

EXECUTIVE

Tuesday 17 June 2008

Present:-

Councillor Fullam (Chair)
Councillors Cole, Edwards, R M Hannaford, Mrs Henson, Mitchell, Mrs Morrish and Wadham

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

54

MINUTES

The minutes of the meetings of the Executive held on 18 March, 8 April (Special) and 15 April 2008 were taken as read and signed by the Chair as a correct record.

55

DECLARATIONS OF INTEREST

No declarations of interest were made.

56

FOOD LAW ENFORCEMENT PLAN 2008/09

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 to the adoption of the Food Law Enforcement Plan 2008/09.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008 and the support of members was noted.

RECOMMENDED that:-

- (1) the Food Law Enforcement Plan 2008/09 be approved; and
- (2) the Head of Environmental Health Services be authorised to make changes to the Enforcement Plan in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

57

HEALTH AND SAFETY SERVICE PLAN ANNUAL REVIEW

The report of the Head of Environmental Health Services was submitted seeking approval to the Health and Safety Plan for 2008/09 which sets out the functions for regulating health and safety in businesses for the forthcoming year.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008 and the support of members was noted.

RECOMMENDED that the Health and Safety Service Plan 2008/09 be approved.

(Report circulated)

LOCAL AIR QUALITY MANAGEMENT - AIR QUALITY ACTION PLAN

The report of the Head of Environmental Health Services was submitted updating Members on the Council's duties relating to local air quality management and the outcome of the consultation exercise for the proposed Air Quality Action Plan. The report also sought approval to the Plan for 2008-11.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008. Executive shared the concerns of the Committee regarding the impact on air quality of traffic management measures on main City routes and sought reassurance that ward Councillors would be consulted on future proposals.

RECOMMENDED that:-

- (1) a meeting be sought between the Chair of Executive, the Chair of Scrutiny Committee – Community and Devon County Council to seek how the County Council plans to reduce the pollution that is caused along the five routes coming in and out of the City;
- (2) Devon County Council be requested to review the current traffic management arrangements for Sidwell Street, with all local Councillors being involved; and
- (3) Exeter's Air Quality Action Plan for 2008 –11 be approved.

(Report circulated)

HOMELESSNESS STRATEGY 2008-2013

The report of the Head of Housing Services was submitted seeking Members' endorsement of the content of the revised Homelessness Strategy.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008 and the comments and support of members were noted.

The Director Community and Environment identified the key proposals within the revised Strategy reflecting needs identified through the consultation process. Executive welcomed the revised strategy particularly the emphasis on preventing homelessness and supporting clients to move through the varying types of housing. They noted Scrutiny Committee – Community's request for a further report to that Committee providing information on how homelessness decisions relating to vulnerable people were reached.

RECOMMENDED that:-

- (1) the revised Homelessness Strategy document 2008-2013 be adopted; and
- (2) an annual report be submitted outlining progress against the strategy's action plan.

(Report circulated)

PRIVATE SECTOR HOUSING STRATEGY - ANNUAL REVIEW

The report of the Head of Environmental Health Services was submitted proposing specific changes to the Private Sector Housing Renewal Policy in order to address local needs, as identified in the on-going private sector house condition survey.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008 and the support and comments of members were noted. Executive welcomed the proposed changes to the Strategy identified in the report.

RECOMMENDED that:-

- (1) the changes to the Private Sector Housing Renewal Policy outlined in the report be adopted;
- (2) expenditure of the single pot allocation be monitored and the proposed financial allocation to each of the schemes proposed or further schemes be developed with the approval of the Portfolio Holder for Housing and Social Inclusion; and
- (3) the Policy be reviewed annually, or sooner if needs be, in order to ensure that it addresses local needs and/or government policy.

(Report circulated)

CANAL BASIN REGENERATION AREA

The report of the Head of Estates Services was submitted seeking agreement to the appropriation of land held by the Council within the area covered by the Canal Basin Regeneration Scheme for planning purposes to facilitate the delivery of the scheme.

RECOMMENDED that the sites shown shaded on the circulated plan within the Canal Basin area be appropriated for planning purposes to facilitate the Canal Basin Regeneration Scheme.

(Report circulated)

DRAFT ALPHINBROOK CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The report of the Head of Planning Services was submitted seeking agreement to the draft Alphinbrook Conservation Area Appraisal and Management Plan for the purpose of public consultation. Members requested that local ward Councillors are kept informed of public consultation meetings.

