

EXECUTIVE

Tuesday 18 March 2008

Present:-

Councillor Edwards (Chair)

Councillors D Baldwin, Boyle, Dixon, Mrs Henson, Sheldon, Shepherd and P A Smith

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

23. **MINUTES**

The minutes of the meetings of Executive held on 22 January and 11 February 2008 were taken as read and signed by the Chair as a correct record.

24. **DECLARATIONS OF INTEREST**

No declarations of interest were made by members.

25. **GRANTS COMMITTEE**

RESOLVED that the minutes of the meeting of the Grants Committee held on 21 February 2008 be received and, where appropriate, adopted.

26. **NOTICE OF MOTION - REPRESENTATION ON FIRE SERVICE AUTHORITY**

Executive considered the Notice of Motion submitted by Councillor Newby, amended by Council on 19 February 2008 and referred to Executive in the following terms:-

“That this Council through the Leader and the Chief Executive write to the Fire Minister Mr Parmjit Dhanda MP for Gloucester to allow representation from this Council to act as an independent member on to the Fire Service Authority, so that the fire safety of this city and its residents is not compromised.”

Councillor Newby attended the meeting and spoke on this item under Standing Order 45. He expressed concern at the inadequacy of the two existing fire stations for a City with a growing resident population in addition to high visitor numbers and extensive transport facilities including railway stations and the airport. In view of the substantial financial contribution made by City residents he felt it was wrong that the City Council did not have a voice on the Fire Service Authority. He acknowledged that there were two representatives of Devon County Council on the authority but felt that the Council did not receive adequate consultation or feedback on matters considered by the Committee.

Executive members agreed that they would appreciate more information on Fire Authority proposals on a regular basis and welcomed the suggestion to invite the Chief Fire Officer in to meet with Councillors when they had particular issues they wished to discuss.

RECOMMENDED that:-

- (1) the Notice of Motion referred to Executive be agreed and sent to Fire Minister Mr Parmjit Dhanda MP for Gloucester; and
- (2) the Chief Executive be requested to invite the Chief Fire Officer to meet with Councillors when specific issues were raised by members.

27. **CARBON MANAGEMENT STRATEGY AND IMPLEMENTATION PLAN**

The report of the Head of Environmental Health Services was submitted, presenting the outcomes of the Council's Carbon Management Programme and seeking approval for the Strategy and Implementation Plan.

Scrutiny Committee – Community considered the report at their meeting on 4 March 2008 and the support and comments of members were noted. Members were pleased to note the success of the bio-diesel trials.

RESOLVED that:-

- (1) the Carbon Management Strategy and Implementation Plan be approved;
- (2) general progress towards meeting the aims of the Strategy and Implementation Plan be monitored on an annual basis and reported to Scrutiny Committee – Community;
- (3) the action plan be revised on an annual basis; and
- (4) a commitment be made to undertaking a full review of the Strategy and Implementation Plan in five years' time (2013).

(Report circulated)

28. **CLIMATE CHANGE PARKING LEVY**

The joint report of the Directorate Projects Manager, Economy and Development and the Environmental Co-ordinator, Community and Environment was submitted, outlining a method for allocating proceeds from the Climate Change Parking Levy.

Members endorsed the proposed method of allocation and criteria for the assessment of projects. They welcomed the broad representation on the Exeter Parking Levy Evaluation Team which would contribute to raising awareness of the issues.

RESOLVED that the approach set out in the report in relation to the allocation of proceeds from the Climate Change Parking Levy be endorsed and officers be permitted to proceed with implementation, engaging partners as appropriate.

(Report circulated)

29.

PARK AND RIDE STRATEGY FOR EXETER

The report of the Projects Officer, Economy and Development Directorate, was submitted, seeking endorsement to the joint City and County Council Strategy for 'Park and Ride' in Exeter. The Director Economy and Development outlined existing provision and measures that were being undertaken to upgrade facilities.

Scrutiny Committee – Economy considered the report at their meeting on 6 March 2008. The Committee's support for the Strategy was noted and the comments of members in relation to the identification of suitable sites and measures to ensure appropriate use.

