

This report has been prepared on behalf of the Section 151 Officer to set out the financial position of the Capital Programme as at 31 March 2017 ahead of inclusion in the Council's annual Statement of Accounts.

6. What are the legal aspects?

The capital expenditure system is framed by the Local Government and Housing Act 1989.

7. Monitoring Officer's comments:

This report raises no issues of concern to the Monitoring Officer.

8. Report Details:

CAPITAL MONITORING STATEMENT TO 31 MARCH 2017

8.1 REVISIONS TO THE CAPITAL PROGRAMME

The 2016/17 Capital Programme was last reported to Corporate Services Scrutiny Committee on 23 March 2017. Since that meeting the following changes have been made to the programme:

Description	£	Approval/Funding
Capital Programme, as reported to Corporate Services Scrutiny Committee, 23 March 2017	19,474,590	
Budget Deferred to 2017/18 & Beyond at Quarter 3	(6,229,710)	Approved by Council 25 April 2017
Overspends/(Underspends) reported at Quarter 3	(235,920)	
District Heating Company	5,000	S106 funded
Vehicle Replacement Programme	4,500	Plug In Car Grant
Miscellaneous	1,500	Contributions
Disabled Facilities Grants	(94,000)	Underspend repaid to Devon County Council
Disabled Facilities Grants	(120,000)	Devon County Council have allowed ECC to use £120k of the underspent DFG budget to be used to fund Warm Up Grants
Warm Up Grants	120,000	
Revised Capital Programme	12,925,960	

8.2 PERFORMANCE

Capital expenditure in the year amounted to £9,942,174. The actual expenditure during 2016/17 represents 76.92% of the revised Capital Programme, which means £2.884 million will need to be carried forward to be spent in future years, as indicated in Appendix 1.

Appendix 2 shows the overall position for those schemes which span more than one financial year.

8.3 CAPITAL FINANCING

The capital expenditure in 2016/17 of £9,942,174 was financed as follows:

	General Fund £	HRA £	Total £
Housing Revenue Account (Revenue)		4,689,075	4,689,075
HRA Major Repairs Reserve		312,895	312,895
Capital Grants & Contributions	730,683	506,534	1,237,217
Capital Receipts	162,429	111,561	273,990
Community Infrastructure Levy	889,720		889,720
Revenue (New Homes Bonus etc.)	1,414,486		1,414,486
Borrowing	1,124,791		1,124,791
	4,322,109	5,620,065	9,942,174

The available capital resources for the General Fund for 2016/17 are £7.933 million. Total General Fund capital expenditure is £4.322 million of which £1.125 million will be funded from borrowing, allowing £4.735 million of capital receipts to be carried forward. The available capital resources for the HRA for 2016/17 are £19.946 million. Total HRA capital expenditure is £5.620 million leaving £14.326 million to be carried forward into 2017/18.

Appendix 3 sets out the forecast use of the resources available for the General Fund and the HRA and the likely amounts of borrowing that will be necessary to fund the capital programme over the next three years.

The value of actual capital receipts received in the last quarter in respect of the General Fund and the HRA are:

	General Fund £	HRA £
Balance as at 31 December 2016	188,308	2,000,116
New Receipts	4,261,907	1,036,035
Less HRA Pooling		(215,540)
Balance as at 31 March 2017	4,450,215	2,820,611

8.4 EXPENDITURE VARIANCES

The main variances and issues concerning expenditure that have arisen since 31 December are as follows:

Scheme	Overspend / (Underspend) £	Reason
Heavitree Church Retaining Wall	(41,781)	Preparatory ground investigation works revealed that the wall was failing due to a combination of water pressure and poor construction, not from the pressure from the ground which it retained. Therefore the wall was able to be taken down to a sound level and then re-built with weep holes. Hence a saving on this budget was made.
eFinancials – Version 5	(25,566)	The upgrade was successfully installed in February with Strata negotiating savings.
Capitalised Staff Costs	(100,000)	No directly attributable staff costs were incurred this year.
Adaptations	60,694	A combination of pressures arising from an ageing population and a drive to minimise waiting times has resulted in a budget overspend. Adaptations are undertaken to help the elderly and disabled remain in the homes for longer. The cost of adaptations will form part of a procurement review in 2017/18 in order to help identify potential cost efficiencies.
Programmed Re-roofing	16,906	On a spend to save basis, the replacement of roofs at Taunton Close and Wellington Road were completed during the year in order to minimise repair costs due to their poor condition.
Kitchen Replacement Programme	113,153	A net overspend in replacement kitchens and bathrooms has occurred which reflects the levels of void properties requiring replacements prior to being let.
Bathroom Replacement Programme	(79,272)	
Replacement Housing Management System	19,380	The budget for the new OPENHousing system has been re-aligned with the contract value.
COB Wave 2	(20,648)	A saving is reported following settlement of the final accounts. In total, 14 new properties were built to passiv haus standards on these two council own build sites (Silverberry Close and Barberry Close)

8.5 SCHEMES TO BE DEFERRED TO 2017/18 AND BEYOND

Schemes which have been identified since 31 December as being wholly or partly deferred to 2017/18 and beyond are:

Scheme	Revised 16/17 Budget £	Budget to be Deferred £	Reason
Warm Up Exeter/PLEA Scheme	283,650	124,620	The budget for 16/17 was originally £163,650 but Devon County Council have contributed £120,000 Better Care Funding towards this scheme allowing the unspent budget to be carried forward
Wessex Loan Scheme	112,260	107,818	Take up of loans has been less than predicted. Increased levels of marketing and changes to the means by which enquiries are processed have been introduced to improve loan take-up.
WHIL Empty Properties	189,000	194,000	We are continuing to promote the empty homes loan and we have several applicants that are currently being reviewed by Wessex for suitability for the loan.
Play Area Refurbishments	80,330	(36,244)	The S106 funded project at Station Road, Pinhoe progressed more quickly than anticipated.
Replace Lifts at Mary Arches Car Park	100,000	100,000	Following condition surveys a wider scheme proposal to mitigate condition priorities and align multi storey car parks with the car park and property maintenance strategies is now being developed.
Riverside Arches	60,000	60,000	Consent has been obtained. Ongoing discussions in hand with a sub-leaseholder. Amended design pending at which point works will commence.
City Wide Property Level Protection	100,000	94,750	Scheme now underway and will continue in 2017/18.
Passenger Lift at RAMM	75,000	73,880	The scheme is still on hold pending listed building consent, which is currently being contested.
St Nicholas Priory	115,000	107,760	Works are now in progress.
RAMM Roof Access Improvements	68,500	68,500	Works now on hold to align with new RAMM ventilation scheme.

Bus Station Construction	1,065,870	176,150	Budgets re-profiled in-line with anticipated expenditure.
Leisure Complex	1,436,370	379,604	
Rennes House Structural Works	80,680	17,413	Significant progression of this scheme is pending an options appraisal including potential grant funding for energy conservation measures. In the meantime the replacement of the lifts has been prioritised for 2017/18.
Common Area Footpath/Wall Improvements	494,050	14,371	Major works planned at Meadow Way will extend into 2017/18 and the budget has been profiled accordingly.
Electrical Re-wiring	664,510	345,297	The main contractor for planned electrical works were appointed in July 2016, slippage of the budget has occurred due to the later start date.
COB Wave 2 – Rennes House Car Park	1,896,340	517,952	The installation of a new substation, asbestos removal works and freezing temperatures affecting the laying of blockwork have resulted in a minor slippage of the scheme with the forecast completion date moving by one month (September 2017 to October 2017).
St Loyes Extra Care Scheme	454,390	41,571	Both the budget and project timetable for this scheme are pending the outcomes of the latest tender return and value engineering exercise. A separate report will be prepared for Executive on 13 June and Council on 25 July to update Members and seek approval for any budgetary changes.
Acquisition of Social Housing	271,760	(141,458)	The Council successfully completed on the acquisition of 4 x 3 bedroom properties at Hill Barton Vale before the end of the financial year, earlier than anticipated (3,5,7 and 9 Elsie Place). On the flipside, acquisition of 8 Membury Crescent will now complete in 2017/18 after final inspections have taken place.

8.6 ACHIEVEMENTS

The following schemes have been completed during the final quarter of 2016/17:

- **Children's Play Areas**

Capital investment, largely from S106 developments has enabled the following play area work to be undertaken:

Millbrook S106 money (£47,000), enabled a new play area for under 12's to be

provided to serve the locality at Gate Meadow.

Crossmead S106 money (£20,000) has allowed for the fencing and gating of the two play areas at Sylvan Heights and a new litter bin and bollards have been installed.

At Cowick Barton surfacing and a very popular trampoline has been provided.

- **Heavitree Church Retaining Wall**

The rebuilding of part of the old stone wall has been successfully completed. The preparatory ground investigation works revealed that the wall was failing due to a combination of water pressure and poor construction, not from the pressure from the ground which it retained. Therefore, the wall was able to be taken down to a sound level and then re-built with weep holes. Hence a considerable saving was made.

- **Northernhay Driveway**

The strengthening and resurfacing of the main thorough-way has been completed and provides an improved surface for pedestrians and city centre events. The contract was completed & delivered on budget but later than planned owing to onerous procurement changes.

- **Haven Road Car Park**

One of the two parking areas has been re-surfaced and white lined as the existing surface was breaking up and pot holes were fairly widespread. The work was completed within two long days being undertaken by the surfacing contractor. The second parking area will be resurfaced in 2017/18.

- **Countess Wear Village Hall**

New building now complete and hosting a full programme of courses, talks and entertainment.

- **St Sidwell's Community Centre**

Improvements to meeting rooms, café and grounds have resulted in an improved social hub, and have themselves been conducted as community projects to develop skills and commitment among volunteers.

- **Housing Revenue Account**

During the financial year we fitted 132 kitchens and 98 bathrooms and renewed roofs to flats at Sidwell Street and Wellington Road. Following earlier risk assessments we carried out major demolition and rebuilding of retaining walls at Higher Barley Mount and Albert Street together with bank stabilisation works at Salters Road. The lift at 98 Sidwell Street was replaced and 250 new front doors to individual flats were replaced to comply with fire regulations.

8.7 CAPITAL PROGRAMME 2017/18 (Appendix 4)

The revised Capital Programme for 2017/18, after taking into account the carried forward requirements from 2016/17 and additional S106 funding of £403,580 (£343,640 for Children's Play Areas and £59,940 for the acquisition of Ludwell Valley Park) now totals £27,276,380.

8.8 FURTHER FUNDING REQUEST

A budget of £60,000 is requested to develop a new ashes section at Exwick Cemetery to provide capacity for the next ten years. Exwick is currently full with regard to ashes interments, and this proposal will provide local choice and a market-based income stream significantly in excess of construction costs. At the current level of fees this project will generate £158k of income. Trends suggest ashes interment is becoming

increasingly popular. The design will allow for efficient use of limited space, better access, and significantly lower maintenance costs, to balance the increasing costs of maintaining the cemeteries.

9. How does the decision contribute to the Council's Corporate Plan?

The Capital Programme contributes to all of the key purposes, as set out in the Corporate Plan.

10. What risks are there and how can they be reduced?

Areas of budgetary risk are highlighted to committee as part of the quarterly budget monitoring updates.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

The impact of each scheme is considered prior to approval. Any significant deviation from this will be noted within the body of this report.

12. Are there any other options?

No

DAVE HODGSON
Chief Finance Officer

Author:

Nicola Matthews-Morley

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:

None

Contact for enquiries:

Democratic Services (Committees)

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CAPITAL MONITORING TO 31 MARCH 2017

	2016/17 Revised Capital Programme	2016/17 Spend to 31 March	2016/17 Budget to be Carried Forward to 2017/18 and Beyond	2016/17 Programme Variances (Under)/Over
	£	£	£	£
PEOPLE				
HELP ME FIND SOMEWHERE TO LIVE				
Disabled Facility Grants	450,290	431,632	18,658	
Warm Up Exeter/PLEA Scheme	283,650	159,030	124,620	
Wessex Loan Scheme	112,260	4,443	107,817	
WHIL Empty Properties	189,000	(5,000)	194,000	
The Haven	5,340	0		(5,340)
PEOPLE TOTAL	1,040,540	590,105	445,095	(5,340)

	2016/17 Revised Capital Programme	2016/17 Spend to 31 March	2016/17 Budget to be Carried Forward to 2017/18 and Beyond	2016/17 Programme Variances (Under)/Over
	£	£	£	£
PLACE				
KEEP PLACE LOOKING GOOD				
Play Area Refurbishments	80,330	116,574	(36,244)	
Topsham Recreation Ground	3,530	3,508		(22)
Rougemont Gardens - Path & Railings	37,000	7,205	29,795	
Canal Bank Repairs & Strengthening	5,750	1,111	4,517	(122)
Repair to Turf Lock Gates	30,630	30,752		122
Repair Canal Bank at M5	4,550	14,780	(10,230)	
Replace Car Park Ticket Machines	209,520	209,521		1
Queen's Crescent CPO	18,000	0	18,000	
Canal Pontoon	26,220	16,274	9,946	
KEEP ME/MY ENVIRONMENT SAFE & HEALTHY				
Heavitree Church Retaining Wall	25,000	13,219	(30,000)	(41,781)
Northernhay Driveway	60,000	59,537		(463)
Vehicle Replacement Programme	604,500	549,837	50,000	(4,663)
Mincinglake Reed Beds and Storage Ponds	6,530	4,757		(1,773)
Car Park Surfacing - Haven Road	16,700	17,647	(947)	
Replace Lifts at Mary Arches MSCP	100,000	0	100,000	
Farmers Market Electricity Supply	30,000	30,000		
Riverside Arches	60,000	0	60,000	
City Wide Property Level Protection	100,000	5,250	94,750	
Topsham - Bowling Green Marshes	40,000	21,100	18,900	

	2016/17 Revised Capital Programme	2016/17 Spend to 31 March	2016/17 Budget to be Carried Forward to 2017/18 and Beyond	2016/17 Programme Variances (Under)/Over
	£	£	£	£
PROVIDE GREAT THINGS FOR ME TO SEE & DO				
Sports Facilities Refurbishment	92,550	4,118	88,432	
Passenger Lift at RAMM	75,000	1,120	73,880	
RAMM Shop	68,170	68,173		3
Livestock Centre Roof Replacement	7,380	1,247	6,133	
St Nicholas Priory	115,000	7,240	107,760	
MAINTAIN THE ASSETS OF OUR CITY				
RAMM Roof Access Improvements	68,500	0	68,500	
DELIVER GOOD DEVELOPMENT				
Newcourt Community Hall (S106)	2,160	2,155		(5)
Newcourt Community Hall (Grant)	26,670	26,672		2
Countess Wear - Village Hall	75,000	75,000		
Beacon Heath Martial Arts & Boxing Club - New Roof	20,810	4,508	16,302	
Devonshire Place (Landscaping)	350	350		
Alphington Village Hall (Repairs & Extension)	41,300	32,621	8,679	
St Sidwells Community Centre	22,380	22,366		(14)
Ibstock Environmental Improvements	1,400	1,020		(380)
Bus Station Construction	1,065,870	889,720	176,150	
Leisure Complex - Build Project	1,436,370	1,056,766	379,604	
Dextco District Heat Company	5,000	5,001		1
PLACE TOTAL	4,582,170	3,299,147	1,233,927	(49,096)

	2016/17 Revised Capital Programme	2016/17 Spend to 31 March	2016/17 Budget to be Carried Forward to 2017/18 and Beyond	2016/17 Programme Variances (Under)/Over
	£	£	£	£
CORPORATE SERVICES				
WELL RUN COUNCIL				
Annual Contribution to Strata	53,900	53,904		4
Idox System for Planning	129,610	25,706	103,904	
HR System	67,130	8,797	58,333	
Convergence Projects	142,960	5,285	137,675	
eFinancials - Version 5	100,000	74,434		(25,566)
Guildhall Wi-Fi	17,000	15,005		(1,995)
Customer Contact Platform	205,000	74,175	130,825	
Smart Mobile Devices	60,000	51,861		(8,139)
Invest to Save Opportunities	100,000	28,295	71,705	
Civic Centre Replacement Doors	15,000	7,041		(7,959)
Energy Saving Projects	30,000	88,353	(58,353)	
Capitalised Staff Costs	100,000	0		(100,000)
CORPORATE SERVICES TOTAL	1,020,600	432,856	444,090	(143,654)

	2016/17 Revised Capital Programme	2016/17 Spend to 31 March	2016/17 Budget to be Carried Forward to 2017/18 and Beyond	2016/17 Programme Variances (Under)/Over
	£	£	£	£
HRA				
INVESTMENT IN EXISTING STOCK				
Adaptations	450,000	560,694	(50,000)	60,694
Rendering of Council Dwellings	15,840	15,841		1
Environmental Improvements - General	15,000	19,241	(4,241)	
Re-roofing	236,500	253,406		16,906
LAINGS Refurbishments	79,300	71,957	7,343	
Kitchen Replacement Programme	468,610	581,763		113,153
Bathroom Replacement Programme	398,280	319,008		(79,272)
Other Works	32,500	32,500		
Fire Precautionary Works to Flats	250,000	268,913	(18,913)	
Structural Repairs	15,000	15,572	(572)	
Rennes House Structural Works	80,680	63,267	17,413	
Common Area Footpaths/Wall Improvements	494,050	479,679	14,371	
Lift Replacement - 98 Sidwell Street	63,110	63,111		1
Soil Vent Pipe Replacement	10,000	2,955		(7,045)
Faraday House Roof Replacement	7,020	7,024		4
Electrical Re-wiring	664,510	319,213	345,297	
Central Heating Programme	70,000	55,230		(14,770)
Boiler Replacement Programme	165,090	175,016		9,926
Fire Risk Assessment Works	27,450	27,450		
Re-roofing Replacement Works - Shilhay	9,220	10,163	(943)	

	2016/17 Revised Capital Programme	2016/17 Spend to 31 March	2016/17 Budget to be Carried Forward to 2017/18 and Beyond	2016/17 Programme Variances (Under)/Over
	£	£	£	£
INFORMATION TECHNOLOGY				
Replacement Housing Management System	108,000	94,282	33,098	19,380
PROVISION OF NEW COUNCIL HOMES				
Social Housing Acquisitions - Section 106	271,760	413,218	(141,458)	
COB Wave 2 - Rennes Car Park	1,896,340	1,378,388	517,952	
COB Wave 2 - Completed Properties	0	(20,648)		(20,648)
St Loyes Extracare Scheme	454,390	412,819	41,571	
HRA TOTAL	6,282,650	5,620,065	760,917	98,332
TOTAL CAPITAL BUDGET	12,925,960	9,942,174	2,884,028	(99,759)

