



Exeter City Council

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AGENDA FOR
EXETER CITY COUNCIL
SCRUTINY COMMITTEE - COMMUNITY

The Scrutiny Committee - Community will meet on **TUESDAY 4 SEPTEMBER 2007**, commencing at **5.30 pm**, in the Rennes Room, Civic Centre, Paris Street, Exeter to consider the following business. If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Member Services Officer on **Exeter 265107**.

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

Pages

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

1.

MINUTES

To sign the minutes of the meeting held on 5 June 2007.

2.

DECLARATION OF INTERESTS

Councillors are reminded of the need to declare personal and prejudicial interests, including the nature and extent of such interests, in relation to business on the agenda, before any discussion takes place on the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

3. **QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19**

A period of up to 15 minutes will be set aside to deal with questions to the Committee from members of the public.

Details of questions should be notified to the Assistant Chief Executive at least three working days prior to the meeting. Further information and a copy of the procedure are available from Member Services (Exeter 265115) also on the Council web site.

<http://www.exeter.gov.uk/scrutinyquestions>

4. **QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 20**

To receive questions from Members of the Council to appropriate Portfolio Holders.

Details of questions should be notified to the Assistant Chief Executive at least three working days prior to the meeting. Further information and a copy of the procedures are available from Member Services (Exeter 265115)

<u>MATTERS FOR CONSIDERATION BY THE EXECUTIVE</u>
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5. **HOUSING STRATEGY 2007/12**

To consider the report of the Head of Housing Services – *report circulated.* 1 - 4

6. **NEW INCLUSIVE PLAY AREA AT KING GEORGE V PLAYING FIELD**

To consider the report of the Head of Leisure and Museums – *report circulated.* 5 - 10

7. **FEES AND CHARGES FOR EVENTS IN PARKS**

To consider the report of the Head of Contacts and Direct Services - *report circulated.* 11 - 14

8. **TRADE WASTE RE-CYCLING COLLECTIONS**

To consider the report of the Head of Environmental Health Services – *report circulated.* 15 - 20

9. **ST ANDREWS ROAD AFFORDABLE HOUSING DEVELOPMENT**

To consider the report of the Head of Housing Services – *report circulated.* 21 - 24

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - COMMUNITY

10. **COMMUNITY SAFETY ANNUAL REVIEW**

To consider the report of the Community Safety Partnership Co-ordinator - *report circulated.* 25 - 34

11. **COMMUNITY FACILITIES ON NEW DEVELOPMENTS**

To consider the report of the Head of Legal Services – *report circulated.* 35 - 40

12. **ROGERS REVIEW OF ENFORCEMENT PRIORITIES FOR LOCAL AUTHORITY REGULATORY SERVICES**

To consider the report of the Head of Environmental Health Services – *report circulated.* 41 - 44

13. **COUNCIL ARRANGEMENTS TO RESPOND TO NOISE COMPLAINTS**

To consider the report of the Head of Environmental Health Services – *report circulated.* 45 - 56

14. **2007 REVIEW OF RE-CYCLING PLAN 2006-11**

To consider the report of the Head of Environmental Health Services – *report circulated.* 57 - 66

PERFORMANCE MONITORING

15. **CORPORATE ENVIRONMENTAL PERFORMANCE INDICATORS - RESULTS AND PROGRESS**

To consider the report of the Head of Environmental Health Services – *report circulated.* 67 - 74

16. **COMMUNITY SERVICES - STEWARDSHIP TO 30 JUNE 2007**

To consider the report of the Director Community and Environment – *report circulated.* 75 - 82

17. **HOUSING REVENUE ACCOUNT STEWARDSHIP TO 30 JUNE 2006**

To consider the report of the Director Community and Environment – *report circulated.* 83 - 86

MATTERS REQUESTED FOR CONSIDERATION BY MEMBERS OF THE COMMITTEE

18. **PUBLIC TOILETS AT THE CANAL BASIN**

Councillor Newcombe has requested that an item be placed on the agenda in the following terms:-

“This Committee agrees that a modern, sustainable public toilet be considered an essential part of the canal basin regeneration, taking into account the increased public footfall of the development”

Members are requested to determine how they would like the matter to be pursued.

DATE OF NEXT MEETING

The next **Scrutiny Committee - Community** will be held on Tuesday 6 November 2007 at 5.30 pm

FUTURE BUSINESS

The schedule of future business proposed for this Scrutiny Committee and other Committees of the Council can be viewed on the following link to the Council's website: <http://www.exeter.gov.uk/docs/committee/workschedule.doc>
Councillors can view a hard copy of the schedule in the Members Room.

Membership -

Councillors M A Baldwin (Chair), Robson (Deputy Chair), Bond, Branston, S Brock, Choules, Mrs Danks, Mitchell, Moore, Newcombe, Newton, Shiel and Winterbottom

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 Member Services Officer on (01392) 265115 for further information.

Individual reports on this agenda can be produced in large print on request to Member Services on 01392 265111.

EXETER CITY COUNCIL

SCRUTINY COMMITTEE – COMMUNITY 4 SEPTEMBER 2007

EXECUTIVE 18 SEPTEMBER 2007

HOUSING STRATEGY 2007 – 2012

1. PURPOSE OF THE REPORT

- 1.1 To seek Members' views on the content of the revised Housing Strategy 2007 – 2012 and to brief Members on the results of the Exeter and Torbay Housing Market Assessment.

2. BACKGROUND

- 2.1 Government Office South West (GOSW) asks local authorities to produce a five year housing strategy and review it regularly. This reflects the importance of the Council's strategic and enabling role in meeting housing needs in the city. We have conducted a thorough review of the current 2004 – 2009 Housing Strategy to:

- ensure it is up to date and relevant to changing circumstances;
- take account of the results of the Exeter and Torbay Housing Market Assessment;
- ensure it is in line with the Local Development Framework.

- 2.2 The 2004 – 2009 Housing Strategy was developed in consultation with GOSW to ensure that it complied with the Government's 'fit for purpose' criteria. The revised Strategy should continue to meet these criteria and will be submitted to GOSW for assessment. The revised strategy is informed by extensive public and stakeholder consultation and the comprehensive cross-tenure evidence base provided by the Exeter and Torbay Housing Market Assessment study (ETHMA). GOSW have recently been in discussion with district authorities regarding the need for sub-regional housing strategies. The revised Strategy includes a chapter on sub-regional issues and proposals, based upon the conclusions of the ETHMA. A copy of the revised Housing Strategy document is available on the website and in the Members' Room.

3. CONSULTATION

- 3.1 Public consultation was conducted using a questionnaire and leaflet distributed to a cross-tenure sample of Exeter residents and displayed in GP surgeries, libraries, community centres and the Civic Centre. Efforts were made to reach groups who may often be marginalised in consultation such as black and minority ethnic (BME) groups, people with physical disabilities, older people, young people, homeless people and people with mental health problems.

- 3.2 Consultation with partner agencies was based upon a Summary for Consultation of the Housing Strategy 2004-2009. Presentations on the Strategy were made to the Local Strategic Partnership, the Social Health and Inclusion Partnership and the Exeter Older People's Partnership Group. Council staff were also invited to take part in the consultation.
- 3.3 A Housing Strategy Review Working Group including council officers, Members, tenants and a representative of a local housing association met regularly to oversee the review process and shape the structure and content of the revised Strategy.
- 3.4 Consultation results showed public support for existing priorities with emphasis on the need for more affordable rented housing and low cost home ownership. There was strong support for improved environmental standards in housing. The partners' responses were varied, although there was some common ground regarding flexibility on affordable housing requirements.
- 3.5 An Equalities Impact Assessment of the Housing Strategy has been carried out as part of the review. As a result the revised Strategy places more emphasis upon diversity, equality and accessibility.

4. RESULTS OF THE EXETER AND TORBAY HOUSING MARKET ASSESSMENT

4.1 The ETHMA focuses on the Housing Market Areas of Exeter and Torbay as previously defined by government. It then identifies six further sub-markets within the sub-region. There is a main report on the sub-region as a whole and separate district reports. The Exeter report gives results for the city of Exeter as defined by the district council administrative area – this is not the same as the area covered by the Exeter Housing Market Area, which extends into East Devon, Teignbridge and Mid-Devon. The research was based on 3,470 personal interviews with households across the two Housing Market Areas, coupled with a range of secondary data sources.

4.2 Additional Housing Requirement 2006-2011

The ETHMA considers the interaction of housing requirements and supply across all sectors of the housing market and identifies future housing requirements for different types of properties and tenures in the city of Exeter as follows:

- 5,256 additional dwellings, across all tenures, would need to be provided over the 5-year period to sustain the existing supply/demand balance.
- The tenure split for these 5,256 would need to be; market housing 2,068 (39.9%); intermediate* housing 981 (18.7%); social rented housing 2,207 (42%).
- Thus unmet need is around 60% affordable housing: 40% market housing

* Intermediate housing includes a range of dedicated low cost home ownership products such as shared ownership and a proportion of housing in the private rented sector with low rents (within the lowest quartile).

4.3 Predicted Completions

- The number of completions within Exeter city, across all tenures, is expected to be around 500 dwellings per annum, 2,500 across the 5-year period.
- Social rented completions are predicted to be between 675 and 845 dwellings over the 5-year period, well short of the 2,207 requirement.
- Intermediate housing completions are predicted to be between 130 and 260 dwellings over the 5-year period, again short of the 981 requirement.
- Market housing completions are predicted to be around 1,600 over the 5-year period, short of the 2,068 requirement.

4.4 Migration and households

- Inward migration to the city is significant in increasing housing demand. Exeter's population in 2005 was 117,600. This is estimated to rise to 143,900 by 2029,
- 29% of households in Exeter contain only 1 member.
- As many as 30,350 (70%) of households are currently technically under occupying their property, nearly half of these by 2 or more bedrooms.
- Net migration into Exeter during 2000-2005 was 4620 people – of these 3,500 were in the 16 – 24 age category

4.5 Tenure and housing conditions

- The current housing tenure in Exeter is - owner occupied 66.5%; private landlord 14%; housing association 6.4%; and Council 13.1%.
- The current house type mix in Exeter is - detached 15%; semi detached 27%; terraced 35%; flats 23%.
- 1429 households are currently living in technically overcrowded housing
- 2586 households believe they have a serious problem with the condition of their houses, 1334 of these have no fixed heating and 1839 believe they are suffering from disrepair.

5. PROPOSALS

5.1 The ETHMA indicates a growing housing requirement but there is limited land available for housing in Exeter and completion rates are unlikely to reach the levels required. The Housing Strategy sets out a strategic approach to improve the use of existing stock and future investment to ensure that “Everyone has the opportunity of a home that they can afford”. Proposals are organised around the themes of:

- **Everyone** – outlines how we will meet the diverse needs of different communities covering issues such as supported housing, older people's housing, accessible housing, particular needs of BME groups and gypsies and travellers. Action points include a commitment to increase the availability of accessible housing and for all new affordable housing to be built to Lifetime Homes* standard.

* The Lifetime Homes Standard sets out a minimum specification that new properties should meet that gives a high degree of flexibility to adapt the property to a household's changing needs. By building to this standard it is expected homes will remain sustainable for the long term.

- **Home** – sets out our strategy for the most effective use of housing stock, both social and private sector and measures to encourage development of sustainable, mixed communities. Action points include developing affordable housing on Council-owned land, higher environmental standards for new affordable homes and the use of downsizing initiatives.
- **Opportunity** – deals with access to housing, homelessness, housing advice and allocations. This section seeks to increase the requirement for affordable housing on private developments to 35% (from 25%) on developments of fifteen dwellings or more – 70% of which should be social rented housing and 30% intermediate affordable housing. It also seeks to introduce, through the Local Development Framework and Affordable Housing Supplementary Planning Documentation a level of developer contributions to affordable housing on sites where the number of units provided is 14 or below.

5.2 The Strategy also makes recommendations for joint working with neighbouring authorities to develop a sub-regional strategy to accommodate predicted household growth.

6. **RECOMMENDED** that Scrutiny Committee – Community supports and Executive agrees:

- 1) to adopt the revised Housing Strategy document 2007-2012
- 2) that an annual report is submitted outlining progress against the Strategy's action plan.

HEAD OF HOUSING SERVICES

S:LP/Committee/907SCC13
23.8.07

COMMUNITY & ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling this report:

Exeter and Torbay Housing Market Assessment – Main Report and Exeter City Report
Planning Policy Statement 3 (PPS3)

EXETER CITY COUNCIL

SCRUTINY COMMITTEE - COMMUNITY 4 SEPTEMBER 2007

EXECUTIVE 18 SEPTEMBER 2007

NEW INCLUSIVE PLAY AREA AT KING GEORGE V PLAYING FIELD

1. PURPOSE OF REPORT

- 1.1 This report seeks in principle approval for Exeter Mencap to create a new inclusive play area at King George V Playing Field (KGV) in Countess Wear and to agree to a temporary disposal at less than best consideration to facilitate the scheme.

2. BACKGROUND

- 2.1 Exeter Mencap approached the Council in autumn 2006 with a proposal to provide a play area that would truly be suitable for both able and disabled children. A particular feature would be high fencing and appropriate gates that would prevent older autistic children from running out of the play area. The gates would remain unlocked at all times, but would be designed such that good dexterity is required to open them.
- 2.2 A number of possible sites were considered by Exeter Mencap, and it was decided jointly with the Council that the eastern corner of KGV would be the most suitable (see attached plan).
- 2.3 Exeter Mencap will apply for £250,000 of lottery money from the Playful Ideas funding stream, along with contributions from elsewhere. If the funding is approved, the lottery will require that the play area must be leased to Exeter Mencap for 10 years, and Exeter Mencap will be responsible for managing the play area throughout that period.
- 2.4 The equipment and other features will all be approved by the Council and will be broadly of similar durability as items that can be found in the Council's play areas. Almost without exception the equipment has been chosen by Exeter Mencap in order to be suitable and accessible for people with disabilities. This does not preclude non-disabled people from using the same equipment.
- 2.5 At the end of the lease, ownership of the play equipment would transfer to the Council.

3. PROPOSAL

- 3.1 It is proposed that the Council offers to make the land available at no charge via a 10 year lease. This would be a formal disposal of the land, which would allow Exeter Mencap to submit its funding bid with certainty that a suitable site will be forthcoming.
- 3.2 At this stage it is understood that the lottery will require Exeter Mencap to take ownership of the play area and to be involved in its routine management. As the Council maintains more than 60 play areas in the City it would be sensible and efficient for maintenance and day to day management to be undertaken by the Council, with play events and promotion of the play area being undertaken by Exeter Mencap. However, the

Council's involvement in maintaining and managing the play area needs to be looked at, as the lottery may not be satisfied with such an arrangement. Before any disposal took place the Council will need to be satisfied that the maintenance and management arrangements for the play area are satisfactory.

- 3.3 The Council has already agreed to a new community hall being sited in the east of KGV, subject to satisfactory funding from a number of partners. It is proposed that, as long as Exeter Mencap secure the necessary funding, the inclusive play area goes ahead as soon as possible regardless of whether the community hall project comes to fruition. The attached plan illustrates how the play area would fit into the site with or without the community centre. Either way, a path to the play area would be needed.

4. IMPLEMENTATION

- 4.1 KGV is owned by the Council, but the land is held in trust and there are conditions over how it may be used. The National Playing Fields Association (NPFA), which oversees all of the country's King George V Playing Fields, has verbally indicated that the proposed inclusive play area is ideal use of such an open space and although formal consent will be needed it anticipates that there will be no problem with the granting of the proposed lease. Consent of the Department for Communities and Local Government will also be required. In addition, there is a formal advertising process to be followed in connection with the disposal of land held for open space purposes and consideration must be given to any representations received.
- 4.2 It has been confirmed that planning permission will be needed for the play area. The planning application will be submitted by Exeter Mencap with assistance in terms of plans and specifications coming from the Council. If Sport England object to the planning application it will need to be referred to the Government Office for the South West.
- 4.3 There will need to be consultation with neighbours with a view to trying to address any concerns they may have. The only immediate neighbour is the Countess Wear Lodge hotel. They, along with the closest residents, have been informed of the proposals and their feedback will be reported to the committee.

5 RESOURCE IMPLICATIONS

- 5.1 In these circumstances the Council is entitled to dispose of the land at less than best consideration on the grounds that the scheme will clearly contribute to the social wellbeing of the community. It is proposed that the annual rental of the lease be a peppercorn, this representing an undervalue of £1,500 per annum (being the market rental value of the land).
- 5.2 The cost of inspecting and maintaining the play area is estimated at approximately £1,500 a year, assuming that no items of equipment need to be replaced during the first 10 years. The Parks & Open Spaces maintenance budget will need to be increased by this sum if it is invited by Exeter Mencap to maintain the play area. This could be funded by the project, by Exeter Mencap or by the Council.

6. EXETER CITY COUNCIL OBJECTIVES

- 6.1 In this case such a disposal furthers the Council's own strategic aims. The Leisure Strategy refers to the two shared priorities,
- improving the quality of life of children, young people, older people and families at risk
 - promoting healthier communities and narrowing health inequalities
- 6.2 In the play section of the Strategy, the outcomes which the Council is working towards are listed as including the completion of a network of fixed play provision for children and young people, including more adventurous play, and the support of community-led play development and improvement.
- 6.3 Assisting with the development would also meet the Council's objectives in providing equal access to all sections of society, and promoting inclusion generally.

