





10 **DRAFT SUPPLEMENTARY PLANNING DOCUMENT - RESIDENTIAL DESIGN**

To consider the report of the Head of Planning and Building Control. 47 - 48

The draft Supplementary Planning Document is available on the Council's website [www.exeter.gov.uk](http://www.exeter.gov.uk) or on request to Member Services.

(Report circulated)

11 **CORPORATE PLAN: PLANNING FOR OUR FUTURE (2010/11 UPDATE)**

To consider the report of the Strategic Management Team. 49 - 50

The draft Corporate Plan is available on the Council's website [www.exeter.gov.uk](http://www.exeter.gov.uk) or on request to Member Services.

(Report circulated)

12 **THE DUTY TO RESPOND TO PETITIONS**

To consider the report of the Assistant Chief Executive. 51 - 58

(Report circulated)

13 **APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES**

To consider the appointment of representatives to serve on outside bodies. 59 - 66

(Schedule circulated)

**DATE OF NEXT MEETING**

The next scheduled meeting of the Executive will be held on **Tuesday 29 June 2010** at 5.30 pm in the Civic Centre.

***A statement of the executive decisions taken at this meeting will be produced and made available as soon as reasonably practicable after the meeting. It may be inspected on application to the Customer Service Centre at the Civic Centre or by direct request to the Member Services Manager on 01392 265110. Minutes of the meeting will also be published on the Council's website as soon as possible.***

***Membership -***  
Councillors Fullam (Chair), S Brock, Cole, Edwards, Mrs Henson, Mitchell, Mrs J Morrish, Newton and Wadham

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 1 JUNE 2010

EXECUTIVE  
15 JUNE 2010

COUNCIL  
13 JULY 2010

### FOOD LAW ENFORCEMENT PLAN 2010-2011

#### 1. PURPOSE OF REPORT

- 1.1 To inform Members of the Council's performance against the previous year's Food Law Enforcement Plan.
- 1.2 To seek 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. A draft copy of this is available in the Members' Room, on the Council's website or available on request.

#### 2. BACKGROUND

- 2.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan). The key aim of the plan is to demonstrate how the Council will fulfil its regulatory obligations in respect of its food safety service.
- 2.2 The Enforcement Plan incorporates:
  - the service aims and objectives;
  - information about the food safety enforcement and related services provided by the Council;
  - details of the service's performance management systems;
  - comprehensive information to compare the current and past performance of the food safety service;
  - the Food Service Delivery Plan 2010/11 detailing the actions and improvements for the service in an effective, risk based, proportionate & consistent way over the forthcoming year;
  - a revision of the Council's Food Safety Enforcement Policy; and
  - the annual food sampling programme which embodies the aims of the Council's Food Sampling Policy which is also posted on the Council's website and subject to periodic review.

### **3. KEY OUTCOMES OF THE FOOD SAFETY SERVICE 2009/10**

#### **Programmed Inspections**

- 3.1 The service inspected 505 (631)<sup>1</sup> food businesses of a targeted 442 (506) food businesses, and used self-inspection questionnaires (SIQ's) as an alternative regulation strategy for low risk businesses and to ensure resources are directed towards high-risk activities. SIQ's are a cost-effective means of maintaining contact with this group as well as providing the business with a useful means of keeping up to date with changes in law and other related issues affecting their business.

#### **Service Requests**

- 3.2 The food safety team dealt with 229 (331) service requests during the year, representing 58% (64%) of the 396 (519) service requests handled by the Commercial Section, which also includes health and safety regulation, infectious disease control, and provision of health promotion and training activities for businesses.

#### **Food Sampling**

- 3.3 The authority participates in national and local food-sampling initiatives to monitor the quality of food on sale in the City which is classified as satisfactory, unsatisfactory or unacceptable. Additional samples are taken in response to food complaints and where it is alleged a premises or foodstuff is implicated in a food poisoning incident. During the last year, 174 (168) food samples were analysed, and investigations followed in respect of 35 unsatisfactory samples; there were no unacceptable samples.
- 3.4 Fewer samples were taken than the previous year due to a suspension in testing whilst the laboratory was transferred from Exeter to Bristol.

#### **Control and Investigation of Outbreaks and Food Related Infectious Diseases**

- 3.5 A total of 190 (189) cases of possible food-related infectious diseases were officially notified to the service. On investigation, no cases were conclusively linked to food from establishments in the city or elsewhere.

#### **Enforcement Action**

- 3.6 A total of 217 (293) formal written warnings, and 167 (113) informal written warnings were issued to secure satisfactory standards in food businesses in the city. These figures are comparable to the number of warnings issued in recent years, and reflect a more targeted approach to non-compliant businesses.
- 3.7 Two businesses were successfully prosecuted following a history of non-compliance. Proceedings have also been commenced for the prosecution of one further business, but this is yet to be concluded.

---

<sup>1</sup> Figures in brackets relate to 2008/9

## **Food Safety Training**

- 3.8 A key component of the Government's drive on better regulation is assisting business compliance through advice, information and training. In total, 385 staff from local food businesses gained a nationally recognised food safety qualification last year, through courses organised by the Council.

## **4. BETTER REGULATION**

- 4.1 Regulatory Services have been the subject of considerable review in recent years. The conclusions of influential reports are now being interpreted and applied to regulatory services by their respective governing bodies overseen by the Local Better Regulation Office (LBRO).
- 4.2 In respect of food safety, the Food Standards Agency reflected these changes through amendments to the Food Law (Code of Practice) England.
- 4.3 The Enforcement Plan embraces the principles of better regulation and will continue to safeguard the health of the local population and contribute to the economic vitality of Exeter by targeting resources effectively and innovatively to assist food businesses in compliance.

## **5. PROPOSED KEY ACTIVITIES FOR 2010/11**

- 5.1 In addition to the traditional intervention methods the following key activities will shape the food service for the forthcoming year:

### **Intervention Strategy**

- 5.2 The strategy to improve compliance with food law and maintain a high level of compliance will be further developed following release of the Food Law (Code of Practice) England, and include:
- programmed inspections or interventions of 492 food premises, based upon risk;
  - targeting non-compliant business with effective use of appropriate enforcement tools;
  - implementing the national facility of "Scores on the Doors" as an early adopter, which allows consumers to access information on the standards of hygiene in any food business in the City, with the hygiene rated as a visual score;
  - collaborating with forums/focus groups to target specific businesses to enable an exchange of information and gain an understanding of the obstacles some businesses face in complying with food law;
  - running management of food safety workshops as a recognised intervention tool to support compliance in non-compliant, and smaller businesses;
  - examining the implications of regulating wider food standards following the recent decision on unitary status (this is in relation to trading standards).
- 5.3 The Food Safety Enforcement Policy has been revised to reflect new government guidance.

## **Better Regulation**

- 5.4 As a regulator of businesses in the City, it will be important to recognise the impact of the current economic downturn on businesses' capacity to comply, and to work with businesses to ensure that compliance is achieved through a wide range of intervention strategies. These will include greater engagement with business representatives and the joint development of advice/education interventions.

## **6. RESOURCE IMPLICATIONS**

- 6.1 The Food Law Enforcement Plan will be carried out within the existing resource allocation for 2010/11.

## **7. RECOMMENDED**

- 1) That Scrutiny Committee - Community comment on the report.
- 2) That Executive note the views of the Scrutiny Committee and recommend Council to approve:
  - a) the Food Law Enforcement Plan 2010/11, which includes the revised Food Safety Enforcement Policy;
  - b) the Head of Environmental Health Services being authorised to change the Enforcement Plan in the light of centrally issued guidance and/or to meet operational needs.

HEAD OF ENVIRONMENTAL HEALTH SERVICES

S:LP/Committee/610SCC4  
18.5.10

## **COMMUNITY AND ENVIRONMENT DIRECTORATE**

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

**Background papers used in compiling this report:-**

- 1) Service Plan for Food Law Enforcement 2009/10

## EXETER CITY COUNCIL

### SCRUTINY COMMITTEE – COMMUNITY 1 JUNE 2010

EXECUTIVE  
15 JUNE 2010

COUNCIL  
13 JULY 2010

### HEALTH & SAFETY SERVICE PLAN - 2010 - 2011

#### **1 PURPOSE OF REPORT**

- 1.1 This report seeks approval of the Health & Safety Service Plan for 2010/2011 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. A draft copy of the Plan is available in the Members' Room, on the Council's website, or available on request.

#### **2 BACKGROUND**

- 2.1 Section 18 of the Health and Safety at Work, etc. Act 1974 places a duty on the Council to make adequate arrangements for enforcement of health and safety. The Health and Safety Executive (HSE), requires the Council to produce an annual Health and Safety Service Plan. Responsibility for Health and Safety at Work enforcement lies with the HSE and Local Authorities (LAs). Councils are generally responsible for enforcement at premises in which non-industrial activities are undertaken (eg retail premises, warehouses, offices etc) whilst HSE is responsible for industrial activities.
- 2.2 Towards the end of 2005 national strategic direction was set for the health and safety system in Great Britain, which has been subsequently strengthened in 2009. As a result, the HSE and the Council have been working together and, in particular, targeting limited resources to the greatest local risks as the way to securing health, welfare and economic benefits for the community.
- 2.3 The projects listed in the service plan are those where the Council currently has a responsibility or because the projects will deliver greater outcomes by close collaboration and partnership working.
- 2.4 These projects involve a mixture of interventions such as stakeholder partnership, motivating senior managers, employee involvement, education/awareness campaigns, recognising good performance, as well as targeted inspections. This new approach meets many of the objectives of the better regulation agenda.

#### **3 PARTNERSHIP BETWEEN HEALTH AND SAFETY EXECUTIVE AND LOCAL AUTHORITIES**

- 3.1 Over the year there have been rapid developments aimed at applying the Regulators' Compliance Code and establishing closer partnership working arrangements with the HSE. A number of joint initiatives have been shared to respond to the Local Better Regulation Office guidance on better regulation, such as the "Safety and Health

Advice Days” (SHADs) for workers in the warehousing, entertainment and beauty sectors.

- 3.2 To overcome poor synchronisation of planning cycles between HSE and LAs, which has been a problem in the past, better integration of work programmes now takes place. The Health and Safety of Great Britain \ Be Part of the Solution (HSE 2009) sets out the strategic goals of health and safety for the nation, and the Council’s Health and Safety Service Plan seeks to support these strategic goals.

#### **4 HEALTH AND SAFETY SERVICE PLAN 2010/2011**

- 4.1 In formulating the service plan for 2010/2011 the Council has again committed to participating in a number of national projects aimed at meeting Public Service Agreement targets for health and safety in addition to undertaking a programme of targeted inspections and other interventions, which take account of the better regulation principles. They enable the targeting of proactive health and safety regulatory resources to contribute to the national targets and local corporate objectives.
- 4.2 The Health and Safety regulatory service has a key role to play in supporting local economic prosperity and community wellbeing. It aims to ensure that well run, legally compliance businesses are supported and that consumers, workers and the environment are protected.

#### **5 RECOMMENDED that**

- (1) Scrutiny Committee – Community comment on the report;
- (2) Executive note the views of the Scrutiny Committee and recommend Council to approve:
  - (a) the Health and Safety Service Plan 2010/11, which includes the Health and Safety Enforcement Policy;
  - (b) the Head of Environmental Health Services being granted delegated authority to make changes to the Service Plan in light of centrally issued guidance and/or to meet operational needs.

HEAD OF ENVIRONMENTAL HEALTH SERVICES

S:PA/LP/ Committee/610SCC3  
18.5.10

COMMUNITY & ENVIRONMENT DIRECTORATE

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

The Health and Safety of Great Britain \ Be Part of the Solution (HSE 2009)

## EXETER CITY COUNCIL

### SCRUTINY COMMITTEE – COMMUNITY 1 JUNE 2010

EXECUTIVE  
15 JUNE 2010

#### HOUSING VALUE FOR MONEY STRATEGY

#### 1. PURPOSE OF REPORT

- 1.1 To seek Members' approval for the new Housing Value for Money Strategy.