CAPITAL SCHEMES SPANNING MORE THAN ONE FINANCIAL YEAR

	Total Capital Budget to end of 2016/17	Total Spend Up to 31 March 2017	2016/17 Budget to be Carried Forward to 2017/18 and Beyond	2016/17 Programme Variances (Under)/Over
	£	£	£	£
PEOPLE				
HELP ME FIND SOMEWHERE TO LIVE				
The Haven	250,000	244,654	0	(5,340)
PEOPLE TOTAL	250,000	244,654	0	(5,340)
PLACE				
KEEP PLACE LOOKING GOOD				
Topsham Recreation Ground	56,710	56,685	0	(22)
Rougemont Gardens - Path & Railings	50,000	20,205	29,795	0
Exhibition Way Bridge Maintenance	5,420	5,415	0	0
Repair to Turf Lock Gates	145,310	145,434	0	122
Repair Canal Bank at M5	20,000	30,231	(10,230)	0
KEEP ME/MY ENVIRONMENT SAFE & HEALTHY				
Mincinglake Reed Beds and Storage Ponds	28,350	26,577	0	(1,773)
PROVIDE GREAT THINGS FOR ME TO SEE & DO				
RAMM Shop	70,670	70,673	0	3
Livestock Centre Roof Replacement	1,250,000	1,243,871	6,133	0
DELIVER GOOD DEVELOPMENT				
Newcourt Community Hall (S106)	58,015	58,017	0	(3)
Newcourt Community Hall (Grant)	60,180	60,178	0	2
Newtown Community Centre (2nd Grant)	3,250	3,238	0	0
Beacon Heath Martial Arts & Boxing Club - New Roof	21,810	5,508	16,302	0
Devonshire Place (Landscaping)	13,690	13,695	0	0
St Sidwells Community Centre	40,000	39,993	0	(14)
Bus Station Construction	1,189,630	1,013,476	176,150	0
Leisure Complex - Build Project	2,898,160	2,518,558	379,604	0
PLACE TOTAL	5,911,195	5,311,753	597,754	(1,685)

	Total Capital Budget to end of 2016/17	Total Spend Up to 31 March 2017	2016/17 Budget to be Carried Forward to 2017/18 and Beyond	2016/17 Programme Variances (Under)/Over
	£	£	£	£
HRA				
PROVISION OF NEW COUNCIL HOMES				
COB Wave 2 - Rennes Car Park	2,164,255	1,646,299	517,952	0
St Lyses Extracare Scheme	1,023,494	981,925	41,571	0
HRA TOTAL	3,187,749	2,628,224	559,523	0
TOTAL CAPITAL BUDGET	9,348,944	8,184,632	1,157,277	(7,026)

GENERAL FUND	2016-17 £	2017-18 £	2018-19 £	2019-20 £	Future Years £	TOTAL £
CAPITAL RESOURCES AVAILABLE						
GF Capital Receipts	4,450,215	1,934,950		1,239,580		7,624,745
Disabled Facility Grant	551,632	404,694	379,000	379,000	379,000	2,093,326
New Homes Bonus	1,414,487	974,928	11,722,443			14,111,858
Community Infrastructure Levy	889,720	721,009	6,389,272			8,000,001
Other - Grants/External Funding/Reserves/S106	179,052	392,349	560,000			1,131,401
Total Resources Available	7,485,105	4,427,930	19,050,715	1,618,580	379,000	32,961,330
GENERAL FUND CAPITAL PROGRAMME						
Capital Programme	6,643,310	8,571,489	20,662,907	5,583,705	532,900	41,994,311
Overspends/(Savings)	(198,090)					(198,090)
Slippage	(2,123,112)					(2,123,112)
Total General Fund	4,322,109	8,571,489	20,662,907	5,583,705	532,900	39,673,109

UNCOMMITTED CAPITAL RESOURCES:						
Capital Receipts Brought Forward	447,634	4,735,420	4,886,664	3,354,802	0	447,634
Resources in Year	7,485,105	4,427,930	19,050,715	1,618,580	379,000	32,961,330
Less Capital Receipts to carry forward	(4,735,420)	(4,886,664)	(3,354,802)	0	0	0
Less Estimated Spend in Year	(4,322,109)	(8,571,489)	(20,662,907)	(5,583,705)	(532,900)	(39,673,109)
Borrowing Requirement	1,124,789	4,294,803	80,330	610,323	153,900	6,264,145
Uncommitted Capital Receipts	0	0	0	0	0	0

HRA AVAILABLE RESOURCES

HOUSING REVENUE ACCOUNT	2016-17 £	2017-18 £	2018-19 £	2019-20 £	2020-21 £	TOTAL £
CAPITAL RESOURCES AVAILABLE						
Usable Receipts Brought Forward						2,898,176
Major Repairs Reserve Brought Forward						6,310,319
Other HRA Sales	57,771	125,000	0	0		182,771
RTB sales	2,762,840	500,000	500,000	500,000	400,000	4,662,840
Surrender back to DCLG - pending St Loyes financing decision	0	(2,000,000)	0	0	0	(2,000,000)
Major Repairs Reserve	2,721,772	2,935,930	2,935,930	2,935,930	2,935,930	14,465,492
Revenue Contributions to Capital	4,689,075	6,496,642	4,496,555	2,500,000	2,500,000	20,682,272
External contributions	93,714	190,000	404,259	0	0	687,973
Grant funding - HCA grant (St Loyes)	0	1,117,500	372,500	0	0	1,490,000
Grant funding - Zero Energy Buildings Project			216,000			216,000
Commuted sums	412,819	433,990	5,466,196	183,010	0	6,496,015
Total Resources available	10,737,991	9,799,062	14,391,440	6,118,940	5,835,930	56,091,858
CAPITAL PROGRAMME						
HRA Capital Programme	6,282,660	18,704,897	17,711,000	7,289,164	5,897,814	55,885,535
Dec - Overspends / (Savings)	98,320					98,320
Dec - Slippage / Re-profiling	(760,919)					(760,919)
Total Housing Revenue Account	5,620,061	18,704,897	17,711,000	7,289,164	5,897,814	55,222,936
UNCOMMITTED CAPITAL RESOURCES:						
Usable Receipts Brought Forward	2,898,176	5,607,226	1,365,747	865,747	865,747	2,898,176
Major Repairs Reserve Brought Forward	6,310,319	8,719,199	4,054,843	1,235,283	65,059	6,310,319
Resources in Year	10,737,991	9,799,062	14,391,440	6,118,940	5,835,930	46,883,363
Less Estimated Spend	(5,620,061)	(18,704,897)	(17,711,000)	(7,289,164)	(5,897,814)	(55,222,936)
Uncommitted Capital Resources	14,326,425	5,420,590	2,101,030	930,806	868,922	868,922
WORKING BALANCE RESOURCES:						
Balance Brought Forward	7,068,670	8,567,454	6,105,679	5,512,567	6,334,286	7,068,670
HRA Balance Transfer - Surplus/(Deficit)	1,498,784	(2,303,775)	(593,112)	821,719	594,774	18,390
Supplementary budget requests for underspends/carry forward		(158,000)				(158,000)
Balance Carried Forward	8,567,454	6,105,679	5,512,567	6,334,286	6,929,060	6,929,060
Balance Resolved to be Retained	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)
	4,567,454	2,105,679	1,512,567	2,334,286	2,929,060	2,929,060
TOTAL AVAILABLE CAPITAL RESOURCES	18,893,879	7,526,269	3,613,597	3,265,092	3,797,982	3,797,982

BUDGETS CARRIED FORWARD TO 2017/18 AND BEYOND

	2017/18 Budget as per Budget Book	Budget Carried Forward to 2017/18 and Beyond at Qtr 3	Proposed Budget to be Carried Forward to 2017/18 and Beyond at Qtr 4	Total 2017/18 Capital Programme	2018/19 as per Budget Book	Proposed Budget to be Carried Forward to 2018/19 and Beyond at Qtr 3	Proposed Budget to be Carried Forward to 2018/19 and Beyond at Qtr 4	Total 2018/19 Capital Programme
	£	£	£	£	£	£	£	£
PEOPLE								
HELP ME FIND SOMEWHERE TO LIVE								
Disabled Facility Grants	379,000	0	18,658	397,658	379,000			379,000
Warm Up Exeter/PLEA Scheme		0	124,620	124,620				0
Wessex Loan Scheme		0	107,817	107,817				0
WHIL Empty Properties		0	194,000	194,000				0
Temporary Accommodation Purchase	284,950	300,000	0	584,950				0
PEOPLE TOTAL	663,950	300,000	445,095	1,409,045	379,000	0	0	379,000
PLACE								
KEEP PLACE LOOKING GOOD								
Play Area Refurbishments		75,000	(36,244)	382,400				0
Rougemont Gardens - Path & Railings		0	29,795	29,795				0
Exhibition Way Bridge Maintenance		39,580	0	39,580				0
Canal Bank Repairs & Strengthening		0	4,517	4,517				0
Repair Canal Bank at M5		40,000	(10,230)	29,770				0
Queen's Crescent CPO		0	18,000	18,000				0
Canal Pontoon		0	9,946	9,946				0
KEEP ME/MY ENVIRONMENT SAFE & HEALTHY								
Heavitree Church Retaining Wall		30,000	(30,000)	0				0
Vehicle Replacement Programme	977,000	0	50,000	1,027,000	400,000			400,000
Car Park Surfacing - Haven Road		13,300	(947)	12,353				0
Replace Lifts at Mary Arches MSCP		0	100,000	100,000				0
Riverside Arches		0	60,000	60,000				0
City Wide Property Level Protection		0	94,750	94,750				0
Bowling Green Marshes Coastal Defence Scheme	260,000	0	18,900	278,900				0
Topsham Flood Gates (Ferry Road/The Strand)	100,000			100,000				0
Exeter Flood Alleviation Scheme	200,000			200,000				0
RAMM Air Monitoring Equipment	90,000			90,000				0
PROVIDE GREAT THINGS FOR ME TO SEE & DO								
Sports Facilities Refurbishment	56,430	0	88,432	144,862	56,430			56,430
Passenger Lift at RAMM		0	73,880	73,880				0
Livestock Centre Roof Replacement		0	6,133	6,133				0
St Nicholas Priory		0	107,760	107,760				0
Acquisition of Ludwell Valley Park				59,940				0
MAINTAIN THE ASSETS OF OUR CITY								
RAMM Roof		0	68,500	68,500				0

	2017/18 Budget as per Budget Book	Budget Carried Forward to 2017/18 and Beyond at Qtr 3	Proposed Budget to be Carried Forward to 2017/18 and Beyond at Qtr 4	Total 2017/18 Capital Programme	2018/19 as per Budget Book	Proposed Budget to be Carried Forward to 2018/19 and Beyond at Qtr 3	Proposed Budget to be Carried Forward to 2018/19 and Beyond at Qtr 4	Total 2018/19 Capital Programme
	£	£	£	£	£	£	£	£
DELIVER GOOD DEVELOPMENT								
Newcourt Community Hall (Grant)	9,570	0	0	9,570				0
Newtown Community Centre (1st Grant)	50,000	0	0	50,000				0
Newtown Community Centre (2nd Grant)	46,750	0	0	46,750				0
Beacon Heath Martial Arts & Boxing Club - New Roof		0	16,302	16,302				0
Alphington Village Hall (Repairs & Extension)		8,700	8,679	17,379				0
Bus Station Construction	3,806,520	22,810	(3,108,321)	721,009	1,223,140	7,900	2,612,357	3,843,397
Leisure Complex - Build Project	14,937,750	(58,900)	(14,043,932)	834,918	5,313,580	(14,670)	10,501,270	15,800,180
PLACE TOTAL	20,534,020	170,490	(16,474,080)	4,634,014	6,993,150	(6,770)	13,113,627	20,100,007
CORPORATE SERVICES								
WELL RUN COUNCIL								
Annual Contribution to Strata	53,900	0	0	53,900	53,900			53,900
Idox System for Planning	18,700	0	103,904	122,604				0
HR System		0	58,333	58,333				0
Convergence Projects	186,690	0	137,675	324,365				0
Condition Surveys - Priority 1	20,000	0	0	20,000				0
Condition Surveys - Priority 2	45,500	0	0	45,500				0
Customer Contact Platform	45,000	0	130,825	175,825	30,000			30,000
Invest to Save Opportunities		0	71,705	71,705				0
Energy Saving Projects	1,614,550	0	(58,353)	1,556,197				0
Capitalised Staff Costs	100,000	0	0	100,000	100,000			100,000
CORPORATE SERVICES TOTAL	2,084,340	0	444,090	2,528,430	183,900	0	0	183,900
HRA								
INVESTMENT IN EXISTING STOCK								
Adaptations	500,000	0	(50,000)	450,000	500,000			500,000
Environmental Improvements - General	40,000	15,000	(4,241)	50,759	40,000			40,000
Re-roofing	1,190,300	0	0	1,190,300	1,205,910			1,205,910
Energy Conservation	190,000	0	0	190,000	170,000			170,000
Garage Upgrades	100,000	0	0	100,000	100,000			100,000
LAINGS Refurbishments	1,986,910	140,000	(1,239,137)	887,773	529,050		1,246,480	1,775,530
Kitchen Replacement Programme	587,500	0	0	587,500	616,880			616,880
Balcony Walkway Improvements	105,000	0	0	105,000	105,000			105,000
Bathroom Replacement Programme	462,500	0	0	462,500	485,630			485,630
Other Works	50,000	0	0	50,000	50,000			50,000
Fire Precautionary Works to Flats	250,000	0	(18,913)	231,087	0			0

	2017/18 Budget as per Budget Book	Budget Carried Forward to 2017/18 and Beyond at Qtr 3	Proposed Budget to be Carried Forward to 2017/18 and Beyond at Qtr 4	Total 2017/18 Capital Programme	2018/19 as per Budget Book	Proposed Budget to be Carried Forward to 2018/19 and Beyond at Qtr 3	Proposed Budget to be Carried Forward to 2018/19 and Beyond at Qtr 4	Total 2018/19 Capital Programme
	£	£	£	£	£	£	£	£
Communal Areas	110,160	48,820	0	158,980	112,360			112,360
Structural Repairs	150,000	40,000	(572)	189,428	150,000			150,000
Rennes House Structural Works	1,477,910	48,410	(976,317)	550,003	2,393,000			2,393,000
Common Area Footpaths/Wall Improvements	1,200,000	0	(335,629)	864,371	0		350,000	350,000
Soil Vent Pipe Replacement	25,500	0	0	25,500	26,000			26,000
Electrical Central Heating	19,120	0	0	19,120	19,510			19,510
Smoke/Fire Alarms - Older Persons	100,000	0	0	100,000	0			0
Electrical Re-wiring	1,648,000	18,000	345,297	2,011,297	1,091,320			1,091,320
Central Heating Programme	167,540	0	0	167,540	170,880			170,880
Boiler Replacement Programme	357,000	0	0	357,000	364,000			364,000
Communal Doors and Screens	301,870	0	0	301,870	342,370			342,370
Fire Risk Assessment Works	402,000	32,550	0	434,550	63,000			63,000
New Water Mains at Whipton Barton House		50,000	0	50,000	0			0
Re-roofing Replacement Works - Shilhay	665,000	175,780	(943)	839,837	0			0
Window Replacements	746,000	0	0	746,000	760,920			760,920
ZEBCat Project	0	0	0	0	480,000			480,000
INFORMATION TECHNOLOGY								
Replacement Housing Management System	125,000	17,000	33,098	175,098	0			0
PROVISION OF NEW COUNCIL HOMES								
Social Housing Acquisitions - Section 106	440,000	0	(141,458)	298,542	500,000			500,000
Social Housing Acquisitions - Open Market		1,000,000	0	1,000,000				0
COB Wave 2 - Rennes Car Park	1,471,830	274,686	517,952	2,264,468	0			0
St Loyes Extracare Scheme	4,032,710	(227,912)	41,571	3,846,369	5,820,100		18,592	5,838,692
HRA TOTAL	18,901,850	5,765,978	(1,829,293)	18,704,891	16,095,930	0	1,615,072	17,711,002
TOTAL CAPITAL BUDGET	42,184,160	6,236,468	(17,414,189)	27,276,379	23,651,980	(6,770)	14,728,699	38,373,909

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REPORT TO RESOURCES SCRUTINY COMMITTEE

Date of Meeting: 22 June 2017

REPORT TO EXECUTIVE

Date of Meeting: 11 July 2017

REPORT TO COUNCIL

Date of Meeting: 25 July 2017

Report of: Chief Finance Officer

Title: OVERVIEW OF REVENUE BUDGET 2016/17

Is this a Key Decision?

No

* One that affects finances over £1m or significantly affects two or more wards. If this is a key decision then the item must be on the appropriate forward plan of key decisions.

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 To advise Members of the overall financial position of the HRA & General Fund Revenue Budgets for the 2016/17 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.

2. Recommendations:

It is recommended that Scrutiny Resources Committee and the Executive note the report and Council notes and approves (where applicable):

- 2.1 That the net transfer of £330,710 from Earmarked Reserves as detailed in paragraph 8.3.6 is approved.
- 2.2 That supplementary budgets of £1,450,507 be approved as detailed in paragraph 8.3.8
- 2.3 That Earmarked Reserves at 31 March 2017 be noted;
- 2.4 That the virements detailed in 8.3.9 be approved;
- 2.5 That the Council Tax account and collection rate be noted;
- 2.6 That the outstanding sundry debt, aged debt analysis and debt write-off figures be noted;
- 2.7 That the creditor payments performance be noted;
- 2.8 By taking into account the overall financial position of the Council, the General Fund working balance at 31 March 2017, be approved at £5,264,841;
- 2.9 That the Housing Revenue Account working balance at 31 March 2017 is approved at £8,567,454 and the Council Own Build working balance is approved at £208,097.

3. Reasons for the recommendation:

3.1 To formally approve the Council's end of year financial position and carry forward any budgets that were not spent but the funding is still required.

4. What are the resource implications including non financial resources.

4.1 The impact on the General Fund working balance, HRA working Balance and Council Own Build working balance are set out in sections 8.3.7, 8.2.1 and 8.2.4 respectively.

4.2 A request for supplementary budgets totalling £1,450,507 has been included.

5. Section 151 Officer comments:

5.1 The report represents the financial position as at 31 March 2017. In respect of the year, whilst there are some areas of the Council that have struggled to remain within budget, the overall position in respect of the General Fund is positive, with only a small reduction in the working balance. The request for supplementary budgets for 2016/17 will still keep the General Fund Balance around the £4 million mark. As a prudent measure funds have been set aside from earmarked reserves to repay debt. The performance of the HRA is also generally positive, with a significant underspend against budget.