RESOLVED that the proposed boundary amendments outlined in section 4 of the report and the draft Conservation Area Appraisal and Management Plan be approved for public consultation.

(Report circulated)

63

CORPORATE PLAN 2007 - 2010 (2008/09 UPDATE)

The report of the Strategic Management Team was submitted seeking approval to the Council's Corporate Plan 2007 – 10 (2008/09 Update). The Assistant Chief Executive reported that the Corporate Plan had replaced the Best Value Performance Plan.

RECOMMENDED that the draft Corporate Plan 2007 – 10 (2008/09 Update) be endorsed and that any necessary drafting amendments before publication be delegated to the Chief Executive, in consultation with the Leader of the Council.

(Report circulated)

64

EXETER CITY COUNCIL VEXATIOUS COMPLAINTS POLICY AND GUIDANCE

The report of the Assistant Chief Executive was submitted seeking approval to a policy for dealing with vexatious complaints from customers. The Chief Executive stated that whilst it was likely that the policy would rarely be invoked, it was important to have a procedure in place for dealing with vexatious complaints.

RESOLVED that the corporate Vexatious Complaints Policy be approved.

(Report circulated)

65

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

A schedule of appointments to outside bodies was circulated as proposed by the four Group leaders.

RESOLVED that the proposed appointments to outside bodies as set out in the Appendix to the minutes be agreed where unopposed and **RECOMMENDED** that contested appointments be agreed by Council.

66

MEMBERSHIP OF COMMITTEES

Paragraph 21(9) of Part II of the Local Government Act 2000 precludes members of an authority's executive from also being a member of an overview and scrutiny committee. In accordance with this provision, Councillor Wardle was nominated as a member of Scrutiny Committee – Community to replace Councillor Edwards who is a member of Executive.

RECOMMENDED that Councillor Wardle be appointed to Scrutiny Committee – Community to replace Councillor Edwards.

67

POST OFFICE CLOSURE - URGENT BUSINESS

The Chief Executive reported that he had received from the Post Office details of the schedule of proposed closures of post offices which included four within Exeter: Union Road, Queen Street, Pinhoe Road and Foxhayes. The Chair agreed to accept this item for consideration as a matter of urgency since the consultation period for the programme would end on 30 June.

Members expressed their strong opposition to the proposed closures. They noted that the particular branches identified for closure had amongst the highest number of customer transactions, between 750 and 1500 per week, of the 45 branches

proposed for closure throughout Devon. In each case alternative facilities were in excess of half a mile away.

A number of branches had been lost in previous closure programmes and this had increased the pressure on remaining branches. Members were particularly concerned about the impact on elderly customers and those with disabilities who would have difficulty in accessing alternative branches. Additional car journeys would also increase pollution. In addition to the service provided, the post office fulfilled an important social function for many people. In the event of closures going ahead, members suggested that local authorities should work together to consider other models for the provision of services such as within supermarkets.

Councillor Hannaford, seconded by Councillor Mitchell, proposed the following motion:

“Exeter City Council strongly opposes the continuing erosion of essential and well-used Post Office outlets in the city.

It considers that the closure of the four Exeter branches proposed in this latest round of cuts will lead to real problems of accessibility to a vital community facility. The impact will fall disproportionately on elderly residents and on communities already suffering from relative social and economic disadvantage.”

The motion was agreed unanimously.

RESOLVED that the Chief Executive be requested to respond to the Post Office consultation in the terms set out in the agreed motion.

68 **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.

69 **LEISURE AND MUSEUMS RESTRUCTURE**

The report of the Head of Leisure and Museums was submitted setting out proposals for the restructuring of the Leisure and Museums Unit in order to create future savings in the revenue budget.

Scrutiny Committee – Community considered the report at their meeting on 3 June and expressed concern at the reductions in services that would be necessary as a result of the proposals. Some Executive members were also concerned at the proposals and proposed that the recommendations should be referred back in order that savings could be identified from across both the leisure and museums services. It was also felt by some members that the proposed restructure was a retrograde step. Members were particularly concerned at the impact of the termination of services such as the Splash Holiday play scheme in disadvantaged areas. Whilst regretting that such measures were required, Portfolio Holders acknowledged the need to make savings to avoid over-expenditure on the budget. They considered that it was preferable to take forward any proposed reductions in services in a planned manner rather than in response to circumstances as they arose and which might result in compulsory redundancies.