Councillor Prowse attended the meeting and spoke on this item under Standing Order 44. He acknowledged the problems in relation to Cowley Bridge in view of the vulnerability of the site to flooding but emphasised the importance of continuing efforts to identify a suitable site to the north of the City.

Members welcomed the proposals for the extension of "Park and Ride" capacity for the City.

RESOLVED that the joint City and County Council 'Park and Ride Strategy for Exeter' be endorsed and regular updates on progress be submitted.

(Report circulated)

30.

CIVIL PARKING ENFORCEMENT

The report of the Head of Administration and Parking Services was submitted, updating Members on the process for introducing Civil Parking Enforcement (CPE).

The Director Economy and Development updated members on progress. He reported that the draft Statutory Instrument had been circulated and the final Statutory Instrument was expected to be laid before Parliament in early April. The date for implementation of the CPE scheme in Devon specified in the draft Statutory Instrument is 5 May 2008. The Director had met with staff involved and discussions had commenced with trade union representatives regarding the transfer of the traffic wardens. The recruitment process for new staff was underway and training for all staff was being arranged. Discussions had been held regarding possible shared "back office" provision with another district but no proposals had emerged. He reported that there would be no financial costs to the City Council under the current two tier structure. All capital and running costs would be met by the County Council and it was anticipated that there would be a small revenue deficit initially and a surplus in the second year.

Scrutiny Committee – Economy considered the report at their meeting on 6 March 2008 and the support and concerns of members were noted.

Councillor Prowse attended the meeting and spoke on this item under Standing Order 44. He was pleased to note the lead taken by the City Council in the transfer of the function and that costs would be met by Devon County Council. He emphasised the importance of suitable proposals for the transfer in the light of Exeter's bid for unitary status and the major financial implications of the service. He expressed particular concern that parking enforcement on yellow lines had lapsed and hoped that this would be addressed. The Director Economy and Development responded that should the City Council become the highway authority it would be

free to vary the method and level of enforcement. He agreed that there was a lot of work for the County Council to do to ensure that the yellow lines reflected the Traffic Orders.

Members commented on the current mismatch between the times when parking abuses commonly occurred and the working hours of the traffic wardens. They welcomed progress on the transfer of the function and looked forward to improving the efficiency and effectiveness of parking enforcement.

RESOLVED that the approach set out in the report be endorsed and authority for any further decisions that need to be made, including variations to establishment and budget, be delegated to the Director Economy and Development in consultation with the Leader of the Council and Portfolio Holders for Sustainable Development and Transport and Business Transformation and Human Resources.

(Report circulated)

31.

USE OF BEDFORD SQUARE

The joint report of the Director Economy and Development and the City Centre Manager was submitted seeking support for new Bedford Square usage and booking arrangements.

Scrutiny Committee – Economy considered the report at their meeting on 6 March 2008 and the support and comments of members were noted.

Councillor Prowse attended the meeting and spoke on this item under Standing Order 44. He was concerned about the legality of traffic signs relating to lorry movement in the City Centre and sought assurance regarding the location of events within Bedford Square. The Director Economy and Development reported that, other than emergency access, Bedford Square was free of traffic between the hours of 10am and 6pm. It was the responsibility of Traffic Wardens to enforce parking restrictions during these hours. He reported that further traffic signs would be erected once the legality of the existing sign at the High Street/Fore Street junction had been confirmed which would then enable effective enforcement to take place.

Members commented on the current abuse by lorries loading and unloading in the High Street and looked forward to the Council's new powers to enforce parking restrictions.

RESOLVED that the proposed guidelines for the use of Bedford Square be supported.

(Report circulated)

32.

NEW CONSERVATION AREA AT LOWER SUMMERLANDS

The report of the Head of Planning Services was submitted, considering designation of a new conservation area at Lower Summerlands.

Executive supported the proposed designation of the area as a conservation area in order to give appropriate protection and guide future development.

RESOLVED that the area of Lower Summerlands shown on the plan be designated a conservation area with immediate effect and public consultation on the proposal be undertaken subsequently.

(Report circulated)

33. **RESULTS OF CONSULTATION ON ST LEONARD'S CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

The report of the Head of Planning Services was submitted, seeking agreement to the St Leonard's Conservation Area Appraisal and Management Plan (CAAMP) and proposed amendments to the document for adoption.