7. RECOMMENDED that:

- 1) the Council approves the principle of leasing approximately the area shown on the attached plan to Exeter Mencap for a period of 10 years at a peppercorn rental (representing an undervalue of £1,500 per annum), and offers to maintain the play area during that period;
- 2) if Exeter Mencap's lottery application is successful the Council seeks the necessary consents for the disposal to go ahead, and if necessary funds the cost of maintaining the play area;
- 3) any representations arising from the public consultation on disposal be considered and if necessary addressed by the Heads of Leisure & Museums and Estates in consultation with the Portfolio Holders for Environment & Leisure and for Economy & Tourism.

HEAD OF LEISURE AND MUSEUMS

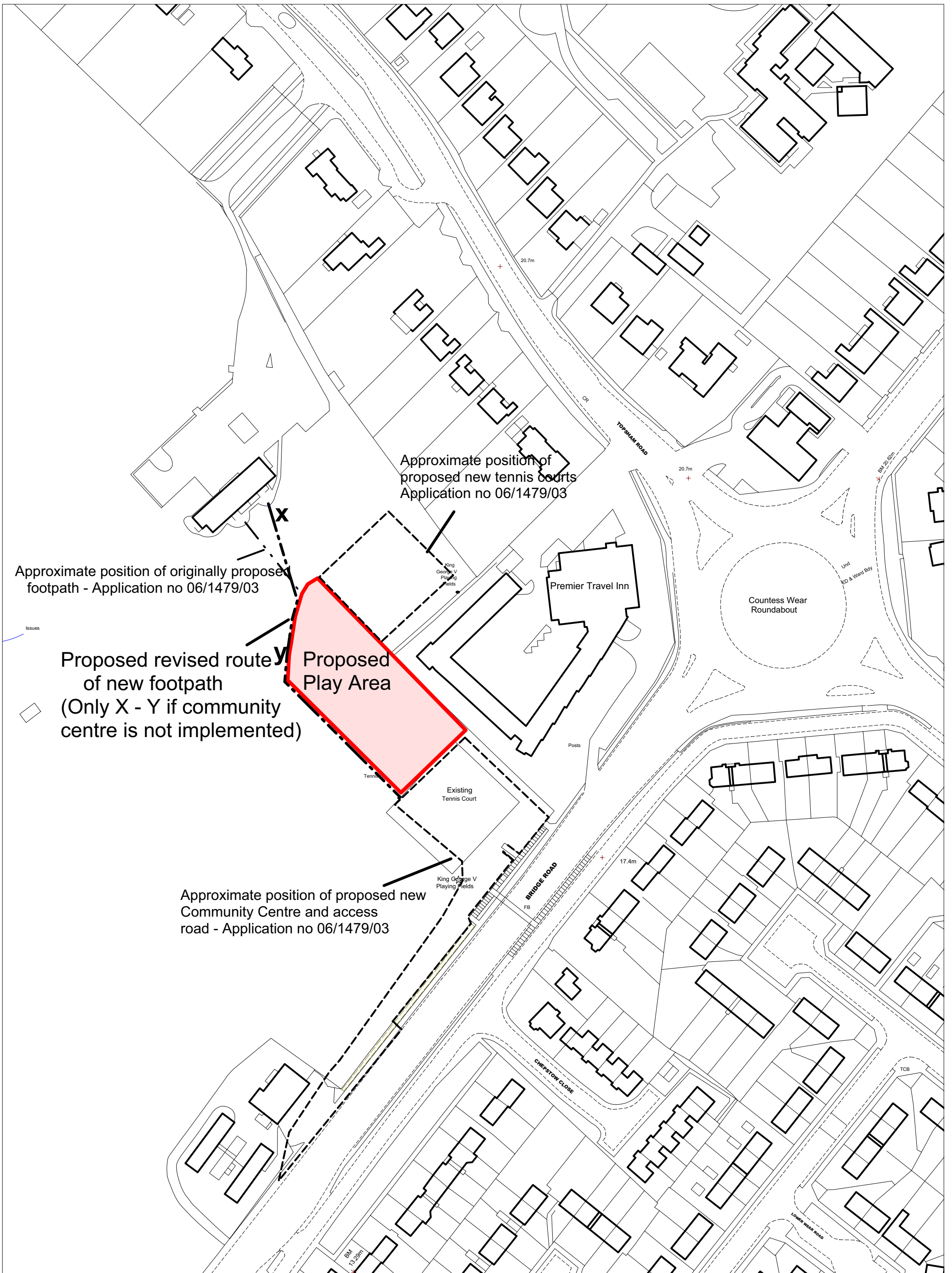
S:LP/Committee/907SCC3
23.807

COMMUNITY AND ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:

None

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EXETER CITY COUNCIL

SCRUTINY COMMITTEE – COMMUNITY 4 SEPTEMBER 2007

FEES AND CHARGES FOR EVENTS IN PARKS

1. PURPOSE OF THE REPORT

- 1.1 To propose the introduction of fees and charges for events in parks and open spaces.

2. BACKGROUND

- 2.1 Fees and charges have always been levied by the Council for the formal sporting use of open space such as football, rugby etc. The charges are based on the cost of maintaining the facility in an appropriate condition to ensure the use can continue. The use of open spaces for entertainment such as circuses has in the past been arranged through the Estates section.
- 2.2 Fairgrounds have historically not been allowed onto City Council land due to perceived neighbourhood nuisance issues, but were allowed onto Devon County Council land. Recent trials have shown that despite limited objections such events have a positive effect on increasing the legitimate use of parks and open spaces. The availability of land for such events, which requires an area at least similar to that of the average football pitch, has become very limited in recent years.
- 2.3 Many other Local Authorities charge fees for the use of public open spaces for a wide range of events and actively promote their use. Research has shown there is considerable variance in the fees charged.
- 2.4 The Health and Safety Executive provide a range of publications for guidance on the management of events, but it is clear from these that they see the landowner has a significant responsibility in ensuring any event is managed safely. In order to exercise the correct degree of control over events a short term post of Parks Events and Promotions Officer has been approved for three years. The remit of this postholder includes the active encouragement of a range of events from small scale events such as those held by playgroups to larger scale concerts in parks and open spaces.

3. PROPOSALS

- 3.1 In order to ensure the Council is not at a financial disadvantage when hosting commercial (for profit) events, a sliding scale of fees is being proposed to both cover the Council's costs involved in staging and vetting the suitability of external events for parks and open space. This will include carrying out any subsequent remedial works that to date have been absorbed within current budgets. Any income remaining will be used to subsidise additional community events which will further support legitimate use of parks and open spaces.
- 3.2 Research amongst other authorities showed a wide range of approaches and levels of charges. This research has informed the proposal which is outlined in Appendix I. The figures are based on the average of fees charged by others, moderated by the fact there is not an established market in Exeter. The fees would be reviewed annually alongside other fees and charges.

- 3.3 To ensure fees reflect the likely costs to the Council, and match the duration of the event, the charging system proposed is based on a set-up fee, followed by a daily fee
- 3.4 To avoid disadvantaging small community events and charitable events it is proposed they will pay only a deposit, refundable subject to the event remaining within the size stated and no unreasonable damage is caused during the event. The charges proposed for larger community and charitable events reflect the additional organisational work and on-site liaison that is usually required, but is still less than those for a commercial event.
- 3.5 It is recognised that there will be occasions where events, most usually community based, which the Council would wish to actively support. In such cases applications to waive or subsidise any fees can be made by the sponsoring service. Decisions would lie with the Head of Contracts & Direct Services in consultation with the Portfolio Holder for Environment & Leisure.
- 3.6 Running alongside this proposal a thorough review of documentation has been completed which will result in a suite of application forms designed to assist and simplify the process particularly for smaller organisations seeking to make use of spaces.
- 3.7 Members should note the as part of the process appropriate consultation with the police, Council health and safety and environmental protection staff and of course ward councillors will take place to ensure any concerns are addressed as far as possible before an event is approved. Where events are significant in size or impact every effort will be made to seek the views of local people.
- 3.8 There will also be a post event review process that will identify issues so as to continually improve the process.

4. CONCLUSION

4.1 The introduction of a clear scale of fees of charges will:

- Provide clarity to potential users of parks and open spaces for events
- Encourage the increased legitimate use of parks and open spaces particularly for small community and charitable events.
- Cover the costs to the council for staging such events which are currently absorbed within existing budgets.

5. RECOMMENDED

that Scrutiny Committee - Community:

- 1) agree the principle of charging for external events on open spaces; and
- 2) give their views on the proposed charges for introduction in 2008/9.

HEAD OF CONTRACTS AND DIRECT SERVICES

S:LP/Committee/907SCC14
23.8.07

COMMUNITY AND ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling this report:

None

Events on Open Spaces

Fees are calculated to cover costs occurred in managing events on Council land. Other terms and conditions will apply eg specific insurance cover. Fees for long running events by negotiation

	Fee £ p	VAT £ p	Total £ p	VAT Code
<u>Commercial events</u>				
Large circus/funfair (more than 200 seated/5 rides)				
Set -up	170.21	29.79	200.00	
Rate per day	340.43	59.57	400.00	
Small circus/funfair (less than 200 seated/5 rides)				
Set -up	127.66	22.34	150.00	
Rate per day	255.32	44.68	300.00	
Major event (in excess of 2000 persons attending)				
Set -up	212.77	37.23	250.00	
Rate per day	425.53	74.47	500.00	
Minor event (less than 2000 persons attending)				
Set -up	85.11	14.89	100.00	
Rate per day	212.77	37.23	250.00	
<u>Community events</u>				
Large event (in excess of 1000 persons attending)				
Set -up	170.21	29.79	200.00	
Rate per day	340.43	59.57	400.00	
Medium event (500 to 1000 persons attending)				
Rate per day	85.11	14.89	100.00	
Small event (less than 500 persons attending)				
Refundable deposit (held against reinstatement costs)	85.11	14.89	100.00	
<u>Charitable events</u>				
Large events (in excess of 1000 persons attending)				
Set -up	85.11	14.89	100.00	
Refundable deposit (held against reinstatement costs)	85.11	14.89	100.00	
Small events (less than 1000 persons attending)				
Refundable deposit (held against reinstatement costs)	85.11	14.89	100.00	

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EXETER CITY COUNCIL

SCRUTINY COMMITTEE - COMMUNITY 4 SEPTEMBER 2007

EXECUTIVE 18 SEPTEMBER 2007

TRADE WASTE RECYCLING COLLECTIONS

1. PURPOSE OF REPORT

- 1.1 To seek support from Scrutiny Committee Community and Executive approval to provide a trade waste recycling collection service in order to meet legal and customer requirements.

2. BACKGROUND

- 2.1 Under the Environmental Protection Act 1990 all local authorities have a legal obligation to provide a trade refuse collection and disposal service to trade customers located within their district boundaries. Waste generated by trade customers is classed as municipal waste. The Act states that local authorities must charge a reasonable rate for this service.
- 2.2 Exeter City Council has operated a successful co-mingled trade refuse collection service for many years. Regrettably all collections are sent directly to landfill as currently the service is not set up to recover recyclables from this waste stream.
- 2.3 The current trade customer base is just over 1,200 businesses, which are serviced by two crews and one refuse vehicle 5.5 days a week. Additional income generated by this service contributes to the overall running costs of cleansing services.
- 2.4 Approximately 4,000 tonnes of mixed trade refuse is collected and sent to landfill each year, of which an estimated 1,000 tonnes could potentially be recycled.

3. KEY DRIVERS FOR CHANGE

- 3.1 There are two major forces that are driving change in current practices relating to the collection of trade waste, namely potential Landfill Allowance Trading Scheme (LATS) charges and the Landfill (England and Wales) (Amendment) Regulations 2005 that comes into force on 30 October 2007.

Landfill Allowance Trading Scheme

- 3.2 An essential element of achieving a reduction in municipal waste (which includes trade waste) going to landfill is for the Council to find effective ways of reducing the amount of trade waste that goes to landfill. This means removing some or all of the recyclable waste from the co-mingled waste stream.

- 3.3 Although the existing recycling infrastructure has been directly funded mainly by council tax payers, trade customers have made an indirect contribution via revenue contribution to overheads and additional income to cleansing services.
- 3.4 Because trade waste collected by councils counts as municipal waste it falls within the LATS scheme. Trade waste collected by commercial companies does not. We could therefore be faced with additional disposal costs of around £150/tonne from 2010 onwards. It is therefore vital that the Council starts to take action soon if it is to be able to avoid having to pass on these charges to its trade customers.

Landfill (England and Wales) (Amendment) Regulations 2005

- 3.5 The Landfill (England and Wales) (Amendment) Regulations 2005 governs the activities of contractors that manage landfill sites. The aim of the Act is to reduce the negative effects on the environment of sending waste to landfill.
- 3.6 A keystone of the Regulations requires that, by 30 October 2007, all waste collected must be pre-treated in some way before it can be accepted for landfill. In essence, this means that some of the waste must be removed for recycling. Ultimately, it is the responsibility of the trade customer to pre-treat, however, they can pass this responsibility to their collection contractor and it is anticipated that this will be the likely choice for most customers. A number of options have been formulated which will ensure compliance with the legislation.

4. OPTIONS THAT WERE CONSIDERED

- 4.1 A working group considered five options. Consultation also took place with representatives of Exeter Chamber of Commerce, with the proposals from the working group. Feedback from the exercise led to a variation of the prime option under consideration.
- 4.2 Options considered were:
- (a) **Split vehicles** - the existing two crews do daily collections of both refuse and recycling in split vehicles, capable of separately collecting both waste types. Materials to be sorted in the MRF.
 - (b) **Standard and split vehicle** - the existing two crews do daily collections of refuse, and an additional split vehicle and crew collect recycling materials daily. Materials to be sorted in the MRF.
 - (c) **Standard vehicle and additional recycling vehicle(s)** - the existing two crews do daily collections of trade refuse, and one purpose-built vehicle with two person crew collects recyclables (initially paper and cardboard) once a week from each customer. Materials to be sorted in the MRF. A variation to this option has been added in light of consultation with the Exeter Chamber of Commerce, which is the addition of two smaller recycling vehicles, each with a two man crew - one capable of kerbside collection and one capable of emptying containers of co-mingled recyclables.
 - (d) **Third party provider** - work in partnership with a third party service provider that would collect and dispose of recycling materials, and the Council would continue to

provide refuse collection services only. The Council would be the single point of contact for the customer, and all invoicing for both refuse and recycling would be managed by the Council.

- (e) **Recycling service only** - using the current vehicles and crew, the Council stops refuse collection services and starts recycling only services. Materials sorted in the MRF.

4.3 For each of the above options the group considered the following key factors:

- the most suitable collection vehicles
- the most viable collection schedules – should collection of refuse and recycling take place at the same time, or would alternative collection times be more appropriate
- the impact on staff and crews
- the cost of sorting
- the change in revenue contribution
- attractiveness of the proposition to trade customers
- the impact on LATS charges
- availability and suitability of working partners
- likely uptake of existing and new customers
- full financial appraisal of all options
- compliance with the Council's environmental policies
- other commercial competition

4.4 The working group considered that a cautious approach should be adopted at the outset until a stable customer base for recycling services is established.

4.5 Option (e) to operate a recycling service only, was discounted as this option failed to meet the Council's statutory duty, and it would leave 1,200 waste customers without a service. The options to use a split collection vehicle (options (a) and (b)) were discounted due to the high cost of the vehicle and the difficulties these wider vehicles have in operating down narrow streets.

4.6 Working with a third party partner was given serious consideration as it initially appeared an attractive proposition. However, this option was eventually discounted as it would leave the Council to collect residual waste from trade, which would count towards its municipal waste tonnage going to landfill, but remove the income element derived from the sale of recyclables.

5. PROPOSAL

5.1 It is considered, therefore, that option (c), standard vehicle and additional recycling vehicle(s) option, would be the most appropriate option at this time. The Council could trial this approach by hiring a small caged vehicle during the first six months of service, and use two agency crew workers. If this approach proves to be successful, one or more purpose built vehicle(s) will need to be purchased at a later date and permanent crew members appointed. In future the Council could potentially expand its recycling collection services to include possible additional recyclables such as plastic, cans and glass. Any expansion of this service would be based on the overall success of the service, customer demand and sufficient income to support it.

- 5.2 In order to set up the pilot service as an addition to the existing trade refuse collection service, it will be necessary to employ a temporary administration officer for the period of the six month pilot, in order to deal with the additional administration involved. It is anticipated that on extending the pilot, the administration of the service will be either absorbed or the administrative support will be reviewed should take-up by customers exceed expectation.
- 5.3 The primary service would operate on a planned basis whereby the collection crew would go to designated areas on four days of the week (Monday to Thursday) and collect whatever paper and cardboard customers have put out for collection in branded clear sacks or branded tape provided by the Council. On Fridays the collection crew would collect, on request, additional paper and cardboard from those customers that generate large volumes of paper or cardboard and/or those that have particular storage constraints.
- 5.4 It is considered that an across-the-board fixed fee of £3.00 per week should be made to those trade customers wishing to take up the service. In return for this fee the Council will provide a weekly recycling collection service to all trade refuse customers. For those customers needing an additional collection on Fridays an additional fee of £3.00 per collection should be levied.
- 5.5 Subject to the overall uptake of this trade recycling service it is considered that, at worst, the service will break even and, at best, it could make a modest surplus which could be reinvested to provide future improvements to the service.

