

EXECUTIVE

Tuesday 21 June 2011

Present:-

Councillor Edwards (Chair)
Councillors Denham, Fullam, R M Hannaford, Mrs Henson, Martin, Mrs J Morrish, Sheldon and Sutton

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

51

MINUTES

The minutes of the meetings of the Executive held on 22 March and 5 April 2011 were taken as read and signed by the Chair as a correct record.

52

DECLARATIONS OF INTEREST

No declarations of interest were made.

53

FOOD LAW ENFORCEMENT PLAN 2011/12

The report of the Head of Environmental Health Services was submitted, informing Members of the Council's performance against the previous year's Food Law Enforcement Plan, and seeking approval for the adoption of the Food Law Enforcement Plan 2011/12, which sets out the Council's regulatory function in respect of food safety over the forthcoming year.

Scrutiny Committee – Community considered the report at their meeting of 7 June 2011 and their comments and support were noted.

RECOMMENDED that Council:-

- (1) approves the Food Law Enforcement Plan 2011/12, which includes the revised Food Safety Enforcement Policy; and
- (2) authorises the Head of Environmental Health Services to change the Food Law Enforcement Plan in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

54

HEALTH AND SAFETY SERVICE PLAN 2011/12

The report of the Head of Environmental Health Services was submitted, seeking approval of the Health and Safety Service Plan for 2011/12 which sets out the Council's functions for regulating health and safety in businesses for the forthcoming year, and includes a revised health and safety enforcement policy.

Scrutiny Committee – Community considered the report at their meeting of 7 June 2011 and their comments and support were noted.

RECOMMENDED that Council:-

- (1) approves the Health and Safety Service Plan 2011/12, which includes the Health and Safety Enforcement Policy; and
- (2) authorises the Head of Environmental Health Services to make changes to the Service Plan in the light of centrally issued guidance and/or to meet organisational needs.

(Report circulated)

55

SUPPORT FOR EXETER SCRAPSTORE

The Director Community and Environment presented the report, seeking approval for the transfer of assets and for some initial financial support to the Exeter Scrapstore, a new charity set up to provide scrapstore services to the City and surrounding areas.

The Director Community and Environment confirmed that the Exeter Scrapstore was a non-profit making charitable trust and that their Business Plan had been scrutinised by accountants in the Council's Treasury Services.

Executive welcomed the initiative and wished the organisation success in its future operation.

RESOLVED that:-

- (1) rent support grant to the Exeter Scrapstore of £6,675 be approved and that this sum is added to the Grants Committee budget;
- (2) the ownership of the Ford Transit van registration WJ06 HYX is transferred to Exeter Scrapstore;
- (3) the contents of Hut 2 and the other buildings rented by the Exeter Scrapstore including shop stock, together with some play equipment be transferred to the ownership of Exeter Scrapstore; and
- (4) the balance of membership fees received during the current financial year are transferred to Exeter Scrapstore at the end of July 2011.

(Report circulated)

56

THE EXETER AND HEART OF DEVON GROWTH BOARD, THE LOCAL DELIVERY BOARD FOR THE FUNCTIONAL ECONOMIC AREA

The report of the Director Economy and Development was submitted, informing members of the decision of the Exeter and East Devon New Growth Point Steering Board to formally reconstitute itself from 26 July 2011 as the Exeter and Heart of Devon Growth Board with extended terms of reference to specifically include economic development, and to inform the appropriate stakeholders that the Exeter and Heart of Devon Economic Partnership will cease to operate forthwith.

Executive welcomed the initiative to establish a local delivery board for the Exeter economic area that builds on the track record of good partnership working and effective delivery with the private sector.

Scrutiny Committee – Economy considered the report at their meeting of 9 June 2011 and their comments and support were noted. Executive endorsed the view of the Scrutiny Committee that it was appropriate for Exeter Airport to be a permanent, rather than temporary, member of the Growth Board in recognition of their contribution to the local economy.

Members recorded their appreciation to the Director Economy and Development for the significant and constructive contribution he had made to the Economic Partnership and Steering Board and their confidence in his continuing commitment to the work of the new Growth Board.

