

## **EXECUTIVE**

Tuesday 14 November 2017

### **Present:**

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

### **Apologies:**

Councillor Leadbetter

### **Also present:**

Director - Bindu Arjoon, Director (JY), Director of Communications and Marketing, Corporate Manager Democratic and Civic Support, City Surveyor, Museums Manager, Service Lead Housing Customers, Economy and Enterprise Manager, Principal Project Manager (Strategic Infrastructure Planning), Cleansing & Fleet Manager, Service Improvement Lead (Benefits) and Democratic Services Manager (Committees)

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### **MINUTES**

The minutes of the meetings held on 12 September and 10 October 2017 were taken as read and signed by the Chair as correct.

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### **DECLARATIONS OF INTEREST**

No declarations of disclosable pecuniary interest were made.

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### **URGENT DECISION - EXETER GUILDHALL - FIRE ALARM**

Members were advised of the delegated decision that was taken by the City Surveyor in consultation with the Portfolio Holder for Support Services to allocate £50,000 for the urgent replacement of the fire alarm system in the Guildhall. The urgent replacement had been necessitated by both advice from a recent fire risk assessment and as two recent small fires within the facility had not been detected adequately by the current system.

The Portfolio Holder for Support Service commented that it was vital that the Guildhall was protected.

Members supported this decision.

**RESOLVED** that the urgent decision be noted.

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### **URGENT DECISION - MATERIALS RECLAMATION FACILITY (MRF)**

Members were advised of the urgent decision taken by the Director (DB) in consultation with the Portfolio Holder for Place to allocate £10,600 of capital funding as an urgent measure for replacement of the air compressor at the Council's Materials Reclamation Facility (MRF). This equipment was critical to the economic operation of the MRF and the existing compressor, although well-maintained, had exceeded its designed life span. Without a functioning air compressor the MRF

would be unable to operate effectively and sort materials to a standard required to maintain current net income levels.

**RESOLVED** that the urgent decision be noted.

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### **COUNCIL TAX SUPPORT SCHEME 2018/19**

The Director (BA) presented the report seeking Members' views on the local Council Tax Support (CTS) scheme ('the Scheme') for working age residents for 2018-19. The local CTS had started in April 2013 and Members were required to agree the scheme rules annually.

Members were advised that there were no imperatives to make changes to the current year's scheme in the light that significant changes had been made from the previous year's scheme. Officers continued to closely monitor the position in terms of the impact on residents.

The Benefits and Welfare Lead clarified that the Devon Authorities Group schemes were aligned but not with those of Devon's Unitary Authorities.

People Scrutiny Committee considered the report at its meeting on 2 November 2017 and its comments were reported.

**RECOMMENDED** that Council approve the Scheme for 2018-19 to continue without changes from the current year's scheme.

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### **CAR PARK REFURBISHMENT AND DEVELOPMENT**

The City Surveyor presented the report to bring Members up to date on the condition and structural surveys completed on the Council's multi-storey car parks portfolio in response to the action plan in the New Strategy for Parking 2016-26. The report discussed proposed ways forward to deliver a Car Park Investment Strategy for the multi-storey car parks, a Development Potential Feasibility Study for city centre surface car parks and a further piece of work exploring the possibilities and implications of city centre car use reduction. It also sought approval for the procurement of some consultancy services in relation to these projects.

The City Surveyor presented an approach to deliver a Car Park Investment Strategy, and sought approval for the procurement of consultancy services in relation to this project. The City Surveyor also requested authorisation to engage consultants to produce and deliver a Development Potential Feasibility Study of city centre surface car park sites. This would explore whether sites could be brought forward for development for suitable alternative uses, while exploring the possibilities for retaining overall parking space numbers in the city centre. A further piece of work would also explore the implications of the City Council's longer term aspirations to reduce city centre car use.

The Leader stated that it was important that the Council looked at all its land to help improve housing requirements of the city but that any of this land coming forward should not be used for student accommodation.

The Portfolio Holder for City Transformation, Energy and Transport commented that it was important that the Council looked at car parking in the city and worked in the long term to reduce traffic congestion in the city.

Place Scrutiny Committee considered the report at its meeting on 9 November 2017 and its comments were reported.