Members were pleased to note those events and activities identified which it was hoped may continue to be delivered in future by other agencies and organisations. In response to the particular concerns expressed by Scrutiny members regarding the Splash Holiday scheme, an amendment to the recommendations was proposed to delete the reference to the termination of the scheme in May 2009 and the deletion of the Splash Co-ordinator post in order to give more time to attempt to identify alternative funding sources.

RESOLVED that:-

- (1) the employment of the holder of the post of Community Outreach Manager (CE 12121) be terminated on the grounds of redundancy as from 31 March 2009, he be paid a compensation payment 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 that his post be deleted on that date;
- (2) the post of Play Development Manager (CE 12122) be deleted immediately and savings from this year's budget of £27,100 inclusive of on-costs be used to fund the extension of the post of Temporary Countryside Ranger (CE 12236), and the remainder be used to assist the funding of the costs of redundancy and early retirement of the Community Outreach Manager;
- (3) the post of Temporary Countryside Ranger (CE 12236) be extended from 11 December 2008 until 31 March 2009;
- (4) the post of Part-time Splash Holiday Co-ordinator (CE 12205) be extended to 31 May 2009; and
- (5) the new staffing structure for the Leisure & Museums Unit set out in Appendix II to the report be approved with effect from 1 April 2009, and the Head of Leisure & Museums be authorised to transfer services and functions as appropriate.

(Report circulated to Members)

In accordance with Standing Order 43, Councillors Edwards and Mrs Henson requested that their names be recorded as having voted against the resolution.

70

HOUSING LANDLORD SERVICE RE-STRUCTURE

The report of the Head of Housing Services was submitted proposing a restructuring of the Housing Services Unit to support the service improvement plan.

RESOLVED that:-

With immediate effect:

- (1) the four Rent Officers (Post numbers CE 06138, 06139, 06140, 06165) are moved from the Tenancy Services Team into the new Income Recovery Team and that their posts are renamed Income Recovery Officers;
- (2) the Housing Support Manager (Post number CE06191) becomes the Income Recovery Manager;
- (3) the current honorarium paid to the Tenancy Services Manager (Post number CE 06190) is ended;

- (4) the Tenant Liaison Officer (post number CE06213) moves from the Tenant Participation Team into the Tenancy Services Team as a Housing Assistant;
- (5) the Clerical Assistant (post number CE 06123) becomes a Housing Assistant and moves from the Housing Support Team into the Tenancy Services Team;
- (6) a new post of Housing Assistant Team Leader is created within the Repairs and Technical Services Section; and
- (7) the post of the successful Housing Assistant is deleted once they have started their new role.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.10 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 15 July 2008.

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EXETER CITY COUNCIL

**EXECUTIVE
17 JUNE 2008**

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

Names in bold in the second column are nominations made by the Group Leaders at a meeting on 16 June and are to be read in conjunction with the report on the Executive agenda.

| <u>BODY AND TERM OF OFFICE</u> | <u>NOMINATIONS AND EXPIRY OF PREVIOUS APPOINTMENTS</u> | <u>NUMBER OF MEETINGS PER ANNUM</u> | <u>TERMS OF REFERENCE</u> |
|---|---|--|--|
| City Centre Management Partnership 1 | Cllr Edwards Cllr Fullam 17.06.2008 | 4 | Improves the quality of the City Centre for residents, businesses and visitors by developing strategies and opportunities to maximise the Centre's vitality and viability. Supports the development of the City of Exeter as the Regional Capital of the South West, to encourage new investment and to provide an economic "engine" for the City and the County of Devon. |
| Community Safety Partnership 1 | Cllr Fullam 17.06.2008 | 11 | The Partnership established following the Crime and Disorder Act 1998 which placed a joint responsibility on local authorities and the Police to reduce Crime and Disorder in local areas. |

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| Councillor Development Steering Group | Cllr Mrs Morrish (Chair) Cllr Cole Cllr Martin Cllr Newton Cllr Winterbottom | 4 | To advise on the implementation of the Training and Development Strategy for Councillors and promote training and development opportunity. |
| Devon Authorities Waste Reduction and Re-cycling Committee From 17.06.2008 | Cllr Mitchell | 3 | Co-ordinates the establishment of waste minimisation and recycling schemes whether provided by the County Council, the District Councils or Devon Unitary Authorities, or jointly with each other, with commercial concerns or with community/voluntary groups. |
| Devon Conservation Forum – Executive From 17.06.2008 | Cllr Mrs Henson | 6 | Aims to promote the wise sustainable use and enjoyment of Devon's resources. Monitors environmental issues affecting Devon bringing together under one umbrella all who manage the natural and built landscape. |
| Devon County Council Health and Adult Services Overview and Scrutiny Committee 1 | Cllr Newton 17.06.2008 | 5 | To review the implementation of existing policies and to consider the scope of new policies for all aspects of the discharge of the Council's functions concerning adult social care and community learning and to discharge its functions in the scrutiny of health services. |
| Devon Playing Fields Association From 17.06.2008 | Cllr Mitchell | 4 | Independent charitable body offering information, advice, support and small grants to its Members. Helps provide playing fields for all sections of the community and properly equipped playgrounds for children. Encourages the full use of all recreational activities. |
| Exeter and Heart of Devon Economic Partnership 1 | Cllr Mrs S.R. Brock 17.06.2008 | 5 | Promotes the economic development of the sub-region comprising Exeter, Mid Devon, East Devon and Teignbridge. |