#### 2. INTRODUCTION

- 2.1 The Council has a duty to ensure its services provide excellent value for money. This ensures the quality of the service is provided at the right price and at the right quality which result in high levels of customer satisfaction.
- 2.2 The need to evidence that value for money is being achieved will not only satisfy our own customer demands but also that of our regulators.
- 2.3 On 1 April 2010 the new Tenant Services Authority took over the regulation of all social landlords in England, including for the first time, the Council's landlord services role. Their new Regulatory Framework for Social Housing sets out six national standards that all social landlords must implement. These standards include a value for money standard. Landlords are required to demonstrate how these standards are being met and will be inspected periodically to ensure that they have achieved compliance. The Audit Commission will also look for evidence of value for money in their regulation of the Council's activities.
- 2.4 The new Value for Money standard expects that "*registered providers shall have a comprehensive approach to managing their resources to provide cost-effective, efficient, quality services and homes to meet tenants' and potential tenants needs*"
- 2.5 Over recent years the housing service has undertaken a number of initiatives to ensure we demonstrate value for money. This includes benchmarking our costs against similar landlords, testing customer satisfaction and including residents on service review panels to ensure the quality of our services meet, as far as possible, their expectations.
- 2.6 However, there is a need for our drive towards value for money to be more structured and comprehensive. Therefore, the Housing Value for Money Strategy attached as Appendix I to this report aims to achieve this by setting out a number of initiatives and actions to ensure we meet our regulators expectations.

#### 3. RECOMMENDED:

- 1) that Scrutiny Committee - Community comment on the report:
- 2) that Executive notes the views of Scrutiny Committee and agrees to adopt the new Housing Value for Money Strategy with Members to receive an annual update on progress.

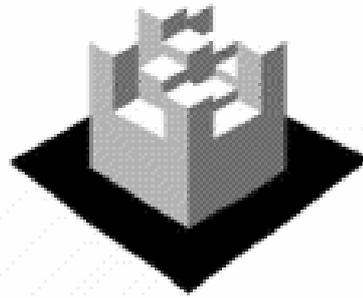
## HEAD OF HOUSING SERVICES

S:PA/LP/ Committee/610SCC7  
18.5.10

### COMMUNITY & ENVIRONMENT DIRECTORATE

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

None



**Exeter City Council**

**Housing Services**

**Value for Money Strategy**

**2010 - 2013**

## 1. Introduction

This document sets out our strategy for ensuring the Council's Housing Services achieve, and can demonstrate, good Value for Money (VFM) across the full range of services we provide. The document will highlight the initiatives we currently undertake together with future plans to improve this area of our work and link them together to ensure that a co-ordinated approach is taken to achieve future objectives and improvements.

The Strategy covers a three-year period and will be reviewed annually.

## 2. Purpose of the Strategy

The purpose of this strategy is to ensure we understand the costs of our services (and reduce them where possible), improve performance and service delivery and increase customer satisfaction. It will set out the process for working with staff, members, residents and other customers to implement a quality framework system that will seek to embed a value for money culture within our structures and improve outcomes for our customers.

## 3. Aims of the Strategy

Exeter City Council is committed to the principles of VFM and believes that driving efficiencies while improving quality is the best way to deliver a better, more cost effective and more responsive service. The aims of this strategy are:

- To provide good quality, high performance and appropriate services at the right cost
- To improve our knowledge and understanding of customers' needs and how they can be met in the most efficient and effective ways
- To reinvest efficiency gains for the benefit of our residents and customers
- To ensure the organisation's priorities are reflected in objectives which meet the principles of best value and have been influenced by residents
- To promote a culture of continuous improvement in our staff in all areas of service delivery for the benefit of our customers
- To benchmark against other service providers, locally, regionally and nationally
- To undertake reviews of our service provision and develop action plans that will lead to improved performance and efficiency
- To optimise income and maximise efficiencies in order to be cost effective
- To train and develop staff so that the achievement of VFM is seen as an integral part of their work.

## 4. Defining Value for Money

Value for money can be defined in a number of ways. However, the Audit Commission believes there are three components of VFM, known as the three 'E's'. These are:

- **Economy**
- **Efficiency**
- **Effectiveness**

**Economy** is the price paid for what goes into providing a service,

- for example, the cost per hour for staffing; the price per repair job, the cost of providing accommodation etc

**Efficiency** is a measure of productivity – how much you get out in relation to what is put in.

- for example, the efficiency of services such as rent and arrears collection may be measured by the cost of the service compared to the total rent collected. Similarly, tenant participation costs may be expressed as an annual sum per tenant.

Efficiency is primarily associated with the process of delivery and procurement.

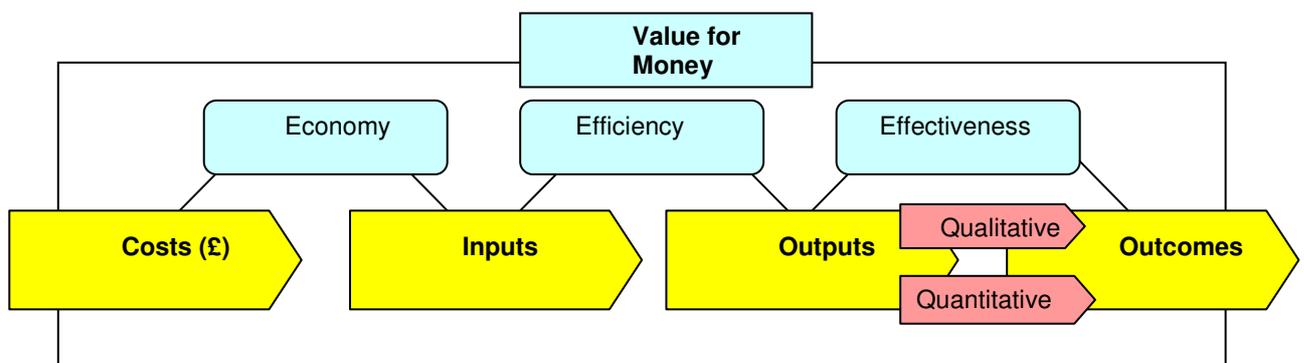
**Effectiveness** is a measure of the impact achieved and can be quantitative or qualitative – or both.

- for example, satisfaction levels among residents with tenant participation arrangements (qualitative)
- Number of affordable homes delivered (quantitative)
- Decent Homes standards achieved in our properties (quantitative and qualitative)

Effectiveness is primarily associated with performance and the outcomes for customers.

Therefore **VFM** is high when there is an optimum balance between all three – relatively low costs, high productivity and successful outcomes.

The diagram below shows how the three 'E's' link together to help services to demonstrate value for money:



## 5. Achieving Efficiencies

The use of a Value for Money framework, developed specifically for Housing will assist the service to understand where and how efficiencies can be made. This can be demonstrated by the service:

**Doing more for the same** – i.e. providing a better service, producing more items for the same cost or input

**Doing the same for less** - maintaining the same level of service for reduced cost or inputs

**Concentrating on the things that matter** – focusing on the delivery of priority services

**Encouraging the best use of time** – making staff more aware of the time they spend delivering services and the need to question their time management

Implementing any such framework must have the over-riding objective of improving the quality of the service, increasing customer satisfaction and improving performance.

Efficiency savings are not about cutting services to customers or increasing charges to provide the same service.

## 6. Regulation

The Council is subject to a range of regulations and standards it must achieve. These are monitored, assessed and inspected in the following ways:

### National Indicators

National Indicator 179, one of the indicators in the National Indicator Set, is the mechanism through which councils report their progress on achieving value for money gains in the Comprehensive Spending Review 2007. It replaces the Annual Efficiency Statement (AES) in use for the CSR04 period. The definition of NI179 is:

<p><b>The total net value of ongoing cash-releasing value for money gains that have impacted since the start of the 2008/09 Financial Year</b></p>
--

The key elements of the value for money indicator are its focus on:

- Net gains – efficiencies should be reported net of investment and ongoing costs required for their implementation;
- Ongoing gains – if an efficiency is not sustained in full or in part, then the value of the indicator must be reduced accordingly;
- Cash-releasing gains – only those efficiencies that reduce the level of resource required to achieve the same or better outputs, allowing resources to be redeployed, should be recorded; and
- Gains since the start of 2008/09 – valid gains may be the result of actions taken before April 2008, but only where they impact on a council's expenditure for the first time after 31 March 2008.

### Comprehensive Area Assessment:

This process, overseen by the Audit Commission, has two main elements. The 'organisational assessment' examines how the Council uses its resources. Of particular relevance is KLOE

1.2, which enquires if the council has "a sound understanding of its costs and performance and achieves efficiencies in its activities." The 'area assessment' involves a range of inspection bodies assessing how common themes and priorities are achieved through partnership working.

### **Housing Inspection**

The Housing Inspectorate sits within the Audit Commission. Their purpose is to undertake inspections of housing services and assess them against a range of Key Lines of Enquiry documents that set out their expectation for the service. Following inspections organisations receive detailed reports of their findings together with any recommendations for improvement.

One of the cross-cutting themes for all housing services within the inspection regime is Value for Money. The Audit Commission have a separate Key Lines of Enquiry document for this area – KLOE 32 – and this is seen as one of the key aspects of any inspection.

### **Scrutiny Committees**

The Council's committee structure includes a number of 'scrutiny committee's' that oversee the work of the Executive and receive reports from officers asking for their comments. This includes financial and performance information, progress against action plans and proposed new policies.

## **7. Key Lines of Enquiry – KLOE 32**

Within this KLOE document the inspectorate are asking two fundamental questions:

1. How do the organisation's costs and outcomes compare to others, allowing for local context, performance and policy choices?
2. How is value for money managed, including through partnership and procurement and taking a long term view?

During an inspection the Audit Commission will be looking for the following:

- You understand your own costs and the value that you provide for customers
- You critically appraise what you do and how you do it – in the context of a clear understanding of what customers want and need
- You have challenged yourselves by comparing to what others do and how they do it – learning from best practice and responding to evident issues of cost and quality
- You have a clear approach to determining the value for money of what you do or what you procure and
- The Council has set clear priorities for outcomes and services to deliver them - expenditure/investment plans reflect and support these

Clearly, to ensure we meet these expectations there is a need to embed value for money principles in all our strategy and policy documents and the in how the service is delivered operationally.

The Housing Service has a range of strategies, policies, service plans and procedure documents that link to these principles and we have a good track record of achievement.

New policies have been implemented over recent years that assist our aim of providing good value for money services and this can be demonstrated in a number of ways. Tenants and Leaseholders recognise this achievement and our overall value for money rating in the 2008 STATUS survey was 84%, with 50% being 'very satisfied'.

However, we recognise that achieving the Audit Commission's expectations on value for money is a challenge to the service and an area that needs improvement in the coming years. Therefore this strategy aims to put in place the systems required to meet the highest expectations of the KLOE 32 document.

## **8. Achieving Value for Money**

To demonstrate the Housing Service is providing good value for money for our customers we are committed to undertaking a range of key tasks across the service. These are set out below. They are not intended to be exhaustive, and new tasks will arise in the future that will need to be added. The strategy highlights the key tasks under each of the three 'E's'.

### **Economy**

Economy is about the cost of providing the service. To demonstrate value for money the cost of providing the service needs to be reasonable when compared to the outputs and outcomes of the service. The service can achieve this through:

Corporate Sustainable Procurement and Commissioning Strategy: This strategy seeks to ensure that throughout its procurement and commissioning activities the Council obtains optimum value for money within a framework that supports the principles of sustainable development. The strategy seeks to provide a clear focus on balancing two main priorities:

- Identifying and delivering efficiencies, but not at the cost of quality, and
- Developing and embracing socially responsible and sustainable procurement and commissioning.

The Council has a good track record in achieving real value for money when procuring goods and services for the Housing Unit (e.g. kitchens, bathrooms and heating systems) and the savings made have been recycled into expanded works programmes for the benefit of our tenants and leaseholders.

Procurement Clubs: The Council is a member of the 'Procurement for Housing' organisation and has procured a range of goods through this method. We are also an affiliate member of the Northern Housing Consortium.