**RESOLVED** that the City Surveyor be authorised to procure consultants to assist:-

- (1) with the production of a Car Park Investment Strategy, subject to further funding approval in due course;
- (2) with the production of a Feasibility Study for the future development of city centre surface car park sites; and
- (3) with work on reducing city centre car usage; and

**RECOMMENDED** that Council approve:-

- (4) a budget of up to £100,000 for the consultancy costs associated with the feasibility and congestion work.

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### **NEW ENTERTAINMENT VENUE NEEDS ASSESSMENT**

The City Surveyor presented the report updating Members on the outcome of the work of the New Entertainment Venue Advisory Group (NEVAG) set up to advise on city centre venue requirements and present findings of the new venue needs assessment. The Group included a broad range of representatives from the arts, cultural and entertainment sectors. The Group had worked with officers to oversee a new venue needs assessment which had been undertaken by Fourth Street, a consultancy. The Fourth Street document also included an appraisal of a number of possible sites for any new venue and the recommendation of the appraisal was that the Corn Exchange was the preferred location for any entertainment venue. The findings of the assessment would now be the subject of a detailed public consultation and engagement with stakeholders and the wider public.

The Portfolio Holder for City Transformation, Energy and Transport commented that this report was supported by Place Scrutiny Committee and once the public consultation exercise had been undertaken the Council would have a better picture of how to take forward any proposals for a new entertainment venue.

Members supported the proposed way forward.

Place Scrutiny Committee considered the report at its meeting on 9 November 2017 and its comments were reported.

**RESOLVED** that:-

- (1) progress and comment on the findings of the needs assessment be noted; and
- (2) a public consultation exercise on the findings of the needs assessment be approved;

**RECOMMENDED** that Council;

- (3) accepts the reports' recommendation that the Corn Exchange is the preferred location for any entertainment venue; and
- (4) approves a budget of £5,000 for a public consultation exercise on the findings of the needs assessment.

## **MITIGATING THE IMPACTS OF DEVELOPMENT ON PROTECTED HABITS**

The Principal Project Manager, Strategic Infrastructure Planning, presented the report on mitigating the impacts of development on protected habitats such as Exe Estuary, Dawlish Warren, and the East Devon Pebblebed Heaths. In catering to population growth, new dwellings increased the pressure on protected habitats, and measures had to be taken to mitigate these impacts. These included on-site measures to reduce visitor pressures, as well as the implementation of Suitable Alternative Natural Greenspace (SANGs), the purpose of which was to provide potential visitors to the protected habitats with an alternative greenspace to visit, thus reducing the pressure on the protected habitats.

Members were advised that not to implement the proposed revised per dwelling charges for habitats mitigation, not to make more Community Infrastructure Levy (CIL) available for this purpose, might appear to leave more CIL available for other infrastructure priorities. However, the reality was that a block would be likely to be placed on development (because its impacts on protected habitats were not being appropriately mitigated) and the CIL receipts available for other infrastructure priorities would subsequently reduce significantly and dramatically.

Members thanked the Principal Project Manager, Strategic Infrastructure Planning for his work on the habitats mitigation. They supported the view that, in future years, mitigation measures should be directed towards parts of the city including the Valley Parks, this would then reduce the need for residents to travel by car to other areas for recreation purposes, including the protected habitats.

**RECOMMENDED** to Council that:-

- (1) the reduction in the overall cost of habitats mitigation measures referenced in Table 26 of the South East Devon European Site Mitigation Strategy be welcomed;
- (2) the revised per dwelling charges for habitats mitigation detailed in Appendix 1 be approved and implemented from 1 January 2018, and index linked in accordance with the recommendation made by the South East Devon Habitats Regulations Executive Committee on 27 July 2017;
- (3) that the revised per dwelling charges having the effect of increasing Exeter's contribution to overall habitats mitigation costs from the £2,000,000 committed for this purpose to 2026 (by Executive on 10 February 2015) to approximately £4,000,000 of the £15,456,264 total cost of implementing the Strategy to 2026, be noted; and
- (4) that no SANGs are to be delivered in Exeter to 2026 be noted but that the South East Devon Habitats Regulations Executive Committee has approved an appraisal being undertaken of future SANGs capacity and likely delivery costs, including in Exeter's Valley Parks, to inform the development of the Greater Exeter Strategic Plan and any future iteration of the South East Devon European Site Mitigation Strategy.

