

EXECUTIVE

Tuesday 23 March 2010

Present:-

Councillor Fullam (Chair)

Councillors S Brock, Cole, Mrs Henson, Mitchell, Mrs J Morrish, Newton and Wadham

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

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MINUTES

The minutes of the meetings of the Executive held on 26 January and 9 February 2010 were taken as read and signed by the Chair as a correct record.

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GRANTS COMMITTEE

RESOLVED that the minutes of the meeting of the Grants Committee held on 25 February 2010 be received and, where appropriate, adopted.

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DECLARATIONS OF INTEREST

Members declared the following personal interests:

COUNCILLOR	MINUTE
Mitchell	36 (employee of Royal Devon and Exeter Hospital Trust)
Prowse	36 (member of Devon County Council)

34

THE SINGLE CONVERSATION: NEW PROCESS FOR SECURING INVESTMENT IN HOUSING AND REGENERATION

The joint report of the Projects and Business Manager and Director Economy and Development was submitted, advising Members of the Homes and Communities Agency's "Single Conversation" process, and seeking approval to the proposed arrangements for preparing a Local Investment Plan, and the proposed form and content of that Plan.

RESOLVED that:-

- (1) a "Single Conversation" is developed as required by the Homes and Communities Agency, across the districts of Exeter, East Devon, and Teignbridge (excluding Dartmoor National Park), with the Exeter and East Devon New Growth Point Steering Board scrutinising and informing preparation of the Single Conversation documents, and recommending actions to the Councils for those districts and to Devon County Council;

- (2) the Local Investment Plan and subsequently the Local Investment Agreement are prepared by the Officer Group in accordance with the broad principles outlined in section 3 of this report, for approval in each case by the Steering Board;
- (3) a Stakeholder Engagement Strategy is prepared by the Officer Group, for approval by the Steering Board's Principals, as set out in paragraph 3.8 of the report; and
- (4) the Officer Group reports periodically to the Steering Board.

(Report circulated)

35

GAP FUNDING FOR THE NEW GROWTH POINT

The report of the Director Economy and Development was submitted, seeking agreement to make a capital contribution to delivering development in the New Growth Point.

Members welcomed the provision of affordable homes at Cranbrook and emphasised the importance of adequate "travel to work" facilities for the residents of the new community. The Director Economy and Development reported that a bus service to Exeter would initially be provided which, in due course, would be replaced by a high quality express bus service. Cycling and walking links to the new railway station would also be provided. It was anticipated that some residents would work more locally, for example at Exeter Airport, the Skypark or Science Park.

In response to a query regarding the potential impact of a change in Government, the Director Economy and Development responded that planning permission would remain in place for 2900 dwellings at Cranbrook even if the preparation of Core Strategies ceased, though the ultimate size of Cranbrook could be affected.

Members welcomed the provision at Cranbrook of significant additional housing for applicants on the Council's waiting list and the proposals for a Combined Heat and Power, low carbon energy scheme.

RESOLVED that a £100,000 gap funding contribution to the New Growth Point be approved to be funded from the Housing and Planning Delivery Grant Capital Allocation.

(Report circulated)

36

PARKING ENFORCEMENT AT THE ROYAL DEVON AND EXETER HOSPITAL

The report of the Director Economy and Development was submitted, advising Members of a number of issues regarding the enforcement of parking restrictions at the Royal Devon and Exeter Hospital. The Director Economy and Development apologised for the error which had arisen as a result of legal advice taken in relation to the appropriate legislation.

Councillor Mitchell declared a personal interest as an employee of Royal Devon and Exeter Hospital Trust.

Scrutiny Committee – Economy considered the report at their meeting on 11 March 2010 and their comments and support were noted.

Councillor Prowse attended the meeting and spoke on this item under Standing Order 44. He declared a personal interest as a member of Devon County Council which had previously been a consultee to the process. He informed members that he had previously raised concerns with officers and had taken independent legal advice on the issue. He sought clarification of how the estimated cost of the reimbursement to motorists using the R D & E car park had been calculated and enquired why tickets had continued to be issued between May 2008 and October 2009 and why tickets were being issued at the present time. He also asked about the redundancy cost of the parking warden and the cost of the specialist legal advice obtained by the Council.

The Director Economy and Development stated that parking enforcement was an important function which the Council operated for the benefit of the public. He responded that the maximum cost of reimbursement had been calculated at £35,000 on the basis of fines having been paid within the discounted period. The current interim enforcement arrangements were being undertaken using the Council's trading powers. He invited Councillor Prowse to write to the Head of Parking, Engineering and Business Support to seek any further information required in relation to his concerns.

The Chair emphasised that parking enforcement was an important function for the City which operated in the public interest. The regrettable error which had occurred in this instance had been acknowledged, liability accepted and appropriate remedial action undertaken.

RESOLVED that:-

- (1) the content of the report be noted; and
- (2) advertisement of the proposed revocation of The City of Exeter Hospital Parking Places Order 1994 and the process necessary to achieve this be approved and authority be delegated to the Head of Parking, Engineering and Business Support, in consultation with the Portfolio Holder, to consider any objections received during the consultation process.