6. FINANCIAL IMPLICATIONS

- 6.1 The proposed service has been modelled on the assumption that 400 to 600 (33% - 50%) of the existing 1200 trade refuse customers will take up the recyclables collection service. Take up of 33% will effectively give a cost neutral position, whereas 50% take up will generate a positive revenue contribution of £32,000.
- 6.2 A combined capital and revenue bid has been made to earmark funding in 2008/09 allowing transition from the pilot scheme to a permanent trade recyclable collection service, dependant upon the success of the pilot.
- 6.3 On completion of the pilot, the council will be better placed to model a service that will meet customer demand and as well as attracting sufficient income to fund the service in the medium term.

7. RECOMMENDED

That Scrutiny Committee - Community supports and Executive approves:

- 1) the provision of a separate recycling collection service to trade customers as part of a six month pilot commencing in October 2007. Initially, the service will include the weekly collection of paper and cardboard only, but if successful, the service may be expanded to include other recyclables.

- 2) the hire of a vehicle for six months and the appointment of two temporary crew members for a six month period.
- 3) that a provisional charge of £3.00 per week per customer is agreed as an across-the-board fixed fee for the collection of recyclables once a week, with every additional collection charged at the same rate for the purposes of the pilot scheme.
- 4) that during the pilot, the provisional charge may be altered by agreement by the Head of Service and Portfolio Holder for Environment and Leisure.
- 5) on the pilot proving successful following review in Quarter 4, 2007/8, and subject to approval of a suitable budget, the Head of Environmental Health Services, with the agreement of the Portfolio Holder for Environment and Leisure, purchases either:
 - a new purpose built kerbside sorting vehicle at a capital cost of £100,000 and annual revenue cost of £50,000 (two person crew); or
 - purchases two smaller vehicles at a total capital cost of £100,000 and an annual revenue cost of £100,000 (2 x two person crew);dependent upon the demand from trade customers and sufficient income derived to support the option.
- 6) the appointment of a temporary admin support officer (Grade 3 - subject to job evaluation) for a six month period to input necessary data changes to trade customer records at a cost of £10,112.

HEAD OF ENVIRONMENTAL HEALTH SERVICES

S:PA/LP/ Committee/907SCC4
23.8.07

COMMUNITY & ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended) Background papers used in compiling this report:

None

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EXETER CITY COUNCIL

SCRUTINY COMMITTEE – COMMUNITY 4 SEPTEMBER 2007

EXECUTIVE 18 SEPTEMBER 2007

ST ANDREWS ROAD AFFORDABLE HOUSING DEVELOPMENT

1. PURPOSE OF REPORT

- 1.1 To seek a declaration that a parcel of Council owned land off St Andrews Road, Exwick (shown edged black on the attached plan), is surplus, and to obtain approval for the disposal of the subject land to Sanctuary Housing Association (SHA), at less than best value, any capital receipt to be ring fenced to grant aid an affordable housing scheme on the site and to cover the cost of enabling works both on and off site.

2. BACKGROUND

- 2.1 This site was identified when work was recently undertaken to identify potential infill sites, suitable for the development of affordable housing, on Council owned land. Part of the site is a remnant of land that was not included in the disposal of the neighbouring Exwick Mill site, and part was originally acquired to enable flood defence work. Flood defences on this land were not required as a result of the construction of the flood relief channel. Subsequently there were proposals to use this land to provide a relief road linking St Andrews Road with Station Road but these have since been dropped. The land, which is held under the Council's General Fund, is therefore surplus to operational requirements.
- 2.2 Planning Services have confirmed that a residential development on the land would be acceptable. Design work has been undertaken in conjunction with Sanctuary Housing Association (SHA) and a planning application for up to 27 dwellings is expected to be submitted shortly. These would comprise a mix of one, two and three bedroom flats.
- 2.3 The Service with responsibility for the land, Contracts and Direct Services, have been consulted and are supportive of the scheme although they have identified a number of enabling works that they would require if the land were to be disposed of. These include; the construction of a Devon bank to separate the development from the adjacent valley park; the provision of a cycle route over the site, which would ultimately link up with Station Road; additional planting and landscaping on site and elsewhere in the valley park, as well as on the other side of the river; and improvements to the Station Road Play Area. It is also likely that further enabling works and or cash contributions will be required as a condition of any planning consent. These would be dealt with under a Section 106 agreement linked to the planning consent.

- 2.4 Depending upon the final layout of the scheme it is likely that to enable the construction of a Devon bank, as referred to at 2.3 above, it will be necessary to acquire a narrow strip of land from the Environment Agency. The EA have agreed in principle to transfer this land to the Council but a value has not been agreed.
- 2.5 It is anticipated that the Council would dispose of this site to SHA by way of 125-year lease under which they would procure the affordable dwellings. Delegated Powers were agreed by Executive on 4 July 2006 to allow the disposal of Housing Revenue Account land for affordable housing, but as this land is held within the General Fund a specific approval is required for this disposal.
- 2.6 It remains too early to precisely assess the Market Value as many aspects of the proposed scheme have not yet been defined. However, Estates Services have prepared a desktop appraisal and it is anticipated that a developer might be prepared to pay in the region of £600-£800,000 for the site on the open market, less the cost of acquiring the strip of land from the Environment Agency, the costs of enabling works and costs associated with a section 106 agreement.
- 2.7 Under normal circumstances a scheme such as this would not be brought before Executive unless it had been fully crystallised and planning consent obtained. However, the Housing Corporation have previously approved £475,000 of Social Housing Grant to another SHA scheme that will not now proceed. In order that this funding can be reallocated to this scheme, SHA need to be able to demonstrate to the Housing Corporation that they have the Council's in principle decision to transfer the land to them, otherwise this funding will be lost. SHA will also need to bid for further Social Housing Grant funding as this is a larger scheme and an in principle decision will enable them to do so at an early stage.
- 2.8 In order that a scheme on this site can be viable Housing Services expect to have to provide further assistance to SHA. This might be achieved either by a less than best disposal or by recycling any capital receipt in excess of the cost of the enabling works as grant.
- 2.9 The Council would receive full nomination rights to all of the properties in perpetuity.

3. PROPOSAL

It is proposed that:

- 3.1 The land be declared surplus.
- 3.2 Delegated powers are granted to the Head of Estates Services, in consultation with the Leader, the Portfolio Holder for Housing and Social Inclusion, the Portfolio Holder for Community and Environment, and the Heads of Service for Treasury, Housing, and Contracts and Direct Services, to dispose of the land to Sanctuary Housing Association by way of a 125-year lease, at or below market value for affordable housing, subject to 100% nomination rights being granted to the City Council in perpetuity.

3.3 Any capital receipts are ring fenced for use in grant aiding affordable housing and for the acquisition of the Environment Agency land. The Head of Treasury Services to allocate the receipt within the capital programme.

4 RESOURCE IMPLICATIONS

4.1 Any capital receipt would be recycled to grant aid the scheme, to cover enabling works on and off the site, and to finance the acquisition of the Environment Agency land.

4.2 There is no revenue implication associated with this transaction or any impact on the current capital programme.

5 RECOMMENDED that:

- 1) The above proposals are supported by Scrutiny Committee Community and agreed by Executive.

HEAD OF HOUSING SERVICES

S:LP/Committee/907SCC18
24.8.07

COMMUNITY & ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report

None

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EXETER CITY COUNCIL

SCRUTINY COMMITTEE - COMMUNITY 4 SEPTEMBER 2007

COMMUNITY SAFETY ANNUAL REVIEW

1. PURPOSE OF THE REPORT

To give Members an opportunity to comment on the progress of the work by the Exeter Community Safety Partnership to deliver the actions in the Community Safety and Misuse of Drugs Strategy 2005 - 8. The 2006/7 Annual Report is attached at Appendix I.

2. BACKGROUND

2.1 The Exeter Community Safety Partnership was established under the Crime and Disorder Act 1998.

2.2 The current membership is

Exeter City Council
Devon and Cornwall Constabulary
Devon County Council
Devon and Cornwall Police Authority
Devon Primary Care Trust
Devon and Somerset Fire and Rescue Service
Devon and Cornwall Probation Area of the National Probation Service
Exeter Business Forum
Youth Offending Service
Exeter Council for Voluntary Services
HM Prison Exeter
Exeter Drug and Alcohol District Implementation Group
Devon Partnership NHS Trust

3. CURRENT STRATEGY 2005 – 8, TARGETS and REVIEW

3.1 In summary, the themes of the strategy are

Alcohol and alcohol-related crime	Anti-social behaviour
Domestic Violence	Drugs and drug-related crime
Prolific and other priority offenders	Vulnerable victims

3.2 The targets for the three-year strategy were largely laid down. The national target is to reduce crime in specific categories, as shown below, by 15%, which translates into a target of 16.9% for the South West, and 17.5% for Exeter. This overall target was then sub-divided into targets for the specific crime types being measured by the Home Office. The targets were based on the 2003/04 figures.

	% reduction	Base figure 2003/04	Reduced figure by March 2008
Domestic burglary	12%	565	497
Theft from the person	10%	221	199
Robbery	10%	74	67
Theft of vehicle	10%	364	328
Theft from vehicle	20%	1,598	1,278
Vehicle interference	20%	119	95
Theft of pedal cycle	20%	408	326
Common assault	17%	661	549
Wounding	17%	1,383	1,148
Criminal damage	19%	2,525	2,045

3.3 The work of the Community Safety Partnership is, however, seen as even longer term than a three-year strategy. The principles of early identification and early intervention, with diversion and support, have been agreed as the way forward.

3.4 The figures for these crime categories at the end of March 2007 are shown below.

	Reduced figure by March 2008	March 2007
Domestic burglary	497	570
Theft from the person	199	226
Robbery	67	63
Theft of vehicle	328	277
Theft from vehicle	1,278	1,233
Vehicle interference	95	135
Theft of pedal cycle	326	418
Common assault	549	496
Wounding	1,148	1,104
Criminal damage	2,045	2,593

3.5 The focus over the past year has been on reducing violent crime offences, and this has been successful, as shown above. Figures for burglary have increased from last year, largely due to sprees by a couple of individuals. Criminal damage remains a concern, which is reflected nationally.

3.6 It is likely that the Home Office focus for measurement of partnership performance is going to change next year. The latest Crime Strategy puts more emphasis on crime which has the biggest impact on victims – violent crime – and on the development of neighbourhood engagement.

4. RECOMMENDED

That the Exeter Community Safety Partnership progress be noted.

EXETER COMMUNITY SAFETY PARTNERSHIP

S:LP/Committee/907SCC15
23.8.07

CHIEF EXECUTIVE'S DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:

Exeter Community Safety Strategy 2005 - 2008

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EXETER COMMUNITY SAFETY PARTNERSHIP

ANNUAL REPORT 2007

A. OVERALL

The crime figures for the year April 2006 to March 2007 show a marginal increase of 0.4%. However, in terms of the ten British Crime Survey (BCS) Comparator Crimes, by which the partnership is measured by the Government Office South West and the Home Office, there has been an increase of 3.8% on last year. These increases follow decreases of 10% and 11.9% respectively in the previous year.

The table below shows the comparison of the 10 BCS crimes against the 2003/4 baseline figure. We are still on track for the required 17.5% reduction from those 2003/4 figures by the end of 2007/8, though this performance is considerably threatened by the current numbers of criminal damage offences being reported.

April 2006 to March 2007		EXETER			
		Target	Recorded 2006/07	Recorded 2003/04	%age Change
Crime	Domestic burglary	Reduce by 12%	570	565	0.9%
	Theft from the person	Reduce by 10%	226	221	2.3%
	Robbery	Reduce by 10%	63	74	-14.9%
	Theft of vehicle	Reduce by 10%	277	364	-23.9%
	Theft from vehicle	Reduce by 20%	1233	1598	-22.8%
	Vehicle interference	Reduce by 20%	135	119	13.4%
	Theft of pedal cycle	Reduce by 20%	418	408	2.5%
	Common assault	Reduce by 17%	496	661	-25.0%
	Wounding	Reduce by 17%	1104	1383	-20.2%
	Criminal damage	Reduce by 19%	2593	2525	2.7%
	Total - these crimes		7115	7918	-10.1%
	Total - all recorded crime		12449	14332	-13.1%

The year saw a continuing effort to work through the changes in the structure and funding of community safety work across Devon, largely brought about by the development of the Local Area Agreement (LAA). There is now an established Safer Devon Partnership (SDP), but further discussions are still ongoing about the governance and accountability for community safety work across Devon. This has taken a considerable amount of time, partly because of the uncertainty over recommendations likely to arise from the government's review of the Crime and Disorder Act

The introduction of the LAA led to substantial change in the way funding was allocated for 2006/7, with further significant changes being discussed.

B. PROJECTS

Funding was limited during the year, so the additional projects were fewer in number than previously.

1. Youth service diversion work

Targeted work by the Youth Service over several years has seen reductions in anti-social behaviour in certain areas at certain times of year. For example, diversionary activity during the Halloween/Bonfire Night period has been effective in reducing such ASB, and the partnership has funded additional service provision at this time, and during the summer holiday period.

2. Phoenix

This is a project run by the Fire Service to offer a week-long course to young people who have been involved in fire-setting. The course gives them an insight into the dangers of fire-fighting, but also gives discipline and a sense of team spirit. Arson is potentially the most damaging and most expensive of all crime against society, and the Partnership funded places on this course in order to provide some early intervention work with young people identified as being at risk.

3. SPLASH

SPLASH holiday diversion schemes have been supported by the Partnership for some years. Last year's funding enabled the extension of the scheme to other holiday periods through the year.

4. Capital funding

There is a requirement under Home Office rules to use a certain proportion of the allocated funds to purchase capital items.

During last year, the partnership was therefore able to support the expansion of the EBAC (Exeter Businesses Against Crime) radio link system to areas beyond the immediate city centre. The aerials purchased using this capital money have extended the range of cover to Heavitree and St Thomas.

Some of the capital funding was also used to purchase 2 head cameras for use by the police. These are cameras which are worn on the caps, and they provide both immediate direct evidence of behaviour and a deterrent. Concerns have been raised about possible confrontation and escalation of the situation in some cases, but the evidence seems to suggest that they have worked well. Indeed the Home Office is now making further funding available through police services.

The Partnership's own funds were used to contribute to work across all of the themes, usually making small amounts available quickly to support community initiatives, or supporting publicity work on behalf of the various Action Teams.

C. RESPECT

The other main focus of work during 2006/7 was the Respect agenda and the development of Exeter's status as a Respect Action Area. This required a commitment to tackle anti-social behaviour, with a step-up in the use of the available tools and powers to the police and local authority. The City Council Housing Department was an early signatory to the Respect Housing Management Standard.

There was also a requirement to establish a Family Intervention Project (FIP). These projects were pioneered in Dundee in the 1990s, and they are now being rolled out across the country in Respect Areas. FIPs work with those families who cause the most disruption to the communities in which they live. These families are likely to be known to all of the statutory agencies, and they are likely to have several key staff working with them.

After a full tendering process, working with Devon County Council Children and Young People's Commissioning Team, NCH (National Children's Homes) have been commissioned to provide the service, and work is now in hand to staff the project and start working with families.

The ongoing work to tackle anti-social behaviour was aided by the appointment on secondment of Steve Stewart, who brought an understanding of the issue from a practitioner's perspective from his work in the Community Patrol service.

The Partnership Escalation Process has been reinforced, and a more regular weekly team meeting has been established to maintain a focus on tackling known individuals, areas and types of behaviour. This new procedure is still bedding down, but has already shown the value of the regularity and consistency of attendance.

Considerable use has been made in the city of the Section 30 Dispersal Zones. These designations give the police the power to disperse groups of 2 or more people who are behaving (or are likely to behave) in an anti-social manner. The zones are requested by the police in response to particular, usually short-term, issues in local areas. The Zone in the city centre has been consistently renewed,

but most others have been used for short spells to focus activity on particular trouble spots. Some zones have been renewed to deal with recurring problems at particular times of the year – eg Halloween.

To date, there have been Section 30 Dispersal Zones in the city centre, Burnthouse Lane, Countess Wear, Exwick, Pinhoe, Cowick Street, Buddle Lane, Whipton Barton, Beacon Heath and the Canal basin. Some of these have been extensive areas (Countess Wear), others only a few streets.

The effectiveness of Section 30 Dispersal Zones is due to be assessed over the whole police service area of Devon and Cornwall. However, in Exeter, the effect has been mixed. The successful zones have, in general, been those which have been adequately resourced, and which have been used as part of a wider package of measures – eg targeting prominent individuals, providing youth outreach diversion work. Zones provide some respite for residents, but with some evidence of displacement and recurrence. Longer-term solutions require multi-agency engagement, commitment and resources.