## **QUEENS CRESCENT GARDENS - AGREEMENT FOR LEASE AND COMPULSORY PURCHASE**

The Principal Project Manager (Strategic Infrastructure Planning) presented the report seeking Members' approval to allocate £50,000 of unallocated New Homes Bonus receipts towards the costs that the St. James Community Trust would incur in assuming the 125 year lease of Queen's Crescent Garden from the City Council, subsequent to the impending completion of the compulsory purchase of the Garden by the Council. The report also sought £5,000 of unallocated New Homes Bonus for the purchase and installation for three new rubbish bins outside of Queens Crescent Gardens.

Members were circulated with a revised recommendation which stated that the monies to Exeter St. James Community Trust Ltd would be a one off payment and subject to satisfactory confirmation that the monies would be appropriately invested.

Councillor Owen, having given notice under Standing Order no.44, spoke on this item. He stated that it was important that the Council used New Homes Bonus and Community Infrastructure Levy to support local communities to improve their areas and that revitalising Queen's Crescent Garden was a priority in the St. James Neighbourhood Plan. The Council should look at developing a policy to support communities to take forward similar projects. Councillor Owen thanked all the officers involved in supporting this proposal.

In response to the Leader, Councillor Owen updated Members on the history behind establishing the ownership of Queens Crescent, the compulsory purchase order and the work of the local community to revitalise the garden.

Members thanked officers for taking this project forward and welcomed supporting residents to improve their communities and accessing funding.

Place Scrutiny Committee considered the report at its meeting on 9 November 2017 and its comments were reported with the amended recommendation.

**RECOMMENDED** that Council approve the:-

- (1) £50,000 of unallocated New Homes Bonus receipts being allocated to Exeter St. James Community Trust Ltd as a grant (as a one off payment, and subject to satisfactory confirmation that the monies would be appropriately invested), to address immediate and ongoing liabilities associated with the Trust taking on the lease of Queen's Crescent Garden; and
- (2) £5,000 of unallocated New Homes Bonus receipts being allocated for the purchase and installation (by Exeter City Council Public Realm) of three new rubbish bins outside the Queen's Crescent Garden walls.

## **ADDITIONAL FIXED TERM STAFF TO SUPPORT NEW FIRE SAFETY MANAGEMENT POLICY**

The Service Lead Housing (Customers) presented the report setting out the business case for increasing the staffing provision (for up to 18 months on a fixed term basis) to ensure that the approved Fire Safety Management Policy was

introduced and implemented effectively. This was to ensure that the Council's agreed approach of Clear and Safe for Escape routes was effectively implemented.

He advised that it was important the Council worked with Tenants, Leaseholders and the Fire Service to implement the Fire Safety Policy which included addressing overcrowding, looking at storage and the circulation of an educational video. The Section 151 Officer commented that, if approved, the budget would be added to the Housing Revenue Account (HRA) and managed within the HRA's medium term financial plan.

The Portfolio Holder for Housing Revenue Account supported the commitment to work with tenants and leaseholders to implement the Fire Safety Policy.

**RECOMMENDED** that Council approves two new posts to be added to the Council's establishment to include the additional posts of an Implementation Officer (Liaison) and an Implementation Officer (Installations) on a maximum 18 month fixed term basis.

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### **FREEDOM OF THE CITY - RON CRABB**

The Corporate Manager Democratic and Civic Support presented the report setting out a proposal to offer the Freedom of the City to Mr Ron Crabb in recognition of his outstanding services to the City and the community of Exeter, in a professional, charitable and personal capacity.

Members supported this proposal and acknowledged Mr Ron Crabb's contribution as a Football League Referee, his outstanding service in promoting the city, his support for charities and as mentor to Marines at Lympstone.

**RECOMMENDED** to Council that:-

- (1) the title of Honorary Freeman of the City Status be conferred on Mr Ron Crabb; and
- (2) the Right Worshipful the Lord Mayor be requested to convene an Extraordinary Meeting of the Council to be held on the rising of the ordinary meeting on 19 December 2017, for the purpose of passing the appropriate resolution under Section 249 of the Local Government Act 1972.

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

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1,2, 3 and 4 of Part 1, Schedule 12A of the Act.