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| Exeter Archaeological Advisory Committee 1 | Labour nomination required Cllr D.J. Morrish Cllr Shiel Cllr Wadham Chair to be appointed by Committee 17.06.2008 | 3 | Committee of City Council Members, professionals and academics from the University and Institutions receiving detailed reports from the AFU on archaeological investigations carried out in Exeter. |
| Exeter Area Rail Project Working Party 1 | Cllr D.J. Morrish Cllr Shepherd Cllr Wadham 17.06.2008 | 3 | Promotes the use of local rail services in the Exeter area and hinterland. Makes recommendations to operators of local train services and lobby them for improvements Develops infrastructure projects at stations, to improve access and waiting facilities for all passengers |
| Exeter Arts Council From 17.06.2008 | Cllr Mrs S.R. Brock Conservative nomination required | 6 | Independent group funded by the City Council with membership drawn from the major arts and cultural organisations in the City. It encourages creative activities in Exeter, both individuals and groups by providing financial support. |
| Exeter Business Centre Board 1 | Cllr Mrs Henson Cllr Edwards Cllr Mrs S.R. Brock Liberal nomination required Chair to be appointed by Committee 17.06.2008 | 4 | The Board oversees the affairs of the Business Centre. |
| Exeter Citizens Advice Bureau From 17.06.2008 | Cllr Newcombe | 4 | Committee of Management managing the Bureau. CAB provides advice and guidance to the public. |

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| Exeter Council for Sport and Recreation From 17.06.2008 | Cllr Mitchell Conservative nomination required | 6 | To encourage and promote increased participation in sport, recreation and play in the Exeter district in co-operation with Exeter City Council, Devon County Council and other interested organisations. |
| Exeter Canal and Quay Trust Ltd. 1 | Cllr P. J. Brock Cllr Mrs S.R. Brock Cllr Edwards Cllr Newcombe Cllr Shepherd Cllr Sheldon Cllr Starling Cllr Winterbottom 17.06.2008 | 3 | The preservation of land, buildings and other features of beauty or historical or architectural interest in or around the Exeter Canal and Quay Basin; The promotion and encouragement of high standards of architecture, building and town planning and the promotion of civic pride in the Area; The promotion and support of musical, artistic, educational and other cultural activities within the Area; and The promotion and support of community participation in any form of healthy recreation involving waterborne sports in the Area. |
| Exeter College Corporation 4 | Cllr Shepherd subject to confirmation by Conservative and Liberal Group Leaders | 5 | Governing body of Exeter College - makes strategic decisions affecting the College including strategy, policy, quality, financial probity and monitoring. |
| Exeter Municipal Charities (General List) 4 from 17.06.2008 | Cllr Wadham in place of R.C. Lyons – 17.10.2008 Cllr Branston - 20.10.2008 Ald N.W.F. Long - 20.10.2008 Ald W.H.J. Rowe - 17.10.2008 Cllr Winterbottom - 15.10.2008 | 12 | To provide accommodation for people who feel unable to remain in their own homes by reason of failing health or reduced circumstances. |
| Exeter International Airport Consultative Committee From 17.06.2008 | Cllr Mrs S.R.Brock | 4 | Consultation with respect to any matter concerning the management or administration of the airport which affects the interests of the users, local authorities and organisations as required by the Civil Aviation Act 1982. |