(Report circulated)

37

LORD MAYORALTY

RECOMMENDED that Councillor Choules be nominated as Lord Mayor Elect and Councillor Sheldon as Deputy Lord Mayor Elect for the 2010/11 Municipal Year.

38

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

A schedule of appointments to outside bodies was circulated.

RESOLVED that:-

- (1) Cllr Mrs Danks be re-appointed to the Exeter Dispensary and Aid in Sickness Fund and a further nomination to replace former Cllr Bond be made at Council; and

- (2) Cllr Choules be re-appointed to the Wessex Reserve Forces and Cadets Association – Devon Committee.

39

REGENERATION OF THE EXETER BUS AND COACH STATION SITE

The report of the Head of Estates Services and Director Economy and Development was submitted advising Members of progress on the preparatory work necessary for the regeneration of the bus and coach station site and considering the next steps in working up a Master Plan and delivery mechanism for that regeneration. The report recommended that the City Council enter into an Exclusivity Agreement with Land Securities and the Crown Estate in order to facilitate the work on the Master Plan and on the delivery mechanism. It also sought authority to conclude terms with Stagecoach for the grant of a new short term lease of the existing bus and coach station.

A member reported concerns that had been expressed on the congestion caused by visiting coaches parking in South Street rather than at the bus and coach station. The Director Economy and Development responded that neither the City Council nor Devon County Council had the powers to require Stagecoach to allow use of the site for this purpose. The behaviour of passengers disembarking at the bus park had led to significant safety concerns.

Members were keen to see the development of the site and welcomed the Exclusivity Agreement which would help progress the Master Plan. They acknowledged the importance of input from a credible developer at an early stage to ensure that aspirations were realistic and deliverable but emphasised that the eventual content of the Master Plan was a matter solely for the Local Planning Authority.

RESOLVED that:-

- (1) an Exclusivity Agreement with Land Securities/Crown Estate be entered into in order to work with the developer to bring forward a Master Plan for the bus and coach station site, work up an acceptable scheme of development and agree the provisional terms for the property transaction; and
- (2) the Head of Estates Services, in consultation with the Portfolio Holder Economy & Tourism be authorised to agree terms for a new short term lease with Stagecoach for the existing bus and coach station.

(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 (Minutes 41-44) on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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**REGENERATION OF EXETER BUS AND COACH STATION SITE:
PROCUREMENT ISSUES**

The report of the Head of Estates Services and Director Economy and Development was submitted, setting out background advice on procurement issues concerning the regeneration of the Exeter Bus and Coach Station site.

RESOLVED that the report be noted.

(Report circulated to Members)

42

EXETER BUSINESS CENTRE - OPTIONS ON LEASE EXPIRY

The report of the Head of Estates Services was submitted, considering the options on expiry of the current Exeter Business Centre Ltd lease.

Scrutiny Committee – Economy considered the report at their meeting on 11 March 2010 and their comments and support were noted.

Members welcomed the proposed way forward.

RESOLVED that:-

- (1) the principle of EBC Ltd taking out a further lease of the premises at Marsh Green Road on the terms set out in the report be agreed, with the Council standing as guarantor to that further lease; and
- (2) revenue funding be provided for the duration of the proposed new lease to meet any annual shortfall in the Company's revenue account for that period, the anticipated extent of any such shortfall to be reported as part of the annual Exeter City Council budget setting process.

(Report circulated to Members)

43

ROYAL ALBERT MEMORIAL MUSEUM (RAMM) PROJECT CLAIM REVIEW

The report of the Head of Leisure and Museums was submitted, seeking short term authority to pursue Exeter City Council's claims against consultants on the RAMM project.

RESOLVED that the Head of Leisure and Museums, in consultation with the Head of Legal Services, be authorised to incur expenditure up to the amount specified for the purpose detailed in the report.

(Report circulated to Members)

44

THE FORMER DEBENHAMS BUILDING, SIDWELL STREET

The report of the Head of Estates Services and the Director Economy and Development was circulated. The report informed Members of the current position on the former Debenhams site in Sidwell Street and sought authority to restructure the existing lease to facilitate refurbishment and re-occupation of the building.

The Chair agreed to accept this item for consideration as a matter of urgency in view of the need for Land Securities to obtain commitments from potential tenants. The terms of the deal for a lease re-gear had only very recently been agreed.

Members supported the proposal as a pragmatic way forward.

RESOLVED that:-

- (1) the progress made by Land Securities in seeking to bring forward a scheme for the former Debenhams building be noted; and
- (2) the terms for the grant of a new 125 year lease of the site to Land Securities (or the Crown Estate) be approved as set out in the report.

(Report circulated to Members)

45

LOCAL GOVERNMENT REVIEW

Councillor Mrs Morrish requested that members' appreciation be recorded for the commitment and hard work of the Chief Executive which had significantly contributed to the granting of Unitary status to the City.

(The meeting commenced at 5.30 pm and closed at 6.45 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 27 April 2010.