

**EXETER CITY COUNCIL**  
**EXECUTIVE**

**Statement of Decisions**

Tuesday 15 June 2010

**Present:-**

Councillor Adrian Fullam (Chair)  
Councillors S Brock, Cole, Edwards, Mrs Henson, Mitchell, Mrs J Morrish and Wadham

**Also Present**

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

**Declarations of Interest (Minute 56)**

A Member declared the following personal interests:

| <b>COUNCILLOR</b> | <b>MINUTE</b>                                       |
|-------------------|---|
| S Brock           | 58 and 59 (owner of business subject to inspection) |

**Minutes (Minute 57)**

The minutes of the meetings of the Executive held on 23 March and 13 April 2010 were taken as read and signed by the Chair as a correct record.

**Food Law Enforcement Plan 2010/11(Minute 58)**

The report of the Head of Environmental Health Services was submitted informing Members of the Council's performance against the previous year's Food Law Enforcement Plan. The report also sought approval for the adoption of the Food Law Enforcement Plan 2010/11, which sets out the Council's regulatory function in respect of food safety over the forthcoming year.

Councillor S Brock declared a personal interest in this item as the owner of a business subject to inspection.

Scrutiny Committee – Community considered the report at its meeting on 1 June 2010 and the support of Members was noted.

Executive recommended that Council:-

- (1) approve the Food Law Enforcement Plan 2010/11, which includes the revised Food Safety Enforcement Policy; and
- (2) authorise the Head of Environmental Health Services to change the Enforcement Plan in the light of centrally issued guidance and/or to meet operational needs.

### **Health and Safety Service Plan 2010/11 (Minute 59)**

The report of the Head of Environmental Health Services was submitted seeking approval to the Health and Safety Service Plan for 2010/11 which sets out the Council's functions for regulating health and safety in businesses for the forthcoming year, and includes a revised health and safety enforcement policy.

Councillor S Brock declared a personal interest in this item as the owner of a business subject to inspection.

Scrutiny Committee – Community considered the report at its meeting on 1 June 2010 and the support of Members was noted.

Whilst health and safety regulations were perceived by some as bureaucratic, Members acknowledged their great importance in protecting the welfare of individuals. The Director Community and Environment confirmed that a common sense approach to their application was adopted wherever appropriate.

Executive recommended that Council:-

- (1) approve the Health and Safety Service Plan 2010/11, which includes the Health and Safety Enforcement Policy; and
- (2) authorise the Head of Environmental Health Services to make changes to the Service Plan in the light of centrally issued guidance and/or to meet operational needs.

### **Housing Value for Money Strategy (Minute 60)**

The report of the Head of Housing Services was submitted seeking approval to the new Housing Value for Money Strategy.

Scrutiny Committee – Community considered the report at its meeting on 1 June 2010 and the comments and support of Members were noted.

Members supported the initiatives and actions proposed in the strategy to provide a more structured, comprehensive and transparent approach but emphasised that the delivery of quality, value for money services was the Council's overriding aim.

Executive resolved that the new Housing Value for Money Strategy be adopted and an annual update on progress be made to the Scrutiny Committee - Community.

### **Private Sector Housing Policy: Financial Assistance (Minute 61)**

The report of the Head of Environmental Health Services was submitted informing members of the financial assistance awarded to private sector households in 2009-10 and proposing changes to the types and levels of financial assistance that will be available in 2010-11.

The Director Community and Environment reported that the financial assistance packages formed one of the policy tools available to improve housing conditions in the private sector housing stock in Exeter. The 39,600 private sector dwellings comprised owner-occupied and privately rented properties, of which 7% were estimated to be Houses in Multiple Occupation. A member expressed concern that financial assistance packages might encourage speculative and irresponsible landlords to purchase property, resulting in a loss of family accommodation. Whilst acknowledging this concern, the Chair commented that a significant private rented sector was a desirable option for an urban area and that enforcement measures were in place to encourage landlords to keep their properties in an acceptable state of repair.

Members welcomed the low interest Home Improvement Loans which had replaced renovation grants as the scheme enabled the re-circulation of money for the improvement of properties. In response to questions regarding Disabled Facilities Grants, the Director Community and Environment responded that these were mandatory and subject to specified timescales for approval. It would be necessary to monitor the allocation closely and if necessary re-allocate funding from another scheme or review the prioritisation criteria.

Scrutiny Committee – Community considered the report at its meeting on 1 June 2010 and the comments and support of Members were noted.

Executive resolved that:-

- (1) the adoption of changes to the Private Sector Housing Renewal Policy in respect of financial assistance packages outlined in the report be approved;
- (2) the close monitoring of the expenditure of the single pot allocation be approved with the proposed financial allocation to each of the schemes proposed or further schemes to be developed to be subject to approval by the Portfolio Holder for Housing & Community Involvement and the Head of Environmental Health Services;
- (3) the annual review, or sooner if needs be, of the policy be approved in order to ensure that it properly addresses local needs and/or government policy.

### **Proposed Introduction of Charges for Pre-Application Advice (Minute 62)**

The report of the Head of Planning and Building Control was submitted seeking agreement to the introduction of charges for dealing with pre-application planning enquiries. The Interim Director Economy and Development reported that many authorities nationally, including a number in the south west region, had introduced charging although there was considerable variation in their individual schemes. The outcome of research by the Planning Advisory Service had been considered in recommending the proposed scheme.