D. OTHER WORK

There was a reduction in alcohol-related crime and violence during the year. However, many of the criminal damage offences are thought to be alcohol-related, linked to the late-night economy, and so this remains a major focus of attention.

The 3 strikes campaign was started during the previous year, but has proved very successful. It is an initiative by the police Community Safety Team and Licensing Department to tackle alcohol-related disorder, usually in the evening economy, and linking to the anti-social behaviour escalation process, so that repeat offenders can face bans from city centre pubs and clubs, and then ASBOs. A new website has been established to improve the sharing of information about banned offenders.

There was a significant publicity campaign launched just before Christmas last year, working with the Safer Devon Partnership (SDP) and the Devon Drug and Alcohol Action Team (DAAT). The “Think Safe, Drink Safe” campaign contributed to a reduction in alcohol-related crime during the year.

The work of the Domestic Violence Forum – or ADVICE (Against Domestic Violence In the City of Exeter) – continued to focus on the need to increase awareness of the issue, and thereby increase the reporting of offences to the police and other agencies.

The national awareness-raising week in November was supported, with a high-profile march in the High Street, ending at the War Memorial on Cathedral Green.

The other projects developed in Exeter during the previous year, largely under the auspices of the Devon partnership – Against Domestic Violence and Abuse (ADVA) – have continued to thrive and a new service has also been introduced.

- There is now a co-located multi-agency unit involving police, social services and Women’s Aid – Exeter Domestic Abuse Support Unit (EDASU).
- There is a Specialist Domestic Violence Court (SDVC) at Exeter Magistrates Court.
- There is an established Multi-Agency Risk Assessment Conference (MARAC) process in place.
- There is an established Outreach service through Exeter Women’s Aid.
- A Sexual Assault Referral Centre (SARC) has been established.

The Prospects Approved Premise is now being run by Devon and Cornwall Probation Area after a difficult opening period. Some small changes to the referral criteria have enabled the project to operate at closer to capacity.

The Prolific Offender Resettlement through Co-ordinated Housing (PORCH) project has come on stream, and is already making a significant contribution to reducing re-offending by helping release prisoners find and maintain more settled accommodation.

E. NEW DEVELOPMENTS

The last year has seen an increasing focus on neighbourhoods. The City Council’s own pilot community engagement areas are closely linked with the development of neighbourhood policing, including the deployment of Police Community Support Officers (PCSOs).

There have also been additional PCSOs engaged by the police but funded by the City Council to focus on the crime and disorder issues in the city centre. These 2 officers work closely with the CCTV Control Room and the Exeter Businesses Against Crime Manager, but also provide a consistent reassuring presence to the public.

The Crime and Disorder Act Review includes requirements for community engagement and involvement, including Community Call for Action. This is being developed in partnership and co-operation with other agencies, and will clearly be the direction of work for the future.

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EXETER CITY COUNCIL

SCRUTINY COMMITTEE - COMMUNITY 4 SEPTEMBER 2007

PLANNING COMMITTEE 10 SEPTEMBER 2007

COMMUNITY FACILITIES ON NEW DEVELOPMENTS

1. PURPOSE OF REPORT

- 1.1 To respond to a request that Members be advised as to progress in enforcing the requirements for open space and other community facilities, required by agreements under section 106 of the Town and Country Planning Act 1990 (“section 106 agreements”) in relation to new developments, and to advise Members of the work of a group of officers in this regard.

2. BACKGROUND

- 2.1 Following a meeting of the Planning Member Working Group in August 2005, various steps were taken to improve the monitoring, implementation and enforcement of section 106 agreements, particularly those relating to open space and play areas.

3. PROGRESS TO DATE

- 3.1 The database used to monitor developers’ financial obligations was expanded in 2005 to contain information about the contents of all section 106 agreements, to enable physical requirements to be monitored as well as financial contributions. Since December 2006, all new agreements have been entered in the Council’s Acolaid case management software, which now contains a module designed for this purpose.
- 3.2 This has proved valuable in cases where a buyer’s solicitor has asked whether an agreement has been complied with. Where the agreement in question has been included in the database, the work involved in ascertaining whether the agreement has been complied with has been minimal, whereas otherwise it has tended to involve extensive enquiries.
- 3.3 In parallel with this, a working group of officers has been set up, whose role is to achieve the effective implementation of section 106 agreements relating to the provision of open space and other community facilities. It is chaired by the Planning Solicitor and comprises those most directly involved in the process (Development Control Manager, Leisure Manager, Parks and Open Spaces Manager, a Senior Valuer, and the Implementation Officer) in addition to which an Area Planner attends the meetings on a rotational basis. Recently the group has been extended to include Environmental Health Officers, because the provision of open space frequently involves decontamination and other environmental issues.
- 3.4 This group meets every two months, dealing in rotation with the sites within each of the three areas covered by Planning Services. Each area is therefore considered every

six months, although sites are considered as the need arises in between formal meetings. This has resulted in progress with a number of adoptions, with recalcitrant developers being chased up.

- 3.5 As a result of the improved monitoring by the group and use of the database, breaches of obligations are being identified and reported to Land Charges section so that an appropriate note appears in response to searches. This process secured completion of the Exwick Community Centre before all the dwellings at Medley Court had been sold.
- 3.6 During the lifetime of the group, facilities on several sites have been completed, including the following. (In some of these cases the transfer of the land has yet to be completed, but the developer has finished all physical works.)
- Exwick Community Centre, Kinnerton Way, including the MUGA (multi-use games area);
 - Fleming Way play area (Princess Elizabeth Orthopaedic Hospital);
 - Gras Lawn;
 - Haven Banks play area (improved with contributions from Chandlers Walk and Willeys Avenue developments);
 - Hoopern Valley play area (Horseguards);
 - Hylton (play area);
 - Orwell Garth (Galsworthy Square);
 - Powlesland Road, Alphington;
 - Round Table Meet;
 - St Thomas Pleasure Ground play area (Prospect Place).

Sites which are still under construction, or where significant problems remain, are detailed in Appendix 1 to this report.

- 3.7 In addition, closer monitoring has enabled breaches to be spotted at an early stage and rectified. An example is the Persimmon and Barratt development at Kings Heath, Digby, where a shortfall in the provision of affordable housing was identified on the Persimmon part of the site. This has since been rectified. On the same site, the developers were late in supplying the performance bond which we now require as a matter of course, in case the developer goes into liquidation. This was also rectified, following the service of formal notices by the Council.

4. CURRENT SITUATION

- 4.1 There has been better early monitoring of developments commenced since the establishment of the group. A good example is Wyvern Barracks where the implementation of the open space has proceeded relatively smoothly, albeit that the developer has been particularly co-operative. At Richmond Yard, monitoring has enabled us to identify problems with the installation of the play equipment, meaning that it should be possible to rectify matters without delay.
- 4.2 What is proving more time-consuming for the group is a small number of sites where development was already complete. The most problematic are Lavender Road, Exwick (Barratt) and Polsloe Priory (Persimmon). The developers have had little incentive to remedy the outstanding issues, other than that they continue to remain liable for the land until it is transferred to the Council, and it is only through constant pressure by officers that any progress is being made at all. There is no simple enforcement notice procedure for planning agreements.

- 4.3 Officers were determined that there should not be a repeat of these problems with the Barratt/Persimmon development at Kings Heath, Digby, a development of about 670 dwellings where the section 106 agreement provided that certain things should happen before occupation of the 300th dwelling, namely completion and transfer of the open space, but also completion of remediation works and monitoring requirements and certification of those matters by an environmental consultant, provision of collateral warranties by that and any other consultants, and payment of a commuted sum. However, if remediation works were required (which they were), the agreement recognised that provision of the facilities would take longer, and provided for the timetable to be "as otherwise agreed". In July 2006 agreement was reached with Barratt and Persimmon that 50 dwellings (25 each) would not be sold or occupied until all these matters had been completed.
- 4.4 In breach of that agreement, Persimmon have sold at least 4 dwellings already, with others being actively marketed. Some of Barratt's 25 dwellings are being actively marketed and they have exchanged contracts to sell at least one. Although no sales have been completed to our knowledge, they have not responded to a request for confirmation that they will not complete sales of any of the 25 dwellings. Barratt own the open space land and are doing the works on behalf of both developers. They are in breach of the agreed timescale which envisaged the work being completed last autumn.
- 4.5 The Head of Legal Services is therefore preparing to apply to Court for an injunction preventing Persimmon and Barratt from selling the restricted dwellings until the open space and play area have been completed, the other requirements listed above have been complied with, and the land has been transferred to the Council.

5 RECOMMENDED

- 1) that the contents of the report be noted;
- 2) that Planning Committee endorse the actions of the Head of Legal Services in applying for an injunction in relation to the Kings Heath development, as described in paragraph 4.5 of the report.

ROSS HUSSEY
PLANNING SOLICITOR

BAAN AL-KHAFAJI
HEAD OF LEGAL SERVICES

S:LP/Committee/907SCC10
23.8.07

CORPORATE SERVICES DIRECTORATE

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

Section 106 agreements for the sites referred to.

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**SITES UNDER CONSTRUCTION BEING MONITORED BY THE
COMMUNITY FACILITIES IMPLEMENTATION GROUP**

Site	Developer	Status	Key issues
Digby (Kings Heath)	Barratt and Persimmon	Under construction, nearing completion.	Developers are working on main area of open space and MUGA. Priority is to have the MUGA and surrounding area adopted, but it is likely to be autumn 2007 at the earliest before that area can be completed as there are still issues to be resolved. A note is being put on local search responses to prevent sale of 50 houses until the works are complete. Developers have breached this requirement and an injunction is being sought.
Hylton	William Sutton	Development completed.	Although the play area has been adopted, the open space requires remedial work before it can be transferred to the Council.
Lavender Road	Barratt	Development completed.	Play area installed but remedial work needed prior to adoption, including drainage works, relaying of safety surfaces and replacement of planting. Council has suggested adoption subject to developer paying a sum for remedial works.
Medley Court (Exwick Community Centre)	Persimmon	Development completed.	Community facilities and MUGA complete, and for the most part they are on the Council's land. Developer has delayed transferring the remaining land because it wishes the Council to adopt some additional areas. Discussions continuing. (This site is included in the list in paragraph 3.6 of the report because the facilities are complete and in use.)
Princess Elizabeth Orthopaedic Hospital	Bovis	Development completed.	Open space is being adopted in two phases:- Phase 1 – Adoption being delayed by dispute between developer and housing association as to area to be adopted. Phase 2 – legal work under way. Play area is in use, being maintained by ECC although not yet adopted.
Polisloe Priory (Rougement Mews)	Persimmon	Dwellings complete, open space nearing completion.	Several issues outstanding before open space and play area can be adopted, including boundary issues, matters relating to Microbac plant, certification of remediation works, tree survey, records of knotweed treatment, remedial works to play area and production of

Richmond Yard	George Wimpey	Under construction.	RoSPA report, replacement of some failed planting, lighting to path. Small play area being provided on site by the developer for adoption by ECC. Some work done to wrong specification, which developer has agreed to rectify. Contribution of £25,000 for off-site facilities has been paid.
St Peters Mount	Redrow and Knapp	Development completed.	Discussions under way with developer over indemnity and insurance in respect of drainage issues in woodland area. Remaining areas of open space (within the housing development) being adopted in advance of this – legal work almost complete.
Summerway	Midas for Exeter Housing Society	Development completed.	Play area being provided in adjacent park. Design under consideration with a view to being installed in about May 2008. MUGA is still under consideration.
Wyvern Barracks	C G Fry	Under construction.	£30,000 is held from two other adjacent schemes to contribute to facilities on this site. Physical works on site and legal work for adoption almost completed.

S:LP/Committee/907SCC10 Appx I
13.8.07

EXETER CITY COUNCIL

SCRUTINY COMMITTEE - COMMUNITY

4 SEPTEMBER 2007

ROGERS REVIEW OF ENFORCEMENT PRIORITIES FOR LOCAL AUTHORITY REGULATORY SERVICES

1. PURPOSE OF THE REPORT

- 1.1 This report outlines the Rogers review into priority areas of local authority regulatory enforcement, and places it within the context of the Government's drive for better regulation.

2. BACKGROUND

- 2.1 Local Authorities considered collectively represent the country's largest enforcer, with most enforcement activity in environmental health, licensing and trading standards. The latter is currently a county council function in Devon, but this will change with unitary status. Within the Council, the former two functions come within Environmental Health Services.
- 2.2 The Hampton Review in 2005 recommended a new approach to regulation, with the emphasis on focusing on higher risk businesses or premises, rather than routinely carrying out inspections across the board. Enforcement is focused on higher risk businesses with a poor record of compliance, but with a lighter touch to those businesses showing good compliance. The Local Better Regulation Office (LBRO) a non-departmental public body has now also been formed as a result of this review.
- 2.3 This was followed by the Macrory Review of regulatory penalties, which recommended giving regulators a new flexible 'tool-kit' of sanctions to use against those who break regulations. The aim is that rogue businesses that repeatedly flout the law, will face quick, meaningful and proportionate penalties. The review was accepted by Government in November 2006 leading to the Regulatory Enforcement and Sanctions Bill, currently subject to consultation with a likely implementation date of April 2009 following royal assent.
- 2.4 The Government states that it is committed to making regulation work for everyone and in response to these reviews a significant programme of reform to regulation and enforcement is underway, with the objective of delivering better outcomes to consumers, workers and citizens by the most efficient and effective means. The emphasis of these changes is this not on de-regulation but on better regulation, as the Government views regulation to have an important part to play. The Rogers Review is thus the third significant review in the theme of better regulation and sets to guide local authorities into concentrating regulation enforcement in particular areas.
- 2.5 In Exeter, significant progress has already been made in Environmental Health Services, with a risk-based approach being integrated to all planned inspections of premises in relation to food hygiene, health and safety at work and private sector housing. The implementation of mandatory licensing of HMOs and smoke-free

legislation are both examples where the Council has successfully placed a great deal of effort into assisting private landlords and businesses to comply with the new legislation.

National Enforcement Priorities

2.6 The aim of the Rogers Review is to provide clarity around the competing expectations and priorities that exist; help local authorities plan resources; improve the effectiveness of enforcement and support local authorities in spending less time on some activities or finding alternative ways of fulfilling their obligations. Nevertheless, local authorities must continue to meet the minimum enforcement level set out in domestic or European law for any activity where there is a statutory obligation.

2.7 The Rogers Review recommended five national priority enforcement areas as follows:

- 1) Air quality, including regulation of pollution from factories and homes *(because it impacts on whole populations and contributes to climate change)*
- 2) Alcohol, entertainment and late night refreshment licensing and its enforcement *(because licensing helps to control the significant ill-effects alcohol has to all parts of society, and alcohol fuels anti-social behaviour and violence, particularly affecting the young and vulnerable)*
- 3) Hygiene of businesses selling, distributing and manufacturing food and the safety and fitness of food in the premises *(because of the high impact in terms of deaths and ill-health caused by unhygienic food businesses and the high costs to the economy)*
- 4) Improving health in the workplace *(due to the high risks posed to individuals, their families, and damage to business and to the economy as a whole)*
- 5) Fair trading - trade description, trade marking, mis-description, doorstep selling *(because of the huge economic damage caused by rogue trading and mis-selling and the impact on individuals, particularly the vulnerable and elderly)*

2.8 The review also recommended an additional time limited enforcement priority of:

- Animal and public health, animal movements and identification *(because of the huge economic impact of animal infections such as foot and mouth disease)*

Local Enforcement Priorities

2.9 The review sought to identify national priorities affecting all local authority areas, but it also recognised that there are other key areas that have a significant impact on the well-being of local communities and the quality of life of its citizens.

2.10 Policy areas that have been identified as local priorities in areas where problems exist are as follows:

- Local environmental quality
- Operation of the housing health and safety rating scheme (HHSRS)
- Licensing of houses in multiple occupation (HMOs)
- Contaminated land
- Noise nuisances
- Underage sales
- Consumer credit
- Imported food

3. PROPOSALS

- 3.1 Local environment quality is a significant issue for Exeter's citizens and businesses. Dog fouling, litter, fly-tipping and graffiti all contribute to a general feeling of neglect and blight, which in turn damages a community's perception of their neighbourhood. Along with providing and emptying litter and dog bins, it is important to persuade people to take responsibility for their litter, and research has shown that besides education, enforcement has a key role in changing people's attitudes. In the last 12 months, 755 fixed penalty notices have been issued by the Council's Litter Enforcement Officers and Dog Wardens, the majority (648) being for litter.
- 3.2 Many local authorities have expressed surprise that both HMO Licensing and operation of the Housing Health and Safety Rating System (HHSRS) appear as "short-listed/potential local priorities" rather than national priorities. Peter Rogers has explained the lack of evidence of housing enforcement activity nationally in this area as the reason for it failing to reach the national priorities, however, there is no doubt that this area of regulation is particularly relevant in urban areas such as Exeter, where there is a large private rented sector. Decent homes giving healthy and safe housing, make a significant contribution to the well-being of communities and the health of citizens. We have as many as households living in houses in multiple occupation (HMOS) as in council houses.
- 3.3 In the first four months of 2007/08, 56 notices have been served on HMO landlords in respect of poor conditions found in the city. Poor and unsafe housing conditions have a significant impact on a person's health and well-being, particularly the young and old. For example, in the UK there are around 25,000 excess winter deaths every year caused by poorly insulated and inadequately heated homes. Excess cold is the chief Category 1 Hazard identified by the Housing Health and Safety Rating System (HHSRS) when officers inspect dwellings, alongside falls and overcrowding.
- 3.4 With around 2000 complaints of noise being received by the Council in 2006, noise nuisance investigation and enforcement take up a considerable amount of officer time. Noise is the main reason for citizens to complain to both Environmental Health Services and Housing Services.
- 3.5 It is therefore proposed that HMO Licensing, the operation of the HHSRS, noise nuisance and environmental quality are also deemed priorities for Environmental Health Services alongside the five national priorities, and that these are given greater emphasis in the Environmental Health Service Plans at the next review.