6. What are the legal aspects?

6.1 None identified.

7. Monitoring Officer's comments:

7.1 This report raises no issues of concern to the Monitoring Officer.

8. Report details:

8.1 Financial Summary

FUND	Planned Transfer (to) / from Working Balance	Budget Variance Over / (under)	Outturn Transfer 2016/17
	£	£	£
General Fund	2,348,776	(2,096,895)	251,881
HRA	142,125	(1,640,909)	(1,498,784)
Council own Build Houses	(38,020)	(1,034)	(39,054)

8.2 Housing Revenue Account (Appendix A)

8.2.1 The Outturn Statement shows an increase in the working balance of £1,498,784 to stand at £8,567,454. This is a significant variance from the proposed reduction to the balance of £142,125 at the start of the year.

Movement	2016/17
Opening HRA Working Balance, as at 01/04/16	£7,068,670
Surplus for 2016/17	£1,498,784
Balance, as at 31/03/17	£8,567,454

8.2.2 The key variances are as follows:

Management Unit	Over / (Underspend)	Detail
Sundry Land Maintenance	(£86,304)	<ul style="list-style-type: none"> Significant progression of tree maintenance works is pending the appointment of a Housing Tree Officer in 2017-18. For this reason, a supplementary budget will be sought to carry forward £46k of these monies into 2017-18.
Repairs and Maintenance Programme	(£843,967)	<p>This represents a combination of savings, most notably due to:</p> <ul style="list-style-type: none"> Asbestos Removal (£215k) General Maintenance (£283k) Service Contracts (£100k) Low Maintenance and Painting (£164k) <ul style="list-style-type: none"> Some slippage in the programme occurred; manufacturing delays in the windows for Weirfield House and outstanding works at Tabernacle Court. For this reason Executive approval will be sought to carry forward £60k into 2017-18.

Management Unit	Over / (Underspend)	Detail
Capital Charges	£64,822	<ul style="list-style-type: none"> • Depreciation charges are higher than budgeted due to a rise in the valuation of certain components of housing assets. Depreciation is a real cost to the HRA as it represents the amount of money which needs to be set aside in the Major Repairs Reserve to provide for the cost of future capital works or to repay debt
Housing Assets	(£221,063)	<ul style="list-style-type: none"> • Reflects an £80k saving in respect of the stock condition survey following the outcomes of a tender process. • The decant of tenants in ten LAINGS properties was not required during 2016-17. A saving is reported in 2016-17, as the cost of decanting tenants in 2017-18 has been factored into next year's budgets. • A consultancy budget was set aside for a review of operating models in respect of this service, but significant progression is pending the appointment of a new Director. For this reason Executive approval will be sought to carry forward the budget. • Vacant posts have resulted in savings in employee costs.
Rents	(£360,334)	<ul style="list-style-type: none"> • Rental income from council dwellings was higher than budgeted, but represents only a 1.6% variance. Partly attributable to a lower than anticipated number of empty properties for major works such as Rennes House and the LAINGS properties. • Reflects additional income from garages due to a reduced level of voids.
Interest	(£127,072)	<ul style="list-style-type: none"> • Reflects additional interest earned on HRA balances (Working Balance, Major Repairs Reserve and capital receipts). The revenue and capital under-spends in 2016-17 combined with retaining right-to-buy receipts rather than surrendering them back to DCLG have resulted in higher balances.

- 8.2.3 The Major Repairs Reserve is 'ring fenced' for capital works. After transfers, the balance on the Major Repairs Reserve will stand at £8,719,196 at 31 March 2017.

Movement	2016/17
Opening Major Repairs Reserve, as at 1/4/15	£6,310,318
Revenue monies set aside during 2015/16	£2,721,773
Amount used to finance capital expenditure during 2015/16	(£312,895)
Balance, as at 31/3/16	£8,719,196

- 8.2.4 The Council's new properties at Rowan House and Knights Place form part of the overall Housing Revenue Account, but separate income and expenditure budgets are maintained in order to ensure that they are self-financing. The total budget variances for 2016/17 have resulted in a net surplus of £41,049, which will be transferred to the COB working balance.

Movement	2016/17
Opening Council Own Build, as at 01/04/16	£169,043
Surplus	£39,054
Balance, as at 31/03/17	£208,097

8.3 General Fund (Appendix B)

- 8.3.1 The Service Committees show an overall underspend of £1,407,213 against a revised budget of £15,028,650. A change in Accounting requirements means that support service costs are no longer allocated to front line services, which accounts for the significant overspend on Corporate Services. The overall impact is neutral for the Council and has no impact on the overall £1.4 million underspend on service provision. The main variances are:

8.3.2 **Scrutiny Committee People**

Management Unit	Over / (Underspend)	Detail
Advisory Services	(47,514)	<ul style="list-style-type: none"> Savings in the amounts paid to serviced temporary accommodation providers, partially offset by increased payments to B&Bs Income from rents and housing benefits higher than anticipated
Affordable Housing Development	(178,288)	<ul style="list-style-type: none"> Work is progressing on the detailed business case for the formation of a new Development Company, but this work will continue into 2017/18. A supplementary budget will be requested in order carry forward any underspend.

Management Unit	Over / (Underspend)	Detail
Private Sector Housing	37,095	<ul style="list-style-type: none"> Redundancy costs arising from the senior management restructure to be funded from the Redundancy Reserve Additional employee costs due to a successful JE appeal Lower than anticipated level of Houses of Multiple Occupation licence fees
General Fund Housing - Property	(116,762)	<ul style="list-style-type: none"> Low turnover of Private Sector Leased and Extralet properties has resulted in both higher than budgeted rental income and savings in void repair costs. Reactive repair costs were also lower as a result of referrals back to the landlord in accordance with the lease agreements.
Revenue Collection / Benefits	284,922	<ul style="list-style-type: none"> Reduced level of invoices resulting from Real Time Information updates and the Fraud and Error Reduction Initiative Scheme Redundancy costs to be funded from the Redundancy Reserve Staff savings due to vacancies during restructure

8.3.3 Scrutiny Committee Place

Management Unit	Over / (Underspend)	Detail
Parks & Green Spaces	(93,564)	<ul style="list-style-type: none"> Underspend on pay due to vacant posts. Additional income from disposal assets (vehicle & plant sales less than £10k) and rental income from park properties.
Business & Commercial Ops	(357,437)	<ul style="list-style-type: none"> The expenditure in respect of the transfer of the Country Parks to Devon Wildlife Trust has been delayed to 2017/18. The income budgets in respect of cemeteries has not been achieved.
Assistant Directors	324,905	<ul style="list-style-type: none"> Due to redundancy costs associated with the implementation of the Senior Management Re-structure
Museum Service	71,590	<ul style="list-style-type: none"> After transfers from reserves for redundancy, legal costs, and Art Fund, the overspend is reduced to £18,000.
Contracted Sports Facilities	217,094	<ul style="list-style-type: none"> The overspend mainly relates to: £100,000 provision for the insurance excess re: the Riverside Facility fire; £100,000 increase in

		depreciation for Clifton Hill Sports Centre relating to revaluations of the building, and its remaining useful life.
Street Cleaning	187,984	<ul style="list-style-type: none"> • Overspend on pay budgets, this is partially offset by the pay underspend in Parks & Green Spaces (81A6). • The cost of Graffiti Cleaning exceeded the budget. The overspend was on pay and materials. • There was an underspend on fleet budgets.
Recycling	(39,670)	<ul style="list-style-type: none"> • The underspend is across the recycling budgetary areas, including paper and card which have exceeded their targets for 2016/17.
Public Realm Assets	(237,587)	<ul style="list-style-type: none"> • The asset maintenance budgets included in the management unit are underspent, a request to carry forward an element of the underspend has been made. • The expenditure on equipment tools and materials for Parks & Playing fields was less than the budget. • Arboricultural expenditure less than the budget, a request to carry forward the underspent budget has been made.
Car Parking	(520,602)	<ul style="list-style-type: none"> • Income from off street parking fees exceeded the target by 9.7%, this has been partially offset by additional expenditure on equipment tools and materials and equipment maintenance. • The internal recharge from Street Cleaning for car park sweeping exceeded the budget. • The budget in respect of the transactions charges for paybyphone was exceeded.
Arts & Events	66,520	<ul style="list-style-type: none"> • The overspend is mainly due to increased expenditure associated with special events.
Building Control	(58,413)	<ul style="list-style-type: none"> • The provision set aside in respect of the Land Charges property searches litigation was not fully utilised. • Income from Land Charge fees exceeded the target and there was an underspend on pay budgets. • The small surplus of the Building Control Fees earning account will be transferred to the earmarked reserve.
Planning Services	69,507	<ul style="list-style-type: none"> • Additional expenditure on legal and other costs associated with planning appeals including claim for costs award for planning appeal at Exeter Road, Topsham. • Income from planning fees exceeded the budget. • Additional S106 income to offset expenditure incurred on Local Energy Project.

8.3.4 Scrutiny Committee Corporate

Management Unit	Over / (Underspend)	Detail
Property & Estates Services	(£362,364)	<ul style="list-style-type: none"> • Additional income from property portfolio • The contingency budget in respect of the Asset Improvement and Maintenance Fund was not fully spent in year. • Underspend on Lease requirement, a request to carry forward the unspent budget will be made. • Expenditure on pay was less than the budget. • The consultant fees budget in respect of the South Street redevelopment was not spent in year, a request to carry the budget forward will be made.
Corporate Property Assets	(£909,294)	<ul style="list-style-type: none"> • The Property Maintenance Fund budget was underspent • A request to carry forward an element of this underspend has been made. • The carry forward is to fund essential priorities in accordance with the Corporate Property Maintenance Strategy that have already been committed in the 2016/17 financial year.
Elections & Electoral Registration	60,307	<ul style="list-style-type: none"> • There has been an overspend on the intrinsic elements of the Elections and Electoral Registration budgets, with the postages, stationery and printing budgets being exceeded.
Corporate	35,600	<ul style="list-style-type: none"> • The overspend is mainly due to management fees payable for investments, together with bank charges and legal fees.
Grants/Cent Supp/Consultation	£100,020	<ul style="list-style-type: none"> • Of the £100,020 overspend, £28,180 is due to be funded from New Homes Bonus grant for Ward Grants, and a carry forward request of £13,450 is made for the underspend on City Grants. The bulk of the remaining overspend is due to consultants' fees in respect of Press & Public Relations and Policy Support.

Management Unit	Over / (Underspend)	Detail
Unapportionable Overheads	£215,300	<ul style="list-style-type: none"> The overspend reflects the superannuation strain payments of £261,900 offset by a greater than anticipated underspend in previous year of £46,600.
Procurement	£77,550	<ul style="list-style-type: none"> The overspend relates to Agency staffing.

Strata Service Solutions Limited has generated an underspend in excess of £300,000 and returned £100,000 of this to the three Councils. The Strata JEC will recommend to each Council whether the additional £200,000 should be returned.

8.3.5 Other Financial Variations

Other items	Over / (Underspend)	Detail
Net interest / Investment Loss	(115,019)	<ul style="list-style-type: none"> The improvement in the interest position is partially due to the Council investing in a Property Fund which generates significantly higher returns than placing the money with banks. The investment loss relates to the final return of funds from Iceland and can be offset by interest received on previous the previous return of funds from Iceland.
Revenue Contribution to Capital	1,414,488	<ul style="list-style-type: none"> The funds set aside from New Homes Bonus to pay off debt have partially been used to pay for lower life assets and local infrastructure delivered in-year..
Minimum / Voluntary Revenue Provision	(1,362,191)	<ul style="list-style-type: none"> The Council has voluntarily set aside £1.5m to repay debt. The remainder of the proposed voluntary revenue provision has been used to fund the revenue contribution set out above.
Business Rates	325,174	<ul style="list-style-type: none"> Business Rates income was broadly in line with budget. The overspend relates to the deficit on the Collection Fund for which an earmarked reserve had been set aside to cover.

8.3.6 Earmarked Reserves

No new Earmarked reserves are being proposed for this financial year. Two reserves, which are no longer required are being recommended for return to the General Fund Balance.

During 2016/17 there has been an overall net take from Earmarked Reserves of £330,710 as shown in Appendix C.

Movement	2016/17
Opening Balance, as at 01/04/16	£5,441,761
Net take	(£330,710)
Balance, as at 31/03/17	£5,111,051

8.3.7 General Fund Balance

During 2016/17 there has been an overall net contribution from the General Fund Balance of £251,881. The minimum requirement for the General Fund working balance was approved by Council in February 2017 at £3million.

Movement	2016/17
Opening Balance, as at 01/04/16	£5,516,722
Deficit	(£ 251,881)
Balance, as at 31/03/17	£5,264,841

8.3.8 Supplementary Budgets

There is a requirement for significant supplementary budgets in 2017/18 as the Council has identified at the end of the year a number of revenue budgets that have not been spent but where a commitment is required in the following financial year.

It is therefore proposed that supplementary budgets totalling £1,450,507, identified in Appendix D are approved and added to the 2017/18 budget. Of the total above, £158,000 relates to the HRA.

8.3.9 Request to Vire Budgets

As stated previously, support service costs are no longer apportioned to frontline services, however they have been in the 2017-18. It is therefore requested that these budgets are removed to ensure significant over / underspends are not shown throughout the year. There is no overall change to the Councils budget. Similarly, the budgets were completed prior to the announcement of the valuation of the Devon Pension Fund. This resulted in the budget increase being held centrally. It would be more meaningful for this to be transferred to the Services where the costs will be incurred. Again there is no overall change to the Councils budget.

A budget virement of £73,230 is also requested in respect of two posts moving from the Revenues Collection/Benefits - Business Improvement Team to the Executive Support Team to better reflect the management arrangements.

8.4 COUNCIL TAX

8.4.1 As at 1 April 2016, arrears amounted to £4.395m, the movements during 2016/17 were as follows:

	£m	£m
Arrears at 1 April 2016		4.395
Add:		
2016/17 debits raised net of discounts	58.578	
Less:		
Payments received	(59.036)	
Refunds and change in pre-payments	0.581	
Write-offs	<u>(0.342)</u>	
Arrears at 31 March 2017		<u>£4.176</u>

8.4.2 Against the arrears of £4.176m, a bad and doubtful debt provision of £1.497m has been provided, calculated in accordance with the appropriate accounting guidelines.

8.4.3 The 'In-Year' collection rate has increased in comparison with the previous year. The collection rate for 2016/17 was 96.81% compared with 96.5% in 2015/16.

8.5 OUTSTANDING SUNDRY DEBT

8.5.1 An aged debt analysis of the Council's sundry debts is shown in the table below.

Age of Debt	March 2016	March 2017
Up to 29 days (current)	£1,362,755	£6,820,661
30 days – 1 Year	£1,923,474	£1,027,940
1 – 2 years	£730,460	£945,735
2 –3 years	£430,920	£455,532
3 – 4 years	£258,353	£327,021
4 – 5 years	£173,540	£226,393
5 + years	£230,572	£325,762
Total	£5,110,074	£10,129,044

8.5.2 The large increase relates to one invoice for a capital receipt with a value of close to £5 million. The invoice was paid on 4 April 2017.

8.6 DEBT WRITE-OFFS

8.6.1 The following amounts have been written-off during 2016/17:

	2015/16	2016/17
• Council Tax	£244,748	£341,926
• Business Rates	£533,862	£274,428
• Sundry Debt	£81,673	£44,459
• Housing Rents	£65,313	£48,478

8.7 CREDITOR PAYMENTS PERFORMANCE

8.7.1 Creditors' payments continue to be monitored in spite of the withdrawal of statutory performance indicator BVPI8. The percentage paid within 30 days was 93.64% for 2016/17 compared with 92.84% for 2015/16.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 This is a statement of the financial position at the end of the 2016/17.

10. What risks are there and how can they be reduced?

10.1 The risks relate to overspending the Council budget and are mitigated by regular reporting to the Strategic Management Team and Members.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

11.1 Not applicable

12. Are there any other options?

12.1 Not applicable

Chief Finance Officer

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275

HOUSING REVENUE ACCOUNT
2016/17 REVENUE ESTIMATES - SUMMARY
as at 31 March 2017

HOUSING REVENUE ACCOUNT

	Approved Annual Budget	December Outturn Forecast	2016-17 Outturn	Variance since December	Overall Variance To Budget	Variance To Budget
	£	£	£	£	£	%
Management	1,161,560	1,148,760	1,136,925	(11,835)	(24,635)	(2)
Housing Customers	1,273,940	1,266,240	1,231,584	(34,656)	(42,356)	(3)
Sundry Lands Maintenance	375,870	335,870	289,566	(46,304)	(86,304)	(23)
Repairs & Maintenance Programme	6,112,390	5,519,890	5,268,423	(251,467)	(843,967)	(14)
Revenue Contribution to Capital	4,689,075	4,689,075	4,689,075	0	0	0
Capital Charges	2,656,950	2,721,772	2,721,772	0	64,822	2
Housing Assets	1,521,790	1,286,790	1,300,727	13,937	(221,063)	(15)
Rents	(19,563,510)	(19,598,510)	(19,923,844)	(325,334)	(360,334)	2
Interest	1,914,060	1,814,060	1,786,988	(27,072)	(127,072)	(7)
Variance in Working Balance	(142,125)	816,053	1,498,784	682,731	1,640,909	
Net Expenditure	0	0	0	0	0	
Working Balance	1 April 2016	7,068,670	31 March 2017	8,567,454		

COUNCIL OWN BUILD SITES

	Approved Annual Budget	December Outturn Forecast	2016-17 Outturn	Variance since December	Variance To Budget	Variance To Budget
	£	£	£	£	£	%
Rowan House	(7,700)	(9,700)	(10,397)	(697)	(2,697)	35.0
Knights Place	(49,290)	(54,290)	(48,072)	6,218	1,218	(2.5)
Interest	6,890	7,890	7,550	(340)	660	9.6
Capital Charges	12,080	12,080	11,865	(215)	(215)	(1.8)
Variance in Working Balance	38,020	44,020	39,054	(4,966)	1,034	2.7
	0	0	0	0	0	
Working Balance	1 April 2016	169,043	31 March 2017	208,097		

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GENERAL FUND
2016/17 REVENUE ESTIMATES - SUMMARY
as at 31 March 2017