In response to Members' queries, the Interim Director explained the Government's definition of "major" developments as those involving ten or more residential units or 1000 square metres or more of accommodation or the change of use of an equivalent size building. The proposed charge related to the provision of pre-application advice by officers and there would be no fee in respect of initial approaches to the Chief Executive or other senior officer for broad, high level discussion on the principles of potential developments.

Members welcomed the potential for income generation but questioned whether the measure would discourage developers or make Exeter less attractive as a possible area for development. The Interim Director responded that, in the context of the price of land and potential profits from development, the suggested fee was a relatively small amount of money and unlikely to deter developers. Nevertheless the impact of the scheme would be kept under review and any proposals to amend or extend it would be brought back to members.

In response to a question regarding the legal status of advice, he responded that advice would be provided in good faith but it would obviously not bind the Planning Committee to a specific outcome or guarantee planning permission.

Members welcomed the introduction of the scheme and the potential for it to filter out poorly conceived development proposals and improve the quality of submissions.

Executive resolved that:-

- (1) the charging regime for pre-application enquiries for major development be approved; and
- (2) the impact of the proposals and the scale of charges be reviewed on an annual basis and the Head of Planning and Building Control, in consultation with the Portfolio Holder Sustainable Transport and Development, report to Planning Member Working Group and Executive any proposals to amend or extend the charging regime.

### **New Conservation Area at Rosebarn Park (Minute 63)**

The report of the Head of Planning and Building Control was submitted considering designation of a new conservation area at Rosebarn Park.

Members acknowledged the distinctive character of Rosebarn Park and supported the draft appraisal as a basis for public consultation.

Executive resolved that the draft appraisal in respect of a new conservation area at Rosebarn Park be agreed as a basis for public consultation.

### **Draft Supplementary Planning Document - Residential Design (Minute 64)**

The report of the Head of Planning and Building Control was submitted seeking approval to the draft Residential Design Supplementary Planning Document (SPD) to be published for public consultation. The SPD identified the City Council's requirements in relation to residential development and would form the basis for the determination of planning applications.

The Interim Director Economy and Development introduced the document which represented a comprehensive and valuable piece of work to sit alongside the Core Strategy. It aimed to achieve high quality, sustainable housing developments whilst achieving densities which represented efficient use of land and contributed positively to urban renewal. He outlined the ten objectives which must be met to achieve this aim and identified a number of specific design flaws which resulted in poor quality housing development.

Members acknowledged that planning decisions made in previous decades which sought to maximise land use, had sometimes resulted in characterless housing developments with inadequate amenities which made no significant contribution to the urban environment. They acknowledged the importance of practical considerations such as adequate room sizes, parking facilities and bin storage provision in designing developments. They welcomed the excellent and comprehensive document which they hoped would be used to provide a framework for future residential planning decisions and to support the Council's case at planning appeals.

The Chair congratulated officers on their excellent work in producing the document and requested the Director to convey the positive comments of Executive.

Executive resolved that the draft Residential Design Supplementary Planning Document is approved for public consultation.

### **Corporate Plan: Planning for our Future (2010/11 Update) (Minute 65)**

The report of the Strategic Management Team was submitted seeking approval to the Council's Corporate Plan: Planning for our Future (2010/11 Update).

The Chief Executive presented the fourth annual update of the Corporate Plan which set out the key priorities for the coming year and highlighted some of the improvements made in the last year for the benefit of residents, businesses and visitors. He identified the uncertainties and challenges facing the Council in the forthcoming year.

Members welcomed the clear statement of the Council's corporate values, objectives and targets and acknowledged the changing context within which the Plan would operate.

Executive recommended that Council endorse the draft Corporate Plan 2007-2010: Planning for our Future (2010/11 Update) and agree that any necessary drafting amendments before publication be delegated to the Chief Executive, in consultation with the Leader of the Council.

### **The Duty to Respond to Petitions (Minute 66)**

The report of the Assistant Chief Executive was submitted informing members of the Council's duty to respond to petitions and seeking approval to a proposed scheme. The Local Democracy, Economic Development and Construction Act 2009 introduced the duty to respond to petitions and the proposed scheme had been written in accordance with the key principles and requirements set out in statutory guidance.

Members supported the aim of reinvigorating local democracy and encouraging public involvement but queried the impact of the introduction of thresholds relating to the number of signatures. The Assistant Chief Executive responded that the proposed scheme did not seek to diminish the public's existing rights but to clarify the procedure and ensure that all petitions were given due consideration. The number of signatories proposed in the scheme to trigger specific actions had been set in consultation with Group Leaders.

Executive recommended that:-

- (1) Council adopt the proposed scheme in respect of the duty to respond to petitions as set out in the Local Democracy, Economic Development and Construction Act 2009;
- (2) the Assistant Chief Executive be given delegated authority to finalise the Petitions Scheme following adoption by Council and to amend the Constitution accordingly; and
- (3) the operation of the Petitions Scheme be reviewed by Executive one year after implementation.

In accordance with Standing Order 43, Councillor Mrs Henson requested that her name be recorded as having voted against the recommendation.

### **Appointment of Representatives to serve on Outside Bodies (Minute 67)**

A schedule of appointments to outside bodies was circulated.

Executive resolved that the appointments to outside bodies be deferred pending further discussion with the Group Leaders.

(The meeting commenced at 5.30 pm and closed at 6.55 pm)

**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 13 July 2010.**

17 June 2010