3.6 Although the Rogers Review sets out a list of five national priority areas for local authority enforcement, it does not affect the requirement for the Council to carry out statutory enforcement responsibilities in other areas.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from this report.

5. RECOMMENDED that

Scrutiny Committee – Community:

- 1) note the review carried out into national enforcement priorities for local authority regulatory services within the broader context of better regulation; and
- 2) supports placing greater emphasis on both those national priority areas which are the direct enforcement responsibility of this Council, and the local enforcement priorities described in paragraph 3.5 of this report.

HEAD OF ENVIRONMENTAL HEALTH SERVICES

S:PA/LP/ Committee/907SCC12
23.8.07

COMMUNITY & ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended) Background papers used in compiling this report:

- 1) National enforcement priorities for local authority regulatory services

EXETER CITY COUNCIL

SCRUTINY COMMITTEE - COMMUNITY 4 SEPTEMBER 2007

REPORT ON THE COUNCIL'S ARRANGEMENTS TO RESPOND TO NOISE COMPLAINTS

1. PURPOSE OF THE REPORT

- 1.1 This report was requested by this committee on 6 June 2006. It informs Members of the main powers available to control statutory noise nuisance, and comments on the level of service requests about noise received by the Council in 2006/07, and the respective outcomes. It also considers whether alterations of the arrangements currently offered are merited.

2. BACKGROUND

- 2.1 The Rogers Review of national enforcement priorities for local authority regulatory services (the subject of a separate report to this committee) highlights noise nuisance as a key local priority for many local authorities. This is because unwanted noise is the biggest source of complaint to local authorities and one in seven people in the UK state that neighbour noise affects their quality of life.
- 2.2 Under the Environmental Protection Act 1990, the Council has a duty to investigate and take appropriate action in respect of statutory noise nuisance. A statutory nuisance is not merely an annoyance but either something that is prejudicial to health, or relates to the use of a property in such a way that it has a significant and detrimental impact on a neighbouring occupier's enjoyment of his property. As is the case with most local authorities, the single type of nuisance most often complained about in Exeter is noise nuisance.
- 2.3 The sources of noise can be varied, from parrots and dogs to shouting and DIY, but the most common noise complained about is amplified music. The officers suitably qualified to determine statutory nuisances are Environmental Health Officers (EHOs). There are a variety of factors that must be taken into account by EHOs when judging whether noise amounts to a statutory noise nuisance, these include:
- **volume** – if someone can distinguish the lyrics of a song being played loudly next door, then it will often be considered intrusive;
 - **noise frequency** – a repetitive bass beat, although relatively low in volume, can penetrate structures such as walls more easily and be particularly intrusive;
 - **time of day** – music played at 1pm will tolerated more so than at 1am, as background noise levels are very much reduced and most people are asleep;
 - **duration** – a very short burst of loud noise may be tolerated (eg 10 minutes of DIY drilling in the early evening) whereas a longer burst may be found to be intrusive (eg 3 hours of drilling);
 - **frequency** – a one-off party may be tolerated, but a regular noise problem every weekend can be intolerable;
 - **intent** – in some case the perpetrator is intentionally wishing to create a nuisance problem in order to cause upset and annoyance.

- 2.4 To assess whether a statutory noise nuisance exists, an EHO would consider the above factors in light of the evidence obtained, the best being an officer witnessing the noise whilst inside the complainant's house. Evidence from other officers (eg Housing Officers and Community Patrollers), the complainants themselves and recording devices such as MATRON (a digital recorder sampling sound through a noise meter) can also be used. However, it is of fundamental importance that the EHO can justify evidence of a statutory nuisance being caused, as service of an Abatement Notice is an enforcement process that can place substantial restrictions on a person, with severe penalties for non-compliance.
- 2.5 There is other legislation relating to noise nuisance, most notably the Noise Act 1996, however, the Environmental Protection Act 1990 remains the substantive piece of legislation for effectively and practicably dealing with statutory noise nuisance.

3. DEALING WITH STATUTORY NOISE NUISANCE

- 3.1 In dealing with statutory nuisance an EHO must consider whether a nuisance exists, is likely to recur or is likely to occur in the future (eg in the case of a rave party). If there is sufficient evidence to confirm one or more of these, then the Council is legally obliged to abate the nuisance or prevent its recurrence or occurrence, by means of an Abatement Notice.
- 3.2 An Abatement Notice can specify that the nuisance must cease forthwith or within a set timescale, and can set measures to abate, prevent and restrict nuisance. The notice is usually served on the person(s) responsible for the nuisance, but may also be served on the occupier or owner of a property. The notice can be appealed against within 21 days. It is a criminal offence to breach an Abatement Notice, with a maximum fine of £5,000 (or £20,000 for businesses) for each breach. The Council may also step in to abate the nuisance (eg this could mean entering a premises by warrant and confiscating a sound system where there have been repeated breaches).
- 3.3 Prosecutions for a breach of an abatement notice are heard in the Magistrates Court, and in any case where noise equipment has been seized, a deprivation order would be sought on a guilty plea or verdict. A deprivation order seeks to retain any confiscated noise equipment, which then becomes the Council's property after 6 months of granting the order.
- 3.4 The current arrangements for dealing with noise nuisance complaints can be divided into 'post-event' complaints and 'active' complaints. Post-event complaints are mainly received during normal office hours via Environmental Health Services; these are recorded on the M3 database and issued to an officer to investigate. This investigation would generate a separate letter to both the alleged noise-maker and the complainant.
- 3.5 The noise-maker would be advised of the complaint and asked to consider whether excessive noise is being caused – the Council's powers in relation to noise nuisance would be explained. In the majority of cases (around 80% in other studies) this letter is sufficient to cause a change of behaviour and a reduction in the noise generated, as is the case with Exeter.
- 3.6 For the complainant, the Council's power would be explained as well as other actions they may wish to independently pursue (complainants may pursue their own action under the Environmental Protection Act 1990). They would normally be asked to keep a log-sheet of any noisy incidents experienced over the next 2-4 weeks, for return. For out of office

hours noise, complainants would also be given the Control Centre telephone number, to contact the Council in the evening, early morning and weekends.

- 3.7 Out of hours noise complaints are responded to by Community Patrollers up until midnight for every night of the week. Their role is to assess the problem and intervene if necessary to try to get an abatement or reduction in the noise on the night. Because of the nature of this type of work, Community Patrollers will operate in pairs to safeguard their health and safety. The Community patrollers also have to respond to a variety of other customer requests that are not necessarily noise related, (eg low level anti-social behaviour from gangs of youths), and therefore it can be problematical in responding swiftly to service requests during busy periods such as Friday and Saturday nights.

4. COLLECTING EVIDENCE TO SUPPORT ENFORCEMENT ACTION

Noise log-sheets

- 4.1 The use of log-sheets to record noisy incidents is a standard practice with most local authority investigations. They can provide a useful record, enabling any patterns of noise emissions to be identified, and helping to establish the regularity and duration of the noise. This information can assist in resolving a problem, (eg linking episodes of loud music when parents are absent), but can also be used as a diary of events in any subsequent legal action.
- 4.2 Complainants are asked to return completed log-sheets after a four week time period. If the form is not returned after a 4 week period a further letter is sent confirming the case will be closed if the complainant does not contact the Council. Approximately a third of cases (273) are not progressed further due to the fact that the log-sheet is not returned. In these circumstances the cases are closed, but re-opened should the problem recur in future.

Programmed visits

- 4.3 Programmed visits outside of office hours based upon information from completed log-sheets, are made by officers from the Environmental Protection unit (Environmental Health Services). In 2006/07, 15 programmed visits were made in respect of seven separate noise cases. From these visits, Abatement Notices were served in respect of two cases (domestic premises), two were found not to be statutory nuisances, one was resolved through a licensing review, and the remaining two are ongoing (both involving commercial premises). The action in respect of the two domestic cases was also supported by recordings using the MATRON system.

MATRON systems

- 4.4 There are three MATRON systems in use, being set up by officers in complainants' homes to coincide with noisy periods indicated by their log-sheets. The equipment consists of a digital tape recorder that captures sound fed through a sound level meter and external microphone mounted on a tripod. The usual period that a MATRON is left is a week, but can be tailored to suit circumstances. It is generally used as a screening tool to identify cases that would merit further investigation, which might include programmed out of hours visits.
- 4.5 The limitation in the use of this equipment to capture noise episodes in domestic situations, is that there are waiting lists currently leading to a limited monitoring time period (usually a week) before the system is needed elsewhere. As the system relies on the

customer activating the recorder when loud noise is being emitted from a neighbouring property, it is not uncommon for one or more of those ingredients to be missing in a short time period, particularly when dealing with sporadic domestic noise (eg the noise-maker is away or quiet that particular week, or the customer is out when noise occurs). In general, MATRON systems are more productive when dealing with regular emissions of noise from industrial, commercial and entertainment premises, or when left for longer time periods in domestic situations.

- 4.6 The MATRON systems were installed 75 times in 2006/07 at 51 properties, recording noise from 49 domestic and commercial sources. Recordings were used to support serving an Abatement Notice on three cases in conjunction with programmed visits, log-sheets and Community Patrollers' evidence, and on one case used together with log-sheets but without officers witnessing the noise. All of these were domestic noise cases. For 39 cases, there was insufficient noise recorded to justify any action, and four of the cases are currently ongoing.

5. NOISE COMPLAINTS – INPUTS AND OUTCOMES

Magnitude of noise service requests and outcomes

- 5.1 For 2006 (January – December) the number of out of hours noise service requests received by the Council's out of hours Control Centre was 1865, an increase of 397 (21%) from 2005, of which 228 were received after 11pm and before 7am the next morning. However, in October 2006 the system of recording noise complaints was changed, which meant for example that noisy groups of youths, or youths playing football near a dwelling, were no longer recorded as noise incidents. From October 2006, all calls logged by the Control Centre were recorded on the Environmental Health M3 database, giving a far more reliable picture of noise incidents from that date.
- 5.2 For 2006/07 the total number of noise requests received by Environmental Health Services as a whole numbered 2147, compared to 2083 and 1368 for 2005/06 and 2004/05 respectively, showing an increase each year, (although the latter numbers include noise from groups of youths, etc. for the whole year). This figure can be broken down as follows:

Noise Service Requests 2006/07	April - Sept	Oct - March
Office hour calls	251	189
Out of hours calls (5pm – 8am)	1321	386
Total	2147	

- 5.3 At the end of September 2007, there will be a full year of robust data relating to noise complaints, permitting a more detailed analysis and profiling over the four seasons (Summer being the busiest period).
- 5.4 Unwanted noise is also the management issue most frequently complained about to Housing Services, with 162 chronic cases and 159 intermittent cases for the period 1 October 2006 to 30 June 2007.

Noise returns to CIEH

- 5.5 The Chartered Institute of Environmental Health (CIEH) coordinates an annual return of noise nuisance cases from each local authority in England and Wales. Noise is presented in 17 designated types (eg music, dog barking, and vehicle) and seven different noise

sources. Since October 2006, all noise complaints have been recorded in line with these source types, which excludes low level anti-social behaviour complaints such as groups of children playing football near housing. Returns from this Council have been formulated from the M3 database and indicate a year on year increase, illustrated below. The figure for 2006/7 also includes a complete set of data from the Control Centre which the others do not.

Noise complaint cases - annual returns to CIEH	
2006/07	853
2005/06	520
2004/05	412
2003/04	353

Time profile of calls

- 5.6 The vast majority of ‘active calls’, when there is noise happening at the time, are received out of office hours by the Control Centre, whereas during the day-time, people are often reporting noisy incidents that have occurred. Therefore a profile of the active calls gives the best indication of when people are suffering from noise at night and weekends. Currently these profiles can only be given from October 2006, (which unfortunately misses the busy Summer period). However, they show that noise calls increase markedly from 9pm, peaking between 10 pm and midnight, and reduce markedly from 1am. Appendix I shows the hourly profile for the last three quarters (October 2006 – June 2007), reinforcing this late night peak when 42% (262) of calls are made.
- 5.7 The current arrangements for reactively responding to late night noise are not wholly matched to this peak, because of the fact that the Community Patrollers’ shift ends at midnight, effectively leaving the last half hour from 11:30 pm for them to return to base and update records. However, the Control Centre is able to continue taking and recording details of noisy incidents and offer advice to customers.

Profile of noise types

- 5.8 Appendix II shows Exeter’s profile of noise types and sources for 2006/07; it can be seen that amplified music and parties constitute the largest portion of complaints (408 complaints, or 48%), with domestic premises being the major source, (612, or 72%).

Outcomes

- 5.9 The outcomes to the 835 cases reported to CIEH were broken down as follows:

Outcome	Number
Ongoing - still under investigation	2
Ceased and not likely to recur	94
Not pursued by complainant	273
Referred to other agencies (RSL & Housing)	165
Resolved informally	312
Abatement notice served	7
Total	853

- 5.10 Of the 853 cases, 679 (80%) were resolved following the initial intervention by the Council. The number of statutory noise nuisances identified in 2006/07 was four, with seven Abatement Notices being served in response (this includes multiple notices being

served on two student let properties with joint occupiers). Although this number may appear low, the strength of the evidence gathered meant that none of these notices were appealed against, and the noise was successfully abated. Consequently, there were no breaches of these notices and therefore no need for prosecutions.

6. INTERPRETATION AND CONCLUSIONS FROM OUTCOMES

6.1 A number of key conclusions can be drawn from this data, as follows:

- The numbers of noise complaints being received show a year on year increase, which indicates that noise remains an issue of concern for Exeter's citizens, and that the Council can justifiably consider noise nuisance as a local enforcement priority in line with the Rogers Review.
- The current service arrangements are not best suited to deal with peaks of noisy episodes occurring late at night, both in terms of interventions and evidence gathering.
- The current arrangements are not best suited to uncovering and identifying cases of statutory noise nuisance.
- The threshold of evidence currently sought before an Abatement Notice is served may be set at a higher level than is necessary to counter appeals, and may be acting as an impediment to enforcement action.
- There may be potential to use log-sheets, MATRON recordings and planned visits more productively.
- In response to out of hours calls, there may be potential to improve the use of evidence gathered from Community Patrol's reactive visits and translate these into more productive enforcement outcomes.

7. PROPOSAL

7.1 To address the issues identified in the report the following service improvements are proposed:

- That improvements are made to the collection and use of evidence gathered by Community Patrol to enhance the identification of, and enforcement against statutory noise nuisance (to be implemented by October 2007).
- A joint review between Environmental Health Services and Housing Services takes place to strengthen procedures for dealing with noise nuisance affecting council tenants (to be implemented by December 2007).
- The collection of evidence from log-sheets, MATRON recordings and planned visits is reviewed together with the threshold of evidence for serving Abatement Notices, and any necessary changes made (to be implemented by November 2007).
- That potential incremental enhancements to late night coverage by Community Patrol in response to peaks in service demand, is explored with the Patrollers and Control Centre staff (to be progressed by November 2007).
- A more detailed review of arrangements for responding to noise nuisance is carried out by March 2008, to include benchmarking with comparator councils and a customer satisfaction survey.
- As part of this review, to identify a series of further incremental enhancements, prioritised on a best value basis, for further consideration.

8. RECOMMENDED that

- 1) Scrutiny Committee Community support the actions proposed in section 7 of this report.