RESOLVED that the St Leonard's Conservation Area Appraisal and Management Plan be adopted and the boundary amended in accordance with the proposals in Paragraph 3.1 of the report.

(Report circulated)

34. **THE COUNCIL'S STRATEGIC OBJECTIVES**

The report of the Strategic Management Team was submitted, advising Members of minor revisions to the Council's strategic objectives and the agreed corporate priorities for 2008-09.

The Chief Executive reported that the minor revisions related to the wording and presentation of the agreed priorities. They resulted from a review of the Council's strategic objectives and were also a response to the Direction of Travel assessment.

RESOLVED that:-

- (1) the wording of Strategic Objective (2) be revised to read "Enhance and protect the environment, reducing the causes and minimising the impact of climate change"; and
- (2) subject to the above amendment, the minor revisions to the Council's corporate priorities be approved.

(Report circulated)

35. **LOCAL PETITIONS AND COUNCILLOR CALLS FOR ACTION - CONSULTATION**

The report of the Assistant Chief Executive was submitted, informing Members and seeking a response to the Government's proposals in respect of local petitions and Councillor Calls for Action.

RESOLVED that:-

- (1) a response be sent to the Department for Communities and Local Government in respect of the Consultation Paper on Local Petitions and Councillor Call for Action, as set out in paragraph 5 of the report; and

- (2) the Council's Constitution be amended to reflect the Councillor Call for Action process, subject to guidance awaited from the Government.

(Report circulated)

36. **STANDBY PAYMENTS - LOCAL GOVERNMENT PENSION SCHEME CONTRIBUTIONS**

The report of the Head of Human Resources was submitted, reporting on changes to the Local Government Pension Scheme contributions in respect of standby payments and considering the options for managing past contributions from employees and from the Council.

RESOLVED that contributions commence with effect from 1 February 2008 and that any future costs be absorbed within the Council's contribution rate.

(Report circulated)

37. **ANTI-SOCIAL BEHAVIOUR CO-ORDINATOR POST**

The report of the Assistant Chief Executive was submitted seeking approval for the temporary post of Community Safety Partnership Anti-Social Behaviour Co-ordinator to be made permanent.

RESOLVED that the post of Anti-Social Behaviour Partnership Co-ordinator become a permanent City Council post.

(Report circulated)

38. **LORD MAYORALTY**

Councillor Edwards nominated Councillor Paul Smith as Lord Mayor Elect and Councillor Kevin Mitchell as Deputy Lord Mayor Elect for the 2008/09 Municipal Year.

RECOMMENDED that Councillor Paul Smith be nominated as Lord Mayor Elect and Councillor Mitchell be nominated as Deputy Lord Mayor Elect for the 2008/09 Municipal Year.

39. **APPOINTMENTS TO OUTSIDE BODIES**

RESOLVED that the following appointments be made:-

BODY AND TERM OF OFFICE	APPOINTED REPS	NUMBER OF MEETINGS PER ANNUM	TERMS OF REFERENCE
Central Exeter Relief in Need Charity 4	Cllr P.J. Brock Prof. R. Snowden	2	Charity to relieve either generally or individually persons resident in the area of benefit who are in condition of need, hardship or distress by making grants of money or providing or paying for items, services or

			facilities calculated to reduce the need, hardship or distress of such persons. May cover rest of City if not required in the area.
Court of the University of Exeter 3	The Lord Mayor Cllr Edwards Cllr Mrs Danks Cllr Shiel Dr D Treharne	1	Ceremonial with no constitutional function (This body is under review)

RECOMMENDED that an appointment to the following body be made by Council:-

BODY AND TERM OF OFFICE	CURRENT REP AND EXPIRY OF APPOINTMENT	NUMBER OF MEETINGS PER ANNUM	TERMS OF REFERENCE
Royal Albert Memorial Museum Development Trust Ongoing	Cllr Shepherd (resigned) From 18.03.2008	3	To advance the education of the public by the promotion, support, assistance and improvement of the RAMM including its galleries, displays, collections, amenities and facilities.

