

EXECUTIVE

Tuesday 9 April 2019

Present:

Councillor Edwards (Chair)
Councillors Bialyk, Denham, Harvey, Leadbetter, Morse, Pearson, Sutton and Wright

Apologies:

Councillors

Also present:

Chief Executive & Growth Director, Chief Finance Officer, Director (J-PH), Assistant City Development Manager, Cleansing & Fleet Manager, Street Scene Manager and Corporate Manager Democratic and Civic Support.

Councillor Musgrave attended Under Standing Order No. 44 for - Min. No. 43 and Min. No. 45

37

MINUTES

The minutes of the meeting held on 12 March 2019 were taken as read, approved and signed by the Chair as correct.

38

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

39

LOCAL DEVELOPMENT ORDER FOR LOCAL ENERGY NETWORKS

The Assistant City Development Manager presented a report to seek approval for a Local Development Order that would grant permitted development rights to specified Local Energy Network infrastructure. The revised Draft Local Development Order was attached as an appendix to the report presented to the meeting, and set out the development proposed to be permitted by the Order; the restrictive terms which limit its scope and the conditions which any permitted development must adhere to.

The purpose of the Order was to grant permitted development rights for underground pipes and cables, and minor above ground works similar to the permitted development rights enjoyed by the statutory undertakers who provide gas, electricity, sewerage, and clean water services.

Planning Member Working Group on 22 January 2019 supported and recommended to Executive that the Order be adopted.

In response to questions from Members, the Assistant City Development Manager informed members that the contents of the order put certain restrictions on the works which could be undertaken without the need for planning permission, and that all proposed works would need the approval of the relevant landowner before being undertaken.

RESOLVED that Executive approve the Local Development Order.

40

FLEET SUPPLY AND MAINTENANCE CONTRACT AWARD

The Cleansing and Fleet Manager presented a report which described the procurement process for the Council's supply and maintenance of vehicles, and sought Member's endorsement for the awarding of the contract to Supplier C.

It was noted that the table in Paragraph 10.28 of the report contained an adding-up error: the correct total score for Supplier C was 920.00 points, rather than 320.00 as stated on the report. The Cleansing and Fleet Manager confirmed that this meant that Supplier C's tender was both the lowest cost and the highest scoring on quality criteria.

During discussion, the following points were raised:-

- This contract ensures that a flexible approach could be taken to the future provision of vehicles for the Council's fleet so that it can take account of changes in government legislation;
- Such flexibility would allow the authority to ensure its sustainable city credentials could be maintained, by replacing its current vehicles with those of a more sustainable nature (e.g. electric) as appropriate;
- That the use of local supply chains to provide maintenance services be welcomed as it supported local businesses.

RESOLVED that:-

- (1) the contract be awarded jointly with Mid Devon District Council for the supply and maintenance of vehicles to Supplier C with effect from 1 June 2019 for a term of seven years with an option for a seven year extension; and
- (2) the Cleansing and Fleet Manager be authorised to explore further opportunities for joint working for Fleet Management.

41

EXETER CITY COUNCIL CLEANING TENDER AWARD REPORT

The Chief Finance Officer presented a report which advised Members of the outcome of the Exeter City Council cleaning tender and sought Members' approval for authorisation to award the tender to the successful supplier(s).

During discussion, the following points were raised:-

- That whilst the result of the tendering exercise meant that overall costs were marginally higher than those at present, the contract had been awarded on the basis that staff employed via the contract would be paid the Real Living Wage. This met with the Council's objective of ensuring all staff were paid a decent wage;
- That this was the first corporate contract which had been overseen by the new Corporate Procurement team which had shown the benefits of having both a robust team and process.

RESOLVED that:-

- (1) the contract be awarded on a Lot basis to the following suppliers on a period of four (4) years with the option to extend for a further three (3) years on an annual basis.
 - Lot 1 – Supplier 2
 - Lot 3 – Supplier 6
- (2) Lot 2 Housing requirements be re-tendered; and
- (3) a final decision on signing the contract be delegated to the Strategic Management Board once the final information regarding the impact of the Transfer of Undertakings (Protection of Employment) (TUPE) is known.

42

OVERVIEW OF REVENUE BUDGET

The Chief Finance Officer presented the report which advised Members of the overall projected financial position of the HRA & General Fund Revenue Budgets for the 2018/19 financial year after nine months.

The Chief Finance Officer also requested an additional recommendation be put forward to Council, for the approval of a supplementary budget of £30,000 to fund the delivery of a housing needs survey.

During discussion, the following points were made:-

- Members supported the request for the supplementary budget as it would inform the Council as to the housing needs across the City, and therefore allow for appropriate planning to meet those needs;
- That the projected stabilisation of the Council's financial position should be welcomed

Corporate Services Scrutiny Committee considered the report at its meeting on 28 March 2019 and its comments were reported.

RECOMMENDED that Council notes and approves the:-

- (1) General Fund forecast financial position for the 2018/19 financial year;
- (2) HRA forecast financial position for 2018/19 financial year;
- (3) Outstanding Sundry Debt position as at March 2019;
- (4) Creditors' payments performance; and
- (5) Request for a supplementary budget of £30,000 to deliver a housing needs survey.