Benchmarking: The Housing Unit is a member of Housemark and uses a range of their services to compare cost and performance information against others. We currently subscribe to CORE Landlord Services, PI Tracking, STATUS, Anti-Social Behaviour, Homelessness, and Resident Involvement. We will also seek to benchmark estate management services as monitoring of costs and performance in this area is developed over the coming year.

The Council are also seeking to use the Housing Quality Network 'Value for Money' toolkit for strategic housing services to help us gain a greater understanding of value for money and performance issues across these services.

Annual HRA Business Plan Review: The Council undertakes an annual review of its housing revenue account business plan following receipt of the HRA Subsidy Determination. This helps to build our revenue and capital budgets before submitting them to members.

Asset Management Strategy: As with the HRA Business Plan the level of finances available to effectively manage the Council's housing assets is reviewed each year. The strategy contains a number of actions that will ensure we better plan and prioritise our resources and maintain our housing stock in a decent and sustainable condition.

Annual Budget Cycle: Throughout the year housing budgets are monitored and reviewed by managers on a regular basis. There is also a formal 'stewardship' cycle that takes place every quarter which seeks to reconcile budgets and predict the year end out-turn. These stewardship accounts are presented to members to enable proper scrutiny of finances across all services.

Activity Based Costing: Activity based costing is a new 'bottom up' approach to calculating the cost of local authority services. Starting with the end product, ABC highlights the activities that are required to deliver the service and then calculates the resources that are used by those activities. The cost of these resources is then totalled to estimate the total cost of providing the service. Housing Services already understands many of the cost elements that make up the total cost of the service to our customers. For example, activity based costs form part of the Housemark benchmarking data so that organisations can be compared accurately. However, further work is required to ensure we understand all costs that contribute to the service and that this information is used to identify further efficiencies.

## **Efficiency**

Efficiency is a measurement of 'productivity'. It looks at the outputs of the service compared to its inputs. The effectiveness of a service is a subjective judgement. Although benchmarking information will help to establish where the service sits within the sector, local decisions on service standards will also influence productivity levels. Efficiency will be measured through:

Service Reviews: The annual Housing Service improvement plan contains a methodology that all major service reviews must follow. The methodology gives guidance on the membership of the group and the process the review should follow. All reviews must be fully scoped prior to them commencing and signed off by the Housing Management Team.

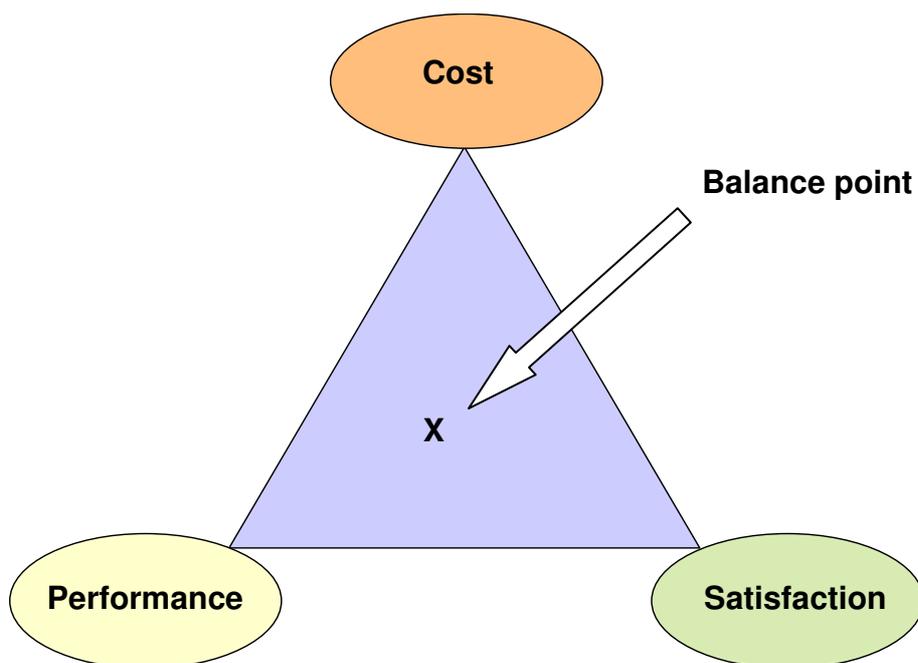
Reviews will ensure resident views are taken into account, costs of the services are fully understood, benchmarking takes place using the tools available and value for money can be demonstrated or achieved through any changes that are recommended.

Service Improvement Plan: The Housing Service produces an annual plan that includes actions for service improvement based on a range of information from the previous year. This includes performance information, satisfaction levels from our customers, internal audit reports and any external validation (mock inspections, Resident Auditor team reports, peer reviews etc) that has occurred throughout the year. The plan also highlights when strategies and policies need to be reviewed. The plan is consulted widely with staff, members and residents and helps to ensure continuous improvement of services.

Benchmarking: Benchmarking tools help us to understand our costs and overall performance when compared to others in the sector. However, all organisations are different and their

individual policy choices or service standards may influence their actual costs and service outcomes. To really understand costs and performance, and embrace good practice where it occurs, we will seek to work with those organisations that perform better than ourselves, or whose services demonstrate better value for money, to ensure we fully understand what changes we can make in order to improve overall value for money for our customers.

Quality Triangle: The Housing Service has developed a mechanism for demonstrating the 'quality' of the services we provide. We believe this can be done by measuring the cost of the service, how it performs and the level of resident satisfaction with that service. The diagram below shows this as a triangle, with each element placed at its points.



The balance between these three elements will depend on a number of factors, including the finances available and staff capacity to deliver. However, locally this balance should be decided by undertaking full consultation with staff, members and residents who will all have a view on what the local standard should achieve. Therefore, the 'balance point' could be moved towards one factor or another depending on local choices for that service.

The Housing Service intends to undertake this consultation across a range of its services to determine where the local standard should be set. We believe this links well with the 'cross domain' regulation model advocated by the Tenant Services Authority. It will enable local standards to be determined using real information that seeks to meet customer expectations.

An example of this process being used in reality is how we assess our voids performance and void standard:

*The Council knows the average cost of preparing each void property for letting when applying our local 'habitable and lettable' standard. We know the average number of days it takes to turn around a void property. We also have detailed satisfaction data from new tenants' on the standard of the property when they first moved in.*

*Moving the balance point within the triangle will depend on the local decisions we make. Changing any of these factors will have implications for the other factors. So for example, reducing the lettable standard to help reduce costs may help to improve performance but could have a negative impact on tenant satisfaction. Conversely, to increase satisfaction may require additional resources at the time the property is void which may impact on overall performance and cost.*

These sorts of decisions can only be taken locally using customer information and opinion, together with benchmarking data from other landlords. Impact assessments can be undertaken periodically to assess how changes to local standards have affected each of these factors.

## **Effectiveness**

Effectiveness is a measure of the impact of the service. Measures can be qualitative or quantitative. Each is a measurement of performance and outcomes for our customers. The effectiveness of the service will be measured in the following way:

Performance Review: The Housing Service has a published performance management framework that seeks to ensure all staff, members and residents are aware of how we are performing and what areas require improvement.

A major part of this framework is the quarterly Performance Digest. This document contains a wide range of performance, cost and satisfaction data from across the whole Housing Service. Data shows current trends, compares performance with previous years and includes benchmarking data where available. The document is distributed to all housing staff and Council members and is made generally available on the Council's website. Most importantly, the document is reported each quarter to the Housing Performance Review Committee (PRC). This committee consists of residents nominated from the Tenants' and Leaseholders Committee together with and the Portfolio Holder for Housing and the Chair of Scrutiny – Community. Each service manager attends the committee to present their service's performance data and answer any questions from the committee. The committee also reviews the Housing Service improvement plan and sets targets for the forthcoming year.

It is intended that work undertaken more widely on agreeing quality standards (using the quality triangle) will also be reported to the PRC for final agreement.

Satisfaction: The Housing Service will continue to use a wide range of satisfaction surveys and focus groups to capture overall opinion of the services provided. Results will be fed back through the Performance Digest to help assess overall quality of services. Results will also influence service reviews and service improvement plans.

Work will continue to look at new and innovative ways of improving customer feedback (text messaging, incentive schemes, for example) and to increase the response rate to surveys etc.

Real Time Team: The 'real time team' is a panel of residents who have agreed to feedback information about the services they use. Every time they use a service 'for real' (e.g. report a repair, report fly-tipping etc) they complete a feedback questionnaire highlighting their experiences and overall satisfaction. These questionnaires are analysed by the Resident Auditor Team (see below) and the findings fed back to officers. The results will influence service improvements and help to reduce the incidents of poor service in the future.

Resident Auditor Team (RATs): The RAT's are a group of residents who work with an external consultant to test various housing services for quality, compliance with the Audit Commission's KLOE documents and their overall value for money. A programme is agreed with the team in advance and each project is scoped before it commences. The team undertakes the work independently of the Council and analyses any data they collect. During each review they can interview staff, request documents and undertake surveys of residents. The team produce reports in a similar format to those provided by the Audit Commission and make recommendations for change, as appropriate. Reports are considered by the Housing Management Team and formal feedback given on the actions we intend to take.

Benchmarking: Benchmarking tools will also give the Council a chance to measure satisfaction levels and outputs against others. This information, when looked at in terms of overall cost and inputs will provide invaluable information on the level of value for money provided.

## 9 Embedding Value for Money

The Council recognises the need to embed a value for money culture across the Housing Service in the coming years and recognises that this must be part of everyday processes and procedures that staff use in order to be effective. To achieve this the following actions will be taken:

### Value for Money 'Champions'

The Housing Service established in the autumn of 2008 an internal Service Improvement Board that consists of front line staff from across all sections of the service. The Board plays a major part in reviewing strategies, policies and procedures and makes recommendations for change as appropriate. The Board have also worked on developing this VFM strategy.

It is intended that each member of the Service Improvement Board (SIB) will become a Value for Money Champion. The purpose of this role is to work with each of their own teams, both in regular team meetings and during operational duties, to identify where:

- savings can be made,
- processes can be streamlined
- performance can be improved
- satisfaction can be raised

All suggestions and ideas will be fed back to the SIB for them to consider as a team. Those that are seen as viable or practical will be formally sent to the Housing Management Team for consideration. Whilst each suggestion may require further investigation it is possible that many will have a positive impact on value for money and these will be implemented and recorded on the VFM log (see below).

It is important that each implemented suggestion is reviewed within a reasonable time period to assess its impact and the overall savings and/or increase in performance it has made.

### Value for Money log

The Housing Service will establish a central **Value for Money** log that will require staff, regardless of their role, to input all efficiency and quality gains that have been achieved through

the various initiatives and service reviews. This will enable staff to see the impact they have made in cost and efficiency terms as well as the outcomes of their actions on residents and customers.

### **Value for Money Statements**

All future strategy, policy or service reviews will contain a 'Value for Money' section demonstrating how this has been achieved and/or how improvements will be made in the future. Where changes to policies are recommended full impact assessments should be undertaken within 12 months of their implementation to check that the savings/improvements predicted have been achieved.

### **Staff Training**

As part of rolling out this strategy training will be given to all staff so they understand the principles of value for money and how they can contribute to demonstrating and achieving it.

### **Service and Policy Reviews**

Staff and residents play a vital part in service reviews. Using the service review methodology staff will better understand the cost of the service, how we compare with other organisations and what changes we can make to improve overall value for money.

### **Resident Involvement**

Residents will continue to play a major part in helping us to achieve value for money. This will be done through a range of structures including:

- Tenant and Leaseholder Committee
- Sheltered Housing Forum
- Performance Review Committee
- Service and Policy Reviews
- Resident Auditor Team
- Real Time Team
- Satisfaction Surveys
- Neighbourhood meetings and inspections
- Training programmes

Most importantly residents will play an increasing role in agreeing local service standards using the quality triangle set out in section 8.

### **Communication**

Improving the level of information to staff, members, residents and our wider stakeholders will increase understanding of our services, their cost, quality and performance. Improved information gives all stakeholders a chance to scrutinise and challenge our services and consequently drive up the quality of the services provided.