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### **RAMM'S BUSINESS PLAN FOR 2018 - 2022**

The Museum Manager presented the report presenting RAMM's Business Plan 2018-22 for Members' consideration. This has been prepared as a result of RAMM's successful application to Arts Council England (ACE) to be recognised as a National Portfolio Organisation (NPO). The decision at the end of June 2017 was, as for all other cultural organisations making similar applications, an 'in principle' one, with an associated conditional financial offer for each of the four years. The next stage for all successful applicants was to prepare a Business Plan and a number of other required documents. Members were advised that securing external

funding through other grant making bodies would be of growing importance in RAMM's future and this report also proposed a recommendation to support this area of work.

Members were advised of the potential amount of funding that RAMM could receive over the next four years from the Arts Council England should this application be successful.

Members supported the Business Plan and the proposed way forward.

Place Scrutiny Committee considered the report at its meeting on 9 November 2017 and its comments were reported.

**RESOLVED** that:-

- (1) RAMM's Business Plan 2018-2022 be endorsed;
- (2) the final submission of the Business Plan to the Arts Council England to support RAMM's case for investment be agreed;
- (3) the Portfolio Holder for Economy and Culture be authorised to agree adjustments to the Business Plan that do not affect its overall priorities or direction of travel;
- (4) the Director Communications and Marketing and Museum Manager be authorised, in consultation with the Portfolio Holder, Economy and Culture, to submit applications for grant funding less than £100,000 in value, where there is no requirement for match funding; and
- (5) the Museum Manager be authorised, in consultation with the Portfolio Holder, Economy and Culture, to submit applications for grant funding less than £50,000 in value, where there is no requirement for match funding.

### **PLACE SERVICES OPERATIONAL DEPOTS**

The City Surveyor presented the report examining the welfare facilities, health and safety issues and general unsuitability of the Belle Isle site as a working depot for the Council's Parks and Green Spaces workforce. The report also examined spare capacity at the Exton Road site and the potential to amalgamate Place based services there.

The Portfolio Holder for Place welcomed the feasibility study to examine the potential of amalgamating all Place operation services.

Place Scrutiny Committee considered the report at its meeting on 9 November 2017 and its comments were reported.

**RECOMMENDED** that Council approves the allocation of £40,000 to complete a detailed study to examine the feasibility of amalgamating all Place operational services at the current Exton Road sites.

### **STAFFING WITHIN ARTS AND EVENTS**

The Economy and Enterprise presented the final business case for the review of staffing within the Arts and Events Team. Members were advised of the changes as result of the consultation processes.

Members thanked the Arts and Events Assistant and Arts and Events Manager for all their hard work and commitment in organising of events within the city and its surrounding areas.

**RESOLVED** that the following be approved:-

- (1) as of 1 April 2018, the job description for the Arts and Events Manager be amended to represent a way forward for the service area;
- (2) the Arts and Events Assistant be made redundant as of 31 March 2018;
- (3) out of the existing Arts and Events revenue budget, Exeter City Council provide an annual grant of £20,000 for two years to the Exeter Cultural Partnership, once it's governance has been agreed upon;
- (4) out of the Arts and Events revenue budget, Exeter City Council provide one-off grant funding for event organisers with the purpose of upscaling existing events or introducing new events to Exeter; and
- (5) the new structure be implemented on 1 April 2018.

### **BELLE ISLE TEMPORARY WELFARE FACILITIES**

The City Surveyor presented the report to advise Members of a proposal for temporary welfare facilities at the Belle Isle Depot to ensure that the Council complied with its responsibilities as an employer under the Health and Safety at Work Act 1974.

In accordance with paragraph C1.31 of the Council's constitution, this report requested an exemption to the requirement in the Council's Contract Regulations that all contracts with an estimated value over £75,000 must be awarded following a formal tendering process.

Members were advised that three quotes were being obtained to ensure best value for money.

Members supported the proposed way forward.

**RESOLVED** that:-

- (1) an exemption be made from the requirement under the Council's Contract Regulations to follow a tender exercise for the installation hire/purchase and removal of welfare facilities at Belle Isle Depot; and

**RECOMMENDED** that Council approve:-

- (2) an additional one off sum of £50,000 for installation and an ongoing revenue sum of £84,000 per year to cover rental of the temporary buildings to be added to the Public and Green Spaces Budget. This funding would remain until a permanent solution was found.

(The meeting commenced at 5.30 pm and closed at 6.25 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 December 2017.**