HEAD OF ENVIRONMENTAL HEALTH SERVICES

S:PA/LP/ Committee/907SCC11
23.8.07

COMMUNITY & ENVIRONMENT DIRECTORATE

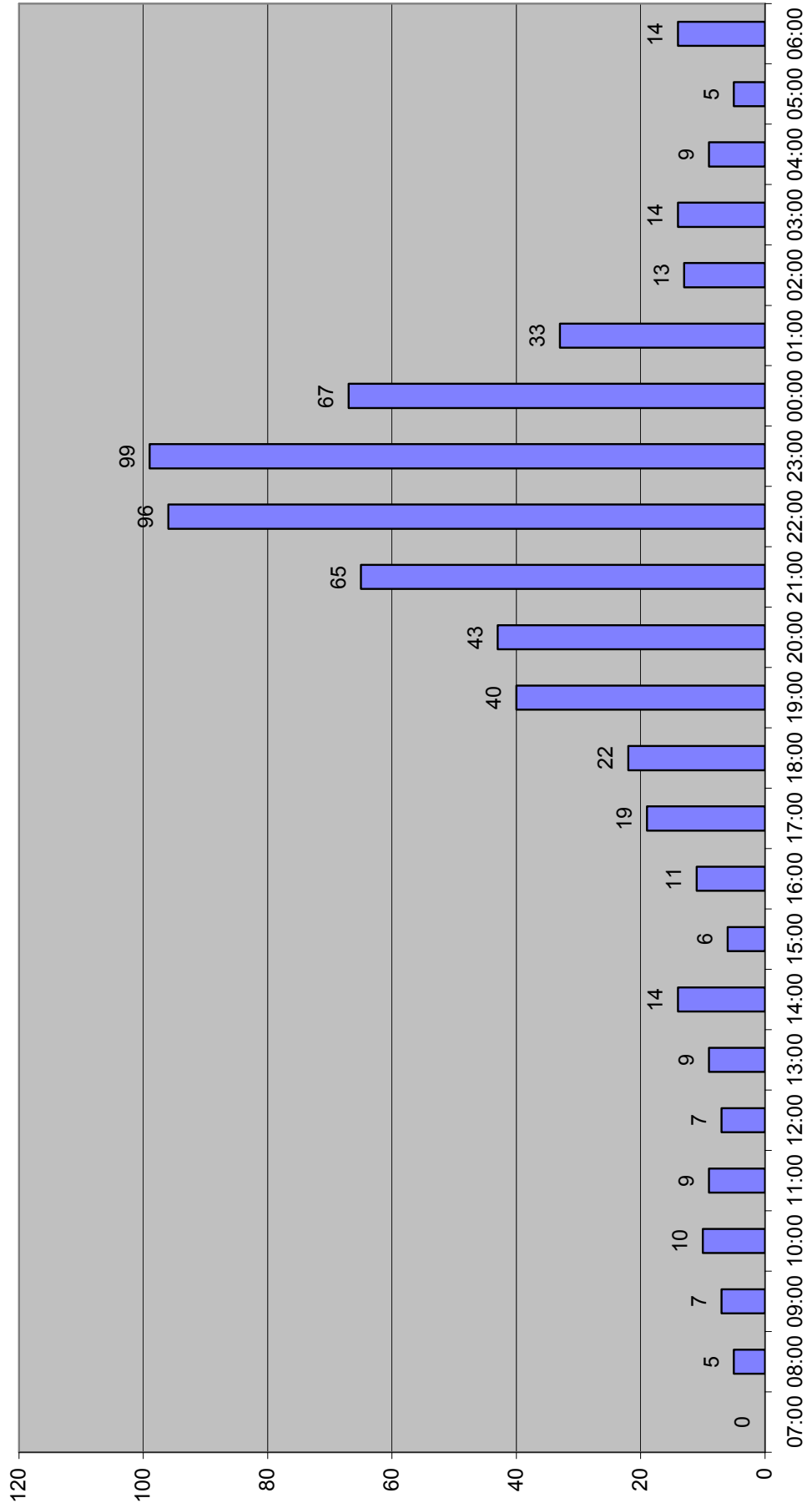
Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling this report:

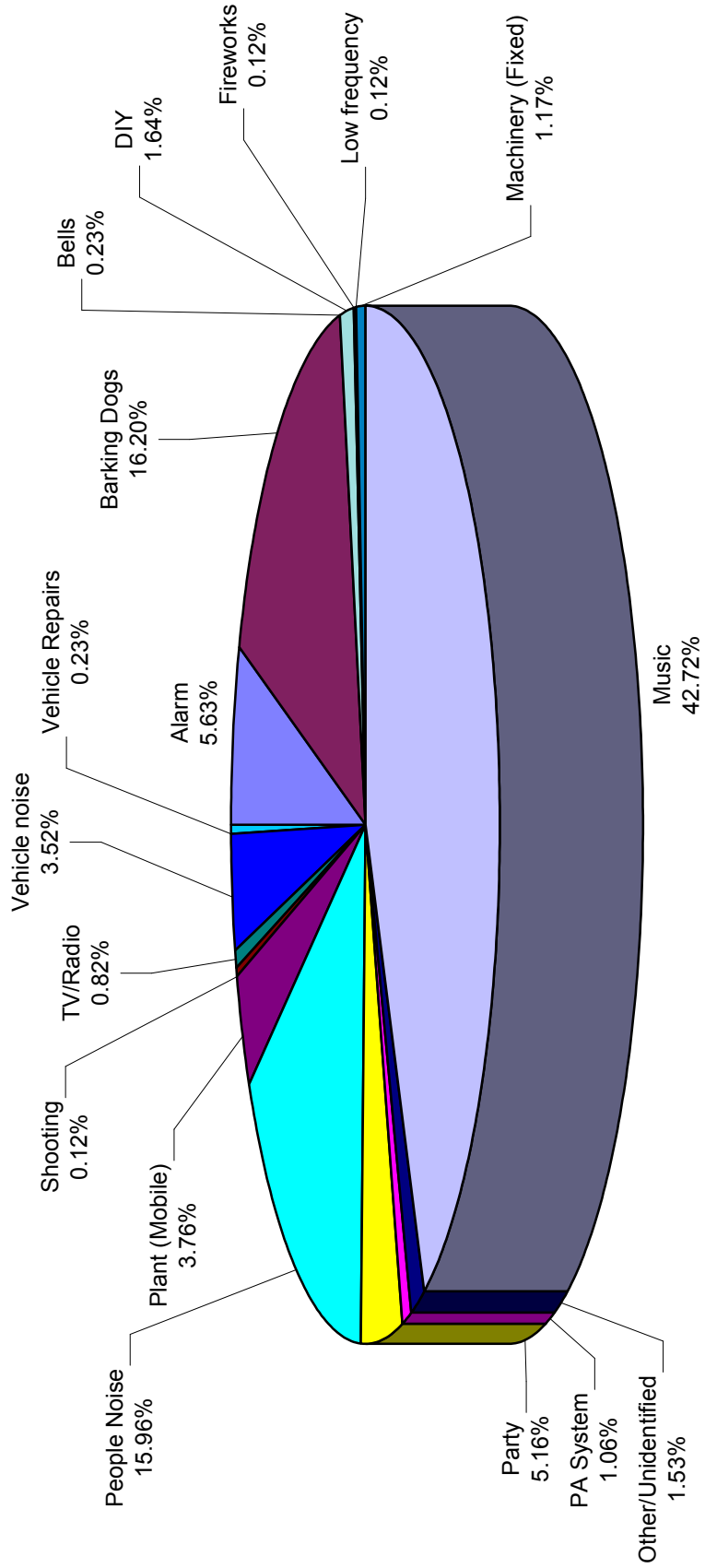
National enforcement priorities for local authority regulatory services – Peter Rogers 2007

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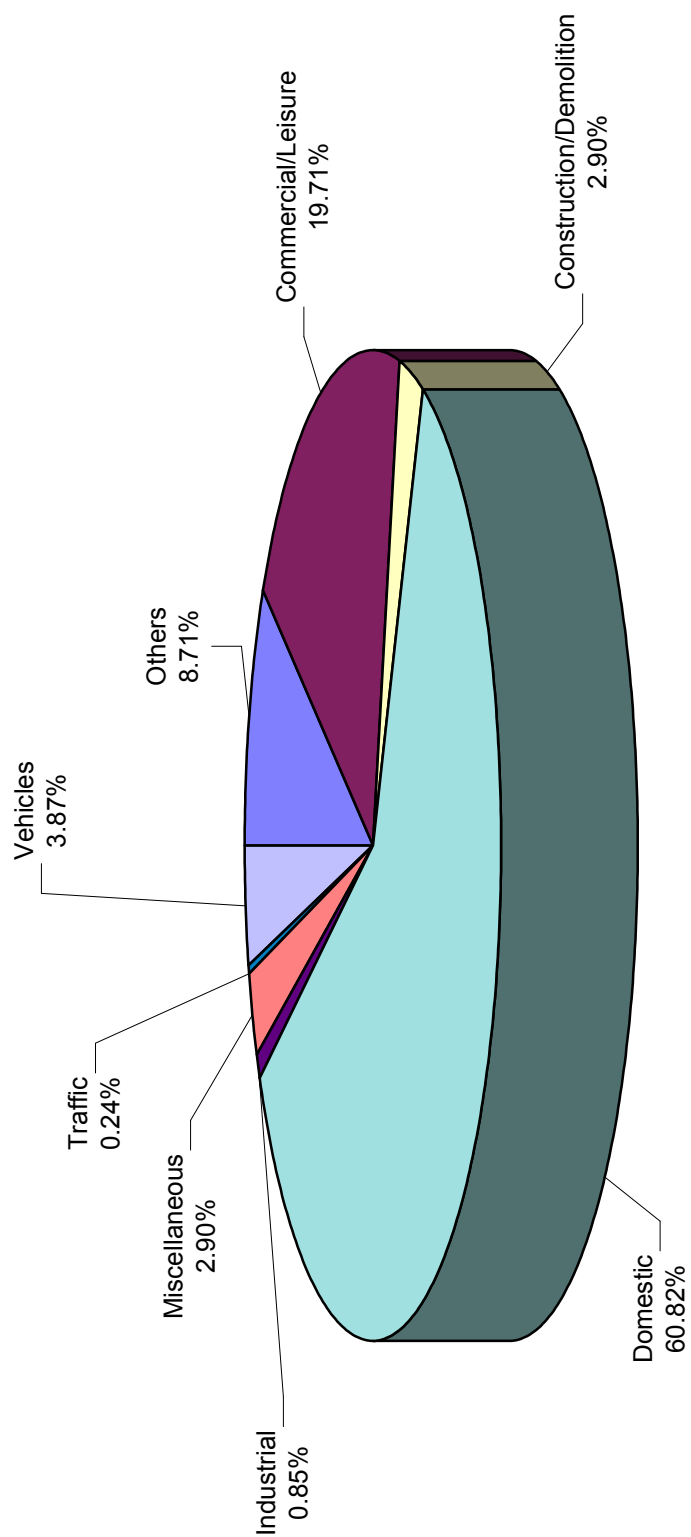
Noise complaints received between 1 October 2006 and 30 June 2007



Exeter's profile of Noise Types for 2006/7



Exeter's profile of Noise Sources for 2006/7



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EXETER CITY COUNCIL

SCRUTINY COMMITTEE - COMMUNITY 4 SEPTEMBER 2007

2007 REVIEW OF RECYCLING PLAN (2006-2011)

1. PURPOSE OF THE REPORT

- 1.1 This report updates Scrutiny Committee Community on progress with the Recycling Plan since its approval in 2006 and seeks ongoing support from Scrutiny for recycling initiatives.

2. BACKGROUND

- 2.1 Exeter City Council is the Waste Collection Authority (WCA) for Exeter and has responsibility to arrange and manage recycling and composting programmes for household waste collected in Exeter. The avoided disposal cost of material diverted from landfill by or through the activities of the City Council is claimed from Devon County Council as the Waste Disposal Authority (WDA).
- 2.2 During 2006/7 just over £503,000 was claimed from the WDA for recycling of materials carried out directly by the City Council. This income was used to support the costs of recycling and waste activities.
- 2.3 As an authority rated 'excellent' for waste services by the Audit Commission, Exeter City Council is exempted from the requirement to provide a Recycling Plan. However in the interests of good quality service planning, a Recycling Plan is produced, reviewed and updated as appropriate.

3. WASTE ARISING AND RECYCLING RATE

Recycling/Composting Rates

- 3.1 Exeter City Council has a nationally set recycling/composting target of 30% and progress towards and past this target is as follows:

	2002/03	2003/04	2004/5	2005/6	2006/7
Exeter City Council recycling/composting rate	14.38%	17.30%	20.74%	30.04%	34% provisional *

* this figure is yet to be confirmed.

- 3.2 Additionally the City Council supports the aspirations of the Municipal Waste Management Strategy for Devon that originally set a locally agreed recycling/composting target of 40% by 2010 which is the figure from the Governments Waste Strategy for England 2007. The Exeter Recycling Plan sets out

how the City Council intends to reach this target, and excludes materials recycled from the civic amenity and recycling centre at Exton Road.

3.3 In March 2007 the Devon wide target within the Municipal Waste Management Strategy was revised by Devon County Council to 50% which meant that the contribution by local authorities would also need to increase to 41.5%. This change does not automatically require an amendment to the Exeter Recycling Plan as this target refers to Exeter as a whole and so includes materials passing through the Civic Amenities and Recycling Centre at Exton Road, which would give a combined recycling rate of 44.6% for 2006/7.

3.4 The present targets within the Exeter Recycling Plan are as follows:

	2006/07	2007/08	2008/09	2009/10	2010/11
Target	31%	33%	35%	37%	40%

3.5 The costs and benefits of increasing the targets within the Exeter Recycling Plan will be reviewed during 2007 and should changes be proposed they will be brought back to this committee for discussion.

Waste Arisings

3.6 A critical issue for general waste management is to control the total amount of waste generated, irrespective of whether it is recycled or landfilled. Avoiding the initial production of waste is normally the most advantageous outcome for the environment.

3.7 The City Council has been particularly successful in keeping the total amount of waste collected fairly stable against a national background of increasing waste arisings as detailed in the following table.

Exeter City Council	2002/3	2003/4	2004/5	2005/6	2006/7
Total household waste collected (tonnes)	41010	39888	38870	39066	39193
Change on previous year	+0.98%	-2.74%	-2.55%	+0.05%	+0.33%

3.8 As the population has increased throughout this period this effectively means the waste produced per head of population has actually fallen. The figure for residual waste per head of population was 244 kg (2006/7), comfortably below the proposed statutory target of 310 kg by 2010. While it is difficult to identify the factors behind this success, the side waste ban (instigated 2004), alternate week collections, ease of recycling and awareness generated by local publicity campaigns are all likely to be key factors. An example of such campaigns is the recently launched Exeter Green Bag Scheme, in association with the Express and Echo, EDF Energy and Tidy Exeter Group. The scheme is designed to reduce the number of plastic bags ending up in landfill by raising awareness and encouraging people to use re-usable bags.

Landfill Allowance Trading Scheme (LATS)

- 3.9 The key driver for municipal waste management in Devon for the next few years will be the LATS scheme. LATS places limits on how much biodegradable municipal waste can be landfilled in Devon, setting diminishing amounts for each year until 2020. By 2020 only 35% of the amount of biodegradable waste landfilled in 1995 will be allowed, and for each tonne landfilled over this amount a fine of up to £150 per tonne will be levied. The LATS allowances and penalties are the responsibility of Devon County Council as they apply to Devon as a whole, though the responsibility will transfer to Exeter with unitary status.
- 3.10 The implementation of the LATS scheme is one of the reasons that the County Council is proposing a new energy from waste plant for Exeter, as material that has passed through such a plant will have its entire biodegradable component removed.

4. SCHEME UPDATES

Kerbside 'Recycle from Home' Scheme

- 4.1 All properties in the City continue to be able to participate in the kerbside recycling scheme. A pilot study is underway to provide updated information stickers for all recycling collection containers throughout the city. The project is needed as some of the older containers have no information at all some have illegible information and some have incorrect information caused by changed to the list of materials accepted for recycling. The proposal is one of the methods suggested by residents to help reduce the amount of contamination contained within recycling containers.

Garden Waste Collection Scheme

- 4.2 The garden waste collection scheme continues to be operated by two collection vehicles covering every participating household in the city once a fortnight. Materials continue to be stockpiled at Water Lane, before being shredded and taken to local farms for composting and eventual use. Fees for the 2007/8 collection season have been frozen at 2006/7 level. Almost 4,500 households are now renting brown bins and the remainder have access to biodegradable sacks that can be purchased from local retailers.
- 4.3 Around 600 tonnes of leaf fall (predominantly from street sweepings) and green waste from parks and open spaces continue to be composted at the Water Lane facility. Home composting is further encouraged by the sale of the subsidised composting bins, with 1,385 additional bins being sold by cleansing services and partners WRAP in 2006/7. Although putrescible waste removed via this route does not count towards our recycling figures this is the most sustainable way of dealing with this fraction of the waste. DEFRA is currently considering ways of measuring waste composted at home so that it can be brought into future recycling figures.

Bring Banks

- 4.4 The Council continues to operate an extensive network of 70 bring banks around the City which are very well used by the community. With the exception of book, textile and shoe banks (and small glass banks in difficult-to-access locations), all are serviced by the Council.

- 4.6 The two main materials collected via bring banks are paper and glass. The paper tonnage collected declined from 541.86 tonnes (2005/6) to 472.06 tonnes (2006/7) - paper being accepted in kerbside collections. The glass tonnage collected increased from 1851.72 tonnes (2005/6) to 2034.42 tonnes (2006/7); glass not being accepted in kerbside collections.

Schools Recycling Scheme

- 4.7 A free of charge recycling service continues to be offered to all schools within Exeter. In addition to the actual collection of materials, the Council also provides an educational support service to all participating schools and colleges, supported by education visits and targeted communications.