Improved communication includes the creation of new housing performance pages on the Council's website, the Annual Report and increased information in the residents' magazine, Insight.

## Value for Money Strategy - Action Plan

	Action	Who	Target Date	Progress
1	Using Service Improvement Board members, establish a network of Value for Money 'champions' for each team within the Housing Unit.	HOH	July 2010	
2	Implement a formal procedure for identifying ideas and making suggestions through the VFM Champions including formal feedback from the Housing Management Team.	HOH	August 2010	
3	Undertake specific training for the VFM Champions to ensure they fully understand their role and actively promote value for money discussions at team level	HOH	September 2010	
4	Create a central Value for Money log for housing to record all efficiency and quality gains implemented, including any savings made as a result	PPM	September 2010	
5	Ensure all new strategy and policy documents include a Value for Money statement setting out how this will be achieved and evidenced	HOH	From April 2010	
6	Using the proposed 'quality triangle' model, start to test value for money on individual services and setting local standards with staff, members and residents	HOH	From June 2010	
7	Implement a programme of training on Value for Money to ensure all staff understand the principles involved and seek to improve value for money across the service they deliver	PPM	From September 2010	

8	Continue to ensure full staff and resident involvement in service and policy reviews including testing value for money and benchmarking services against others	HOH	On-going	
9	Create a housing performance page on the Council's web site and ensure it contains up-to-date performance information from across the service	PPM	June 2010	
10	Seek to improve value for money reporting through existing channels – staff meetings, City News, Insight etc	HOH	On-going	
11	Continue to subscribe and upload data to the Housemark benchmarking site and use the data to identify areas for improvement	PPM	Annually	
12	Use the HQN Value for Money toolkit to assess strategic housing services.	PPM	Annually	
13	Create an annual Service Improvement Plan within the corporate framework using information from the previous year	HOH	Annually	
14	Look at measures that can be implemented to improve customer feedback on services including satisfaction surveys etc.	HOH	March 2011	

This page is intentionally left blank

## EXETER CITY COUNCIL

### SCRUTINY COMMITTEE - COMMUNITY 1 JUNE 2010

EXECUTIVE  
15 JUNE 2010

#### PRIVATE SECTOR HOUSING POLICY: FINANCIAL ASSISTANCE PACKAGES 2010/11

#### 1. PURPOSE OF THE REPORT

- 1.1 This report informs Members of the financial assistance awarded to private sector households in 2009-10 and proposes changes to the types and levels of financial assistance that will be available in 2010-11. Financial assistance packages form one of the policy tools available to improve housing conditions in the private sector. A review of the other policy tools will be contained in the Private Sector Housing Renewal Policy that will form a sub-strategy of the Housing Strategy, which will be reported to this committee in September.

#### 2. BACKGROUND

- 2.1 One of the Council's priority objectives is to safeguard and improve the private sector housing stock in Exeter, which is made up of 39,600 dwellings in the owner-occupied and privately rented sectors. At nearly twice the national average, Exeter has a large private rented sector (22% of the private stock) and large number of houses in multiple occupation (HMOs), estimated at 2700 or 7% of the private stock. It is in this sector, particularly HMOs, where the poorest housing conditions are found.
- 2.2 Under the Housing Act 2004, the Council also has a legal duty to remove or reduce Category 1 Hazards (e.g. excess cold, severe dampness, and overcrowding) from dwellings in its area, and a discretion to deal with lesser Category 2 Hazards.
- 2.3 In addition to the policy tool of enforcement, the Council currently offers financial assistance in the form of means-tested loans, administered through Wessex Home Improvement Loans in the first instance, and grants to assist and encourage home-owners to improve their properties and remove hazards. In terms of housing renewal, the advantage of a loan is that the funding is recycled either by re-payment over a term or when the house is sold. This financial assistance helps home-owners to repair and adapt private sector houses. Energy efficiency grants through Warm-up Exeter and PLEA (Private Landlord Energy Action) grants are also made available to improve the energy efficiency of private sector houses. These grants are administered through the Cosy Devon Scheme, a pan-Devon local authority partnership.
- 2.4 Government funding for financial assistance comes in two separate awards from the Government Office South West, one is a specific allocation ring-fenced for Disabled Facilities Grants the second to fund other financial assistance measures. Both of these awards have been substantially reduced from the 2009-10 allocation.

### **3. PERFORMANCE IN 2009-10**

#### **Financial assistance to improve or adapt homes**

- 3.1 115 Disabled Facilities Grants (DFGs) with a total value of £471,000 were administered ensuring that clients could remain living independently in their own homes. All adapted properties are brought up to the decent home standard as a condition of grant assistance. This is 20 more adaptations than were achieved during 2008-09 but at a significantly reduced cost of £48 000 less. The increased demand demonstrates that there continues to be a strong need for adaptations in the home.
- 3.2 Only 23 Renovation Grants with a total value of £104,000 were administered to address hazards in private sector houses and to undertake improvements to ensure that dwellings meet the decent home standard. This represents a significant decrease on the 64 grants awarded during 2008-09, which had a value of £421,000. This can be attributed to the shift from grants to loans, due to the initial resistance, that was anticipated, from clients viewing these as less favourable than grants. This resistance, however, has been exacerbated by the relatively low interest rates currently available in the high street, although these would normally be unavailable to the clients seeking assistance from the Council.
- 3.3 Since renovation grants were substantially replaced by low-interest loans in November 2009, administered through Wessex Home Improvement Loans, 63 referrals with a value of £308,000 have been made. All are being processed and it is hoped that the first loan will be awarded early in 2010-11.
- 3.4 The overall figure for the value and number of grants and loans for 2009-10 equates very closely with the number of grants administered the previous year.
- 3.5 During the financial year 403 households received financial assistance through the Cosy Devon Scheme to fund loft and/or cavity wall insulation. These grants are instrumental in helping to achieve the Council's fuel poverty and climate change targets.

### **4. PROPOSALS FOR SPENDING THE FINANCIAL ASSISTANCE ALLOCATION**

- 4.1 It is proposed that £300,000 of the Regional Single Pot formula allocation of £549,970, is paid into the loan fund administered on the Council's behalf by Wessex Home Improvement Loans. This will bring the total fund to £830,000. In addition, £100,000 is required to fund the loan subsidy of 3% for each loan administered.

**£400,000**

- 4.2 It is proposed to use £149,970 for Home Repair Assistance and Renovation Grants. Home Repair Assistance is used to fund the removal of Category 1 Hazards costing below £1,200 (for which a loan is not available) or urgent adaptations that cannot be facilitated by a DFG in the timescales necessary. Renovation Grants will be used to assist households who cannot access the Council's loan mechanism; these will be paid in exceptional circumstances to remedy Category 1 Hazards only, but will no longer be used to top-up loans. In addition, the Council will seek to record any grant as a land registry charge, and the fee for registration will form part of the grant.

**£149 970**

- 4.3 It is proposed that the £284,030 allocation from the Regional Single Pot, specifically to provide financial assistance to improve the energy efficiency of the private sector housing stock is used to fund Warm-up Exeter and PLEA grants which improve the energy efficiency of private sector homes.

**£284 030**

- 4.4 It is proposed that the £270,000 DFG allocation is specifically used to fund mandatory DFGs. Should demand increase above expectation during the year, then it may be necessary to move a portion from one of the other schemes to help fund this demand.

**£270 000**

- 4.5 In order to manage the DFG budget a priority system is to be introduced so that the Occupational Therapist referrals which are received at the beginning of the DFG process will be scored to ensure that applicants in most need get more priority than those with a lesser need. The Occupational Therapists assign a classification to each case dependent upon the situation, which are defined as 'Dangerous, Deteriorating, and Difficulty'; the Council will give greater priority to the Dangerous and Deteriorating classifications. This will mean that those applicants classified as 'Difficulty' are likely to have a longer waiting time, which may be up to a maximum of 6 months for DFG approval, and 12 months for completion of works.

- 4.6 During 2010/2011 Wessex Home Improvement Loans will be introducing an interest-free loan to help households who are assessed as being unable to afford the repayments on the loans currently on offer. In effect this will replace the need for any top-up to the loan, which in the previous year was met by the Renovation Grant. The Council will provide the same subsidy of 3% as for other loans. It is anticipated that the availability of these loans, later this year, will help improve the take-up of loans.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The amended policy will be funded from the 2010-11 budget allocation. The financial implications of the prioritisation of DFGs and the introduction of the interest free loans will be closely monitored and the information used to inform the next review of the policy.

## **6. RECOMMENDED that**

- 1) Scrutiny Committee - Community comment on the report; and
- 2) Executive note the views of Scrutiny Committee and approve:
  - a) the adoption of changes to the Private Sector Housing Renewal Policy in respect of financial assistance packages outlined in this report;
  - b) the close monitoring of the expenditure of the single pot allocation with the proposed financial allocation to each of the schemes proposed or further schemes to be developed to be subject to approval of the Portfolio Holder for Housing & Social Inclusion and Head of Environmental Health Services;

- c) the annual review, or sooner if needs be, of the policy in order to ensure that it properly addresses local needs and/or government policy.

HEAD OF ENVIRONMENTAL HEALTH SERVICES

S:LP/Committee/610SCC2  
18.5.10

COMMUNITY & ENVIRONMENT DIRECTORATE

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

None

## EXETER CITY COUNCIL

EXECUTIVE  
15 JUNE 2010

### PROPOSED INTRODUCTION OF CHARGES FOR PRE-APPLICATION ADVICE

#### 1 PURPOSE OF REPORT

- 1.1 The report seeks Executive agreement to the introduction of charges for dealing with pre-application planning enquiries.

#### 2 BACKGROUND

- 2.1 As Members are aware Planning Services devotes considerable time and effort to offering pre-application advice to prospective developers. This is considered best practice as early dialogue and an understanding of the developers' aspirations by the Planning Authority, and of the local and national planning policy, local issues and constraints by the developer, can save time/money, enabling the Council to meet its statutory targets and deliver a good planning service.
- 2.2 The Local Government Act 2003 gave planning authorities a discretionary power to charge for giving pre-application advice (as a service that an authority has the power, but is not obliged, to provide) and therefore allowed authorities to recover at least some of the costs incurred before an application is submitted. The income raised must not exceed the cost of providing the service.
- 2.3 Take up was initially slow and largely confined to authorities in London and the south east but more recently and despite the recession, Councils nationwide including many of our neighbours in Devon and Somerset have introduced charging regimes. Indeed both the Killian Pretty Review and draft Development Management PPS (PMWG report March 2010) recognise the legitimacy of this approach to ensure that pre-application advice is provided in a timely and comprehensive manner.

#### 3 NATIONAL EXPERIENCE

- 3.1 The Planning Advisory Service has undertaken significant research into the experience of authorities who have decided to charge for pre-application advice and their findings are broadly echoed through discussions with colleagues elsewhere. The PAS looked at the experience of six authorities in 2007 and noted that the benefits to authorities included:
- the filtering out of speculative and poorly thought out development proposals;
  - better quality submissions;
  - better performance against performance indicators;
  - the ability to reinvest the income generated in the planning service.
- 3.2 Perhaps surprisingly, developer resistance to charging was not significant. Discussions with local agents at the most recent Agent's Forum held in January seemed to echo this view although it was clear the developers are only happy to pay if the process meets their main prerogatives which largely boil down to clear and timely advice which is consistent throughout the process.