43

CAPITAL MONITORING

The Chief Finance Officer presented the report on the current position in respect of the Council's revised annual capital programme and to advise Members of the anticipated level of deferred expenditure into future years. The report also sought Member approval to amend the annual capital programme in order to reflect the reported variations, including the request for additional funding to support the agile working project in Environmental Health & Licensing (although part of this cost would be met from a grant).

Councillor Musgrave, having given notice under Standing Order No.44, spoke on this item. He had submitted seven questions relating to the Exeter City Council Sleep Safe shelters. Councillor Morse, as the Portfolio Holder for People provided the responses which are appended to these minutes.

The Portfolio Holder for People also wished to place on record her thanks and appreciation on behalf of the Council, for the hard work of both the Council's own staff, as well as its partner agencies, in the work it undertook to support the sleep safe shelter initiative.

Corporate Services Scrutiny Committee considered the report at its meeting on 28 March 2019 and its comments were reported.

RECOMMENDED That Council approve the revision of the annual capital programme to reflect the reported variations detailed in paragraphs 8.4 and 8.5 of the report presented to the meeting, together with the additions to the capital programme detailed in paragraph 8.7 of the report.

44

UPDATES TO THE SCHEME OF DELEGATION

The Corporate Manager, Democratic & Civic Support presented a report which set out proposals to amend the Scheme of Delegation to Officers to match operational arrangements, taking particular account of changes in roles and titles.

RECOMMENDED that Council approves the changes to the Scheme of Delegation to Officers set out in Appendix 1 of the report presented to the meeting.

45

RESULTS OF CONSULTATION ON PUBLIC TOILETS

The Interim Public & Green Space Service Manager presented a report which detailed the responses from the public consultation on the future of public toilets across the City, and sought Member's endorsement of the approach to achieve the required budget savings, whilst retaining some degree of service provision.

Councillor Musgrave, having given notice under Standing Order No.44, spoke on this item, referring in particular to contacts he had had from local residents opposing the proposed closures. He also reminded the Executive of a previous commitment (arising from the consultation on the Public Spaces Protection Order) to keep the public conveniences in Musgrave Row open.

During discussion, the following points were raised:-

- That whilst the consultation exercise on this proposal had returned a significant number of responses (in excess of 500 responses), this was a lot less than had been the case for both the Public Spaces Protection Order (PSPO) and Air Quality;
- That if the proposals to close the public conveniences were not supported, the Council would have to identify a equal level of savings elsewhere so as to maintain its overall balanced budget;
- That many other authorities had, over a number of years, already taken similar decisions to that proposed, and that this Council had resisted this for as long as possible. However, due to the ever increasing difficult financial position that the Council was now facing, such decisions needed to be taken now;

- That a number of the public conveniences proposed for closure, would require a large capital investment to bring them up to appropriate standards, including those to meet accessibility requirements.
- That the Council would welcome the opportunity to discuss the possibility of divesting the running of appropriate public conveniences with community groups or other interested parties.

RESOLVED that:-

- (1) the results of the consultation exercise be noted;
- (2) the decision to close all of the 13 public conveniences listed in the report presented to the meeting be supported with immediate effect, in addition to the two already closed. (Leaving 11 public conveniences in operation as detailed in Appendix 1 to the report);
- (3) The City Surveyor be authorised to divest the running of the toilets to other organisations, or to explore alternative uses including potential disposal, to achieve best value for the authority. Priority consideration should be given to alternative uses which would incorporate a publically accessible toilet; and
- (4) The introduction of a Community Toilet scheme be investigated.

46 **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 it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of the Act.

47 **WASTE OPERATIONS MANAGEMENT STAFFING RESTRUCTURE**

The Cleansing and Fleet Manager presented a report which sought final approval for a minor restructure in the Waste Operations management team. It was noted that the overall number of posts in the team would remain the same, and that following the consultation process, there were a number of minor changes to the restructure proposal that was given draft approval by Executive Committee on 15 January 2019 – these included some changes in job titles, as well as a change in reporting lines for the recycling function.

RESOLVED that the restructure in the Waste Operations team as set out in Appendix 1 to the report presented to the meeting, be approved.

48 **DEMOCRATIC AND CIVIC SUPPORT STAFFING**

The Corporate Manager, Democratic & Civic Support presented a report which sought approval to implement a proposed change to staffing within the Democratic & Civic Support service area, specifically the area “PA Support to SMB and the Leader”, following the recent meaningful consultation process.

RESOLVED that the Corporate Manager, Democratic & Civic Support be authorised to implement the change detailed in the report as soon as practicably possible, on

the understanding that any additional costs arising therefrom, would be met from within existing budgets.

49

RETIRING MEMBERS OF THE EXECUTIVE

Members paid tribute to Cllrs Edwards and Denham who would be standing down as councillors at the elections in May 2019, for their service and dedication to the work of the Council during their respective terms of office.

(The meeting commenced at 5.30 pm and closed at 6.24 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