	Annual Budget £	Supplementary Budgets £	Revised Annual Budget £	Year End Outturn £	Variance to Budget £
SCRUTINY - PEOPLE	3,290,170	508,000	3,798,170	2,921,494	(876,676)
SCRUTINY - PLACE	8,701,050	1,117,370	9,818,420	7,285,913	(2,532,507)
SCRUTINY - CORPORATE	3,438,330	854,990	4,293,320	6,420,794	2,127,474
less Notional capital charges	(2,881,260)		(2,881,260)	(3,006,764)	(125,504)
<u>Service Committee Net Expenditure</u>	12,548,290	2,480,360	15,028,650	13,621,437	(1,407,213)
Net Interest	300,000		300,000	72,084	(227,916)
Investment Loss	0		0	112,897	112,897
New Homes Bonus	(4,232,490)		(4,232,490)	(4,232,490)	0
Revenue Contribution to Capital	0		0	1,414,486	1,414,486
Minimum Revenue Provision	875,000		875,000	765,779	(109,221)
Voluntary Revenue Provision	2,000,000		2,000,000	747,030	(1,252,970)
<u>General Fund Expenditure</u>	11,490,800	2,480,360	13,971,160	12,501,223	(1,469,937)
Transfer To/(From) Working Balance	68,304	(2,417,080)	(2,348,776)	(251,881)	2,096,895
Transfer To/(From) Earmarked Reserves	631,490	(63,280)	568,210	(330,710)	(898,920)
<u>General Fund Net Expenditure</u>	12,190,594	0	12,190,594	11,918,632	(271,962)
Formula Grant	(5,802,225)		(5,802,225)	(5,810,832)	(8,607)
Business Rates Growth / Pooling Gain	(1,358,733)		(1,358,733)	(1,033,559)	325,174
CIL Income	0		0	(44,631)	(44,631)
Council Tax	(5,029,636)		(5,029,636)	(5,029,610)	26
	0	0	0	0	0

Working Balance March 2015

£ 5,516,722

£ 5,264,841

March 2016

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	2016-17 Opening Balance	(T/fr to)	T/fr from	2016-17 Closing Balance
PRINCESSHAY/MAJOR PROJECTS	(19,458.80)			(19,458.80)
PARTNERSHIP	(15,017.25)			(15,017.25)
CONSERVATION	(2,338.96)			(2,338.96)
VEHICLE LICENSING	(72,638.47)	13,149.00		(59,489.47)
S 57 GRANTS	(19,613.00)			(19,613.00)
SURE START	(20,000.00)			(20,000.00)
BUILDING CONTROL	(148,626.42)		(6,389.84)	(155,016.26)
LOCAL DEV FRAMEWORK	(36,642.41)			(36,642.41)
MALLINSON	(134,075.59)			(134,075.59)
OLD MILL	(5,498.86)			(5,498.86)
BOTTLE BANK	(42,468.08)			(42,468.08)
PLAY EQUIPMENT	(22,470.00)			(22,470.00)
SHIP	(7,438.00)			(7,438.00)
HOUSING ASSESSMENT	(1,244.51)			(1,244.51)
EXWICK LAND	(27,034.75)			(27,034.75)
Climate Change	(6,709.04)			(6,709.04)
DEVON HOME CHOICE	(80,915.19)		(9,536.42)	(90,451.61)
Strategic Review reserve	(50,568.40)			(50,568.40)
Habitat Assessment	(30,982.73)	450.00		(30,532.73)
Green Travel	(19,965.77)	9,390.14		(10,575.63)
AFU Archiving	(27,817.54)	5,158.00		(22,659.54)
Countryside Grants	(14,500.43)			(14,500.43)
Grass Cutting	(30,000.00)			(30,000.00)
Redundancy reserve	(300,000.00)	300,000.00	(120,274.00)	(120,274.00)
EBAC	(5,306.32)			(5,306.32)
Museum of the Year	(100,000.00)	15,000.00		(85,000.00)
RAMM Legal Costs	(361,473.69)	9,630.51		(351,843.18)
Natura 2000	(57,020.00)	34,622.02		(22,397.98)
Neighbourhood Plans	(36,552.69)			(36,552.69)
Contractors	(223,000.00)	223,000.00		0.00
NHB - Neighbourhood Plans	(40,000.00)	40,000.00		0.00
NHB - Ward Projects	(12,176.00)	28,000.00	(39,000.00)	(23,176.00)
NHB - Local Community Infra	(360,443.62)	161,516.00		(198,927.62)
NHB - MI & Unallocated	(250,000.00)		(750,000.00)	(1,000,000.00)
NHB - Active Exeter	(1,000,000.00)	239,266.90		(760,733.10)
NNDR Deficit	(306,685.00)	306,685.00	(333,540.00)	(333,540.00)
Capital Fund	(725,000.00)			(725,000.00)
LOCAL WELFARE SUPPORT (T006)	(141,079.30)	35,080.69		(105,998.61)
PINHOE COMMUNITY HUB	(100,000.00)			(100,000.00)
EVENTS BUDGETS	(425,000.00)	225,000.00		(200,000.00)
RIVERSIDE DILAPIDATIONS	(162,000.00)		(56,498.00)	(218,498.00)
	(5,441,760.82)	1,645,948.26	(1,315,238.26)	(5,111,050.82)

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		Funded by	£
Corporate			
Executive Support Unit	City Grants Carry Forward	General Fund Balance	13,450
Corporate Property	Lease requirements	General Fund Balance	25,870
Corporate Property	Consultancy - South Street	General Fund Balance	73,000
Corporate Property	Property Maintenance Fund	General Fund Balance	362,800
Corporate Property	Water System Risk Assessments	General Fund Balance	44,520
Corporate Property	Retaining Wall - St Davids Church	General Fund Balance	11,000
Corporate Property	Civic Centre toilet adaptations - Customer Service Centre	General Fund Balance	5,000
HR	Staff Review	General Fund Balance	28,550
Democratic Services	Office Moves	General Fund Balance	20,000
			584,190
Place			
Economy	Exeter City Futures	General Fund Balance	26,840
Economy	Innovation Exeter	General Fund Balance	15,687
Economy	Small Arts Grants	General Fund Balance	240
Environment	Food Waste Project	General Fund Balance	3,760
Public Realm	DWT Transfer	General Fund Balance	425,000
Public Realm	Countryside Services Budget	General Fund Balance	34,760
Public Realm	Works to Turf Locks Sheds	General Fund Balance	17,750
Public Realm	Works to Kings Alms Swingbridge / Canal	General Fund Balance	20,500
Public Realm	Various Tree Works	General Fund Balance	30,000
			574,537
People			
Housing Development	Housing Development Company Project	General Fund Balance	178,300
			178,300
General Fund Total			1,337,027
Housing Revenue Account	Mobile working - the provision of wi-fi in communal areas	HRA Balance	20,000
Housing Revenue Account	Consultancy provision re operating models	HRA Balance	20,000
Housing Revenue Account	Stock condition survey	HRA Balance	12,000
Housing Revenue Account	Low maintenance and painting	HRA Balance	60,000
Housing Revenue Account	Tree inspection and remedial works	HRA Balance	46,000
Housing Revenue Account	Water System Risk Assessments	HRA Balance	25,840
HRA Total			183,840
Overall Total			1,520,867
		General Fund Balance	1,337,027
		HRA Balance	183,840

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EXETER CITY COUNCIL

REPORT TO:

**SCRUTINY COMMITTEE – CORPORATE, EXECUTIVE &
COUNCIL**

DATE OF MEETING:

**CORPORATE – 22 JUNE 2017
EXECUTIVE – 11 JULY 2017
COUNCIL – 25 JULY 2017**

REPORT OF:

CHIEF FINANCE OFFICER

TITLE:

TREASURY MANAGEMENT 2016-17

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

To report on the current Treasury Management performance for the 2016-17 financial year and the position regarding investments and borrowings at 31 March 2017. The report is a statutory requirement and is for information only with no key decisions required.

2. Recommendations:

That Scrutiny, the Executive and Council note the content of this report.

3. Reasons for the recommendation:

It is a statutory requirement for the Council to publish regular reports on Treasury Management to Council. This includes an annual Treasury Management Strategy and half yearly report and a year-end report as a minimum.

4. What are the resource implications including non-financial resources

The report is an update on the overall performance in respect of treasury management for the 2016-17 financial year. Therefore, there are no financial or non-financial resource implications.

5. Section 151 Officer comments:

Officers have fully complied with the Treasury Management Strategy for 2016-17. All investments and borrowings have been undertaken in accordance with the Council's approved Treasury Management Practices.

6. What are the legal aspects?

In February 2012 the Council adopted the updated *CIPFA Treasury Management in the Public Services: Code of Practice*, which requires the Council to report on its performance at the end of each financial year. Adoption of the Code is required by regulations laid under the Local Government Act 2003.

7. Monitoring Officer's comments:

This report raises no issues of concern to the Monitoring Officer.

8. Report Details:

8.1 Interest Rate Prospects

Interest rate forecasts, provided by our Advisors, are set out below.

Period	Bank Rate	20-year PWLB rate*
June 2017		2.35
Sept 2017		2.30
Dec 2017		2.30
Mar 2018		2.30
June 2018		2.30
Sept 2018		2.30
Dec 2018		0.25
Mar 2019		2.40
June 2019		2.45
Sept 2019		2.50
Dec 2019		2.55
Mar 2020		2.60
June 2020		2.65

* The Council can currently borrow from the PWLB at 0.80% above gilt yields

8.2 Treasury Management Strategy

The Council approved the 2017-18 Treasury Management Strategy at its meeting on 21 February 2017. The Council's stated investment strategy was to continue to hold only small surplus funds and to seek to utilise its Call Accounts, Money Market Funds, use the Government's Debt Management Office and use short dated deposits which would be placed with Local Authorities. No other significant changes were made to the strategy for 2017-18.

Approval to invest in Property Funds was part of the 2016-17 Treasury Management Strategy, the council has invested £5m in the Local Authorities Property Fund, (managed by the CCLA). As at 1 May the fund size was approximately £746.5 million with 179 investors using the fund. The dividend yield as at the end of April was 4.58%. The investment in the property fund is a long term commitment which will mean that there will be fluctuations in the return over the period of the investment. Details of the current value of the investment are provided later in the report.

With returns on traditional investment vehicles being very low, officers are seeking new investment opportunities that will potentially return higher yields than currently being received. Officers recently met with the council's treasury advisors in order to explore alternative investment opportunities. A number of options were presented and officers are currently reviewing these options.

If a decision is taken to explore the options further and an amendment to the 2017-18 strategy is required. A report requesting a change to the strategy will be presented to committee when required.

The Council's stated borrowing strategy was to maintain short-term borrowing as long as rates remained low. The Council is currently borrowing over 1 or 2 year periods.

8.3 Net Interest Position

The General Fund shows an improvement against the estimate for net interest payable, the position is:

	Estimate	Actual	Variation
	£	£	£
Interest paid	400,000	88,987	(311,013)
Interest earned			
Temporary investment interest	(200,000)	(292,204)	(92,204)
Other interest earned	(700)	(424)	276
Science Park Loan	(25,850)	(25,779)	71
Less			
Interest to HRA	82,450	194,336	111,886
Interest to s106 agreements	40,000	97,500	57,500
Interest to Trust Funds	4,000	4,544	544
Lord Mayors Charity	100	108	8
GF interest (received) / paid out	(100,000)	(21,919)	78,081
Net Interest	300,000	67,068	(232,932)
Investment Loss – General Fund	0	30,800	30,800
Net Interest	300,000	97,868	(202,132)

8.4 The other interest earned relates to car loan repayments.

8.5 The HRA earned £194,336 interest on its balances. This is calculated on the following:

- HRA working balance;
- The balance of funds in the Major Repairs Reserve and Useable Capital Receipts.

However it has also had to pay interest on borrowing this year. As members will be aware, the Council has had to borrow £56,884,000 to buy itself out of the HRA subsidy scheme. Interest of £1,979,563 has been charged to the HRA to cover the interest payment. Additionally £9,784 has been charged on the borrowing used to fund the Council's Own Build properties.

9. Investment Interest

The Council utilises the Government's Debt Management Office account and call accounts with Handelsbanken and Barclays. Appendix A sets out the institutions that the Council can use for deposits – this is known as our Counterparty list.

A number of Money Market Funds have been set up by the Council, which also allows immediate access to our funds and spreads risk as it is pooled with investments by other organisations and invested across a wide range of financial institutions.

An investment has been made in the CCLA Property Fund. The investment in the property fund is a long term commitment which means that are fluctuations on the return from the investment, and this will continue to be the case.

The Council's investments as at 31 March 2017 are:

Money Market Funds

Amount	Investment	Interest rate
£5,000,000	Standard Life	0.29%
£2,000,000	Blackrock	0.26%

Fixed Term Deposits

Amount	Investment	Interest rate	Maturity Date
£3,000,000	City of Kingston Upon Hull	0.38%	13/06/2017
£3,000,000	Stockport MBC	0.35%	01/06/2017
£3,000,000	Woking Borough Council	0.35%	22/05/2017
£3,000,000	Blaenau Gwent County Borough Council	0.35%	04/08/2017
£3,000,000	Leeds City Council	0.30%	28/04/2017

Property Fund

Amount	Investment	Dividend Yield
£5,000,000	CCLA – LAMIT Property Fund	4.57%

The value of the investment as at 31 March 2017 was £4,654,618.01. At the end of the financial year the value of the investment in the Property Fund is adjusted to equal the number of units held multiplied by the published bid price, with the gain or loss taken to the Available for Sale Reserve. Movements in the unit price therefore have no impact on the General Fund until the investment is sold or impaired.

10. Borrowings

As at 31 March 2017 the Council has short term borrowing of £10m, long term borrowing remains at £56.884m. Details of the loans are set out in 10.1.

Interest rates remain at record low levels and indications are that they will remain at this level for the foreseeable future. The borrowing rates from other Local Authorities for one year money are currently around 0.50% and 0.75% for two years.

10.1

Amount	Lender	Interest rate	Date of repayment
£10,000,000	Oxfordshire County Council	0.98%	01/02/2018
£56,884,000	PWLB	3.48%	28/03/2062

11. Future Position

As interest rates remain very low, the Council will continue to utilise short term borrowing to manage its cashflow. Current rates for borrowing are detailed above, the Council will continue to borrow for 1 or 2 year periods.

11.1

The Council's five Money Market Funds which are AAA rated, currently offer rates which vary from 0.13% to 0.32%, the rates are liable to fluctuation in the year. The call accounts offer rates between 0.05% and 0.15% for the average annual balance.

- 11.2 The short term investments that are made through the call accounts and money market funds ensure cash can be accessed immediately. This has an ongoing impact on returns but increases the security of our cash.
- 11.3 We will also lend, when possible, to institutions on the Council's counterparty list which includes other Local Authorities, UK and Foreign owned banks and the Debt Management Office. The rates received for Local Authority deposits are currently between 0.30% and 0.38%.
- 11.4 The interest rate on the call account with Handelsbanken has reduced from the opening rate of 0.50% to 0.15% and rate payable on the Barclays call account has reduced to 0.05%.

12. New Investment Opportunities

- 12.1 As mentioned earlier in the report, officers met with the council's treasury advisors in order to explore alternative investment opportunities.
- 12.2 A number of options were presented, including investing in cash plus and short dated bond funds and longer dated funds, which currently return a higher yield on investments. Investing in such funds will require a commitment to invest for longer periods which is a change from the current strategy.
- 12.3 Officers will continue to liaise to treasury advisors in respect of new investment opportunities. Any decisions taken will comply with the code of practice that requires the council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield.
- 12.4 If an amendment to the current treasury management strategy is required, a report will be present to committee requesting the necessary amendments.

13. How does the decision contribute to the Council's Corporate Plan?

Treasury Management supports the Council in generating additional funds for investing in Services, whilst minimising the amount of interest paid on borrowings. It does not in itself contribute to the Council's Corporate Plan.

14. What risks are there and how can they be reduced?

The council uses treasury management advisors who continually provide updates on the economic situation, interest rates and credit ratings of financial institutions. They also provide a counterparty list which details the financial institutions which meet the council's treasury management strategy.

15. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, Economy safety and the environment?

No impact.

16. Are there any other options?

No.

Dave Hodgson
Chief Finance Officer

Local Government (Access to Information) Act 1972 (as amended)
Background papers used in compiling this report: None

Contact for enquiries:
Democratic Services (Committees), Room 2.3, (01392) 265275

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Name	COUNTRY	Moody's Short Term Rating	Fitch Short Term Rating	Banking Group	Maximum Recommended Duration
UNITED KINGDOM: BANKS					
BANK OF SCOTLAND PLC	GB	F1	P-1	Lloyds Banking Group	6 months
LLOYDS BANK PLC	GB	F1	P-1		6 months
BARCLAYS BANK PLC	GB	F1	P-1		100 days
CLOSE BROTHERS LTD	GB	F1	P-1		6 months
GOLDMAN SACHS INTERNATIONAL	GB	F1	P-1		100 days
HSBC BANK PLC	GB	F1+	P-1		13 months
ABBEY NATIONAL TREASURY SERV	GB	F1	P-1	Santander Group	6 months
SANTANDER UK PLC	GB	F1	P-1		6 months
STANDARD CHARTERED BANK	GB	F1	P-1		100 days
UK: BUILDING SOCIETIES					
COVENTRY BUILDING SOCIETY	GB	F1	P-1		3 Months
LEEDS BUILDING SOCIETY	GB	F1	P-1		3 Months
NATIONWIDE BUILDING SOCIETY	GB	F1	P-1		3 Months
UK: LOCAL AUTHORITIES					
LEEDS CITY COUNCIL	GB				4 years +
BLAENAU GWENT COUNTY BORO COUNCIL	GB				4 years +
STOCKPORT MBC	GB				4 years +
CITY OF KINGSTON UPON HULL	GB				4 years +
NOTTINGHAM CITY COUNCIL	GB				4 years +
LANCASHIRE COUNTY COUNCIL	GB				4 years +
GUILDFORD BOROUGH COUNCIL	GB				4 years +
CORNWALL COUNCIL	GB				4 years +
GREATER LONDON AUTHORITY	GB				4 years +
KENSINGTON & CHELSEA ROYAL BOROUGH	GB				4 years +
LANCASHIRE COUNTY COUNCIL	GB				4 years +
TRANSPORT FOR LONDON	GB	F1+	P-1		10 years
BOROUGH OF WANDSWORTH	GB	F1+			4 years +
WARRINGTON BOROUGH COUNCIL	GB				4 years +
UK: OTHER INSTITUTIONS					
NETWORK RAIL INFRASTRUCTURE	GB	F1+	P-1		15 years
UK GOVERNMENT	GB	F1+			50 years
COMMONWEALTH OF AUSTRALIA					
AUST AND NZ BANKING GROUP	AU	F1+	P-1		6 months
COMMONWEALTH BANK OF AUSTRAL	AU	F1+	P-1		6 months
NATIONAL AUSTRALIA BANK LTD	AU	F1+	P-1		6 months
WESTPAC BANKING CORP	AU	F1+	P-1		6 months
GOVERNMENT OF CANADA					
BANK OF MONTREAL	CA	F1+	P-1		13 months
BANK OF NOVA SCOTIA	CA	F1+	P-1		13 months
CAN IMPERIAL BK OF COMMERCE	CA	F1+	P-1		13 months
ROYAL BANK OF CANADA	CA	F1+	P-1		13 months
TORONTO-DOMINION BANK	CA	F1+	P-1		13 months
FEDERAL REPUBLIC OF GERMANY					
KREDITANSTALT FUER WIEFERAUF	GE	F1+	P-1		25 years
LANDESBANK HESSEN-THURINGEN	GE	F1+	P-1		6 months
LANDESKRED BADEN-WUERTT FOER	GE	F1+	P-1		25 years
LANDWIRTSCHAFTLICHE RENTENBA	GE	F1+	P-1		25 years
LAND SACHSEN-ANHALT	GE	F1+	P-1		15 years
KINGDOM OF THE NETHERLANDS					
BANK NEDERLANDSE GEMEENTEN	NE	F1+	P-1		5 years
COOPERATIEVE RABOBANK UA	NE	F1+	P-1		13 months
REPUBLIC OF SINGAPORE					
DBS BANK LTD	SI	F1+	P-1		13 months
OVERSEA-CHINESE BANKING CORP	SI	F1+	P-1		13 months
UNITED OVERSEAS BANK LTD	SI	F1+	P-1		13 months
KINGDOM OF SWEDEN					
NORDEA BANK AB	SW	F1+	P-1		13 months
SVENSKA HANDELSBANKEN-A SHS	SW	F1+	P-1		13 months
SUPRANATIONAL					
COUNCIL OF EUROPE DEVELOPMNT	FR	F1+	P-1		15 years
EUROPEAN BANK FOR RECONSTRUC	GB	F1+	P-1		25 years
EUROPEAN INVESTMENT BANK	LX	F1+	P-1		25 years
INTER-AMERICAN DEV BANK	US	F1+	(P)P-1		25 years
INTERNATIONAL BANK FOR RECON	US	F1+	(P)P-1	World Bank Group	25 years