- 3.3 There is often a worry that by charging for advice that a number of prospective applicants will not choose to engage the planning authority at the pre-application stage. There is evidence that this has occurred in some cases, particularly where the costs are seen as disproportionate to the value of a scheme. However for larger developments applicants see the costs as a marginal addition to the overall development costs and recognise the benefits that can accrue.
- 3.4 More recent research by PAS into the charging regime at Purbeck District Council identified a number of benefits to developers:
- prospective applicants better understand how their application will be judged against the policies in the development plan and other material considerations;
  - early identification of where specialist input is needed on historic buildings, trees or landscape, contaminated or unstable land;
  - anticipate other regulatory requirements;
  - the opportunity to develop and modify a proposal to make it potentially more acceptable to the community and help to ensure a smoother and quicker passage through the development control process;
  - a potential saving in the time spent by the proposer's professional advisors in working up a proposal;
  - where a proposal is completely unacceptable to the council, the advice can save the applicant the costs of finalising an application and paying an application fee;
  - stops wasting time on applications where there is inadequate or insufficient information.
- 3.5 It should be noted that charging regimes vary widely and that few authorities charge for advice on householder development and many restrict charging to those developments defined as "major" by Government. A particular challenge for authorities has been how to devise a charging regime that is easily understood by customers and straightforward for the authority to administer. There tend to be two approaches, either as a fixed fee related to the type of application or as an hourly charge. Clearly the fixed fee approach has the benefit of being easy to administer and provides certainty for the developer. The disadvantage is that the fixed fee may not reflect the actual cost of dealing with the enquiry, the complexity of which will vary considerably according to the sensitivity of the location, type of development proposed etc. Conversely an hourly fee approach may appear somewhat open ended from a developer perspective and would be complex to administer. In trying to overcome these issues many authorities have adopted a hybrid system whereby there is a fixed fee for a defined service e.g. a meeting and follow up written advice with a further fee(s) payable for additional meetings thereby seeking to align the fee paid with the service provided.
- 3.6 The level of fees charged by authorities varies enormously. For example South Hams District Council charges £2300 for a major application enquiry (which guarantees 4 meetings with the Development Team) whereas North Somerset Council charges £1000 for written advice and two hours meeting time. However Canterbury City Council, which although not local is similar in many respects to Exeter, charges only £150 +VAT for dealing with a major enquiry. An example of the hybrid approach is Sedgemoor District Council which charges £1500 for an initial meeting and written advice and £80 per hour for additional meetings. An example of an hourly rate approach is Purbeck District Council which charges £55 + VAT per half hour, per officer.

## **4 PROPOSED FEES FOR EXETER**

- 4.1 In common with most other Councils it is not considered appropriate to charge fees for enquiries relating to householder development or for proposals for Listed Building Consent. It is proposed that fees would only be payable, at this stage, for schemes which would fall within the category of “major” development. The Major Applications Protocol is now a well established method of dealing with significant development proposals and should provide the basis of a charging regime. The Protocol specifies the service that the Council will provide on such developments and details the Development Team approach with guaranteed written feedback within a specified period, as many meetings as are necessary to resolve matters prior to the submission of an application, agreement of Heads of Terms for Section 106 Agreements and advice on submission requirements. All pre-application enquiries for major development are now handled by the Council in this way.
- 4.2 It is proposed that a flat fee approach would be most appropriate given its simplicity but that the fee regime should be flexible in some way to reflect the additional work involved in highly complex schemes or proposals which have been poorly conceived by a developer and therefore need a significant number of meetings to resolve. It is proposed therefore that a fixed fee of £3000 be payable which would cover an initial “scoping” meeting with follow up letter and up to three further meetings and a “summary letter” at the conclusion of the process. Any additional meetings would be charged at £100 per hour of meeting. These fees are very similar to those recently introduced by Plymouth City Council.
- 4.3 During the 12 months to 1 May this year Planning Services has dealt with 51 enquiries under the Major Applications Protocol which suggests that a charging scheme on the basis outlined above could generate a minimum of £150,000 per annum. If there is an element of deterrence, this may reduce to about £100,000. Experience at East Devon District Council, which introduced charging recently, was of a significant decline in pre-application enquiries. This compares with annual fee income of about £500,000 per annum. Income in the first year will be much less due to pre-applications that have already commenced.
- 4.4 It is anticipated that that the principle of charging for pre-application advice could be extended to more modest schemes in the future (at a proportionate rate) but that this should not take place until the impact of fees for major development proposals has been fully assessed. There is no intention to charge for advice on householder development.
- 4.5 The charging system would be introduced for new proposals under the Protocol received after a date to be determined. Payment would be expected to accompany the pre-application enquiry form.

## **5 RECOMMENDATION**

- 5.1 That Executive approve the charging regime for pre-application enquiries for major development, that the impact of the proposals and the scale of charges be reviewed on an annual basis; and the Head of Planning and Building Control be delegated to amend the charging regime if appropriate.

**RICHARD SHORT**  
**HEAD OF PLANNING AND BUILDING CONTROL**

**ECONOMY AND DEVELOPMENT DIRECTORATE**

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

**Background papers used in compiling this report:**

None

This page is intentionally left blank

## EXETER CITY COUNCIL

EXECUTIVE  
15 JUNE 2010

### NEW CONSERVATION AREA AT ROSEBARN PARK

#### 1 PURPOSE OF REPORT

- 1.1 To consider designation of a new conservation area at Rosebarn Park.

#### 2 BACKGROUND

- 2.1 Rosebarn Park was designed by Devon architectural practice Mervyn Seal Associates in the early 1960's. The estate won several awards including a Civic Trust Commendation and a Good Design in Housing Award; both received in 1969.
- 2.2 The proposal to designate the development as a Conservation Area has come about because of a renewed interest in the architect's work and recognition of the high quality of the landscape, townscape and architecture.
- 2.3 The initial appraisal (Appendix 1) identifies the estate as an excellent example of place making. The layout and the architecture itself sits comfortably within a high quality landscape and the 1960s architectural style strengthens the sense of place. It is a rare example of a design which retains much of its original character.

#### 3 KEY CONSIDERATIONS

- 3.1 The Planning (Listed Buildings and Conservation Areas) Act 1990, defines a Conservation Area as "an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance, to ensure its value is retained for future generations to enjoy."
- 3.2 Section 69 of the Act states that "*every planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance and shall designate those areas as conservation areas*".
- 3.3 Within Conservation Areas, it is the character of the area as a whole that is important and, unlike listed buildings where the decision to list lies with the Secretary of State, judgement is made by the Local Planning Authority on the basis of local and not national criteria. In setting these criteria, it is essential that the "specialness", in the local or regional context, is recognised and the City Council has sought to establish a consistent and responsible approach when considering the extent of designation and its adequacy across the whole of the city. Failure to do so can seriously devalue the status of Conservation Areas and whilst designation can be a legitimate response to a real or perceived threat to the character or appearance of an area, it is still essential to consider first whether an area is of sufficient architectural or historical interest to warrant designation.

- 3.4 The Council's normal approach to the designation of a new Conservation Area is to apply the following criteria:
1. The special interest must relate to an area, not only its buildings, but overall townscape and vistas.
  2. It is desirable to preserve or enhance the features in the area that define the special interest.
  3. The area has special architectural interest, because either:
    - a) It has good surviving architecture of a particular period or style, or
    - b) It was designed by an architect or practice of local or national repute, or
    - c) It has significant good quality architecture which contributes to local distinctiveness, or
    - d) Its buildings have a layout or townscape which contributes to local distinctiveness.
  4. The area has special historic interest, because either:
    - a) It illustrates a significant phase of the history and development of the district, or
    - b) It has associations with historic event/s, or people of significance, or
    - c) It has historic landscape interest or archaeological significance.

To merit consideration for designation, the area **must** satisfy criteria 1 and 2 and either 3 or 4.

#### **4 CONCLUSIONS**

- 4.1 The area is of special architectural or historic interest for the reasons outlined in the initial appraisal and is considered to be under immediate or long-term threat of development that could cause harm to its character or appearance.
- 4.2 Conservation Area status would bring all major demolitions and alterations under planning control, thereby allowing any archaeological, building and townscape issues to be discussed and conditioned, where necessary.
- 4.3 Under the Act, the Council has the power to designate a conservation area on the basis of an officer recommendation. The designation is required to be advertised in the local paper and the London Gazette but there are no other formal requirements. However, the City Council's normal procedure is to include public consultation in the designation process.
- 4.4 Executive will be asked to agree the draft appraisal as a basis for consultation on the proposed conservation area. There will be a period of not less than six weeks for public consultation and due to the small scale of the proposed area and lack of suitable venue, all residents and other interested parties will receive a copy of the draft document and a consultation questionnaire. Additionally, the draft will be posted on the Council's website.

## **5 PLANNING MEMBER WORKING GROUP**

- 5.1 A report to Planning Member Working Group on 11 May regarding the proposed designation of Rosebarn as a Conservation Area. One member questioned the significance of the estate and another reported back from a member site visit and supported the view that it does have landscape and conservation interest.
- 5.2 Members agreed to support Executive to agree the draft document for public consultation.
- 5.3 Further discussions are to be held with the owners of the site prior to Executive and the results of these will be reported verbally at the meeting.

## **6 RECOMMENDATION**

- 6.1 To agree the draft appraisal as a basis for public consultation.

**RICHARD SHORT  
HEAD OF PLANNING AND BUILDING CONTROL**

**ECONOMY AND DEVELOPMENT DIRECTORATE**

**Local Government (Access to Information) Act 1985 (as amended)**  
**Background papers used in compiling this report:**  
None

This page is intentionally left blank

# DRAFT APPRAISAL FOR PROPOSED CONSERVATION AREA DESIGNATION AT ROSEBARN PARK, STOKE HILL, EXETER

## 1. Introduction

Section 69 of the Planning(Listed Buildings and Conservation Areas) Act 1990 states that every Local Planning Authority shall, from time to time, determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance and shall designate those areas as conservation areas.

Rosebarn Park is being considered for conservation area designation due to its townscape, landscape and architectural features.

Guidance offered by English Heritage, the Historic Towns Forum, Exeter Local Plan First Review (1995 – 2011) and local designation criteria has been followed in the draft appraisal process.

## 2. History of the Estate

The estate is located a mile north east of the city centre on a triangular site of about 2.2 hectares. It slopes to the south and is bounded to the west by Rosebarn Lane and to the east by Stoke Hill. To the north is Stoke Hill Middle School playing fields.

Reference to historic maps shows the land was previously the estate of Stoke House, a grand early 19<sup>th</sup> Century home with extensive greenhouses and wooded grounds. (see 1889 map, below).



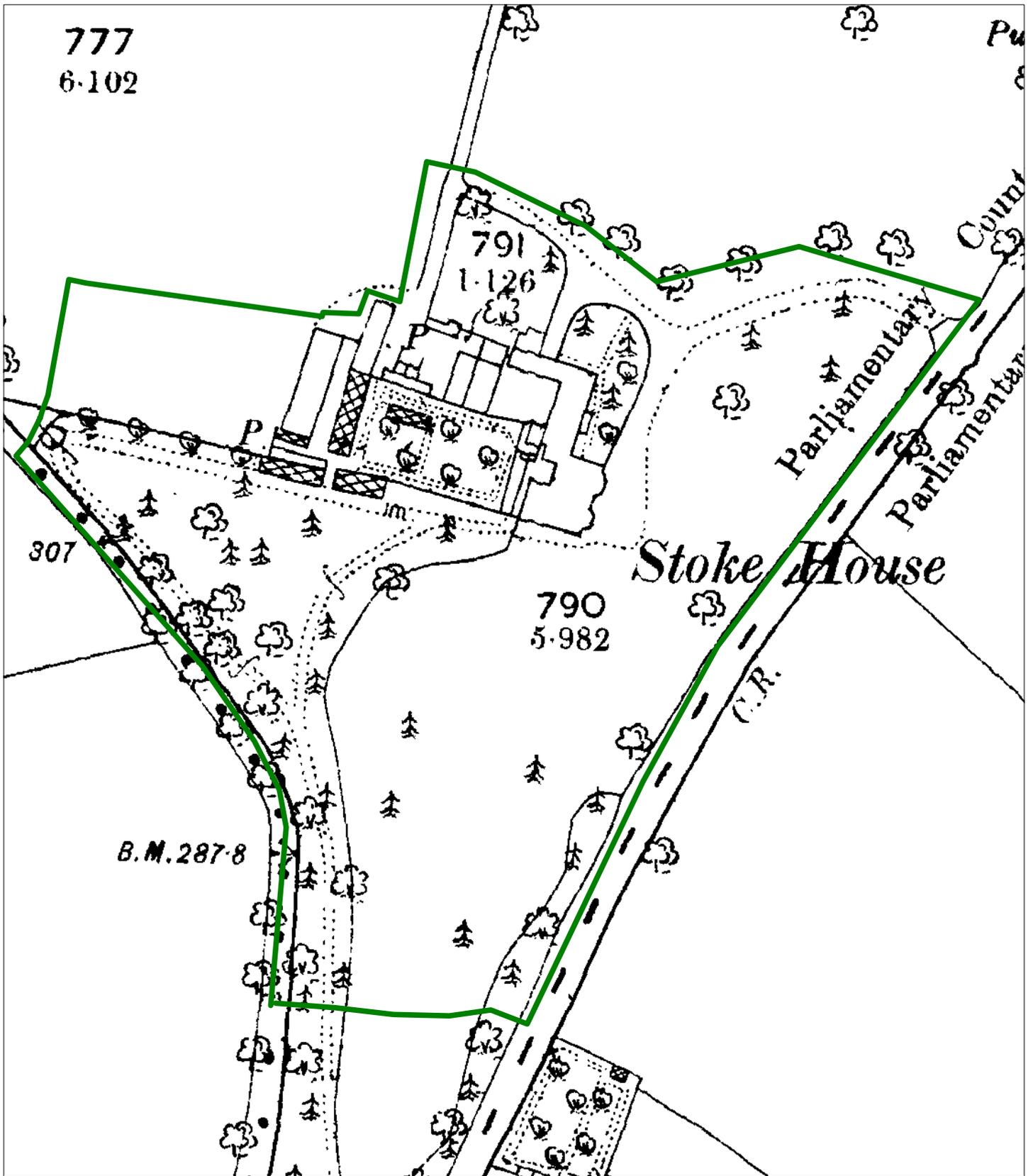
*Photograph taken in February 1912. Devon local studies reference: P&D07087*