University of Exeter

- 4.8 The Council lost the tender to provide the waste management service for the University in April 2007, when the University accepted a waste management proposal submitted by a private contractor. As a consequence, the focus of work on campus for Council recycling staff has now changed to providing recycling information to students when they move off campus and live in the city community, rather than having such a focus on campus and in residential halls.

Third Party Recycling

- 4.9 Charities, community and voluntary groups continue to collect a significant amount of recyclable materials in the City every year (1013 tonnes 2006/7). The Council continues to purchase such material directly from groups and also pays recycling credits to the groups to reflect the saving in disposal costs.
- 4.10 Other recyclable materials (glass, cardboard and paper) also continue to be purchased from other Councils and a small number of commercial waste management companies. These materials are stockpiled alongside other recyclate and sold for recycling.

Enforcement/Education Officers

- 4.12 The Council currently employ three Enforcement/Education Officers who promote waste minimisation and recycling. Their main duties are to assist the public in their use of recycling schemes and to ensure that the green bin is being used in the correct manner and it is not being contaminated by non-recyclable material. This important role helps ensure that the quantity and quality of recycled waste is continually improved.
- 4.13 During 2006 the Council was the first to initiate legal proceedings against a resident for continual contamination of their green recycling bin with food waste. Although the case was lost, it did confirm the practical difficulty in enforcing the legislation on those who continue to misuse the recycling service, as well as generating considerable publicity highlighting the importance of recycling properly.
- 4.14 Following the case, working procedures have been reviewed and much closer working with the collection crews achieved, with all front line staff being retrained. However there continues to be a problem with food-contaminated recyclable waste, much originating in the bottom of wheelie bins or from communal recycling systems. Ways

to address this issue continue to be explored, but clearly education, enforcement and engineering (to make it easier for people to recycle) all have a vital part to play.

MRF (Materials Reclamation Facility)

- 4.15 The MRF started operations in September 2001 and since then all remaining residential properties have been added to the kerbside recycling scheme. The facility was constructed at a cost of £1.7 million and has a current operating capacity of around 8,000 tonnes per year. Since the plant opened, recycling material tonnages are constantly rising and further investments in the plant is planned to meet these demands. A number of challenges face the MRF and these will be these will be the subject of a more detailed report in the future.

Waste Storage Provision in New Developments

- 4.16 The recycling team continue to comment on the provision for waste management in all new developments in the city. Such is the high density of new developments that the ideal of sufficient accessible storage facilities for individual properties can seldom be achieved. This means many new developments have communal facilities not ideally placed, limiting the scope to link waste to individual households and hence address any issues over quality or quantity of recycling or waste.

Waste Analysis

- 4.17 Funding was secured from DEFRA to cover the costs of a waste analysis from Exeter properties, reported in 2005/06. The key findings were:
- 20% extra residual waste is collected from properties served by a weekly refuse collection.
 - 80% of available paper is being captured for recycling, compared to 33% of plastic and 60% of cans.
 - 19kg of glass is thrown away on average by each household each year.
- 4.19 This information is being used to help inform the Council's communications in response to the many media requests received.

5. MAIN CHALLENGES FOR 2007/8

- 5.1 The main challenges for 2007/8 are to:
- further improve household participation and increase the quantity of material that is recycled through collection schemes;
 - increase the quality of recyclate collected;
 - further encourage waste minimisation to reduce the amount of waste being produced;
 - enhance participation in the garden waste collection scheme and the promotion of home composting to divert organic waste from landfill;
 - further increase the capacity and efficiency of the Materials Reclamation Facility; and
 - review the bring bank service.

5.2 Priorities for recycling in the short-term are contained in Appendix I: Proposed Improvement Plan for Recycling Rates 2007/08.

6. RECOMMENDED:

- 1) that Scrutiny Committee Community acknowledge the positive progress that the Council had made in implementing the Recycling Plan.
- 2) that Scrutiny Committee Community support the Recycling Plan and the accompanying action plan.

HEAD OF ENVIRONMENTAL HEALTH SERVICES

S:LP/Committee/907SCC7
23.8.07

COMMUNITY & ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:

2006-11 Recycling Plan

PROPOSED IMPROVEMENT PLAN FOR RECYCLING RATES 2007/8

PRIORITY	ISSUE	HOW	WHEN	TARGET	COMMENTS
1	<p>Recycle from home kerbside collection</p> <p>Householders are currently presenting 28% waste for recycling yet 60% can be recycled.</p>	<p>All 48,000 households on kerbside collection scheme.</p> <p>Continue with education, engineering and enforcement eg</p> <ul style="list-style-type: none"> Organised visits to the MRF School visits by Education Officers Enforcement Officer inspections and action Targeted marketing Ensuring recycling receptacles make the process easy. 	<p>By April 2008, but on-going currently</p>	<p>Min 1% increase per year (equivalent to 400 tonnes)</p>	<p>As the recycling collection infrastructure is already in place, this represents one of the most cost-effective methods of increasing recycling. Also counts towards Gershon efficiency targets.</p>
2	<p>Upgrade the MRF to handle increased payloads of waste for sorting, and ensure quality of sorted end product is maintained or improve.</p>	<p>Review of upgraded recycling equipment to see if paper sorting quality can be improved to give a cleaner end product.</p> <p>Implementation of upgrade (if appropriate).</p> <p>Ship materials to other MRF if plant breaks down, or in excess of processing capacity.</p> <p>Amount of recyclables rejected to landfill = 7.9% (2006/7).</p>	<p>Dec 2007</p> <p>April 2008</p> <p>As required</p> <p>On-going</p>	<p>Maintain contaminated recyclables at 7.9%</p>	<p>The quality of collected material falls as more pressure to recycle recruits less-willing and less-practiced recyclers.</p>
3	<p>Increase number of Bring Sites (local recycling sites) across the City.</p>	<p>Review locations for suitability and amount collected. Improve on 2006/07 material collected:</p> <ul style="list-style-type: none"> Glass 2034 tonnes Textiles 32 tonnes Paper 470 tonnes <p>Introduce new recycling facility eg Tetra Packs.</p>	<p>On-going</p>	<p>Retain overall tonnage as benchmark</p>	<p>Funding already secured.</p>

	PRIORITY	ISSUE	HOW	WHEN	TARGET	COMMENTS
4	M	Recycling white goods from Bulky Collections	41 tonnes recycled from Bulky Collections in 2006/07. Seek to increase the proportion of materials for recycling.	On-going	+0.05%	No additional funds.
5	M	Recycle cans from manual solo street sweepers.	Solo street sweepers to separate cans from other waste as part of normal work.	On-going	+0.02%	No additional funds required.
6	M	Separate collection of organic waste from households. This would give a significant increase in the amount of material recycled, and remove a major constituent of residual waste going to landfill.	Collection of kitchen waste with garden waste in same receptacle.	Not determined	+20%	Revenue cost of £1m to authority. Would need to combine garden waste etc together to keep operation cost down.
7	L	Separate glass kerbside collection service.	Reviewed 2006/07, high cost of collection per tonne.	Not determined	+1%	Revenue cost of £300k. Would reduce glass at bottle bank (currently 2000 tonnes) only likely to give small increase in amount recycled for high cost.
8	H	Waste minimisation. Growth in waste arisings has levelled out: 2003/04 39,888 tonnes 2004/05 38,870 tonnes 2005/06 39,066 tonnes 2006/07 39,193 tonnes	Combination of activities to promote recycling and waste minimisation, as outlined in the Recycling Plan.	On-going	Zero increase in waste arisings for landfill.	Maintaining good relations with the local press is an essential element of promoting recycling.

PRIORITY	ISSUE	HOW	WHEN	TARGET	COMMENTS
9	Waste to Energy Plant	Planning permission granted by Devon County Council for a Energy from Waste incinerator.	Likely to be commissioned 2010	60,000 tonnes of waste incinerated pa, of which 27k will be ECC derived.	Will greatly assist in reducing waste to landfill and meeting LATS targets.
	Recycling Performance	<p>2007/08 Statutory target 30% Local target 33%</p> <p>2006/07 Performance (draft) Statutory target 30% Local target 33%</p> <p>Dry recycling 28.73% Composted <u>5.18%</u> Total <u>33.91%</u></p>	On-going	2007/08 33%	Performance is on target.

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EXETER CITY COUNCIL

SCRUTINY COMMITTEE COMMUNITY 4 SEPTEMBER 2007

CORPORATE ENVIRONMENTAL PERFORMANCE INDICATORS: RESULTS AND PROGRESS

1 PURPOSE OF THE REPORT

1.1 This report presents information on the Council's corporate environmental performance indicators for the period 2006/07. The specific indicators under consideration are:

- the reduction in the total quantity of paper resources used by the Council
- the purchase of recycled paper
- the reduction in non-recycled waste produced from the Civic Centre
- the reduction in energy consumption within Council premises
- the reduction in carbon dioxide emissions at the Civic Centre
- the reduction in water consumption at the Civic Centre

2 BACKGROUND

- 2.1 The environmental performance indicators are used to monitor progress in implementing the objectives of the Council's Environmental Strategy and related policies. The current indicators reflect, in particular, the level of resource use by the Council.
- 2.2 The indicators are kept under review, as is the Environmental Strategy itself. Changes are made, where appropriate, to take account of the increasing knowledge and understanding about how the Council's policies and practices impact on the environment.
- 2.3 In parallel to this, the Council is working on a Carbon Management Programme, in conjunction with the Carbon Trust. Through the programme the Council will receive expert help to calculate and analyse its carbon footprint and explore opportunities to reduce emissions from Council buildings, vehicles and waste production, with the aim of developing an emissions reduction target and action plan for consideration by the Council by March 2008.

3 RESULTS

Paper Use

- 3.1 Following on from the review undertaken by Internal Audit into paper usage within the Council (September 2006) the following target was adopted as part of the review of the Environmental Strategy in June 2007:
- To reduce paper consumption (office paper, copier paper, headed paper, compliment slips) within the Council by 10% by 2007/08 from a baseline of 2005/06 levels.

3.2 The results of the paper monitoring exercise are summarised below. A comparison with 1996/7 levels has also been included for monitoring purposes:

Year	Total paper purchased/ consumed (reams*)	Percentage change over previous year	Percentage change from 2005/06 levels	Percentage change from 1996/97 levels
1996/97	9,110 reams	-	-	-
1997/98	8,549 reams	6.2 % decrease	-	6.2 % decrease
1998/99	9,693 reams	13.4 % increase	-	6.4 % increase
1999/00	10,942 reams	12.9 % increase	-	20.1 % increase
2000/01	10,511 reams	3.9% decrease	-	15.4 % increase
2001/02**	10,657 reams	1.4% increase	-	17.0% increase
2002/03**	9,943 reams	6.7% decrease	-	9.1% increase
2003/04**	10,972 reams	10.3% increase	-	20.4% increase
2004/05	10,878 reams	0.9% decrease	-	19.4% increase
2005/06***	10,459 reams	3.9% decrease	-	14.8% increase
2006/07	10,867 reams	3.9% increase	3.9% increase	19.2% increase

* A ream comprises 500 sheets of standard A4 paper, or its equivalent

** Paper consumed rather than purchased

*** Data previously reported for 2005/06 has been adjusted.

3.3 The figures are calculated from data supplied by the relevant administrative sections on the quantity of paper used during the years in question. Due to difficulties in quantifying 'ad hoc' uses of paper, such as leaflets for promotions, only paper in every day use (copier paper, headed paper, compliment slips) is included and this is used as an indicator of overall performance.

3.4 A total of 5.4 million sheets of paper were used in 2006/07. This represents a 4% increase since last year and a 19% increase since 1996/7, when monitoring began. Although this is in contrast to the reduction seen over the last 2 years, the increase is not significant and is within the range of usage experienced since 1999/00.

3.5 Constant vigilance and commitment is required at all levels to actively reduce paper consumption, such as maximising electronic forms of data storage, rationalising distribution lists, increasing duplex printing and identifying unnecessary paper usage. To address this, Internal Audit will undertake a follow-up audit to identify areas where further improvements could be made in relation to reducing paper consumption.

Recycled Paper

3.6 Following on from the review undertaken by Internal Audit into paper usage (September 2006) the following target was adopted as part of the review of the Environmental Strategy in June 2007:

- Purchase 98% of paper (copier paper, headed paper and compliment slips) from a recycled source by 2007/08.

3.7 In 2006/07, 87% of the paper purchased (copier paper, headed paper and compliment slips) was from a recycled source, compared to 98% in 2004/05. The reason for this decrease is that the coloured paper now purchased does not contain recycled content. To achieve the target steps have been taken to substantially reduce the use of coloured paper and replace with white (recycled). This issue will be addressed as part of the follow-up audit to be undertaken by Internal Audit, as described in section 3.5.

Waste Reduction

3.8 A new target for a reduction in waste levels from the Civic Centre was adopted in the Environmental Strategy (2007–2012):

- Reduce the amount (by weight) of office waste for disposal from the Civic Centre by 60% by April 2011, from a baseline of April 1998 (60 tonnes) and thereafter stabilise production at this level.

3.9 The results for waste reduction at the Civic Centre are summarised below:

Year	Non - recycled waste produced (Civic Centre)	Percentage reduction from baseline (April 1998)
April 1998	60 tonnes	N/A
April 2000	41 tonnes	32% reduction
May 2001	37.5 tonnes	37% reduction
July 2002	94 tonnes*	57% increase*
June 2003	32 tonnes	47% reduction
May 2004	29.5 tonnes	51% reduction
May 2006	27.3 tonnes	55% reduction
May 2007	28.4 tonnes	53% reduction

* Results based on only limited data due to industrial action and are skewed by a departmental clear-out during the monitoring period

3.10 The results were calculated from a waste auditing exercise, which involves monitoring the total amount of non-recycled waste (waste to landfill) produced from the Civic Centre over a two-week period. From this data, the mean quantity of waste disposed of per day and thus the annual waste production is estimated.

3.11 A 53% reduction in the amount of non-recycled waste produced from the Civic Centre was observed in May 2007, compared to the baseline of April 1998. This represents a slight increase (4%) in waste levels since last year.

3.12 The results indicate that further work is required to reduce waste production and increase recycling rates at the Civic Centre in order to meet the new target of a 60% reduction by 2011. A comprehensive set of recycling facilities is available for staff use, including office paper, newspapers, magazines, envelopes, cans, plastics, printer cartridges, glass and cardboard, therefore further work needs to be undertaken to increase the utilisation of these facilities by staff.

Energy Use and Carbon Dioxide Emissions

- 3.13 The Council's first target to reduce energy consumption in Council premises was set in 1992 and was submitted to the Energy Efficiency Office's Corporate Commitment Campaign. This aimed to reduce energy consumption in eight targeted premises* by 20% between 1992/3 and 1997/98 and thereafter to stabilise energy consumption at this level. Although this target was achieved and maintained until 2001/02, since then energy consumption has risen, with a 14.4% reduction achieved in 2006/07.

Reduction in Energy Use in Targeted Premises* (Target 1)

Period	Consumption (kWh)	Saving on 1992/93 (kWh)	% Saving on 1992/3
1992/93	3599196	-	-
1995/96	2959721	639475	17.8%
1996/97	2956757	642439	17.9%
1997/98	2711629	887567	24.7%
1998/99	2828294	770902	21.4%
1999/00	2992703	606493	16.9%
2000/01	2859190	740006	20.6%
2001/02	2813259	785937	21.8%
2002/03	3040975	558221	15.5%
2003/04	3016048	583148	16.2%
2004/05	3098447	500749	14.3%
2005/06**	3001610	597586	16.6%
2006/07	3079382	519814	14.4%

* Civic Centre, Guildhall, Corn Exchange, Toronto House, Rougemont House, Broadwalk, King William St Extension, Guildhall and Harlequin Car Parks.

** Provisional data due to energy manager post being vacant.

- 3.14 Whilst a significant reduction in energy consumption for heating purposes was observed last year at the Guildhall, Corn Exchange and Civic Centre, overall energy consumption for the targeted premises increased by 2.6%. The main reason for this was a 37% increase in electricity consumption at the Civic Centre, the reasons for which are discussed in section 3.16. Also, a significant increase (24%) in consumption was observed at King William Car Park Extension, due to extension in the operating hours lit. The lighting schedule has now returned to normal so this should not persist further. Scope exists to identify further opportunities to reduce energy consumption in the targeted premises through the Carbon Management Programme.
- 3.15 The Council's second energy target is to achieve a 20% reduction in energy use in a further set of targeted premises** by 2002/03, from a baseline of 1997/98, and thereafter to stabilise energy consumption at this level. A summary of the results is shown below.