RESOLVED that:-

- (1) the resolution of the Exeter and East Devon New Growth Point Steering Board to change its name to the Exeter and Heart of Devon Growth Board, with extended terms of reference to include economic development, be noted and supported;
- (2) the delivery board be recognised as the local delivery structure for the Exeter economy in the context of the proposed governance arrangements for the Heart of the South West Local Enterprise Partnership;
- (3) the Leader of the Council be confirmed as the City Council's representative on the new Growth Board;
- (4) the proposal that Exeter Airport should be a permanent, rather than temporary, member of the new Growth Board be conveyed to the Board;
- (5) the decision to close down the Exeter and Heart of Devon Economic Partnership be supported; and
- (6) minutes of the new Exeter and Heart of Devon Growth Board be reported to Scrutiny Committee – Economy and Executive.

(Report circulated)

A CITY CENTRE VISION FOR A GREEN CAPITAL

The report of the Director Economy and Development was submitted, seeking approval to adopt the document 'A City Centre Vision for a Green Capital' for engagement with key stakeholders. The Director introduced the document, identifying the key principles of the Vision, the challenges and the major development projects required to deliver change over the coming years in order to achieve the ambitions of a prosperous and growing city.

Scrutiny Committee – Economy considered their report at their meeting of 9 June 2011 and their comments and support were noted. Executive welcomed the comprehensive debate and proposals put forward by members of the Committee, specifically in relation to the importance of the transport infrastructure, pedestrianisation and the consultation process itself.

Executive welcomed the aspirational vision which built on the geography and historical context of the City, offering exciting opportunities for the regeneration of areas and communities and the further development of the city as a cultural and economic hub. Although the document had not yet been subject to a formal consultation process, members were pleased to note the positive publicity given to it so far.

Whilst acknowledging the benefits of a predominantly pedestrianised central zone, Members emphasised that the needs of those with mobility problems, who relied on public transport for access to and within the city centre, must be taken into account. Executive agreed that the consultation exercise should specifically seek the input of a range of groups with specific needs.

RESOLVED that:-

- (1) the contents of the City Centre Vision document be approved for the purpose of a public engagement exercise with key stakeholders and, subject to the engagement, the use of the document be endorsed to inform decision-making by the City Council, specifically in relation to future City Centre Action Plans; and
- (2) the document is commended to Exeter Vision Partnership.

(Report circulated)

58

CITY CENTRE BUSINESS IMPROVEMENT DISTRICT

The report of the Head of Economy and Tourism was submitted updating Members on progress towards establishing the proposed Business Improvement District (BID), and seeking Executive's confirmation of a "yes" vote in the ballot to support the setting up of the BID.

Executive strongly supported the development of the BID for the City Centre and looked forward to the range of initiatives and improvements which the BID would deliver. Members commented on the impressive promotion of the BID proposal and noted its aims, proposed activities and priorities within the first year.

RESOLVED that:-

- (1) the proposed City Centre Business Improvement District and the priorities and projects as set out in the formal prospectus be supported;
- (2) the Portfolio Holder for Economy and Tourism be authorised to cast the City Council's votes in favour of establishing the BID;
- (3) the continuation of the City Council's contribution of £50,000 towards the costs of the City Centre Management function in collaboration with the BID Company, be confirmed in principle, subject to agreement on the final arrangements.
- (4) the Head of Treasury Services arrange for provision for funding the BID levies from existing budgets associated with each property liable for the levy.

(Report circulated)

PLANNING FOR TRAVELLER SITES

The report of the Head of Planning and Building Control was submitted which briefed Members on a proposed draft Government replacement policy on traveller sites and sought to agree a proposed response to the consultation. The report informed members of the position regarding provision in Exeter, the application of the Mobile Homes Act to local authority traveller sites and the position with regard to Government Funding.

The Director Economy and Development informed members that the Core Strategy would be examined in public by an independent Inspector in the summer and that the Executive would consider the matter again in the autumn when the results of the public inquiry were known. In the meantime a response to the consultation paper was required by 6 July 2011.

Members were particularly concerned at the proposal requiring local authorities to demonstrate a five-year supply of deliverable traveller pitches/plots and endorsed the proposed response to the consultation question on this issue. Following the previous adoption of masterplans, Executive had resolved to enter meaningful discussions with relevant landowners to explore all options for site delivery but it was reported that these had not so far provided any useful outcome.

In response to a comment regarding the shortage of suitable sites within the City boundaries, the Director informed members that whilst the Council was prepared to work jointly with neighbouring authorities, no formal joint development plans would be produced on a sub-regional basis. In addition to the quality of life benefits for site residents, Members endorsed the preference for planned pitches in contrast to the extensive problems and expense caused by illegal settlements. Whilst supporting the principle of the allocation of land for the purpose, members acknowledged the extreme difficulty of identifying sites which were acceptable to all parties.