The house was partially destroyed by a fire in the early 1960's and was demolished soon after, clearing the land for further development.

Queensway Housing Association obtained the land and approached Mervyn Seal Associates to design an estate that was sympathetic to the sloping nature and mature planting of the site.

It has been in single ownership since completion and this has helped it retain and improve on its special character.

777  
6-102



Scale 1:1250



© Crown copyright Exeter City Council 100025345

25/01/2010

**1889/90**

Planning Services, Exeter City Council, Civic Centre, Paris Street, Exeter, EX1 1NN

Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or Civil proceedings.



**Exeter City Council**

### 3. The Architects

Rosebarn Park was designed in 1965 by Neil Jackson ARIBA and Mervyn Seal ARIBA of Mervyn Seal & Associates, Brixham.

Mervyn Seal Associates had a solid reputation for producing site-specific housing schemes and prior to designing Rosebarn Park, had won two Good Design in Housing Awards; in 1961 for Broughton Close, Plymouth and in 1963 for Marina Park, Brixham, upon which aspects of the Rosebarn scheme were loosely based.

Rosebarn Park received a Civic Trust Commendation in 1969 and a Good Design in Housing Award in 1969.

The assessors for the Civic Trust Commendation noted *"In the main, the buildings are arranged in the form of three closes so that the scheme provides its own environment within the confines of the site. Care has been taken to preserve some good trees which existed on the site - previously the garden of a large private house - and to take full advantage of them in the design."*

The assessors for the Good Design in Housing Award, who included the renowned landscape architect Geoffrey Jellicoe CBE, considered Rosebarn Park to be *"an exceptionally good example of a group of buildings in relation to the landscape. Full advantage has been taken of the contours and of existing fine trees to provide a composition that is original and gratifying. The architecture itself is very powerful but the domestic scale has been maintained by the broken silhouette."*

Mervyn Seal Associates' development of Oakland Park in Dawlish won a Good Design in Housing Award in 1973 and the NHBC Housing Award for the Best Homes of the 1970's. Part of Oakland Park was designated conservation area in 1997. The appraisal document from Teignbridge District Council comments: *"since [the 1950's], the town has witnessed further residential expansion well beyond its east-west valley confines, including a development at Oakland Park, off the coast road to Teignmouth, built in the 1970's and designed as a model for future housing estates that might be added to small towns and villages throughout the County"*

Mervyn Seal also designed a series of distinctive individual homes in Devon that came to be known as his "Butterfly" houses, due to the angular asymmetrical roof shape. These were Parkham Wood in Brixham, Coridon in Torquay, Elbury Hall in Churston Ferrers and Kaywana in Kingswear

Renewed interest in Mervyn Seal's work culminated in 2009 by the Grade II listing of Parkham Wood.



*Parkham Wood, Brixham, listed Grade II in March 2009*

#### **4. Landscape**

The landscape is paramount in this development, being the vestiges of the historic parkland to Stoke House. An area Tree Preservation Order was applied to the site in 1962 prior to development, which underlines the importance given to the landscape setting at this time and the desire to protect it for the future.

The integration of the built form weaving around the grounds and mature trees of the previous house offers an arcadian setting, complemented by the lack of through traffic, making the estate a delightful pedestrian environment.



*Pedestrian routes through planned and mature spaces creates a pleasant townscape*

The area Tree Preservation Order was revoked in 2005 and all of the important trees in Rosebarn Park were protected by individual Orders (see plan on page 9).

The presence of mature trees in the primary spaces, added to by planned landscape design, has created intimate and special places that belie the density of development.

## **5. Townscape and Architecture**

The layout of the Estate responds to the triangular nature of the site creating three distinct, landscaped spaces and one simple cul-de-sac at Yew Tree Close. Lyncombe Close, Yew Tree Close and Lebanon Close have vehicle access while Monterey Gardens, centrally located, is entirely pedestrian. The three roads that enter the Estate terminate in garage blocks, which, whilst less attractive elements of the overall design, allow minimum vehicle penetration and maximum open space.

Each Close forms its own distinct environment and at the centre is a focal point T shaped colonnade, made up of flats set over piers that offer routes and views through and between the spaces, allowing them to be interlinked.

All of the buildings are flat roofed, allowing the terraces to be staggered without creating multiple awkward gable ends. The staggered footprints create a distinct townscape and complement the topography and natural features of the site. The configuration also adds interest to long views as well as creating contrasting light and shadow that adds interest and depth to the appearance of the Estate. The internal drainage arrangements are integral to the original design and enhance the clean lines and simplicity of the buildings.

The architecture is clearly of its time. There are four house types and four flat types which use standard storey heights and window patterns and which are constructed using one type of brick and similar pre-cast concrete sections. The colonnaded central section is a variation on the standard design, using render, which acts as an effective focal point. Taken together these features create a homogenous appearance that strengthens the sense of place.

Whilst the original timber windows have been replaced with UPVC, and external downpipes have been installed on some properties, the essence of the original design and the overall external appearance of the estate has been retained. The coordinated management of the whole estate by one owner has helped in this regard.

### **Monterey Gardens**

Monterey Gardens is the pedestrian-only enclave that has as its focal point in the central green the outstanding Monterey Pine. This magnificent tree affords a pleasant outlook to all of the houses and flats that surround it, whilst also creating a degree of privacy by restricting inter-visibility.



*The Monterey Pine tree is the focal point of the open space in Monterey Gardens*

The simple 2 storey staggered housing to the north and south of the green and the top of the central T-shaped flats to the east create an enclosed and intimate environment whilst offering maximum daylight penetration.

### **Lyncombe Close**

Lyncombe Close is to the north east of the site and is accessed from Stoke Hill. The central landscaped area is the position of the original Stoke House. It is now well planted and contains a protected Monterey Pine as its focal point.



*Lyncombe close, viewed from Stoke Road, with the Monterey Pine clearly visible.*

The buildings vary in design; those to the east have integral garages and parking spaces accessed from the road. The buildings to the north and west front the green directly without vehicle access. This allows the landscape with its attractive trees to be the dominant feature.



*Properties fronting directly onto the green space allowing pedestrian permeability*

### **Lebanon Close**

Lebanon Close is accessed from Rosebarn Lane and has a protected Oak at the entrance.



*Lebanon Close, looking towards the Colonnade*

The sweeping road and the sloping site offer interesting sequential views into the estate and the exotic and native planting on the bank to the west adds colour and interest at all times of the year.

The close here gives more prominence to vehicle access and car parking but is, nevertheless, attractively enclosed. The colonnaded central block terminates the view at the same time as allowing glimpses through to adjoining spaces. Planting and hard landscape works contribute positively to the character of the space. Townscape interest is enhanced by the mix of three storey flats at the entrance to the close, the staggered terrace running from south to north, and six dwellings with integral garages.

### **Yew Tree Close**

Yew Tree Close consists of seven three storey townhouses facing a simple cul-de-sac and garage court. The car ports don't allow landscape to contribute to the townscape and give prominence to cars at the entrance to the houses but the continued use of brick, regular fenestration and pre-cast sections creates harmony with the other buildings.

#### *Picture*

The close ends in a garage court, which consists of two unattractive rows of garages and little softening by planting.

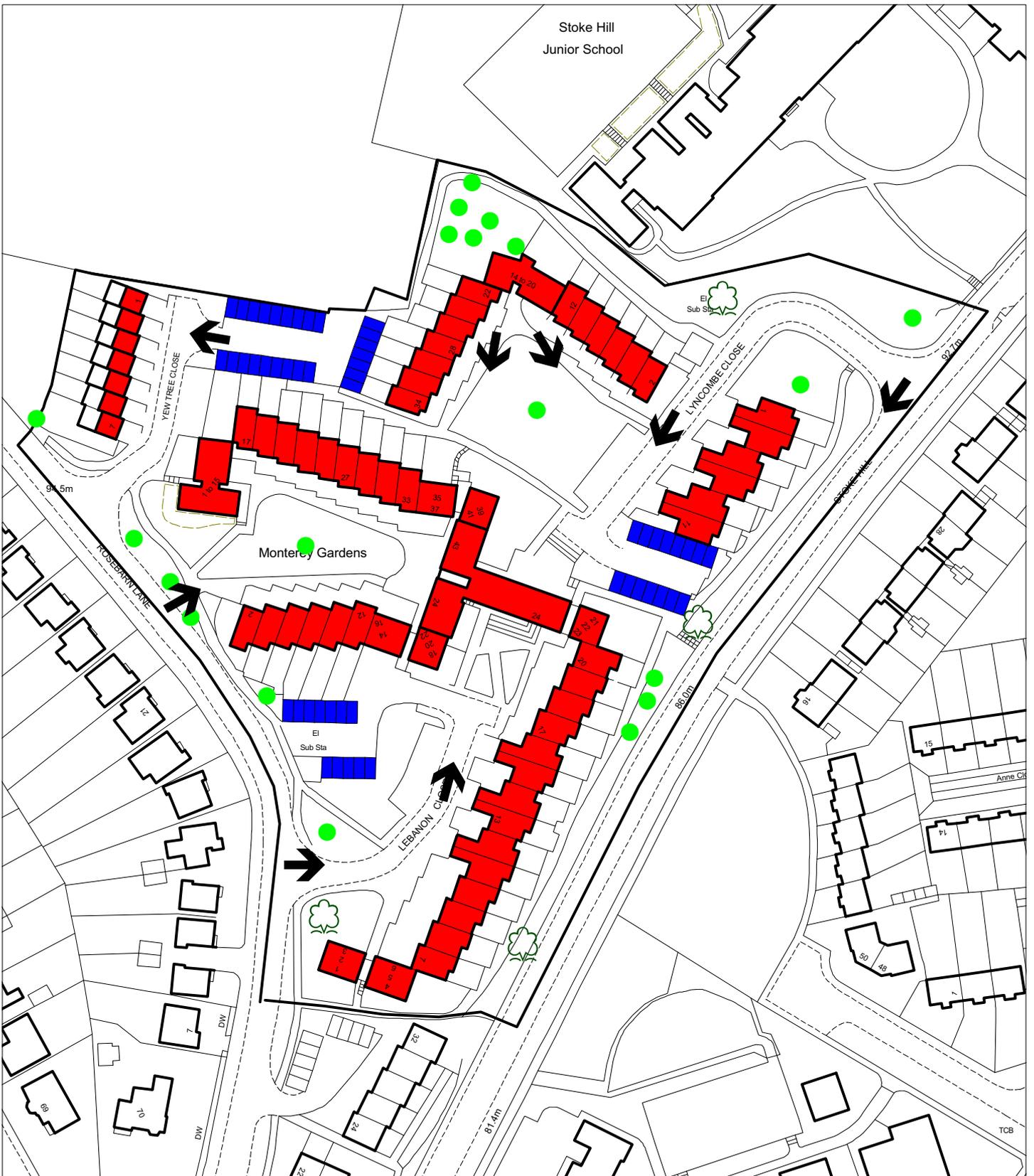
### **Central Area**

The central colonnade offers a pedestrian link between Lyncombe Close, Lebanon Close and Monterey Gardens and is marked out by the use of render and irregular fenestration.