Exeter City Council - Money Market Funds

Money Market Fund	Place of Domicile	Moody's Long-Term Ratings	Fitch Long-Term Rating	Rate	Fund Size (28 February 2017) £bn	Max recommended investment (0.5% of fund size*) £m
BLACKROCK	IR	Aaa-mf	-	0.26%	34.47	172.40
AMUNDI INVESTORS	LX	-	AAAmmf	0.32%	0.67	13.40
FEDERATED INVESTORS (UK)	GB	-	AAAmmf	0.30%	2.36	11.80
STANDARD LIFE (FORMERLY IGNIS) LIQUIDITY FUNDS	IR	-	AAAmmf	0.29%	14.37	71.90
CCLA - PSDF	GB	-	AAAmmf	0.13%	0.31	1.60

Other Money Market Funds Available

Money Market Fund	Place of Domicile	Moody's Long-Term Ratings	Fitch Long-Term Rating	Rate	Fund Size (28 February 2017) £bn	Max recommended investment (0.5% of fund size*) £m
ABERDEEN ASSET MANAGEMENT	LX	Aaa-mf	AAAmmf	0.24%	14.66	73.30
AVIVA INVESTORS	IR	Aaa-mf	-	0.24%	19.99	100.00
BNP PARIBAS ASSET MANAGEMENT	LX	Aaa-mf	-	0.32%	1.85	9.30
BNY MELLON ASSET MANAGEMENT	IR	Aaa-mf	-	0.16%	1.99	10.00
DB ADVISORS (DEUTSCHE)	IR	Aaa-mf	-	0.20%	8.03	40.20
FIDELITY INTERNATIONAL	IR	Aaa-mf	-	0.19%	1.01	5.10
GOLDMAN SACHS ASSET MANAGEMENT	IR	Aaa-mf	AAAmmf	0.22%	12.29	61.50
HSBC ASSET MANAGEMENT	IR	Aaa-mf	-	0.27%	6.68	33.40
INSIGHT INVESTMENTS	IR	-	AAAmmf	0.22%	21.79	109.00
INVESCO AIM	IR	Aaa-mf	AAAmmf	0.30%	1.26	25.20
J.P.MORGAN ASSET MANAGEMENT	LX	Aaa-mf	AAAmmf	0.19%	11.36	56.80
LEGAL & GENERAL INVESTMENT MANAGEMENT	IR	-	AAAmmf	0.19%	28.78	143.90
MORGAN STANLEY INVESTMENT MANAGEMENT	IR	Aaa-mf	AAAmmf	0.24%	2.32	11.60
STATE STREET GLOBAL ADVISORS ASSET MANAGEMENT	IR	Aaa-mf	AAAmmf	0.21%	3.65	18.30
Government Funds:						
AVIVA INVESTORS GOV	IR	Aaa-mf	-			
BLACKROCK GOV	IR	Aaa-mf	-			
GOLDMAN SACHS ASSET MANAGEMENT GOV	IR	Aaa-mf	AAAmmf			
JP MORGAN ASSET MANAGEMENT GOV	LX	Aaa-mf	AAAmmf			
NORTHERN TRUST ASSET MANAGEMENT GOV	IR	-	-			

REPORT TO:

Date of Meeting:

Executive – 11 July 2017

Council – 25 July 2017

Report of:

Programme Manager - Communities

Title:

Community Builders roles and Neighbourhood portion of CIL/ Grants
Roots Grants recommendations July 2017.

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 At the People Scrutiny Committee held on 2 June 2016, and Council on 26 July 2016 it was agreed that the Council would welcome recommendations from the Exeter Community Forum (ECF) Grass Roots Grants Panel as to how to spend the neighbourhood portion of the Community Infra-Structure Levy (CIL) (3.75 million over 10 years.)

The details of programme delivery provided in this report are part of the implementation of 'supporting community action' in the Exeter Community Strategy as supported by Council in July 2016.

1.2 This report recommends an award to be made to a community organisation in the second round of Grass Roots Grants funding.

1.3 This report also provides information on the recommendations for the introduction of new Community Builder (CB) roles across neighbourhoods in Exeter, supported by New Homes Bonus and the neighbourhood portion of Community Infra-Structure Levy funding. This is to complement and build on the existing community builder roles that are currently funded through Integrated Care Exeter (ICE)/Wellbeing Exeter programme.

2. Recommendations:

2.1 That Council approves the recommendation made by the Exeter Community Forum Grass Roots Grants Panel which met on the 7 June to review and support the following application:

- Alphington Community Association - refurbishment of Alphington Village Hall – Capital grant £30,000 – supported by Grass Roots Grants Panel in full.

2.2 That Council approves the recommendation made by the Exeter Community Forum Grass Roots Panel which met on the 25 May to review applications/ Expressions of Interest for Community Builders for the following areas (all roles will be part-time). Areas are based on community defined areas, not current ward boundaries:

- Newtown and St Leonards *
- Pinhoe *
- Wonford *
- Alphington
- Heavitree
- Beacon Heath

- Whipton
- Digby
- St Thomas *
- Newcourt & Countess Wear *
- St David's
- Exwick *

The areas that are starred have an existing community builder role (1 day pw) funded through ICE. The total amount that will be invested in this work over the next five years is £610,000. This is made up of £300,000 New Homes Bonus and £310,000 Neighbourhood CIL.

- 2.3 That Council approves the recommendation made by the Grass Roots Grants panel that a Host Organisation should be appointed to manage the Community Builder roles for Exeter with reporting arrangements to the Exeter Community Forum steering group. This role includes the employment and management of all staff related to the roll out of community builders across Exeter.
- 2.4 That delegated powers be given to the Portfolio Holder for Health & Wellbeing, Communities and Sport, the Chair of the Exeter Community Forum and Programme Manager for Communities should there be a need for adjustment to:
- a) areas covered by the Community Builder roles and
 - b) awarding of the contract to a host organisation to employ and manage the Community Builder programme.

This is important due to timescales with delivering this work. We are looking for this programme of work to start in September 2017 with the appointment of the host organisation.

3. Reasons for the recommendations:

- 3.1 **Capital funding** - The Neighbourhood CIL funds will be spent as follows supporting capital projects in the city: Refurbishment of Alphington Village Hall – Capital £30,000. The Village Hall is a community facility which provides a valuable meeting space for the Alphington community, available for all groups and for individual hire. A rebuilding and renovation programme started in February 2017 to update and improve the facility. The refurbishment will help to create a safer more suitable facility that is fully accessible. The total refurbishment cost is £318,000. The Alphington Community Association have raised 90% of the funding from different sources including Viridor £200,000, £33,000 from local fundraising and Exeter City Council New Homes Bonus £50,000 awarded 2015/16. The application to Grass Roots Grants was for funding to complete the work. Demand for community facilities will increase with the development of 500 houses in Alphington, plus the provision of 1500 homes bordering Alphington. The building is expected to be completed by October 2017.
- 3.2 The Grass Roots Panel received an application from a Neighbourhood Partnership in the city for £7,000 to support the costs of a Community Warden. It was felt that it was inappropriate for a community fund to support a cost of a service delivered by a private contractor and necessitated by cut backs in policing budgets, therefore it is recommended that this application is turned down. It was suggested to the Partnership to look for funding from an alternative source that supports community safety issues. It was acknowledged that the partnership have real issues of concern that deserve to be heard and supported by the appropriate authorities.
- 3.3.1 **Community Builders** – locations for CB roles were prioritised according to the following criteria:

- new communities and communities preparing for significant housing development impacting on or near their area.
- areas experiencing relative high levels of social exclusion or inequality and poverty.

The ECF/Grass Roots Grants panel recommend that community builders should be recruited for additional areas where no Expression of Interest had been received from community groups. This may be due to poor awareness of the opportunity or little local capacity to make an application, if the area strongly meets the above criteria. Four of the areas fell into this category – St Thomas, Newcourt & Countess Wear, St David's and Exwick.

This recommendation is made after input and discussion with city councillors from the wards identified.

Exeter Community Forum members were asked to give feedback on the original proposals for community builders which was developed in response to Expressions of Interest received. Positive feedback was received from groups across the city. On reviewing the initial proposals and in light of additional areas that have now been included, there was a significant budget shortfall. Lead members and officers along with the ECF Chair recommend that each area with a community builder should start with minimum hours (equivalent to one day per week) which could then be built up according to need in negotiation with the host organisation and according to availability of match funding from elsewhere. Local councilors will be invited to join the local support groups for the community builder in their area.

- 3.3 **Host Organisation** - Exeter Community Forum (ECF) will invite applications for the Host Organisation according to procurement policy. The host would need to take on the employment of the community builder team and co-ordinate and manage the delivery of the programme. ECF are looking for organisations that have expertise and a track record of community development.

The host organisation will work closely with the local support groups to ensure they have a lead role in helping to recruit a community builder and offering support for their work. Local councillors will be invited to take part in the local support groups.

See Appendix 1 for information on Community Builders and Host Organisation role.

4. **What are the resource implications including non financial resources:**

- 4.1 It is estimated that the neighbourhood portion of the total Community Infrastructure Levy receipts over the next 10 years will be approximately £3.75 million. Executive approved the ring fencing of these funds for implementing the Exeter Community Strategy at its 10 February 2015 meeting. The CIL regulations do not provide for borrowing to be undertaken against CIL receipts, and so sufficient CIL receipts must have accumulated before projects can be funded. There will be administrative and accounting costs in relation to decision-making processes and the implementation of projects funded by the neighbourhood portion of the CIL, and it is anticipated that these staff-related costs will be borne in the main by the Council's Communities team.

£310,000 is allocated from Neighbourhood CIL funding to support the Community Builders work, plus a New Homes Bonus allocation of £150,000 per annum in 2016/17 and 2017/18. This equates to 15% of the Neighbourhood CIL funding plus the New Homes Bonus funding allocated to this work.

This funding will support the community builder roles to be delivered over the next five years. There will be regular (quarterly) review meetings with the host organisation to

assess progress of the projects, and a full review of progress by end of year two. Payment terms will be agreed with the Monitoring Officer.

The host organisation will have a target of securing an additional 20% or £122,000 to support the delivery of the programme over the next five years.

- 4.2 At 15% of total CIL receipts, the neighbourhood portion of CIL receipts, currently equates to approximately £427,877 (7 June 2017).

5. Section 151 Officer comments:

- 5.1 The Section 151 Officer notes the proposals and will work with the City Development Manager and the Programme Manager – Communities to ensure that the spend of the Neighbourhood portion of the CIL is appropriately administered and accounted for, bearing in mind the decision-making procedures to be put in place and the Council's ultimate retention of accountability.

6. What are the legal aspects?

- 6.1 The following issues need to be highlighted :

(a) The Council is prohibited from borrowing against future CIL receipts to forward fund infrastructure delivery. Hence, CIL receipts cannot be spent until they have accumulated sufficiently to fund projects. This will affect decisions on spending the neighbourhood portion of the CIL, as it does CIL spend decisions generally.

(b) The CIL regulations do not require the Council to set aside a proportion of CIL receipts for spend in neighbourhoods, given that there are no formal parishes in Exeter, but the Council's Executive resolved to set aside 15% of CIL receipts for this purpose on 10 February 2015.

(c) The CIL regulations specify that CIL charging authorities must spend CIL receipts on 'the provision, improvement, replacement, operation or maintenance of infrastructure', but where passed to local areas, CIL receipts can be used to fund 'anything else that is concerned with addressing the demands that development places on an area'.

7. Monitoring Officer Comments

The Program Manager will need to instruct Legal Services to prepare the contract referred to, setting out the contractual terms between the City Council and the Host Organisation to include matters such as contract duration, payment terms and scope of services to be provided. When awarding the contract, the Council must comply with its contract standing orders and the European Procurement Regulations.

8. Report Details:

- 8.1 **Grass Roots Grants** - This is the second round of the Exeter Community Forum Grass Roots Grants, and focuses on 'supporting community action'. This includes the setting up or running a project that runs over a period of time or towards buildings or equipment. Groups were advised that they would be able to apply for up to £30,000 to support building costs, or alternatively groups could apply for funding to support a project. Two applications were received in round 2. The panel met on the 7 June to assess and score the applications. After a considered process where the applications were assessed

against the evaluation criteria the panel recommended supporting one of the applications in full (see 2.1) and declining the second application. The second application was from a Neighbourhood Partnership that requested funding support towards a Community Warden service to address anti-social behaviour and drug dealing in the neighbourhood. This application is recommended to be turned down by the Grass Roots Panel as it was felt that funding was requested for a role that should be funded by a statutory authority.

8.2 **Community Builders** –

8.2.1 Community building is all about building relationships, mobilising people to take action and supporting projects which make a difference to people's lives. Their role is to listen to local people's aspirations for their communities and support people to network to take action to improve their social situation and environment. Community builders have no agenda and do not lead or do things on behalf of people - they help people to do things for themselves.

The work to build communities takes time hence there is a five year commitment to supporting this work as detailed in the Exeter Community Strategy

The commitment to funding community building is designed to support people to build stronger communities and plan for some of the changes we know are going to happen related to the expansion of the city and the building of new housing developments. Investing in community builders was supported as part of the adoption of the Exeter Community Strategy by the Council in March 2016.

Exeter City Council through the Housing revenue account and also New Homes Bonus have provided some funding for a Community Builder role over the past couple of years in Wonford and more recently in Exwick. Both local councillors and officers from the council will be able to confirm that this role has had a great impact in being able to build positive relationships with people and help residents to take action on local projects, both environmental and social that have helped to create a more inclusive community where people feel able to get involved to have a great benefits on both a personal and community level. Another area that has recently used a community building approach was in St Thomas where with the support of Active Devon the community builder was able to engage local residents to work together with council officers and local ward members to plan for the implementation of an active trail and community orchard in the Cowick Barton playing fields. The playing fields continue to have an active local community group who plan many activities for children and families that promote fitness and health & wellbeing. The group are now interested in working with the council to raise external funding to improve the tennis courts and other resources in the park.

Our experience in Exeter over a number of years is that the community builder roles can have a real impact on improving people's lives and supporting the local community to work together with the council and other partners in the city to achieve great outcomes for all.

8.2.2 **Wellbeing Exeter/Integrated Care Exeter (ICE)** ICE was established in 2014 as a 3 year learning site for designing and testing new ways of working. The community builder model was adopted in the early stages of the development of the Wellbeing Exeter /ICE programme.

The Wellbeing Exeter programme set out to divert demand from statutory service by building community resilience through models promoting social prescribing and community activity. Decisions were made to provide the funding for a team of Community Builders, (managed by Exeter Community Initiatives) to link with 'Community Connectors' based in or connecting with a number of GP surgeries in the city to help provide opportunities for people to address their social isolation and poor health by engaging in activities in their community.

There are currently nine community builders, mostly on a contract of one day each per week, working across different areas of the city. Community builders are currently funded through ICE in the following areas: Pinhoe, St Thomas, Countess Wear & Newcourt, Topsham, Mount Pleasant/Polsloe, Newtown /St Leonards, Exwick and Wonford.

Officers leading on this work from the city council along with leads from Exeter Community Forum are in discussion with ICE/Wellbeing Exeter regarding the introduction of Community Builders funded by Grass Roots Grants (Neighbourhood CIL) to ensure there is no duplication or double funding of these roles. Wellbeing Exeter funding for community builders and community connectors is only confirmed at the time of writing until September 2017. Areas that have ongoing commitment to a community builder as part of Wellbeing Exeter's funding will not be a priority for funding under the Exeter Community Forum programme. The areas for Grass Roots grants funded roles will need to be reviewed dependent on ICE funding for this work.

There is the potential that the existing CB roles may receive ongoing funding until March 2018, but we don't have confirmation at the time of writing this paper.

9. How does the decision contribute to the Council's Corporate Plan

- 9.1 Adoption of the Exeter Community Strategy and allocation of Neighbourhood CIL funding helps us to achieve the Corporate Plan objective of Supporting Exeter's Communities – *Communities in Exeter know best what facilities are needed in their areas and where investment should be prioritised. We recognise that community and voluntary groups have an important role to play in helping us to shape and deliver services in new ways. We will continue to provide support to the community and voluntary sector to achieve a range of positive outcomes for our communities through co-design and co-delivery.*

10. What risks are there and how can they be reduced?

- 10.1 CIL receipts are dependent on development happening on the ground in that CIL Demand Notices can only be issued when development commences. CIL cannot be used to forward fund projects unless a party other than the Council is willing to borrow against those receipts to deliver the project. In this context, it will take some time for the neighbourhood portion of CIL to accumulate into a more sizeable pot with which to address some of the priorities identified by the ECF. A change for the worse in macro-economic circumstances has the potential to seriously affect the accumulation of CIL receipts in general. There are therefore some risks that community expectations may not be fulfilled because of lack of funding or funding which is slow to materialise.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

- 1.1 Supporting the capacity of community organisations to take initiatives, including through identifying priorities for the use of CIL, has the potential to support a wide range of groups across the city and thereby address issues such as equality and diversity, health and wellbeing.