(Report circulated)

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

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

41. **RAMM STAFFING 2008/09**

The Director Corporate Services declared a personal interest as his fiancée is employed at the Royal Albert Memorial Museum and left the meeting during consideration of the item.

The report of the Head of Leisure and Museums was submitted, advising Members of reductions in the Renaissance in the Regions funding programme, and seeking approval for resultant changes to staff numbers.

Scrutiny Committee – Community on 4 March 2008 had considered the report. Executive noted and considered the request of the Committee that the post of Assistant Curator World Cultures CE12161 should be retained in view of the importance of the ethnography collection.

Councillor Newcombe attended the meeting and spoke under Standing Order 44 in support of the retention of the post of Assistant Curator World Cultures CE12161. In addition to the loss of the skills and experience of the particular postholder, she was

concerned that the deletion of the post would send out a negative message in relation to this internationally important collection. She conveyed the view of the postholder that there was still work to be undertaken in relation to the collection.

The Director Community and Environment explained the background to the Renaissance in the Region funding programme and the need to make savings in the forthcoming financial year. She reported that the process of deciding which staff should be selected for redundancy had been extremely difficult but had been undertaken in a logical and transparent way and in full consultation with the trade unions. She advised members that legislation now required that temporary staff were entitled to the same protection as permanent staff. The post of Assistant Curator World Cultures had been selected on the basis that the World Cultures collection had already benefited from major investment, and expertise and experience of the other three collection categories was at a greater premium. The posts were not inter-changeable due to their extremely specialist nature and discussions had been offered in relation to transferable skills. Furthermore the World Cultures collection was to be mothballed within the existing building and would be considerably less accessible.

Whilst regretting the need to make posts redundant, members considered that the process for selection had been logical and reflected the Museums development needs.

RESOLVED that:-

- (1) the employment of the holders of the posts listed in paragraph 4.2 of the report be not renewed, or terminated as appropriate, on the 31 March 2008 with the holders paid, where relevant, a compensation payment in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006 with a payment also made in respect of any notice period due to the employee at 31 March 2008;
- (2) the resultant posts be deleted from the establishment of the Council;
- (3) all other museum posts on temporary Renaissance funded contracts, as identified in Appendix I of the report, have those contracts extended to 31 March 2009 and contracts funded by the Heritage Lottery Fund (HLF) be extended to 31 March 2010 unless otherwise indicated.
- (4) the temporary post of part time cleaner, CE121001 be made permanent.

In accordance with Standing Order 43, Councillor P Smith requested that his name be recorded as having voted against the resolution.

(Report circulated to Members)

42. **RESTRUCTURING OF CONTRACTS DEVELOPMENT AND BEST**

The report of the Head of Contracts and Direct Services was submitted, seeking approval for the restructuring of Contracts Development and the Building and Electrical Service Team (BEST) sections within Contracts and Direct Services in order to improve efficiency, provide a more customer focussed service and reduce costs by £35,000 in the first year.

RESOLVED that:-

- (1) the restructuring of Contracts and Direct Services as described in the report be approved with effect from 1 April 2008 including:
 - (i) the deletion of the post of Electrical and Mechanical Manager (CE11105);
 - (ii) the redesignation of the post of Building Maintenance Manager to Building and Electrical Manager (CE11106) with the grades subject to job evaluation;
 - (iii) the redesignation of the post of Building Surveyor to Supervising Surveyor (CE11134) with the grades subject to job evaluation;
 - (iv) the redesignation of the post of Electrical and Mechanical Reactive supervisor to Building Services and Projects Supervisor (CE11127) with the grades subject to job evaluation;
 - (v) the recruitment to the posts of Working Building Supervisor and Working Electrical Supervisor Posts from within the existing workforce and deletion of subsequent posts;
 - (vi) the creation of the post of Procurement Manager with the grade subject to job evaluation; and
 - (vii) the creation of the post of Civils Project Officer to be filled when existing arrangements cease.

(Report circulated to Members)

43.

PUBLIC INQUIRY COSTS

The report of the Head of Leisure and Museums was submitted regarding the estimated costs of the public inquiry in relation to the creation of a new harbour authority for the Exe Estuary due to be held in July 2008.

RECOMMENDED that the Council commits to funding the public inquiry and associated costs.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.30 pm)

Chair

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