The rendered section above the colonnade is anchored at either end by two and three storey flats that share the same architectural language as the houses.



*The rendered façade and irregular fenestration of the colonnade contrasts with and complements the brick dwellings*



Scale 1:1250



© Crown copyright Exeter City Council 100025345

25/01/2010

## Plan 2

-  Buildings that make a positive contribution
-  Buildings that make a negative contribution
-  Important Views
-  Important Treescape
-  Tree protected by Tree Preservation Order (TPO)

Planning Services, Exeter City Council, Civic Centre, Paris Street, Exeter, EX1 1NN

Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or Civil proceedings.



## 6. Issues

When the Estate was designed in the mid 1960's, car ownership was significantly less than today and the plan was based on the notion that those people who owned cars would use garages for parking. Increased car ownership, the inconvenience of using garages remote from the house and the use of garages for storage has resulted in more on-street parking.



*On-street parking*

While the garage courts are negative features on the estate they are well used as storage by residents. However, whilst the garages are currently under-used and unattractive there is potential that they could be included in a new parking strategy for the estate including demolition of garages, the provision of new parking spaces and purpose designed on-street parking enhancement if they were to be demolished and replaced with landscaped open parking courtyards.



*Unattractive garage court, Yew Tree Close*

## **7. Conclusion**

Rosebarn Park is a well-planned, carefully considered housing development of the mid 1960's by an architect who did not adopt a "one size fits all" philosophy to his designs and whose recent national recognition adds status to his work and therefore this estate.

It meets the local criteria for conservation area designation because:

- it has good surviving architecture of a particular period or style;
- it was designed by an architect or practice of local or national repute;
- it has historic landscape interest;
- the special interest relates to an area, not only its buildings;
- it is considered desirable to preserve or enhance the features in the area that define the special interest.

This page is intentionally left blank

## EXETER CITY COUNCIL

EXECUTIVE  
15 JUNE 2010

### DRAFT SUPPLEMENTARY PLANNING DOCUMENT RESIDENTIAL DESIGN

#### 1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval from Executive for the draft Residential Design supplementary planning document (SPD) to be published for public consultation. The SPD identifies the City Council's requirements in relation to residential development and forms the basis for the determination of planning applications. A copy of the proposed draft SPD is at Appendix 1.

#### 2 BACKGROUND

- 2.1 The Council's proposed Local Development Scheme identifies the need for design guidance with regard to residential development. The adopted Exeter Local Plan First Review provides the statutory planning policy framework.
- 2.2 Exeter is required to accommodate up to 12,000 new dwellings over the next sixteen years. Pressing needs for significantly higher standards of accommodation, residential amenity, townscape and environmental performance demand that clear, comprehensive guidance is given to all prospective developers of new housing.
- 2.3 The draft SPD is written in a context of the compelling need to tackle climate change and, therefore, the need to design all aspects of new residential development in such a way that contribute to nationally adopted carbon reduction targets. Changes to Building Regulations will require all new houses to be "zero-carbon" by 2016, but these do not include all aspects of how residents use their dwellings and their wider environment. This means that guidance needs to consider not only the design of new buildings themselves, but also how they are laid out, how they connect to facilities and how development may actively discourage motor vehicle use.
- 2.4 Development needs to be of high quality measured by a range of clear criteria. There are numerous publications providing guidance on a range of aspects of design including sustainability, the aesthetics of townscape, maintaining residential amenity and the quality of accommodation. Some of these, such as those dealing with townscape, are dealing with well understood issues, while those which consider environmental performance and space standards are dealing with areas of emerging concern. It is vital, however, that these issues are considered together to ensure that future housing development enables people to live contentedly in one place for long periods by being attractive and adaptable to changing circumstances through life.
- 2.5 The draft SPD explains the principles that developers should adopt and the procedures that should be followed to meet the challenge of designing high density development without compromising design quality or residential amenity. The City Council requires development which is efficient in land use terms but which also creates an attractive, city-living, environment. Recent trends in house building have seen the development of some dwellings which are far too small to

be sustainable. Designs are inflexible and not able to meet the changing needs of people over time. The SPD, therefore, seeks to set clear space standards which will produce adaptable and flexible homes meeting the long-term needs of residents.

- 2.6 The SPD will also incorporate and build on the Building for Life (BfL) national standards for well-designed dwellings and neighbourhoods. Members will recall that BfL allows the evaluation of the quality of development according to 20 criteria. Proposed schemes are awarded points according to the quality of the environment and contribution to the community, the character of the scheme, the quality of the streets, parking and pedestrian environment and the quality of the buildings and the places they make. The final document will highlight the BfL criteria that are relevant to each chapter and explain how best to achieve high scores for all these aspects of development.

### **3 CONSULTATION**

- 3.1 In preparing the draft document two workshops have taken place with residents at Kings Heath and Gras Lawn and two with the major house builders actively working in Exeter. Over the past month further informal consultation has also taken place with the house builders. These have allowed the draft SPD to be prepared taking account of the concerns and aspirations of a cross section of interested individuals and organisations.
- 3.2 It is now proposed that formal consultation take place lasting about eight week. The results of which and the proposed responses will be reported to Planning Member Working Group on the 24 August and then Executive on the 14 September with a view to the adoption of the SPD.
- 3.3 The consultation will be publicised through the web site, press releases and letters to agents, interested organisations and to those members of the public who have already expressed interest in response to advanced publicity.

### **4 PLANNING MEMBER WORKING GROUP**

- 4.1 On 13 April 2010 a working draft of the SPD was presented to Planning Member Working Group. Members warmly supported the draft and agreed a period of informal consultation with house builders prior to consideration by Executive.

### **5 RECOMMENDATION**

- 5.1 It is recommended that Executive agree the draft Residential Design SPD for public consultation.

**RICHARD SHORT**  
**HEAD OF PLANNING AND BUILDING CONTROL**

**ECONOMY AND DEVELOPMENT DIRECTORATE**

**Local Government (Access to Information) Act 1985 (as amended)**  
**Background papers used in compiling this report:**  
None

## EXETER CITY COUNCIL

EXECUTIVE  
15 JUNE 2010

COUNCIL  
13 JULY 2010

### CORPORATE PLAN: PLANNING FOR OUR FUTURE (2010/11 UPDATE)

#### 1 PURPOSE OF REPORT

- 1.1 To present and seek Members approval of the council's Corporate Plan: Planning for our future (2010/11 update).

#### 2 BACKGROUND

- 2.1 The council first published a Corporate Plan in 2007.
- 2.2 The council's Corporate Plan: Planning for our future sets out the council's strategic objectives. The purpose of the Corporate Plan is:
- To promote understanding and ownership of the council's priorities and to enable a more effective link between strategic objectives, service plans and individuals' objectives;
  - To set out the annual priorities for the council under each of the strategic objectives;
  - To shift to a focus on outcomes and evidence of how the council is making a difference to the people of Exeter;
  - To set out a clear rationale behind the council's priorities;
  - To explain how the council is responding to community need;
  - To enable reporting on progress.
- 2.3 Although the Corporate Plan has replaced the Best Value Performance Plan, the council is still required to report outturn performance data on the 2009/10 National Indicator set and certify that individual contracts entered into in 2009/10 comply with best value requirements including workforce requirements in the Code of Practice. These requirements will be met by 30 June 2010.

#### 3 CONTENT, FORMAT AND AUDIENCE OF THE CORPORATE PLAN

- 3.1 The Corporate Plan is organised around the council's strategic objectives. It explains how we have developed our strategic objectives, sets out the council's 2009/10 key achievements and identifies our 2010/11 planned actions. It also provides details of the council's consultation and engagement work, an overview of the council's finances, an outline of the performance management framework and an overview of how the council manages its risks.
- 3.2 The achievements and planned actions contained in the Corporate Plan are set at a high, over-arching level and responsibility for achieving the planned actions has been allocated to Directors. This is so that the Plan maintains a strategic focus. Service Development Plans will provide an overview of achievements and actions at a service level.
- 3.3 A full summary of our National Indicator set, Best Value and Local Performance Indicator results and the Comprehensive Equality Scheme 2010-2013 are reported as appendices to the Corporate Plan.

- 3.4 As with last year, the Corporate Plan will be primarily web-based and published on the council's website for easier access and navigation. The Plan will also be available in bound hard copies in libraries and at the council's Customer Service Centre. Council Members will be sent a hard copy on request.
- 3.5 The target audience will be elected members, SMT, heads of service, auditors, inspectors and grant/award providers, staff, together with external audiences (central government, local government organisations, other local authorities, partners and local businesses). Whilst the plan will also be available for residents, the summary document which accompanies council tax bills will continue to relay summary information about the council's priorities, performance and value for money.

#### **4 RECOMMENDATION**

- 4.1 Executive requests Council to 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.

#### **STRATEGIC MANAGEMENT TEAM**

June 2010

Local Government Act 1972 (as amended)

Background papers used in compiling this report:-

None

## EXETER CITY COUNCIL

EXECUTIVE  
15 JUNE 2010

COUNCIL  
13 JULY 2010

### THE DUTY TO RESPOND TO PETITIONS

#### 1 PURPOSE OF REPORT

- 1.1 To inform Executive of the Council's duty to respond to petitions and to seek Council's approval to a proposed scheme.

#### 2 BACKGROUND

- 2.1 The Local Democracy, Economic Development and Construction Act 2009 aimed to reinvigorate local democracy by putting local authorities at the forefront of the drive to reconnect people with public and political decision-making.
- 2.2 The Act introduced a number of measures, including the duty to respond to petitions, which aimed to address the poor public perception of how people can influence decisions that affect their local area. Signing a petition is one way for citizens to express their concerns and priorities to their local authority. The Government's Citizenship Survey has shown that petitions are the most popular and recognised form of civic action. Councils will also be required to provide a facility for the submission of e-petitions.
- 2.3 The regulations require local authorities to adopt the duty to respond to petitions by 15 June 2010. Recognising local authorities may need a longer time to prepare for the e-petitions element of the duty, the e-petitions requirements will come into force later on 15 December 2010.

#### 3 THE MODEL SCHEME

- 3.1 The statutory guidance sets out the key principles and requirements to which local authorities must have regard when designing and complying with their petition scheme. The attached draft scheme is based on the Draft Model Scheme proposed by Communities and Local Government.
- 3.2 The proposed number of signatures identified in the scheme which trigger specific actions have been agreed by all Group Leaders.
- 3.3 The statutory guidance states that the Council's petition scheme must include the following options for further action:-
- taking the action requested in the petition
  - considering the petition at a Council meeting
  - holding an inquiry
  - holding a public meeting
  - commissioning research
  - a written response to the petition organiser setting out the Council's views on the request in the petition
  - referring the petition to the Council's scrutiny committees

and must determine a list of names and job titles of the most senior officers to whom the scrutiny trigger applies, which as a minimum must include the Chief Executive.