12. Are there any other options?

- 12.1 No.

Dawn Rivers
Programme Manager - Communities

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

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Appendix 1

EXETER Community Forum – Community Builders

Exeter's Communities Strategy sets out a commitment to deploying Community Builders across the city to provide support to communities.

What is 'Community building' about?

Community building is all about building relationships in communities, mobilising people to take action and supporting projects which make a difference to people's lives.

Community builders have no agenda and do not lead or do things on behalf of people - *they help people to do things for themselves.*

Does it work?

Exeter Community Forum members spent a good evening with Cormac Russell in December who shared the ideas behind Asset Based Community Development – principles which underpin the work of Community Builders. You can watch his Exeter Ted Talk from 2016 <https://www.youtube.com/watch?v=a5xR4QB1ADw> to find out more.

We also know from work by Community Builders funded by Exeter City Council working in Wonford, Exwick and St Thomas - and now with Active Devon, over a number of years that they can have a real impact on people's lives and the local community [insert Laura's flip chart]. Wellbeing Exeter (ICE) are funding Community Builders in some areas of Exeter to help create relationships and community activity. These Community Builders are working with 'Community Connectors' based in some GP surgeries to help provide opportunities for people to get involved in their community.

What are we going to do?

Exeter Community Forum working with Exeter City Council is keen to commit resources over 5 years in a team of Community builders. We know that work to build communities takes time. Our commitment is designed to support people to build stronger communities and plan for some of the changes we know are going to happen, for example the building of new housing developments.

Over 5 years we will:

Learn! Provide full **training for the team of community builders** and in the third year of the programme run the same **training especially for volunteers** who'd like to learn how to use community building approaches with their voluntary work in the community. Community builders will meet up monthly in a **peer learning network**.

Act! Work with local communities to deploy up to five full time equivalent community builders to work in specific geographical areas of the city. Their work will be supported by a team leader. A full time equivalent means that some, if not all, the roles will be part time in each area.

Prove! Agree what difference we want to see in the communities that the Community Builders work and **assess this impact** annually.

Share! Work with other organisations to help **promote the work of Community Builders** and build a **public database of community activity** across the city so it's easy for people to get involved in their community.

Reflect! In **year 3 we'll review how the programme** is running and see if any changes are required to the 5 year plan, where Community Builders are allocated and if any additional resources may be required to meet identified needs.

Celebrate! Hold an **annual event for communities and community builders** to see what progress we're making and plan ahead

How can your organisation get involved?

We're inviting communities to express their interest in working with a Community Builder in their area. We are keen that residents and community organisations come together to set up a **local support group** in an area to encourage the Community Builder's work.

We are also inviting applications from prospective local organisations who are able to act as the employer of the Community Builder team and co-ordinate the delivery of the programme, we're calling this the **host organisation**. We do not expect community groups/ organisations to necessarily have the wherewithal or desire to take on new employees.

What will Local Support Groups do?

Communities are invited to set up a Local Support Group to work with a Community Builder in their area.

The role of the Local Support Group is to do just what it says!

To provide a group of people, connected to local community groups who can offer support for the work of the Community Builder in their area.

- a. Bring together a **small group of representatives from local community organisations** – including communities of interest who will commit to meet regularly over the period that the Community Builder is deployed (no less than quarterly);
- b. To identify a **geographical area** that the community builder should prioritise their work within - this may include a specific community facility that might act as a hub/focus for activity; the area should be geographically defined covering approx. 2- 3,000 households.
- c. To describe and provide feedback to the community builder the **challenges and opportunities that lie within the area**.
- d. To act as a **network** linking the Community builder to local organisations and contacts who can help them in their work
- e. To **develop and maintain a list of community groups and activity** that the Community Builder can use to encourage increased community participation in the area.
- f. To **actively promote** the work of the Community Builder in the local area e.g. through newsletters, talks and online etc.
- g. While noting that the local support group is not the employer, to provide **constructive feedback and ideas** to the Community Builder. To keep the community builder updated with relevant local and city wide issues and initiatives.
- h. To undertake the **raising of local funds** to support a bursary fund for local expenses incurred by the Community builder and local support group. This is expected to be about £500 - £1000 a year to cover costs such as meeting room hire and consumables and enable the Community Builder to, for example, meet people in the local café or cover their bus fares etc. Funds might be raised, for example, by a coffee morning – bringing the community together, raise money and help introduce the Community Builder to the community! Local Support Groups should not approach local ward councillors for ward grants for this activity.
- i. To contribute to city-wide **partnership activity** about the Community Builders programme including impact assessment, meeting and promotion.

Where there isn't a local support group in place, because the Community Builder has been allocated to the area, they will work to establish one.

What might a Community Builder do for our area?

If groups in your area want to set up a local support group what should you think about:

- **What period of time would be most useful?** a number months to work with a specific focus or a number of years may be necessary to make a difference. You might also think about when over the next 5 years would be most helpful. For example, if a housing estate is to be built in year 4 then starting work then to welcome new residents and link to an existing community won't be needed until closer to the time.
- **What area should the work focus on?** We are asking communities to identify particular challenges and opportunities for that area and the Community Builder will aim to work inclusively with residents and other key agencies in the area. The work in the area may focus around a particular community facility for example to increase community engagement with a local park or by a group of people e.g. young people or isolated residents or to welcome new residents connect with an existing community as new housing is built.
- **Who should you be working with?** Who else do you expect to develop local relationships with – other local community organisations and agencies and in particular with any GP surgery where a community connector is operating.
- **How does your area meet the Community Strategy Criteria?** The allocation of Community Builders will be prioritised on the following basis:
 - a. New communities and communities preparing for significant housing development in or near their area.
 - b. Areas experiencing relative high levels of social exclusion or inequality and poverty.
 - c. We also plan to deploy Community Builders in areas without the local capacity to set up a local support group if the area strongly meets the above criteria.
 - d. We are in discussion with Wellbeing Exeter on the allocation of Community Builders to complement the 6 GP surgeries that will host community connectors. (Currently - Mount Pleasant Health Centre, Wonford Green Health Centre, Pinhoe Surgery, Topsham Surgery, St Thomas Health Centre, Fox Hayes Surgery, Ide Lane Surgery Alphington) Areas that have already have a Community Builder as part of Wellbeing Exeter's work will not be a priority for funding under this programme. (Wellbeing Exeter funding is only confirmed at the moment until September 2017, so this may be reviewed at a later date.)

The Expressions of interest will help us put together the plan. We expect to receive more requests for Community Builders than we can afford to fund within the current budget. So this doesn't mean other areas won't be able to secure a Community Builder but it may mean that we can only fund part time or shorter term work so other areas that meet the criteria more closely might benefit. It may also mean that a Community Builder may not be allocated for the whole 5 year period, so for example they can be deployed to an area with new housing development expected in year 4.

What's involved in acting as a host?

Exeter Community forum is inviting applications from prospective local organisations who are able to act as the employer of the Community Builder team and co-ordinate the delivery of the programme, we're calling the host organisation.

This organisation should have an expertise and track record of community development.

We will appoint one local organisation to undertake this role. We do not expect community organisations to necessarily have the wherewithal or desire to take on new employees. The host will have to work closely with the local support groups.

b) Employment	Take full legal responsibility to act as employer , having appropriate contracts and staff employment polices insurances etc in place
c) Recruitment of Community Builder(s)	To oversee and administer recruitment and selection of <i>all</i> the Community builders for the programme
d) Supervision and staff development	To provide regular supervision providing support and assessment of performance, To provide ongoing support and guidance including setting and review

	<p>performance indicators To set and review performance indicators for the team and individuals.</p>
<p>e) Community Builders' induction and training.</p>	<p>To provide:</p> <ul style="list-style-type: none"> a) a full induction programme for <i>all</i> Community Builders, including working with local support groups/single hosts to tailor this to local needs. b) Provide training on Community Building approach (this training may be provided by third parties), and c) develop and deliver a programme of ongoing training for existing and any future Community Builders. d) To gather information for the future development of the programme from appraisals and exit interviews. e) To provide a Community Builder training programme in year 3 for 12 new Community Builders (paid or volunteers)
<p>f) Community Builders peer learning network</p>	<ul style="list-style-type: none"> a) bringing together Community Builders, Community Connectors and other Community workers (as appropriate) in Exeter on a monthly basis. b) To plan, administer and facilitate a meaningful and useful network to enable peer learning and sharing c) Ensure the participation of the Community Builders team. d) To invite community connectors and community development workers to participate as appropriate.
<p>g) Liaison with local support groups</p>	<p>To ensure each Community Builder works closely with the local support group in the community they are attached to. To provide support and guidance to <i>all</i> local support groups</p>
<p>h) Impact</p>	<p>To record data and stories about the impact of the work of the Community Builder in each community To contribute to the development and implementation of the impact assessment process with Exeter Community Forum, Exeter University and Wellbeing Exeter To undertake monitoring and recording in line with the agreed process To report to ECF on 6 monthly basis To produce an annual impact report for the whole Community builders programme funded by ECF. To participate in a review of the programme in year 3.</p>
<p>i) Information, marketing and publicity</p>	<ul style="list-style-type: none"> a) Promotion of each Community Builder in the local area to which they are assigned. b) To work with ECF and local support groups to develop and deliver an information and marketing campaign (including online) about the role and impact of Community builders across the city c) To gather information locally to contribute to an open source database of local community activity across Exeter.
<p>j) Partnership working</p>	<p>To work closely with any community organisations hosting a community builder to enable the smooth delivery of the programme. If not working from home, to work with local community organisations to secure and pay for a local base from which the community builder can operate from. To coordinate an annual event bringing together community builders local support groups and partners to review success and identify future priorities. To lead work with ECC, ECF and partners to ensure co-ordination with Community Connectors activity and to identify future resources as required to fund Community Builder activity.</p>

A generic Community Builders job description (and scale) is to be used; any variations must be agreed with ECF in advance.

ECF are collaborating with Wellbeing Exeter to deliver a programme of Community Builders to support communities across the city, it is therefore important that we look to share resources to deliver these roles wherever possible. The appointed Host organisation/s will need to demonstrate in their application that they will liaise with existing partner organisations (primarily Exeter Community Initiatives and Exeter CVS) to ensure a seamless and straightforward presentation and delivery of the programme to communities and the public.

Funding available

Within the Community Strategy £310k was allocated to 'Community Organising' added to this is the New Homes Bonus allocation of £150,000 and a further contribution from the New Homes Bonus is being agreed.

Exeter Community Forum will fund up to £150,000 a year to a host organisation to co-ordinate and deliver the community builders programme.

Please note: As well as demonstrating how the host organisations can deliver the programme - funding is subject to match funding contribution, an annual confirmation of funds available from Exeter City Council, an annual review and a review of the programme in year 3.

When and how will decisions be made?

2017

26th January Process agreed by the Exeter Community Forum steering group
 6th February Public announcement of programme and invitations to participate (6 weeks)
 23rd February community builders Q&A event – held at Newcourt Community Centre Register your interest [here]

20th March **12 noon deadline for submissions of interest from hosts and local support groups.**

March Development of first draft of 5 year plan and selection of host by ECF steering group
 March/April Meeting of ECF members to review draft plan, venue and date to be confirmed.
 7 June ECF Grants panel to review plan¹

11th July Review of Grants Panel recommendation by Exeter City Council Executive meeting

25th July Recommendation to full meeting of Exeter City Council for decision on 5 year plan*

August Distribution of year 1 funds to enable recruitment to begin

September/October Recruitment and placement of first Community Builders
 Establishment of local support groups, if not already in place

Now - Autumn Development of a way to assess the impact of the Community Builders programme.

2018

Autumn First year report and event on progress and impact of Community Builders programme

2019

Autumn Second year report and event on progress and impact of Community Builders programme

2020

Autumn Third year report and event on progress and impact of Community Builders programme and **Review of programme** e.g. are the areas still the right ones, what happens if the impact isn't being achieved, other things we haven't thought of etc.

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REPORT TO Executive

Date of Meeting: 13 June 2017

Report of: Corporate Manager, Democratic & Civic Support

Title: FREEDOM OF THE CITY

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1.1 What is the report about?

1.1 This report sets out a proposal to offer the Freedom of the City to Mr Rob Baxter in recognition of his outstanding services to the field of sport (particularly Rugby Union) which has led to Exeter's name being known around the world as one which supports sport. This is particularly pertinent now following the Exeter Chiefs becoming Aviva Premiership Champions 2017.

2. Recommendations:

2.1 That in accordance with Section 249 of the Local Government Act 1972, an Extraordinary meeting of the Council be arranged, on the rising of the Ordinary meeting of the Council on 25 July 2017, to consider granting the Freedom of the City to Mr Rob Baxter.

3. Reasons for the recommendation:

3.1 Section 249 of the Local Government Act 1972, gives Councils the power to grant "Freedom of the City" to any individual who it feels has given eminent service to the City.

3.2 To this end, an Extraordinary meeting of the full Council must be convened to specifically consider this matter, with two thirds of those present, voting in favour.

3.3 If the recommendation contained in this report is accepted by The Executive and subsequently adopted by full Council, an Extraordinary meeting of the Council will therefore be organised immediately after the ordinary meeting of the Council scheduled for 25 July 2017, when Members will be asked to consider granting the Freedom of the City to Mr Rob Baxter.

3.4 The following nomination has been received in accordance with the following agreed criteria against which nominations would be considered:-

- 1. For those who have achieved national, international or world recognition for excellence in their particular field of expertise.**
- 2. For those who have promoted Exeter during their career so as to significantly raise the profile of the City on a national, international or world basis.**

“Rob Baxter has been involved in rugby in Exeter for a large number of years and is now the Head Coach for the Exeter Chiefs – the Aviva Premiership Champions of 2017.

Following the Chief's promotion to the Premiership in 2010, Rob has led the team to continual development both on and off the pitch, which has led to the team lifting the LV= Cup, playing in top European status rugby, and two successive Aviva Premiership play off finals, narrowly defeating Wasps in 2017 to become Premiership Champions. The continual development has put the Club, and the City, on the National and International Rugby map. ”

3.5 As such, it meets several of the agreed criteria against which such nominations should be assessed, and as such is recommended for approval.

3.6 In response to this nomination, Mr Baxter has stated:-

“Obviously it's a huge honour for me to receive personally, but it is also a fantastic indicator of just how far we have come as a club and as a team. Exeter Rugby Club has been a huge part of my life for a great number of years and I've been very lucky to be part of some very special days, the most recent of which came at Twickenham when we were crowned Premiership champions for the first time. To get to that stage, however, has taken a huge amount of work by a great number of people doing things very well. Without the help and support of those people, myself and the club don't get to achieve what we have. This award is as much for them as it is for me.”

4. What are the resource implications including non financial resources.

4.1 Other than a small cost in preparing a suitable ceremonial scroll and hosting a small reception, there are no resource implications.

5. Section 151 Officer comments:

5.1 There are no financial implications contained within this report.

6. What are the legal aspects?

6.1 Section 249 of the Local Government Act 1972, gives Councils the power to grant “Freedom of the City” to any individual who it feels has given eminent service to the City.

7. Monitoring Officer's comments:

7.1 This report raises no issues for the Monitoring Officer.

8. Report details:

8.1 The Council is asked to consider bestowing the honour of Freedom of the City to Mr Rob Baxter, due to his services to sport, particularly Rugby Union, which has very much put Exeter on the rugby map, not only on a national basis but also on a

European basis. This has culminated in the Exeter Chiefs being crowned Aviva Premiership Champions in May 2017.

- 8.4 It is felt appropriate that Mr Baxter is awarded the honour now, in the light of the above reasons, and also to reflect the Council's on-going commitment to sport within the City, and those who support it, as well as its aspirations for the City to be nationally recognised as such.

9. How does the decision contribute to the Council's Corporate Plan?

- 9.1 This decision will help promote the City as a regional capital and one which supports those who support and promote the City as such.

10. What risks are there and how can they be reduced?

- 10.1 There are no risks associated with the proposals.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

- 11.1 None applicable with this decision

12. Are there any other options?

- 12.1 The Council could decide not to make the award, although it is felt that this would be against the Council's approved criteria.

John Street
Corporate Manager, Democratic & Civic Support

Local Government (Access to Information) Act 1972 (as amended)
Background papers used in compiling this report:-

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275

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REPORT TO EXECUTIVE & COUNCIL

Date of Meetings: 11 JULY 2017 & 25 JULY 2017

REPORT OF: CORPORATE MANAGER DEMOCRATIC AND CIVIC SUPPORT

TITLE: APPOINTMENT TO OUTSIDE BODIES

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

To appoint Members to serve on outside bodies.

2. Recommendations:

- 2.1 appointments be made to those outside bodies set out in the Appendix where appointments are required; and
- 2.2 the Corporate Manager Democratic and Civic Support be granted delegated powers, in consultation with the Group Leaders, to appoint, when necessary representatives to outside bodies during the course of the Municipal Year.

3. Reasons for the recommendation:

- 3.1 To ensure that the Council is represented on outside bodies.

4. What are the resource implications including non financial resources:

- 4.1 None.

5. Section 151 Officer comments:

- 5.1 There are no financial implications contained within the report.

6. What are the legal aspects?

- 6.1 None identified.

7. Monitoring officer Comments

- 7.1 This report is necessary in order to facilitate Councillor engagement with outside bodies. As such the recommendations are sensible.

8. Report details

- 8.1 The full list of outside bodies is attached as an appendix. Appointments which are required are emboldened and relate to vacancies. The list also includes appropriate representation by Portfolio Holders. In addition to appointing new representatives, the full list is also reported to Executive to be agreed by the first full Council meeting in

the Municipal Year, in order for remaining appointments to be re-affirmed for the following 12 months.