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| Exeter Phoenix Arts Centre Board From 17.06.2008 | Cllr Mrs S.R. Brock | 6 | To promote, maintain, improve, encourage and provide public education in the arts including the arts of drama, music, singing, dance, painting, sculpture, literature, cinematography and handicrafts. |
| Exeter Social, Health and Inclusion Partnership - Member Forum 1 | Cllr D. Baldwin Cllr R.M. Hannaford Cllr Prowse 17.06.2008 | 4 | Oversees the implementation of work associated with health and social inclusion in the City and comprises partners from the public sector, main agencies and voluntary sector working in Exeter. |
| Exeter Summer Festival Advisory Group 1 | Cllr Mrs S.R. Brock Cllr Branston Cllr Bond Cllr Mrs Danks Cllr Newton Chair to be appointed by Advisory Group 17.06.2008 | 4 | To advise on the key Festival objectives. |
| ISCA Bowls and Bridge Centre From 17.06.2008 | Cllr Mrs R Smith | 12 | Board of Directors |
| J L Thomas Liaison Group 1 | Cllr Choules Cllr Newcombe Cllr Winterbottom 17.06.2008 | 2 | To improve the exchange of information, report upon and monitor instances of nuisance arising from the factory or carriage of waste material and make suggestions for the improvement of the environmental conditions relevant to the operations of the factory. |

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| Local Government Association General Assembly 1 | Cllr Fullam 17.06.2008 | 2 | Promotes the interests of local authorities and better Local Government. |
| Local Government Association South West Branch 1 | Cllr M. Baldwin Cllr Edwards Cllr Fullam 17.06.2008 | 4 | South West branch of the Local Government Association. |
| Lord Mayor of Exeter's Appeal Fund 1 | Lord Mayor Cllr Coates Cllr Mrs Danks Cllr Edwards 17.06.2008 | n/a | Appeal fund. |
| Parking and Traffic Regulation Outside London Adjudication Joint Committee 1 | Cllr Wadham Conservative or Labour nomination required for Deputy 16.06.2009 | At least once a year | Adjudication service for appellants against penalty charge notices including visible independence of adjudicators from the authorities in whose areas they are working. |
| Royal Albert Memorial Museum Trust From 17.06.2008 | Cllr Robson Cllr Wadham | 6 | To advance the education of the public by the promotion, support, assistance and improvement of the RAMM including its galleries, displays, collections, amenities and facilities. |

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| RD&E Healthcare NHS Trust - Council of Governors From 17.06.2008 | Conservative nomination required or Cllr Newton | 4 | To serve the community by the provision of goods and services for the purposes of the health service in England. |
| St. Edmunds and St. Mary Major, Exeter 4 | Cllr Branston - 09.08.2008 | 2 | To receive either generally or individually persons resident in Exeter who are in conditions of hardship, need or distress with a preference to these persons who are resident in the area of the former Parishes of St Edmunds on the Bridge, St. Mary Major, St. George the Martyr and St. John. |
| South West Provincial Council 1 | Cllr Cole From 17.06.2008 | 2 | Joint negotiating machinery for the South West comprising the employers' side and the trade union side and provides a forum for discussion, debate and negotiation on human resources. |
| South West Regional Assembly 1 | Cllr Fullam 17.06.2008 | 4 | Partnership representing all Authorities and a range of sectors with a role in the region's economic, social and environmental well-being. |
| South West Water Liaison Group 1 | Cllr Mitchell Cllr Robson Conservative nomination required 17.06.2008 | 3 | To improve the exchange of information of the Countess Wear Sewage Treatment Works operated by South West Water and the carrying out of works to improve odour control. Reports upon instances of complaints arising from odours from works and makes suggestions for the improvement of the environmental conditions relevant to the operations of the works. |
| Topsham Community Association From 17.06.2008 | Cllrs Starling or Newby (to be confirmed) | 6 | Community Association |

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| Topsham Mooring Owners Association From 17.06.2008 | Conservative nomination required | 7 | Manage moorings in the Topsham area on the basis of a lease of the river bed from the Crown in the best interests of their members who pay to have a licence for the spot to lay a mooring for their boat. |
| Topsham River Commissioners Under the Exeter Port Dues Act 1840 From 17.06.2008 | Cllr Newby Cllr Sheldon Cllr Starling | 5 | Responsibilities for cleaning and keeping clear the channel leading to and around the public quay at Topsham and improving and preserving the navigation of the river in this area. |
| Turntable Furniture From 17.06.2008 | Cllr Newcombe | 6 | To collect donated furniture and supply to people on low incomes referred to the Project by Social Workers, Health Visitors and other support workers. |
| Young Single Persons Housing Forum From 17.06.2008 | Cllr R.A. Hannaford | 4 | Independent Forum bringing together agencies concerned with the housing issues of young people. |

ASSISTANT CHIEF EXECUTIVE

17 June 2008