

EXECUTIVE

Tuesday 30 September 2008

Present:-

Councillor Fullam (Chair)

Councillors S Brock, Edwards, R M Hannaford, Mrs Henson, Mitchell, Mrs Morrish and Wadham

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

100

DECLARATIONS OF INTEREST

The following personal (*prejudicial) interests were declared:

COUNCILLOR	MINUTE
Edwards	107* (Employee of Stagecoach Devon)
Mitchell	102 (Lives adjacent to Polsloe Priory site)

101

GRANTS COMMITTEE

RESOLVED that the minutes of the meeting of the Grants Committee held on 18 September 2008 be received and, where appropriate, adopted.

(Minutes circulated)

102

CAPITAL MONITORING STATEMENT TO JUNE 2008

The report of the Head of Treasury Services was submitted, reporting the current position in respect of the Council's revised annual capital programme and advising Members of the anticipated level of deferred expenditure into future years.

Scrutiny Committee – Resources considered the report at their meeting on 17 September 2008 and the support and comments of Members were noted.

The Head of Treasury Services reported that during the first three months of the current financial year the Council spent £2,046,164 which equated to 6.9% of the 2008/09 revised Capital Programme. Whilst only just over £121,000 of the RAMM re-development budget had been spent during that period, he reported that there would be significant expenditure over the next few months.

A member expressed concern regarding this Council's possible liability for Devon County Council projects such as the renewal of the Haven Banks Outdoor Education Centre funded by the proceeds of the sale of Exeter Airport, in the event of local government re-organisation in Devon. Officers advised that the Council would be responsible for contractual liabilities on any transfer but there would also be an equivalent transfer of assets. It was agreed that clarification should be sought as to when the County Council proposed undertaking the works.

Members also queried delays in the provision of play facilities provided through Section 106 funding, such as that at Polsloe Priory. Councillor Mitchell declared a personal interest in this item as he lived adjacent to this site. The Director Economy and Development reported that considerable effort was being made to ensure that developers delivered the required facilities on time and to the right standard and regular progress reports were made to Planning Committee.

RESOLVED that the current position in respect of the annual capital programme be noted.

(Report circulated)

103

OVERVIEW OF GENERAL FUND REVENUE BUDGET 2008-2009

The report of the Head of Treasury Services was submitted, informing Members of the overall projected financial position of the General Fund Revenue Budget after three months, for the 2008-2009 financial year.

Scrutiny Committee – Resources considered the report at their meeting on 17 September 2008 and the support and comments of Members were noted.

The Head of Treasury Services identified the main variances, details of which were reported to the Scrutiny Committees through stewardship reports. He reported that the largest debt related to recovering housing benefit which often involved court processes such as attachment of earnings over a protracted period.

Members were pleased to note the forecast underspend of only 0.1% against the revised budget of £19,533,140 after three months and the healthy forecast General Fund Working balance.

RESOLVED that the forecast financial position for the 2008-2009 financial year and the outstanding Sundry Debt position for the first quarter of 2008-09 be noted.

(Report circulated)

104

NEW SWIMMING POOL FOR EXETER

The report of the Head of Leisure and Museums was submitted, proposing the best way of providing swimming facilities in the future, following an options appraisal comparing the provision of a new pool to replace Pyramids with refurbishing Pyramids and considering further the procurement methods for the chosen option.

Scrutiny Committee – Community considered the report at their meeting on 2 September 2008. Executive noted the debate on the issue at that meeting and the request of the Committee for Executive to:-

- (i) rescind the decision to build a new swimming pool at Clifton Hill;
- (ii) close the Pyramids Swimming Centre;
- (iii) re-affirm the decision to build a new swimming pool; and
- (iv) arrange for a meeting to be held between the Portfolio Holder for Environment and Leisure, the four group leaders, the Chair and Deputy Chair of Scrutiny Committee – Community, officers and users for further consideration to be given to the location and funding of a new swimming pool.