The full list is reported once a year in the first cycle in the Municipal Year. During the course of the year it will be necessary to re-appoint representatives to charities where the term of office expires and also, possibly, to make appointments when a vacancy arises. To facilitate a rapid appointment wherever possible, it is proposed to continue to grant delegated powers to the Corporate Manager Democratic and Civic Support to appoint representatives in consultation with the Group Leaders. This will remove the need to report to Executive and Council which delays the appointment process. All appointments can be viewed on the City Council website.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 Contributes to key initiative of "A Well Run Council"

10. What risks are there and how can they be reduced?

10.1 There are no risks associated with the proposals.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

11.1 None applicable with this decision.

12. Are there any other options?

12.1 None applicable.

Corporate Manager Democratic and Civic Support

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275

<u>BODY</u>	<u>CURRENT REPRESENTATIVES</u>
Age Concern	Cllr Robson
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 Sills Cllr Leadbetter Cllr Wood Cllr Mitchell
Community Safety Partnership	Leader (Cllr Edwards) Portfolio Holder for Place (Cllr Brimble)
Dartmoor National Park Community Forum	Cllr Newby Cllr Robson
Devon Conservation Forum	Cllr Sutton
Devon and Cornwall Food Association	Cllr Wood – Champion for Communities and Re-cycling
Devon and Cornwall Police and Crime Panel	Deputy Leader , Exeter City Council (Cllr Sutton)
Devon Authorities Strategic Waste Committee	Cllr Wood – Champion for Communities and Re-cycling
Devon County Agricultural Association	Cllr Leadbetter
Devon Historic Buildings Trust	Portfolio Holder for City Development (Cllr Gottschalk)
Energy From Waste Liaison Committee	Cllr Brimble
Exe Estuary Management Partnership	Cllr Baldwin
Exeter and Heart of Devon Growth Board	Leader (Cllr Edwards)
Exeter Allotment Forum	Portfolio Holder for Place (Cllr Brimble) Exeter City Councillors representing Wards with allotments sites
Exeter Area Rail Project Working Party	Portfolio Holder for City Transformation, Energy and Transport (Cllr Denham) Cllr Leadbetter Cllr Wardle
Exeter Business Centre Board	Cllr Pearson Cllr Baldwin Cllr Mitchell
Exeter Business Improvement District Board	Portfolio Holder for Place (Cllr Brimble)
Exeter Canal and Quay Trust Ltd.	Portfolio Holder for Economy and Culture (Cllr Sutton) Cllr Branston Cllr Brimble Cllr Edwards Cllr Leadbetter Cllr Newby Cllr Pearson Cllr Wardle
Exeter Citizen's Advice Bureau	Portfolio Holder for Health and Wellbeing, Communities and Sport (Cllr Bialyk)

Exeter Dispensary and in Sickness Fund	Vacancy x 2
Exeter Fairtrade Steering Group	Portfolio Holder for Health and Wellbeing, Communities and Sport (Cllr Bialyk) Cllr Prowse
Exeter Health and Wellbeing Board	Leader (Cllr Edwards) Portfolio Holder for People (Cllr Morse) Portfolio Holder for Health and Wellbeing, Communities and Sport (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 Packham) Alderman Landers Mrs D Baldwin Alderman Danks
Exeter Phoenix Arts Centre Board	Cllr Pearson
Exeter SAFE (Stop Abuse for Everyone)	Cllr Morse
Exeter School	Cllr Prowse
Greater Exeter Strategic Partnership – Member Reference Forum	Cllr Denham Cllr Edwards Cllr Leadbetter Cllr Mitchell Cllr Morse
Greater Exeter Steering Partnership – Steering Group	Portfolio Holder for City Development (Cllr Gottschalk) Cllr Denham – Sub
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 Transformation, Energy and Transport (Cllr Denham) 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 Brimble) 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 East Devon Habitats Regulation Executive Committee	Portfolio Holder for City Development (Cllr Gottschalk)
South West Councils	Leader (Cllr Edwards)
South West Employers Panel	Leader (Cllr Edwards)

South West Water Liaison Group	Portfolio Holder for Place (Cllr Brimble) Cllr Newby (Topsham) Cllr Robson (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 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 Leadbetter
Topsham River Commissioners	Cllr Leadbetter 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
3 JULY 2017**

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REPORT TO LEISURE COMPLEX AND BUS STATION PROGRAMME BOARD

Date of Meeting: 10 July 2017

REPORT TO EXECUTIVE

Date of Meeting: 11 July 2017

REPORT TO EXTRAORDINARY COUNCIL

Date of Meeting: 19 July 2017

Report of: Deputy Chief Executive

Title: Proposal to commence Leisure Complex and Swimming Pool and Bus Station

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

- 1.1 To seek final approval for the development of the new leisure complex, St Sidwell's Point and the new bus station, and to seek approval for the additional funding to undertake the project as one construction contract and to enter into contract with the successful tenderer .

2. Recommendations:

- 2.1 That Executive recommend to Council to agree:

- (a) The allocation of an additional £0.62 million for the bus station and £7.05 million for the leisure centre to develop a new leisure complex and bus station;
- (b) Once the overall budget of £39.92 million is agreed by full Council, the Deputy Chief Executive be authorised to enter into a written contract with the successful tenderer prior to the commencement of any works on site.

3. Reasons for the recommendation:

- 3.1 To enable the wider development of the Bus & Coach Station to proceed, it is necessary for the public sector to fund a new Leisure Centre and Bus Station as part of the comprehensive regeneration project with the development partners Crown Estate & TIAA Henderson Real Estate (TH Real Estate).
- 3.2 Costs associated with the delivery of a new Leisure Centre and Bus Station have increased as a consequence of shifting market conditions. Costs continue to rise and therefore in-line with the Value for Money Report appended in **Appendix B** it is proposed that additional funds are approved to enable the development to proceed on completion of the build contract with the successful tenderer, subject to Leisure Complex Programme Board approval.

- 3.3 The new Leisure Centre (which replaces Pyramids) and the new Bus Station is a much needed amenity for residents, commuters and visitors to the City. The facilities provide a focal point for the Bus Station and Coach Station redevelopment and will attract more people to come in and stay longer in the city centre with consequent benefits to business, employment and the general local economy.
- 3.4 The new Leisure Centre and Bus Station is part of wider site development with Crown Estate and TH Real Estate the development of which is in part dependent on the delivery of these new facilities.
- 3.5 Maintaining the existing bus station and Pyramids Leisure Centre is no longer deemed a viable proposition given the condition of the premises, the lack of accessibility and limited facilities on offer.

4. What are the resource implications including non-financial resources.

4.1 Project Costs

- 4.1.1 To date the Council has approved a budget of £26 million for the Leisure Complex and £6.25 million for the new Bus Station - total budget £32.25 million. £20 million was first approved on 16th December 2014, followed by an uplift of £6 million on 12th August 2015 and £6.25 million for the Bus Station on 25th January 2016.
- 4.1.2 The proposed total cost of the project is now £39.92 million, covering all costs. This includes the build costs and the on-costs associated with delivering the development such as obtaining vacant possession, off-site temporary bus station works and the procurement of an Operator. The report is therefore seeking an increase of £7.67 million to the budget to cover the entire costs of delivering a new leisure centre, bus station and securing Operators for each.

4.2 Funding for the Project

- 4.2.1 As identified, the amount of additional funding being sought is £7.67m (the total funding requirement has moved from £32.25m to £39.92m)
- 4.2.2 The current budget (£32.25m) is funded as follows:
- New Homes Bonus - £18m (to date £10.9m received, the rest to be recovered over the next 7 years);
 - CIL - £ 8m
 - Capital Receipts - £ 6.25m
- 4.2.3 The additional £7.67m will be partially funded via section 106 receipts that have been identified with the balance from borrowing as no further financing is available.
- Section 106 Contributions - £1.4m (to date £0.589m received);
 - Borrowing - £6.27m
- 4.2.4 At current rates the annual cost to the General Fund of financing £6.27m is £231,500 per annum. This charge can be managed, when considered in conjunction with the forecast profit share from the facility.
- 4.2.5 Therefore the cost of servicing this debt will be covered by the anticipated income generated from the Leisure Complex.
- 4.2.6 Contained within **Appendix C** is a Funding Report.

5. Section 151 Officer comments:

- 5.1 The Section 151 Officer has prepared Appendix C, which sets out how the additional budget requirement will be funded. In preparing the paper, the cost of borrowing has been assessed against the assumed income that the Council will generate from the Leisure complex. It can be concluded that the additional income will comfortably cover the borrowing costs envisaged. Indeed the Council would still maintain a surplus from year 2 if interest rates were to rise by a full 1% (additional £46,000 cost) and income was 10% lower than anticipated.
- 5.2 If members approve the additional expenditure, the medium term financial plan will be amended to reflect the additional borrowing costs.
- 5.3 The Section 151 Officer has considered the value for money report from Randall and Simmons and agrees with the conclusion, that whilst the costs are to the higher end, the wider benefits to the City and the beneficial impact of the additional costs on ongoing revenue expenditure means that the Council can be satisfied that the project provides value for money. Members will be reassured that our independent external auditors will be reviewing the project as part of their value for money conclusion this year.

6. What are the legal aspects?

- 6.1 Please see paragraph 9 below.

7. Monitoring Officer's comments:

- 7.1 Members will recall that the legal work to support this project was outsourced to Ashfords solicitors and they will have given advice as to the Councils' powers to undertake this development together with procurement advice leading up to this point where the development is being recommended to you.
- 7.2 Members now have to make a decision as to whether going forward with this development represents Value for Money. Members will see from the appendices attached to this report that the Section 151 Finance Officer has looked at this project carefully and has concluded that "...the Council can afford to service the additional funding required to deliver the project under option 2".
- 7.3 In addition to this Randall Simmonds (Chartered Quantity Surveyors) have been instructed by the Section 151 Finance Officer to advise on whether the project spend represents Value for Money. Randall Simmonds have considered the position and the Executive summary of their expert report states as follows:
- "The report compares the capital costs of the Exeter Bus Station and Leisure Centre with similar projects on a like for like basis. The report finds the Bus Station and Leisure Centre are generally comparable to others and within our expectations... The report concludes that the project provides value for money..."*
- 7.4 Clearly this is a very large investment for Exeter City Council and members are therefore reminded that they should read the report and each of the appendices attached before making a decision as to the way forward.

8. Report details:

- 8.1 The regeneration of the Bus and Coach Station site is a long-held aim of the City Council. The Council agreed to £20 million of funding for a new leisure centre with a consequent uplift of £6 million in project value agreed by Full Council on 12th August 2015. On 25th January

2016 Council approved the allocation of £6.25 million for the delivery of a new bus station in Exeter bringing the total budget allocation to £32.25 million.

- 8.2 The City Centre is an important driver of the economy of the city and ensuring its continued success is important despite the positive contribution made by major investments in recent years. In order to remain competitive to attract and support investment by current and new businesses further regeneration of the City Centre including one of its major gateways, the Bus and Coach Station, is essential. The redevelopment of the Bus and Coach Station site adding to the leisure dimension of the City Centre is important to enabling it to respond to changing consumer behaviour, to continue to attract high numbers of visitors into the heart of the city and help maintain the city's reputation as one of the best places to live.
- 8.3 As businesses and organisations become more dependent on and are competing to attract specialist talent, the ability of the city to attract and retain high calibre employees is also a key aspect of the development and success of the city's economy going forward. Remaining competitive is about maintaining the momentum of investment and not falling behind in terms of the quality and nature of the experience provided by the "place" as a whole.
- 8.4 Regeneration will bring direct financial benefits in terms of additional employment and expenditure in the City Centre but also through the generation of additional business rates income.
- 8.5 The Council's ambitions along with Exeter City Futures to make Exeter Congestion Free by 2025 means that every effort is required to entice commuters and visitors to Exeter out of their cars and onto public transport. A new bus station, replacing the existing dilapidated facility will provide enhanced facilities to encourage greater use of public transport in a convenient and well-serviced location.

9. Procurement Process:

- 9.1 A comprehensive tendering process was undertaken for the combined construction works of a new Leisure Centre and new Bus Station. The Council's ExeSeed Contractors Framework was used and 5 contractors invited to tender for the works. The Tender Report is contained within **Appendix A**.
- 9.2 Following the completion of a 19 week tendering process, two contractors submitted compliant tenders.
- 9.3 The tender returns were higher than anticipated. In part due to localised market conditions, availability of contractors, the detrimental impact of Brexit (in particular to the cost of materials and availability of labour) and market uncertainty. This resulted in the need to invite the two tendering contractor to submit their 'Best and Final Offer' (BAFO) to the Council based on some value engineering modifications to the design and materials of the new development.
- 9.4 At the end of the BAFO period a price has been reached with a Contractor which has resulted in the overall total project cost being exceeded by £7.67 million. This contractor has been assessed and is determined suitable to be appointed and enter into a building contract with the City Council.

9.5 The results of the BAFO provided three options for consideration:

Option 1: Develop the new Leisure Centre and Bus Station aligned to the already Council approved total project cost. To achieve this the top floor of the leisure centre would need to be removed (the Spa and 2 studios), and 40% of the gym area removed. The enclosed glazed wall would also need to be removed from the Bus Station concourse. The buildings as designed are therefore compromised.

Option 2: Develop the new Leisure Centre and Bus Station aligned to the revised BAFO figure (incorporating value engineering). The facility mix would remain as identified in the Feasibility Study. The buildings would remain largely as designed, with amendments to products and some aesthetic matters.

Option 3: Develop the new Leisure Centre and Bus Station aligned to the most favourable tender return figure. The facility mix and design of the buildings would remain exactly as issued in the original Tender documents.

9.6 Re-tendering the works was an option but discounted after consideration of construction market analysis, projected tender cost indices and the availability of constructors in the South West. It was considered unlikely that any improvement in tender price will be achieved by re-tendering, if anything it was highly likely that tender submissions would be returned higher.

9.7 In reviewing these options, consideration was given to the following issues:

- Impact of facility mix on operational costs / revenue surplus
- Impact of increased funding requirement and affordability
- Impact on Value for Money
- Impact on the Site's planning permission and design constraints
- Effect of Tender Price Inflation on programme delays for re-design
- Impact of any design changes or delays on the Crown Estate Development Programme

9.8 To assist with the review of the options, the professional services of the following consultants were utilised:

- Continuum Sports Consultants
- Baker Ruff Hannon, Project Managers and Technical Experts
- Randall and Simmonds, Quantity Surveyors and Cost Consultants

9.9 The Table below provides a summary of the options and the impact on the operational viability of each option.

		Total Project Cost	Facility and Design Considerations	Forecast 25 year Surplus Revenue
Option One <i>Budget Compliant</i>	Leisure Centre Bus Station Total	£26m £6.25m £32.25m	The top floor of the leisure centre is removed (the Spa and 2 studios), also 40% of the gym area is removed. The enclosure glazed wall is removed from the Bus Station concourse. The buildings as designed are compromised.	'Base Revenue'
Option Two <i>BAFO Scheme</i>	Leisure Centre Bus Station Total	£33.05m £6.87m £39.92m	The facility mix remains as identified in the Feasibility Study. The buildings remain largely as designed, with amendments to products and some aesthetic matters.	+ £14.3m above 'Base Revenue'
Option Three <i>Original Tender</i>	Leisure Centre Bus Station Total	£36.21m £8.06m £44.27m	The facility mix and design of the buildings remain exactly as issued in the original Tender documents.	+ £12.4m above 'Base Revenue'

9.10 The 25 year surplus revenue makes allowance for the lifecycle costs (repair and replacements). The higher the total project costs, the higher the lifecycle costs as appraised within the Operator Business Model. This explains the revenue difference between options two and three.

9.11 Based on the review of each of the options it is recommended that Option Two is adopted for the following reasons:

- (i) The option delivers value for money without compromising the facilities and accommodation mix, see **Appendix B** and the Value for Money Statement.
- (ii) The option prevents the need to stop the programme and undertake a redesign to align with an original budget allocation
- (iii) The option prevents any facilities being omitted and therefore promotes a positive revenue to the Council
- (iv) The option maintains the aesthetics of the facilities without compromising the planning permission already in place
- (v) The option remains aligned to the Crown Estate Development programme and offers an integrated solution to the bus station redevelopment.
- (vi) The option removes the risk of re-tendering the works, delaying works on site and incurring additional costs due to tender price increases.

10. Operational viability:

10.1 Continuum Leisure consultants have undertaken modelling and business plan projections (June 2017). Their financial analysis shows that Option 2 would remain profitable and provide a return to the Council even when accounting for any proposed operator profit share and financial costs associated with the development.

11. How does the decision contribute to the Council's Corporate Plan?

11.1 The new Leisure Facility would deliver the Council's declared priority of a new swimming pool and leisure complex that is fit for a growing population and meets the Health and Wellbeing Board's objectives of increasing levels of physical activity in the city.

11.2 The new Bus Station would deliver enhanced public transport facilities to align with the City Council's aspirations to create a congestion free City by 2025.

11.3 The delivery of a successful redevelopment of the Bus Station Site is a key priority of the City Council.

11.4 If the Council does not deliver the new facilities then it is unlikely that the commercial redevelopment of the bus station site will proceed, leaving the existing, unsatisfactory bus station in place. It would also result in the need to make a substantial capital investment of at least £7 million to bring the Pyramids Swimming Pool and existing Bus Station up to modern standard. This capital expenditure would not be recoverable as it is anticipated there would not be any resultant uplift in operator revenue profit share.

12. What risks are there and how can they be reduced?

12.1 There are a number of risks with the project. The Risk Report contained within **Appendix D** provides the details of the pertinent risks for this decision point in the project and how these will be mitigated.

12.2 An active risk register is maintained and actively monitored to avoid and mitigate risk throughout the timeline of the development.

13. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

13.1 The new Leisure Complex will provide a building and facilities which will be much more accessible than the Pyramids can provide and be more flexible in allowing more people to use it without having to be a member of a local sports club or association. It is intended that through discussions with the commissioning body for health services that there will be availability of activities and advice specifically to promote and support health and well-being included within the operation of the complex.

13.2 The new bus station will provide a better quality environment for bus users and public transport along with improved accessibility.

Are there any other options?

14.1 If additional funding cannot be secured, then it is likely that the whole, private sector development for the bus station site will not proceed.

Mark Parkinson
Deputy Chief Executive

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275

Appendices

Appendix A – Tender Report (Part 2 only)

Appendix B – Value for Money Report (Redacted version)

Appendix C – Funding Report

Appendix D – Risk Report

RANDALL SIMMONDS



Value for Money Report

for

Exeter Bus Station & Leisure Centre Project

June 2017

Chartered
Quantity
Surveyors

Employers
Agents

CDM Advisors

Exeter Bus Station & Leisure Centre Project Value for Money Report

Contents

1	Executive Summary	3
2	Introduction	3
3	Capital Cost to Construct	3
4	Non – Capital Value	6
5	Life Cycle costs.....	7
6	Conclusion.....	7

Version Control

Version	Date of Issue	Amendment	Reviewer
DRAFT	27 June 2017		Randall Simmonds
ISSUED	27 June 2017	Minor & formatting	Randall Simmonds

For more information see our website: www.randallsimmonds.co.uk

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1 Executive Summary

The report compares the capital costs of the Exeter Bus Station and Leisure Centre with similar projects on a like for like basis. The report finds the Bus Station and Leisure Centre are generally comparable to others and within our expectations.

The report also comments on the long term value benefits and the savings projected from the capital expenditure.

The report concludes that the project provides value for money.