Reduction in Energy Use in Targeted Premises (Target 2)*

Period	Consumption (kWh)	Saving on 1997/98 (kWh)	% Saving on 1997/8
1997/98	902999	-	-
1998/99	800733	102266	11.3%
1999/00	859166	43833	4.9%
2000/01	985164	5632	0.6%
2001/02	823627	79372	8.8%
2002/03	852997	50002	5.5%
2003/04	794378	108621	12.0%
2004/05	745410	157589	17.4%
2005/06**	909285	-6286	-0.7%
2006/07	735361	167638	18.6%

* Grandisson Court, King William St and Mary Arches St Multi Storey Car Park

** Provisional data due to energy manager post being vacant.

- 3.16 An 18.6% decrease in energy consumption was observed in the targeted properties in 2006/07 compared to 1997/98 levels. This is primarily due to a 26% reduction in gas consumption at Grandisson Court, as a result of the installation of new condensing boilers. The problem highlighted in last year's report with the building management system at Mary Arches St car park has now been rectified, however consumption still remains above 2004/05 levels due to extended opening times.
- 3.17 To reinforce the Council's commitment to resource efficiency, the following target for reduction in carbon dioxide emissions was adopted by SMT in February 2003, for submission to the Government's 'Making a Corporate Commitment Campaign' (MACC2):
- To reduce carbon dioxide emissions at the Civic Centre by 2% by 2007/2008, from a baseline of 2001/02 and thereafter to stabilise energy consumption at this level
- 3.18 The results for carbon dioxide emissions at the Civic Centre are summarised below:

Reduction in Carbon Dioxide Emissions at the Civic Centre

Period	Carbon Dioxide Emissions (te CO ₂)			Saving on 2001/02 (te CO ₂)	% Saving on 2001/02
	Offices*	Car Park	Total		
2001/02	445.8	89.4	535.2	-	-
2002/03	469.4	101.2	570.6	-35.4	-6.6%
2003/04	457.9	102.1	560.1	-24.9	-4.7%
2004/05	444.9	109.7	554.6	-19.5	-3.6%
2005/06**	412.1	85.3	497.5	37.7	7.0%
2006/07	553.1	98.0	651.1	-116.0	-21.7%

* The energy for heating has been degree-day corrected to correct for variations in external temperature, and therefore heating demand, over the monitoring period.

** Provisional data due to energy manager post being vacant.

- 3.19 Between 2001/02 and 2006/07 there was a 21.7% increase in carbon dioxide emissions from the Civic Centre. Although a 19% reduction in emissions from heating has been observed over this period, mainly due to new double glazed windows and increased roof insulation, this has been offset by a 40% increase in emissions from electricity consumption at the Civic Centre. The cause of this increase is thought to be due to the additional energy consumption from the customer service centre and increased air conditioning for IT servers, as well as a significant number of staff leaving their computer switched on overnight.
- 3.20 A number of projects are underway that will reduce emissions from the Civic Centre, including the upgrading of the building management system to gain better control over the heating and ventilation systems, continuation of the lighting replacement programme and the installation of 3 wind turbines on the roof of Phase 1. In addition, subject to the success of the installation of a wood pellet boiler at Belle Isle Nursery, a similar system will be installed at the Civic Centre in 2007/08. Further opportunities to reduce emissions will be explored through the Carbon Management Programme, including the possibility of optimising the electricity supply voltage (potential to reduce energy use and cost by up to 20%) and opportunities to influence staff behaviour and encourage a culture of carbon management.

Water Use

- 3.21 The following target for reduction in water consumption was adopted by SMT in February 2003, for submission to the Government's 'Making a Corporate Commitment Campaign' (MACC2):
- To reduce water consumption at the Civic Centre by 8% by 2003/4, from a baseline of 2001/02 and thereafter to stabilise energy consumption at this level.

Reduction in Water Consumption at the Civic Centre

Period	Water Consumption (m³)	Saving on 2001/02 (m³)	% Saving on 2001/02
2001/02	4705	-	-
2002/03	4598	107	2.3
2003/04	4540	165	3.5
2004/05	4190	515	10.9
2006/07	4361	344	7.3

- 3.22 Between 2001/02 and 2006/07 there was a 7.3% decrease in water consumption at the Civic Centre, which falls just short of the 8% reduction target. In recent years, various projects have been undertaken to reduce water consumption, such as the installation of urinal flush controls and cistern dams and the use of water monitoring equipment to detect leaks. Further opportunities to reduce water consumption, such as rainwater harvesting, waterless urinals and automatic taps, will be investigated further through the Carbon Management Programme.

4 RECOMMENDED

- (1) that the results for paper use, purchase of recycled paper, energy consumption, carbon dioxide emissions and water consumption are noted and that these results are also

communicated to staff and management, with an emphasis on the need for all to contribute to reaching and maintaining the targets;

- (2) that the targets are kept under review, particularly in light of the outcomes of the Carbon Management Programme;
- (3) that a further report is submitted to this Committee in 12 months time.

HEAD OF ENVIRONMENTAL HEALTH SERVICES

S:LP/Committee/907SCC6
23.8.07

COMMUNITY AND ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling the report:-

None

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EXETER CITY COUNCIL

SCRUTINY COMMITTEE - COMMUNITY 4 SEPTEMBER 2007

COMMUNITY SERVICES STEWARDSHIP TO 30 JUNE 2007

1. PURPOSE OF REPORT

- 1.1 This report advises Members of any major differences by management unit to the revised budget.

2. STEWARDSHIP TO 30 JUNE 2007

- 2.1 Following changes in the revenue accounting requirements for fixed assets, the Chartered Institute of Public Finance and Accountancy (CIPFA) have specified that 'deferred contributions' must be released to service revenue accounts. Deferred contributions are government grants and external contributions received in respect of fixed assets. In order that this adjustment does not impact on the level of Council Tax, it is required that the value of deferred contributions released to revenue accounts are reversed out when accounting for total service cost.
- 2.2 The current forecast suggests, after adjusting for approved additional expenditure of £122,550, deferred contributions of £147,749, AIM slippage of £36,000, net movements to reserves of £11,653, and Revenue Contributions to Capital of £20,000, that net expenditure for this committee will increase from the revised budget by a total of £13,752, which represents a variation of 0.09% from the revised budget.
- 2.3 The main variations by management unit are detailed below:

	£
2007-2008 REVISED ESTIMATE	14,521,110

1A1 ENVIRONMENTAL PROTECTION	(71,070)
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Expenditure on abandoned cars is expected to be less than the budget. Additional income in respect of litter fines and funding from the Department of Health offset the cost of extending the contracts of the three litter enforcement officers for the whole of the financial year. Recruitment costs have been incurred, partially offset by savings from staff vacancies in the Community Patrollers service. NNDR (National Non-Domestic Rates) for the CCTV Control Room are expected to be less than the budget.

AIM costs are expected to be £5,000 less than budgeted, and this will be carried forward to 2008/09.

A deferred contribution of £54,499 has been released to this Unit (see 2 above).

1A2 CLEANSING SERVICES (37,020)

Income from the Garden waste service has exceeded the budget. The cost of utilities in Public Conveniences is expected to be less than the budget as a result of energy and water saving improvements made.

Part of the resulting saving will be used to make a revenue contribution to capital in respect of the refurbishment of a public convenience.

1A3 LICENCING, FOOD, HEALTH & SAFETY (23,700)

Income from premises licences is expected to be less than the budget; this is offset by savings from staff vacancies. Income from taxi licensing is expected to exceed the budget, and this will be placed in an earmarked reserve at the end of the year.

1A4 TECHNICAL AND AGENDA 21 2,900

No material variances to report.

1A5 WATERWAYS & COUNTRYSIDE 31,900

Expenditure on the purchase of a new buoy will mean the budget will be exceeded; a need to cover long-term sickness has resulted in staffing costs.

Costs have arisen as a result of the new harbour authority; these costs will be funded from reserves as approved by Executive in June 2003.

Fleet costs are expected to exceed the budget as a result of an accident.

Action Plan

- If possible, savings will be made elsewhere in the service to cover the cost of the new buoy. The position will be reviewed before the September 2007 stewardship and the outcome will be reported to Scrutiny Committee – Community on 6th November 2007.

1A6 GROUNDS MAINTENANCE (19,630)

There have been additional costs incurred as a result of the activities of illegal campers.

Additional costs are expected to arise as a result of vandalism in play areas.

A deferred contribution of £54,097 has been released to this Unit (see 2 above).

Action Plan

- The cost of dealing with illegal camping escalated in 2006/07 and a review was undertaken of the management of the problem. The new procedures have led to a reduction in cost in 2007/08, but the estimated budget has proved insufficient. Prior to the setting of the budget for 2008/09, an assessment of the current procedures will be undertaken, and, if necessary, an increased budget will be set.

1A7 MUSEUMS SERVICE (47,880)

Utility costs are anticipated to exceed the budget due to increased tariffs, as is NNDR. Additional expenditure incurred on supplies and services which will be grant funded.

AIM costs are expected to be £31,000 less than budgeted, and this will be carried forward to 2008/09.

A deferred contribution of £26,477 has been released to this Unit (see 2 above).

1A8 CONTRACTED SPORTS FACILITIES 2,310

Additional costs have arisen in respect of NNDR.

1A9 NON-CONTRACTED SPORTS FACILITIES 37,940

Rental income in respect of Clifton Hill Golf driving range is expected to exceed the budget.

The replacement of the bowls carpet at the ISCA centre has resulted in additional expenditure; however these costs will be funded from an earmarked reserve.

1B2 CEMETERIES & CREMATORIUM 12,500

Expenditure on NNDR and burial expenses is expected to exceed the budget.

Action Plan

- An appeal against the increased rateable value is under consideration.
- The burial expenses arise as a result of undertaking a statutory duty and the nature of the service makes it difficult to set an accurate budget. Efforts will be made to recover costs wherever possible, and the budget for 2008/09 will be reviewed if necessary.

1B3 PROPERTIES 12,550

Essential repairs at one of the properties have resulted in additional expenditure. This has been approved under delegated powers.

1B5	COMMUNITY OUTREACH Executive approved on 19 June 2007 to spend up to £90,000 in respect of the Winter Ice Rink. Income from LeisureCards is expected to exceed the budget. The Splash Scheme is expected to exceed the budget, however this overspend will be funded from an earmarked reserve.	87,340
1B6	RECYCLING Income from the sale of materials and associated recycling credits is expected to exceed the budget due to increased throughput and the current high level of prices available from merchants. Additional expenditure on staff partially offsets this. A deferred contribution of £11,608 has been released to this Unit (see 2 above).	(116,320)
1C2	ADVISORY SERVICES Repair costs in respect of Private Sector Leased properties handbacks are expected to exceed the budget, staffing costs are also expected to exceed the budget due to the need to cover long term sickness. Savings are anticipated on contracted temporary accommodation costs. The forecast overspend represents approximately 6% of the expenditure budget. Action Plan <ul style="list-style-type: none"> • Undertake monthly budget monitoring meetings to improve overall control and identify any potential overspend early. • Take management action to reduce overspent where possible • Reduce the number of Private Sector Leased property handbacks. 	69,390
1C3	HOUSING PARTNERSHIP Income will exceed the budget due to the recovery of Private Sector Renewal grants; however this additional income will be transferred to an earmarked reserve at year-end. Other costs in respect of Extralet are anticipated to exceed the budget. £33,566 will be transferred into an earmarked reserve.	(28,740)
1C4	PRIVATE SECTOR HOUSING	6,400

A shortfall in income from the licensing of houses in multiple occupation is anticipated. Savings on staffing costs partially offset this.

1C7 DIRECTOR – COMMUNITY & ENVIRONMENT 2,030

No material variances to report.

2007-2008 EXPECTED FINAL OUTTURN	14,442,010
	11,653
	36,000
EXPECTED TRANSFERS TO / FROM RESERVES AIM BUDGETS TO BE CARRIED FORWARD	20,000
EXPECTED REVENUE CONTRIBUTIONS TO CAPITAL	<u>14,509,663</u>
EXPECTED TOTAL NET EXPENDITURE	

3. RECOMMENDED

That Scrutiny Committee – Community note this report.

DIRECTOR OF COMMUNITY
AND ENVIRONMENT

HEAD OF TREASURY SERVICES

S:LP/Committee/907SCC16
23.8.07

**COMMUNITY AND ENVIRONMENT DIRECTORATE
CORPORATE SERVICES DIRECTORATE**

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report

None

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SCRUTINY COMMITTEE - COMMUNITY AND ENVIRONMENT
STEWARDSHIP

APRIL 2006 TO DECEMBER 2006

ANNUAL BUDGET	SUPPLEMENTARY BUDGETS AND VIREMENTS	REVISED BUDGET	CODE	CURRENT FORECAST	OUTTURN VARIANCE
£	£	£		£	£
1,310,280	0	1,310,280	1A1	1,239,210	(71,070)
3,588,500	8,200	3,596,700	1A2	3,559,680	(37,020)
565,740	0	565,740	1A3	542,040	(23,700)
172,720	27,260	199,980	1A4	202,880	2,900
652,390	13,000	665,390	1A5	697,290	31,900
1,964,260	6,600	1,970,860	1A6	1,951,230	(19,630)
1,753,070	74,890	1,827,960	1A7	1,780,080	(47,880)
1,180,690	11,600	1,192,290	1A8	1,194,600	2,310
114,560	0	114,560	1A9	152,500	37,940
382,390	91,890	474,280	1B2	486,780	12,500
29,950	3,000	32,950	1B3	45,500	12,550
483,250	0	483,250	1B5	570,590	87,340
724,740	0	724,740	1B6	608,420	(116,320)
747,650	0	747,650	1B9	747,650	0
36,350	0	36,350	1C1	36,350	0
638,310	0	638,310	1C2	707,700	69,390
279,020	0	279,020	1C3	250,280	(28,740)
334,610	0	334,610	1C4	341,010	6,400
73,840	0	73,840	1C5	73,840	0
1,287,940	0	1,287,940	1C6	1,287,940	0
177,620	0	177,620	1C7	179,650	2,030
(2,213,210)	0	(2,213,210)	LESS: RECHARGEABLE BUDGETS	(2,213,210)	
14,284,670	236,440	14,521,110	NET EXPENDITURE	14,442,010	(79,100)
			TRANSFERS FROM EARMARKED RESERVES - 1A9		(42,233)
			- 1B5		(3,380)
			TRANSFERS TO EARMARKED RESERVES - 1A3		23,700
			- 1C3		33,566
			AIM BUDGETS CARRIED FORWARD TO 2008/09 - 1A1		5,000
			- 1A7		31,000
			REVENUE CONTRIBUTIONS TO CAPITAL - 1A2		20,000
			REVISED BUDGET FOR THE YEAR		14,521,110
			OUTTURN FORECAST AFTER ADJUSTING FOR MOVEMENTS ON RESERVES ETC		14,509,663

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EXETER CITY COUNCIL

SCRUTINY COMMITTEE - COMMUNITY 4 SEPTEMBER 2007

HOUSING REVENUE ACCOUNT STEWARDSHIP TO JUNE 2007

1. PURPOSE OF REPORT

- 1.1 To advise Members of any major differences by management unit to the outturn forecast for the first three months of the financial year up to 30 June 2007.

2. STEWARDSHIP TO 30 JUNE 2007

- 2.1 During this period the total of the variances indicate that there will be a net surplus of £6,960, which will be transferred to the working balance at 31 March 2008, increasing the working balance to £2,850,128.
- 2.2 The main variations by management unit are detailed below:

	£
2007-2008 ESTIMATED TRANSFER TO THE WORKING BALANCE	0
5A1 MANAGEMENT	
There is a reduction in the costs that can be offset against the capital receipts pooling as a result of the reduction in Right To Buy sales, and an increase in the allocation of some staffing costs from capital to revenue. This was identified as part of the 2006/07 accounts closing procedures.	90,040
There are additional costs in respect of tenants' removal and legal expenses as a consequence of the downsizing initiative.	
5A8 RENTS	
A reduction in the number of Right To Buy sales in 2006-07 has resulted in an increase in the rent collectable. There is also an estimated increase in the garage rent income.	(100,000)
5B2 INTEREST	
It is estimated that there will be a reduction in the mortgage interest as a result of additional early redemptions in respect of mortgage debt.	3,000
2007-2008 FIRST QUARTER FORECAST INCREASE IN WORKING BALANCE	(£6,960)

3. ACTION PLAN

- 3.1 The budgets, for staffing costing in respect of Right To Buy administration and allocations to capital schemes, will be amended to reflect the additional costs in 2008/09.
- 3.2 Tenants' removal and legal expenses will be funded from the additional income from housing rents resulting from the reduction in Right To Buy sales.

4. RECOMMENDED

That the Scrutiny Committee – Community note this report.

DIRECTOR CORPORATE SERVICES

DIRECTOR COMMUNITY AND
ENVIRONMENT

S:LP/Committee/907SCC17
23.8.07

CORPORATE SERVICES DIRECTORATE
COMMUNITY AND ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:

None

SCRUTINY COMMITTEE - HOUSING REVENUE ACCOUNT STEWARDSHIP

APRIL 07 TO JUNE 07

Code	Approved Annual Budget	Current Outturn Forecast	Movement
	£	£	£
5A1	Management	2,801,150	90,040
5A3	Sundry Lands Maintenance	258,910	0
5A4	Repairs Fund Contribution	7,986,760	0
5A6	Capital Charges	28,860	0
5A8	Rents	(14,056,110)	(100,000)
5B1	Government Subsidy	3,471,020	0
5B2	Interest	(408,800)	3,000
5B4	Variance in Working Balance	0	6,960
	Net Expenditure	(18,210)	0
	Working Balance	2,843,168	2,850,128

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