The Portfolio Holder for Environment and Leisure reported that he had met with swimming clubs' representatives and other pool users, all of whom wanted a new pool. He acknowledged that, whilst everyone would prefer a new swimming pool, the current financial position of the Council made this unaffordable at the present time. He hoped that discussions would continue with users and all options would be explored to make this achievable in the future. He would not wish for the Pyramids Centre to be closed down in the meantime as the Scrutiny Committee – Community resolution implied.

Some members felt that the £2 million cost of refurbishment of the existing pool would be better spent as a contribution to building a new pool. They expressed concerns that the true cost and problems of refurbishment would not be known until work commenced and this could result in much greater expenditure and long periods of closure for the pool. They referred to the previous refurbishment of the pool in the 1990s where this had occurred. They felt that a refurbished pool would never be up to the standards that the city of Exeter should expect.

Another member reminded Executive that Council had previously confirmed its intention to build a new pool. A feasibility study had been undertaken and the Clifton Hill site had been the only suitable option identified in the City Centre. The Chair responded that the Council had never identified how it would finance a new pool. The financial climate had changed significantly since the last decision had been made and the cost of borrowing had increased. In order to fund the additional £90,000 revenue cost for every £1 million of capital cost, an equivalent sum would need to be met through revenue savings. He felt that this would be hard to achieve since the efficiency with which services were already run would not allow for savings without cutting existing service provision or standards. He invited members to identify any potential savings.

Councillor Edwards proposed a Motion in the following terms:

“That this Executive instructs the Scrutiny Committee – Resources to form a Working Party made up of all political parties. Its task is to look at next year's budget (Revenue and Capital) to make savings so that we can look at this Council having a new swimming pool”.

The Director Corporate Services indicated that this would run parallel to, and duplicate, the existing formal budget process. If the Council decided it wished to finance a new pool then the current budgetary process would be the appropriate way to seek to find a solution.

The Motion was put to the vote and lost.

Councillor Mitchell, seconded by Councillor Fullam proposed the following Motion, amending that previously agreed by Scrutiny Committee – Community:

- (1) to rescind the decision to build a new swimming pool at Clifton Hill;
- (2) to close the Pyramids Swimming Centre once a new facility has been provided and ensure that Pyramids continues to meet acceptable standards whilst it is in operation ;
- (3) to re-affirm the desirability of building a new swimming pool subject to it being affordable within the framework of the Council's medium term financial plans;

- (4) arrange for a meeting to be held between the Portfolio Holder for Environment and Leisure, the four group leaders, officers and users for further consideration to be given to the location and funding of a new swimming pool.

The Motion was put to the vote and carried.

RECOMMENDED that:-

- (1) the decision to build a new swimming pool at Clifton Hill be rescinded;
- (2) Pyramids Swimming Centre be closed once a new facility has been provided, ensuring that Pyramids continues to meet acceptable standards whilst it is in operation;
- (3) the desirability of building a new swimming pool be re-affirmed, subject to it being affordable within the framework of the Council's medium term financial plans; and
- (4) a meeting be arranged between the Portfolio Holder for Environment and Leisure, the four group leaders, officers and users for further consideration to be given to the location and funding of a new swimming pool.

(Report circulated)

105

FREE SWIMMING PROGRAMME

The report of the Director Community and Environment was submitted, outlining details of the government's free swimming programme and detailing action taken so far in response to this. The Director reported that the Council had not yet received details from the Government of the prospective allocation of funding in respect of 16 year olds and under.

Executive supported the response sent to the Government by the Director Community and Environment. Members endorsed the expression of interest in relation to free swimming for those over 60 subject to sufficient government funding being made available. They felt unable to make a commitment at this stage towards free swimming for young people however, in the absence of assurances that costs would be covered by government grant.

RESOLVED that authority be delegated to the Director Community and Environment, in consultation with the Portfolio Holder Environment and Leisure, to decide whether the Council should participate in the scheme to offer free swimming to those aged 16 and under during the next two financial years, once information had been received on government funding.

(Report circulated)

106

REGIONAL SPATIAL STRATEGY 2006 - 2026 - PROPOSED CHANGES

The report of the Head of Planning Services was submitted, agreeing a response to the 'Proposed Changes' to the Regional Spatial Strategy (RSS), published by the Secretary of State.