RESOLVED that:-

- (1) the new draft guidance 'Planning for Traveller Sites' be noted;
- (2) the proposed response to the consultation at Annex B of the report be agreed;
- (3) it be noted that Executive will consider the matter of the sites in Exeter again in the Autumn;
- (4) the position with regard to bids to the HCA for funding be noted.

(In accordance with Standing Order 43 Councillor Mrs Henson requested that her name be recorded as having abstained from the vote on the resolution)

(Report circulated)

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

The schedule of representatives on outside bodies was circulated.

RESOLVED that:-

- (1) no appointments be made to the following bodies and the groups be disbanded:-

- Exeter and Heart of Devon Economic Partnership (superseded by the Exeter and Heart of Devon Growth Board)
 - Exeter Archaeological Advisory Committee
 - Exeter Summer Festival Advisory Group
 - Lord Mayor of Exeter's Appeal Fund
- (2) appointments to outstanding vacancies, identified in bold on the attached schedule, be considered by Group Leaders and agreed by Council; and
- (3) all other appointments be agreed as set out on the attached schedule.

(Schedule circulated)

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

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

62 **RESTRUCTURE OF THE HOUSING ENABLING AND EMPTY HOMES TEAM**

The report of the Acting Head of Housing Services was submitted, seeking approval for the restructure of the Housing Services Unit's Enabling and Empty Homes Teams to create a new Housing Development Team. This team will provide a comprehensive service delivering affordable housing in Exeter.

Scrutiny Committee – Community considered the report at their meeting on 7 June 2011 and their comments and support were noted.

RESOLVED that:-

- (1) the posts of Empty Homes Partnership Manager and Empty Homes Partnership Officer [CE06118 and CE06182] be deleted from the establishment of the Council, and the employment of the holders of those posts be terminated on the grounds of redundancy on 30 September 2011 with compensation being paid to the holder(s) of the post(s) in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006;
- (2) the new structure as outlined in Appendix II of the report be approved and implemented in accordance with the Council's Organisational Change Policy, and for any displaced employees to be confirmed as redundant; and
- (3) where, despite all efforts, notice of redundancy is confirmed and suitable alternative employment not found, those employees with two or more years' service be paid a compensation payment upon employment termination in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006

(Report circulated to Members)

CHANGES TO THE COMMUNITY PATROL SERVICE AND CONTROL CENTRE

The report of the Head of Environmental Health Services was submitted, seeking approval for a restructuring of the Community Patrol service following a review of the activities and resources of the Patrol.

Scrutiny Committee – Community considered the report at their meeting of 7 June 2011 and their comments and support were noted. Executive noted the concern of the Committee regarding the increase in complaints at the beginning of October and their request for further consideration to be given to the proposed shift pattern during that month. They supported Scrutiny Committee's proposal that the operational hours for the Community Patrol in the month of October should match those for March to September, and change to 13:00 hours – 24:00 hours for each day of the week in order to better respond to student-related noise within October.

RESOLVED that:-

- (1) the operational hours for the Community Patrol in the month of October be amended to match those for March to September, and changed to 13:00 hours - 24:00 hours for each day of the week in order to better respond to student-related noise within October;
- (2) subject to (1) above, the proposed re-structure as outlined in Appendix III to the report be implemented in accordance with the Council's Organisational Change Policy, and for any displaced employees to be confirmed as redundant; and
- (3) where, despite all efforts, notice of redundancy is confirmed and suitable alternative employment not found, those employees with two or more years' service be paid a compensation payment upon employment termination in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006.

(Report circulated to Members)

EXETER COMMUNITY SAFETY PARTNERSHIP CO-ORDINATOR POST

The report of the Assistant Chief Executive was submitted, seeking approval for redundancy for the Exeter Community Safety Partnership Co-ordinator.

Members recorded their appreciation for the excellent work undertaken by the postholder, Michael Miller, during his employment in the post.

RESOLVED that:-

- (1) the new reduced working hours be approved and implemented in accordance with the Council's Organisational Change Policy, and any displaced employees be confirmed as redundant;
- (2) where, despite all efforts, notice of redundancy is confirmed and suitable alternative employment not found, those employees with two or more years' service be paid a compensation payment upon employment termination in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006; and

- (3) the redundancy of the Community Safety Partnership Co-ordinator be approved.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.00 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 19 July 2011.