2 Introduction

The project comprises the following works:

- a. The leisure Centre, built to Passivhaus certified standard and healthy building biology principles, including
 - i. 25m competition pool
 - ii. Learner pool
 - iii. Splash pool
 - iv. Gymnasium and spa area
 - v. Spin and studio spaces
 - vi. Creche and changing facilities
 - vii. Café area
- b. The Bus Station, its hardstanding and bus parking
- c. Works carried out on behalf of Crown Estates to form a joint entrance to the site (commonly known as 'Street C works')

The tender process has resulted in a proposed contract sum for the works of £[REDACTED].

This is split as follows:

Exeter Bus Station £[REDACTED]

Exeter Leisure Centre £[REDACTED]

This report compares the costs proposed with other similar projects and comments on whether the proposed contract sum constitutes value for money.

3 Capital Cost to Construct

Benchmark Data

Benchmark data can be used to compare projects to understand whether a project demonstrates value for money. It should be noted that benchmark data does not necessarily compare like-for like buildings and is a broad measure.

Bus Station

In order to assess value for the Bus Station we have compared like for like elements with BCIS (national cost data).

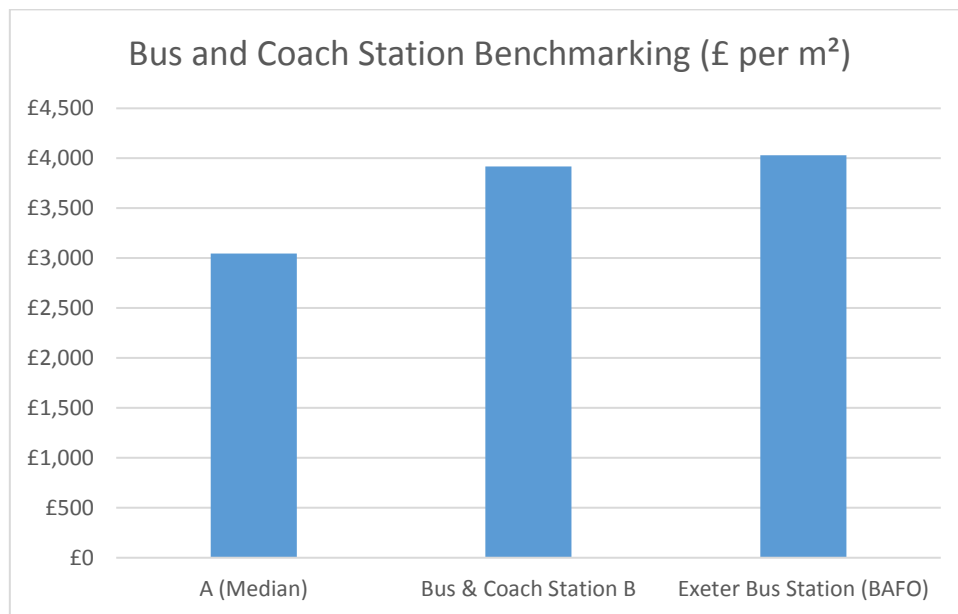
BCIS gathers data for similar schemes over a period of time and inflates historical data for tender price inflation.

The pool of projects similar to the bus station is limited (only 7 schemes over the past 40 years) but gives an indication of comparative value. All schemes are assessed excluding external works (which vary significantly depending on site area) and contractor's overheads and profits.

In order to make a sensible comparison with other bus and coach stations we have removed the following items from our assessed value for the Exeter Bus Station:

- Abnormal foundations (the foundations for the Exeter Bus Station are deeper and therefore more expensive than you would generally encounter due to the ground conditions)
- Retaining structure to the flank wall for adjacent development.

The graph below shows the comparative cost of the Exeter Bus Station to comparable data.



The graph reflects our expectations for the Exeter Bus Station, with abnormal costs removed it is generally in line with the most recent scheme we have data for, but above the historical average (at current prices). This will be prominently due to regulation change (we now build to higher standards).

It is interesting to note that Bus and Coach Station B and Exeter Bus Station are designed with enclosed canopies, earlier schemes that contribute to the BCIS median cost have open canopies (a historical change in the quality of provision).

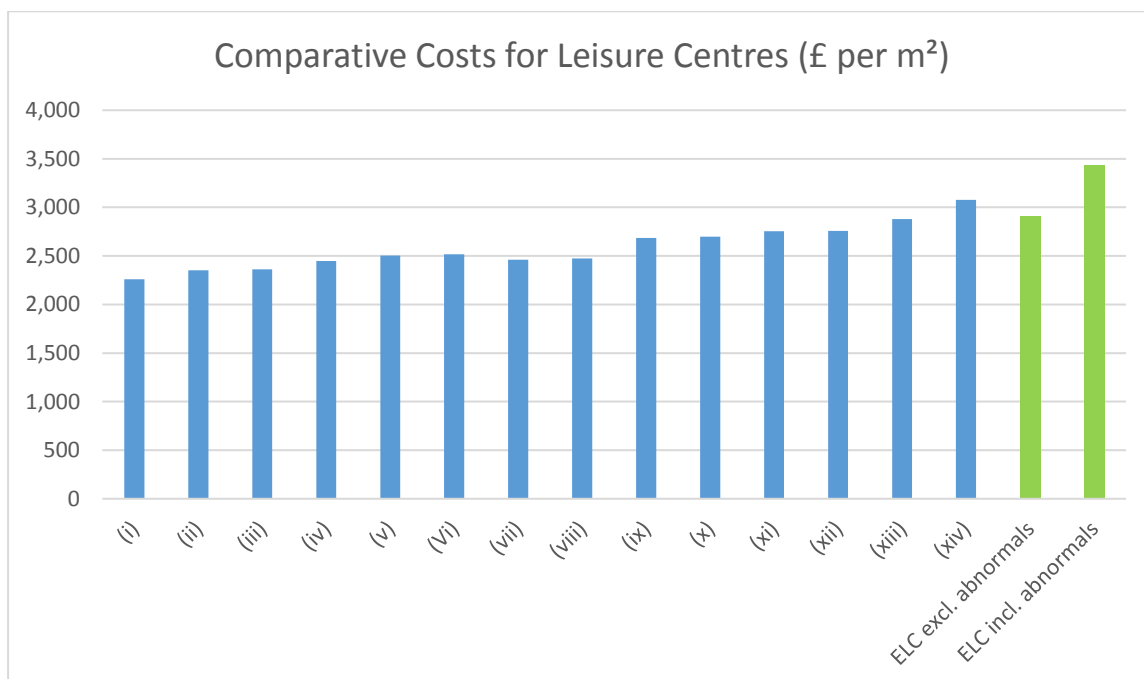
The contractor for Exeter Bus Station has also taken the risk on Sterling movements over the next 2 years which is reflected in the price.

Leisure Centre

The comparative data for the Leisure Centre needs to take into account the following:

- Leisure centres are generally out of town single or two storey facilities that are industrially clad. The Exeter Leisure Centre is built over four storeys and therefore the frame is more expensive. This is evident in the images of other facilities that are contained in Appendix A.
- As the building is designed to provide a prominent design as the access to the city centre development the cladding is a more expensive element than comparable schemes. We have therefore adjusted the benchmark to take into account 'stacking' and the cladding systems employed.
- The Exeter Leisure Centre is also constructed to Passivhaus and Healthy Building Biology principles. This has been adjusted for comparative purposes. This on-cost is reflected in the life cycle costs below.
- The design is also future proofed for climate change following advice from the University of Exeter and this is also reflected in the life cycle costs for the facility.

The graph below highlights the cost of the facility (excluding external works) against other comparable facilities. Both the full scheme and comparable scheme costs are shown (green columns). All schemes have been adjusted to reflect current prices.



The graph shows that the Leisure centre including the non-comparable abnormal factors listed above is above the other schemes shown.

When the non-comparable abnormal factors are removed the cost of the Exeter Leisure Centre is at the higher end of the range of facilities costs but directly comparable with project XIII (which was the reference project given to the design team to demonstrate the quality of the finish required).

This also reflects the current uncertainty regarding Sterling movements which the contractor has taken the risk on. This is significant for the Leisure Centre as major elements such as the cladding, cross laminated timber roof structure, filtration equipment and other pool equipment can only be sourced via the European Union.

We therefore believe the Exeter Bus Station and Leisure centre represent good value for money based upon comparative capital cost.

Market Engagement

Alongside benchmark data, tendering and market engagement are key determinants of value for money. The market rate is the true reflection of value for money and the Exeter Bus Station and Leisure Centre project has been through extensive market testing.

The scheme was market tested via the EXESeed Framework which selected capable contractors for the scheme.

Tenders were received from contractors and after the initial tender, a robust re-engagement with the construction market was undertaken with the preferred main contractor. This re-engagement included:

- Re-engaging with sub-contractors to review the best products and construction techniques to add value (over 200 items tested for best value).
- Challenge to the design team to make the construction as efficient as possible.
- Challenge of main contractors direct costs including profit.

The delivery team believe that this scheme has benefitted from additional market testing and that this process provides best value to the client.

4 Non – Capital Value

The Exeter Bus Station and Leisure centre has further economic benefits that are in addition to other comparable schemes.

City Regeneration

The scheme will act as a key constituent to the regeneration of the city area around the current bus station and will be an anchor for retail or other development to this zone.

Climate Ready

The Leisure centre is designed to accommodate predicted climate changes over the next 50 years.

Climate ready design increases resilience against expected changes in future climate and will extend the useful life of the facility and long-term economic viability.

By implementing an adaptation strategy the project team has reduced the risk of the building failing or the need for expensive retrofits to respond to the changes in future climate.

The strategy reduces the long-term maintenance costs and energy costs (e.g. cooling).

5 Impact on operating costs

Utility costs

As the Leisure centre is built to Passivhaus Certified standard the future operating costs will be improved as follows:

The building will use less water than a conventional build than other leisure centres. This is in part due to:

- Installation of a Grey water system that reuses water to flush toilets
- Reduced pool evaporation due to the reduced humidity levels (a significant issue in leisure pools).

The building will cost less to heat and cool due to the additional expenditure on air tightness and thermal insulation.

Overall utility saving compared to Passivhaus investment.

A study carried out during initial feasibility for the project projected utility savings of 65% by implementing Passivhaus certified design compared to national building standards. This saving equates to £5m at today's prices over the initial 25 years of the buildings operation.

6 Conclusion

Randall Simmonds conclude that:

- The capital costs for the scheme are comparable to other projects of a similar nature when compared on a like for like basis.
- The overall life cycle costs of the scheme are improved significantly by the added initial capital to raise the build standard to Passivhaus.
- The scheme provides value for money.

Appendix A

Photographs of other Leisure Centres used in the benchmarking
exercise



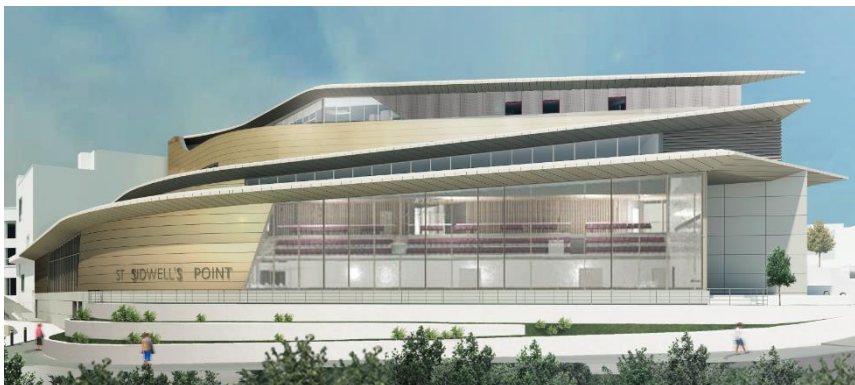
Fraserburgh Sports Centre



Bletchley Sports Centre



Plymouth Life Centre



Exeter Leisure Centre

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LEISURE COMPLEX FUNDING PAPER

1. Purpose of the Paper

- 1.1 To set out the current funding position in respect of the Leisure Complex and how the potential additional costs of option 2 will be funded including an appraisal of the impact on the anticipated income and the medium term financial plan.

2. Current Funding Plan

- 2.1 The current budget (£32.25m) is funded as follows:

New Homes Bonus (to date £10.9m received, the rest to be recovered over the next 7 years)	£18m
CIL	£ 8m
Capital Receipts	£ 6.25m
	<hr/>
	£32.25m

- 2.2 The impact of this has been built into the medium term financial plan and as it is using existing resources to finance the build, has no negative financial impact on the Council's revenue position.

3. Additional Funding Required

- 3.1 The additional funding required has been identified as £7.67m increasing the total budget for the two schemes to £39.92m.
- 3.2 Owing to the legal constraints around CIL and existing commitments, it is not prudent to allocate any further funding to the project. This would in any case require an amendment to the existing resolution around the use of CIL.
- 3.3 There are no further identified capital receipts available in excess of the £6.25m allocated. It is however within the Council's gift to sell additional assets to finance the additional requirement. However no surplus assets have been identified.
- 3.4 Owing to changes in New Homes Bonus, the existing commitment will take longer than originally anticipated to be delivered.
- 3.5 A number of recent section 106 agreements have included contributions that may be used towards funding the Leisure Complex. To date some £0.589m has been received by the Council and this is expected to increase to a total of £1.4m.
- 3.6 The balance therefore will be funded by borrowing (over 50 years) to match with the useful life of the asset. Borrowing is still cheap and using the annuity method of financing the repayment of debt will result in an annual cost to the Council of approximately £231,500.

4. Revenue Impact of Overall Project

- 4.1 In overall terms the costs of financing the project will be £231,500 a year. This will be fixed for 50 years and therefore be inflation-proof. The current projections for income received by the Council from the profit-share with the Operator mean that although there is anticipated to be a small loss in the first year. The income received will more than cover the cost of financing the debt from year two onwards.
- 4.2 Therefore it is still projected that, based on the information provided by our Consultants, the Leisure Complex will have a positive revenue impact year on year for the Council.

5. Impact on the Medium Term Financial Plan

- 5.1 During the 2017-18 budget process, an amount was added to the Medium Term Financial Plan to reflect an estimate of the likely benefit to the Council from the new Leisure Complex.
- 5.2 Therefore although the project will, in isolation have a positive impact, it will not be as high as anticipated in the short-term. At the lowest point against the current Medium Term Financial Plan, the cumulative reduction will total approximately £600,000 (year 4), before the estimates turn positive. The section 151 Officer has identified funds to offset this shortfall, without having to require savings from services, however it does mean that any future priorities will more likely require additional savings from the outset.

6. Caveats

- 6.1 Interest rates move twice daily and therefore the projection is made using today's interest rate. A 0.5% change in the interest rate will increase / decrease the cost by around £23,000 a year.
- 6.2 The income figures used are estimates. Until the operator is procured it is impossible to know what the actual outcome will be for the City Council.

7. Conclusion

- 7.1 Based on the information provided, the Council can afford to service the additional funding required to deliver the project under option 2.

Dave Hodgson
Chief Finance Officer
27 June 2017



Exeter Bus Station and Leisure Centre Project

Project Control Point 6 : Contract Award

Pertinent Risks :

Senior Responsible Officer & Programme Board Level

June 2017

The project team have a fully detailed risk register for the project which has been refined, updated & reviewed over the past three years. Further consideration of risks is included within the Tender Recommendation Report and a Risk Allocation matrix is included within the draft Contract.

However, this information note is to communicate Programme Board level risks on a more holistic level, considering the risks & mitigation measures being adopted on the project before entering into contract, in the principle areas of :

1. Cost
2. Programme
3. Quality
4. Crown Estates

1. **Risk : Cost Escalation**

The final account figure agreed with the Contractor is in excess of the total amount of the original contract value plus identified contingencies.

Mitigation : Cost Control

- It is a fixed price contract with the contractor, not subject to remeasure.
- The conclusion of any detailed production information / design will not result in increased costs to the Council.
- The cost & risk associated with inflation is held by the contractor
- Exchange rate risk is held by the contractor. Any increase in prices for raw materials, finished products or the like from overseas will not result in an increased cost to ECC.
- Provisional Sums only account for circa 1% of the total contract value, which is within an acceptable level.
- Once the contract is awarded, a stringent Change Control process will be put in place, with any formal contract changes requiring formal approval from the SRO /Client lead.
- All potential changes will request, and obtain, impact information prior to instruction, so that the cost, time & quality impacts of a proposed change are confirmed ahead of instruction.

2. Risk : Programme Delay & Prolongation

The project achieves Practical Completion (& Handover) later than the date stipulated in the Contract Project Programme.

Mitigation : Schedule Management

- The project management team will request a 'bar chart' gantt programme from the Contractor which identifies the critical path of activities on the project.
- The amount of 'float' / contingency for each activity will also be obtained.
- The deadline for client decisions and/or input will also be requested for inclusion in the programme.
- A 'Milestone Forecasting & Reporting' approach will be adopted to continually monitor, discuss and action future activities & deadlines.
- The full team (PM team, Cost consultants, TA team and Client) will work collaboratively with the contractor to continually strive to maintain (or indeed better) the contract programme.
- All potential changes will request, and obtain, impact information prior to instruction, so that the cost, time & quality impacts of a proposed change are confirmed ahead of instruction. Any programme impact instruction will require approval from the Programme Board.

3. Risk : Poor Quality

The quality of the end product does not match the expectations of the Programme Board.

Mitigation : Quality Management & Control

- The facility mix requirements of the Board have been signed off at previous control points.
- The finishes of the building (internal & external) have been subject to review, consideration and approval by the Steering Group.
- The existing design team is being Novated to the contractor in order to help promote consistency of quality ethos
- The design has been developed to RIBA Stage F1 / F2 – which is detailed technical design level. All finishes, etc have been designed already.
- The Employers Agent will monitor the quality of installation, using contractual mechanisms if required to ensure any substandard quality is addressed.
- In addition to the duties of the Employers Agent, there will be a Technical Advisor team to spot check installations on site, including significant site attendance from Clerk of Works specialists.
- A collaborative approach to achieving the project objectives will be implemented on the project, with specialist support from the Passivhaus Institute, Passive House Training Academy, etc.
- All potential changes will request, and obtain, impact information prior to instruction, so that the cost, time & quality impacts of a proposed change are confirmed ahead of instruction.

4. a) **Risk : Crown Estates completion later than our development**

The Crown Estates complete their development significantly later than we complete our facilities. With our facility being surrounded by a live construction site for say 12 to 18 months

Mitigation

Continue to work closely with Crown Estates, looking to align programmes as closely as possible

4. b) **Risk : Crown Estates cannot proceed with their development**

The Crown Estates cannot progress their development.

Mitigation

Should the Crown Estates be unable to proceed, the Council would consider all potential options at that time, including the possibility to seek a new development partner

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