The Director reported concerns that the proposed allocations for employment sites were at the more expensive end of the range and that there was inadequate provision for lower specification uses.

Some members expressed concerns at the inadequacy of the infrastructure to support the ambitious expansion of housing within and outside the City. The Director responded that the strategy was a long term plan to agree broad allocations and the detailed proposals for infrastructure would follow. Members queried the future of the Cranbrook development in light of the current economic climate. The Director responded that considerable resources had already been invested in the detailed planning of Cranbrook and in obtaining financial support for the necessary infrastructure. Whilst the development would not happen imminently, it was most unlikely that it would be abandoned. Other members commented that it was important that the size and quality of housing units were not sacrificed in the course of increasing the quantity of housing.

The Director confirmed that this Council was currently committed to a 25% affordable housing target and a further report would be submitted to Committee regarding a possible increase to 35% in line with the regional target.

RESOLVED that the following representations be made on the Regional Spatial Strategy Proposed Changes:

- (i) the increase in the number of houses to be provided within the City is not soundly based on evidence of capacity;
- (ii) the provision of 2,500 dwellings on the eastern side of the City should be deleted as it limits the potential capacity to be achieved in this area and unnecessarily restricts the flexibility to determine the optimum balance of development within the City, in response to RSS requirements, through the Local Development Framework;
- (iii) the work to identify detailed and realistic sub-regional infrastructure proposals and priorities, that will enable the delivery of the RSS development requirements, should be carried out as a matter of urgency; and
- (iv) additional employment allocations were needed as the range of employment sites was insufficiently diverse and offered inadequate provision for lower specification uses.

(Report circulated)

107

REDEVELOPMENT OF THE BUS STATION

Councillor Edwards declared a prejudicial interest as an employee of Stagecoach Devon and left the meeting during consideration of the item.

The report of the Head of Planning Services was submitted, informing Members of recent studies which had been commissioned in connection with the future redevelopment of the Bus Station site and seeking agreement to funding for a programme of further assessments.

Members commented on the desirability of having a range of uses on the site, including some housing provision in addition to retail use. Another member drew attention to the importance of the archaeology of the site. Members welcomed the feasibility study and looked forward to an imaginative and innovative development providing a range of uses including a modern bus station.

RESOLVED that the investment of a further £175,000 in studies to inform the redevelopment of the Bus Station and adjoining areas be approved.

(Report circulated)

108

REVISION OF STANDING ORDERS

Councillor David Morrish, Chair of the Standing Orders Working Group, presented the report and recommendations of the cross-party Working Group in relation to the revision of the Council's Standing Orders. Since the outcome of the Boundary Committee review of local government in Devon was likely to require a more comprehensive review of the Constitution, he reported that the Group had agreed to restrict the current exercise to a review of those Standing Orders which they identified as being in more urgent need of revision. He paid tribute to the effective manner in which the members of the working group had undertaken their task and thanked officers for their advice and support.

He reported that the Working Group had been unanimous in their proposals with the exception of Standing Order 39 in relation to the election of Chairs and Deputy Chairs at the Annual Meeting of Council where they felt it appropriate to present Council with two options.

Executive recorded their appreciation of the work of the Working Group.

RECOMMENDED that Council be requested to:-

- (1) decide between the two options presented on the schedule in relation to Standing Order 39;
- (2) subject to (1) above, approve the recommendations of the Standing Orders Working Group set out in the schedule attached to the report; and
- (3) delegate authority to the Assistant Chief Executive to make any necessary consequential amendments to the Constitution arising from these recommendations.

(Report circulated)

109

REPRESENTATION AT MAGISTRATES COURTS

RESOLVED that, in accordance with Section 223 of the Local Government Act 1972, the following officers be authorised to represent the Council at the Magistrates Court in Council Tax and Rating cases:-

Kevin Hughes – Revenues Collection Manager
Sue Rolfe – Senior Recovery Officer
Emma Wills – Court Officer
Guy Burnley – Senior Rating Officer

(The meeting commenced at 5.30 pm and closed at 7.55 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 14 October 2008.