- 3.4 The scheme and guidance in relation to the submission of petitions will be placed on the Council's website. Whilst the requirement for the e-petitions facility does not come into force until December 2010 it is proposed to introduce the facility for e-petitions at the same time as the petitions scheme in accordance with best practice. A disclaimer will be placed on the Petitions web page stating that the Council accepts no liability for the petitions on the web pages and that the views expressed in the petitions do not necessarily reflect those of the Council.
- 3.5 The adoption of the new scheme for petitions will require an amendment to Standing Order 21 in the Council's constitution which relates to the current scheme regarding petitions presented to Council. The Standing Order states that every petition addressed to the Council or the Lord Mayor shall be brought before the Council as a Lord Mayor's communication unless the subject matter comes within the jurisdiction of the Executive or any Committee, in which event it shall be referred without discussion to the Executive or relevant Committee for consideration and report.

#### **4 FINANCIAL IMPLICATIONS**

- 4.1 There are no direct cost implications as the Council's existing Committee Management System (Modern.gov) has a facility for e-petitions. It is anticipated that the likely workload generated by the provisions in the scheme can be met from within existing officer resources but this will be reviewed six months after the implementation of the scheme.

#### **5 RECOMMENDATION**

- (1) That Council adopts the attached scheme (Appendix 1) in respect of the duty to respond to petitions as set out in the Local Democracy, Economic Development and Construction Act 2009.
- (2) To delegate to the Assistant Chief Executive authority to finalise the Petitions Scheme following adoption by Council and to amend the Council's constitution accordingly.
- (3) That the operation of the Petitions Scheme be reviewed by Executive one year after implementation.

ASSISTANT CHIEF EXECUTIVE  
1 June 2010

#### **Local Government (Access to Information) Act 1972 (as amended)**

#### **Background papers used in compiling this report:-**

Local Democracy, Economic Development and Construction Act 2009 - Model Scheme and Guidance

### Petitions - Scheme

The Council welcomes petitions and recognises that petitions are one way in which people can let the Council know their concerns. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition.

Paper petitions can be sent to:

Assistant Chief Executive  
Exeter City Council  
Civic Centre  
Paris Street  
Exeter  
EX1 1JN

Or be created, signed and submitted online by following this link: *put link in*

Petitions can also be presented to a meeting of the Council. These meetings take place on a regular basis, dates and times can be found here:

[www.exeter.gov.uk/committeescalendar](http://www.exeter.gov.uk/committeescalendar).

If you would like to present your petition to the Council yourself, please contact the Assistant Chief Executive, email: [bindu.arjoon@exeter.gov.uk](mailto:bindu.arjoon@exeter.gov.uk), 01392 265199. If you would like your Councillor to present it on your behalf, please contact your Local Councillor direct (contact details at [www.exeter.gov.uk/councillors](http://www.exeter.gov.uk/councillors)) at least 5 working days before the meeting and they will talk you through the process.

### What are the guidelines for submitting a petition?

Petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- The name and address and signature of any person supporting the petition

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact the first signatory on the petition to act as the petition organiser.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

### Who can sign a petition?

A petition can be signed by a person of any age who lives, works or studies in Exeter City, including under-18's. You can only sign the petition once. The list of signatures

will be checked by officers and any duplicate signatures or obviously frivolous responses will be removed.

## What will the Council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website. *(put link in)*

If we can do what your petition asks for, the acknowledgment may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate (see below), or a Portfolio Holder or senior officer to speak on the matter at Council or Scrutiny Committee, then the acknowledgement will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application; is a statutory petition (for example requesting a referendum on having an elected mayor); or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, those other procedures will apply.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions received the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate.

## How many names should be on the Petition?

There is no maximum number of names on a petition. On average the Council would expect the minimum to be 20, however this depends on the particular issue. If less than 20 names are on a petition, the petition will be treated as a letter and you will receive a response within 10 working days.

If a petition with between 20 and 750 signatures is submitted to the Council this will be referred to either the relevant committee or an officer for consideration

For petitions with 750 signatures and over, see below - Officer Evidence. For petitions with over 2,000 signatures, see below – Full Council debate.

## How will the Council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- Taking the action requested in the petition
- Considering the petition at a Council meeting
- Holding an inquiry
- Holding a meeting open to the public
- Commissioning research

- A written response to the petition organiser setting out the Council's views on the request in the petition
- Referring the petition to the Council's scrutiny committees\*  
(*all the above must be included in the scheme*)
- Referring the petition to another organisation/partner

\*Scrutiny Committees are committees of Councillors who are responsible for scrutinising the work of the Executive – in other words, the Scrutiny Committees have the power to hold the Council's decision-makers to account.

If your petition is about something over which the Council has no direct control (for example the local railway or hospital) we will aim to pass the views expressed on to the relevant body. If the Council wish to comment on a petition, a scrutiny committee may decide to debate the issue and forward their comments to the relevant body. The council works with a large number of local partners through the Exeter Vision Partnership – <http://www.exeter.gov.uk/index.aspx?articleid=2189> and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if the action called for by the petition conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible here [www.exeter.gov.uk](http://www.exeter.gov.uk)

If your petition is about something that a different council is responsible for, we will give consideration to what the best method is for responding to it. It might consist of simply forwarding the petition to the other council. In any event we will always notify you of the action we have taken.

### Officer/Portfolio Holder Evidence (over 750 signatures)

If your petition contains at least 750 signatures, the relevant Portfolio Holder, the Chief Executive, Director or relevant senior officer will address a meeting of the council's relevant committee which is open to the public. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of this committee or a committee member by contacting Member Services, email:sarah.selway@exeter.gov.uk, 01392 265275 up to three working days before the meeting.

### Full Council debates (over 2,000 signatures)

If a petition contains more than 2,000 signatures it will be debated by the full Council, unless it's a petition asking for a Portfolio Holder or senior council officer to give evidence at a meeting open to the public. This means that the issue raised in the petition will be discussed at a council meeting which all councillors can attend. The petition organiser will be given five minutes to present the petition at the Council meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant scrutiny committee. The petition organiser will receive confirmation of this decision. This confirmation will also be published on our website.

## E-petitions

The council welcomes e-petitions. An e-petition can be created and submitted through the council website [LINK](#). E-petitions must follow the same guidelines as paper petitions [LINK TO GUIDELINES](#). The petition organiser will need to provide the council with their name, postal address and email address. The petition organiser will also need to decide how long the petition will be open for signatures. This may range from a few weeks to a maximum of 12 months.

After creation of an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If we feel we cannot publish the petition for some reason, we will contact the petition organiser within this time to explain. The petition organiser will be able to change and resubmit the petition if they wish. If this is not done within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website. (see section above - What will the Council do when it receives my petition?)

When an e-petition has closed for signature, it will automatically be submitted to the Assistant Chief Executive. In the same way as a paper petition and an acknowledgement will be received within 14 days. If the petition organiser would like to present the e-petition to a meeting of the Council they should please contact the Assistant Chief Executive email: [bindu.arjoon@exeter.gov.uk](mailto:bindu.arjoon@exeter.gov.uk) 01392 265199, within five days of the petition closing.

A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The response will also be published on the council's website.

### How do I 'sign' an e-petition?

All the e-petitions currently available for signature can be viewed here [LINK](#)

When an e-petition is signed the person will be asked to provide his/her name, postcode and a valid email address. Once this information is submitted an email will be sent to the email address. This email will include a link which must be clicked on in order to confirm the email address is valid. Once this step is complete the signature will be added to the petition. People visiting the e-petition will be able to see the name in the list of those who have signed it, but the contact details will not be visible.

### What if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that a relevant scrutiny committee review the steps that the Council has taken in response to your petition.

The committee will consider your request at its next meeting which will normally be within three months of receiving it. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council's Executive and arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered the petition organiser will be informed of the results within seven days. The results of the review will also be published on our website.

This page is intentionally left blank

EXETER CITY COUNCIL

EXECUTIVE  
15 JUNE 2010

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

Appointments sought and/or nominations received from group leaders are emboldened.

<u>BODY AND TERM OF OFFICE</u>	<u>CURRENT REPRESENTATIVES AND EXPIRY OF APPOINTMENTS</u>	<u>NUMBER OF MEETINGS PER ANNUM</u>	<u>TERMS OF REFERENCE</u>
City Centre Management Partnership 1	Cllr Edwards <b>Cllr P.A. Smith/Cllr Mrs Henson</b> 15.06.2010	4	Improves the quality of the City Centre for residents, businesses and visitors by developing strategies and opportunities to maximise the Centre's vitality and viability. Supports the development of the City of Exeter as the Regional Capital of the South West, to encourage new investment and to provide an economic "engine" for the City and the County of Devon.
Councillor Development Steering Group 1	Cllr Mrs J. Morrish (Chair) Cllr M.A. Baldwin Cllr Mrs Danks Cllr A.J. Hannaford Cllr Martin Cllr Newton Cllr Starling Portfolio Holder for Business Transformation and Human Resources (Cllr Cole) 15.06.2010	4	To advise on the implementation of the Training and Development Strategy for Councillors and promote training and development opportunity.

Community Safety Partnership 1	Leader (Cllr Fullam) <b>Cllr Newton (Deputy)</b> 15.06.2010	11	The Partnership established following the Crime and Disorder Act 1998 which placed a joint responsibility on local authorities and the Police to reduce Crime and Disorder in local areas.
Safer Devon Partnership 1	Leader (Cllr Fullam) <b>Cllr Newton (Deputy)</b> 15.06.2010	6	Mechanism to deliver on behalf of the Devon Strategic Partnership the safer communities theme of the Devon LAA
Devon Authorities Waste Reduction and Re-cycling Committee 1	Portfolio Holder for Environment and Leisure (Cllr Mitchell) 15.06.2010	3	Co-ordinates the establishment of waste minimisation and recycling schemes whether provided by the County Council, the District Councils or Devon Unitary Authorities, or jointly with each other, with commercial concerns or with community/voluntary groups.
Devon Conservation Forum - Executive 1	Chair of Planning Committee (Cllr Mrs Henson) 15.06.2010	6	Aims to promote the wise sustainable use and enjoyment of Devon's resources. Monitors environmental issues affecting Devon bringing together under one umbrella all who manage the natural and built landscape.
Devon County Council Health and Adult Services Overview and Scrutiny Committee 1	Cllr Newton 15.06.2010	5	To review the implementation of existing policies and to consider the scope of new policies for all aspects of the discharge of the Council's functions concerning adult social care and community learning and to discharge its functions in the scrutiny of health services.
Devon Playing Fields Association 1	Portfolio Holder for Environment and Leisure (Cllr Mitchell) 15.06.2010	4	Independent charitable body offering information, advice, support and small grants to its Members. Helps provide playing fields for all sections of the community and properly equipped playgrounds for children. Encourages the full use of all recreational activities.

Exeter and Heart of Devon Economic Partnership 1	Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) 15.06.2010	5	Promotes the economic development of the sub-region comprising Exeter, Mid Devon, East Devon and Teignbridge.
Exeter Archaeological Advisory Committee 1	Cllr Shiel (Chair) Cllr Martin Cllr D.J. Morrish Cllr Wadham 15.06.2010	3	Committee of City Council Members, professionals and academics from the University and Institutions receiving detailed reports from the AFU on archaeological investigations carried out in Exeter.
Exeter Area Rail Project Working Party 1	Cllr D.J. Morrish Cllr Shepherd Portfolio Holder for Sustainable Development and Transport (Cllr Wadham) 15.06.2010	3	Promotes the use of local rail services in the Exeter area and hinterland. Makes recommendations to operators of local train services and lobby them for improvements Develops infrastructure projects at stations, to improve access and waiting facilities for all passengers
Exeter Arts Council 1	Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) Cllr Coates 15.06.2010	6	Independent group funded by the City Council with membership drawn from the major arts and cultural organisations in the City. It encourages creative activities in Exeter, both individuals and groups by providing financial support.
Exeter Business Centre Board 1	<b>Conservative nomination</b> Cllr Edwards Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) Cllr Mrs Morrish 15.06.2010	4	The Board oversees the affairs of the Business Centre.

Exeter Council for Sport and Recreation 1	Portfolio Holder for Environment and Leisure (Cllr Mitchell) Cllr Taghdissian 15.06.2010	6	To encourage and promote increased participation in sport, recreation and play in the Exeter district in co-operation with Exeter City Council, Devon County Council and other interested organisations.
Exeter Canal and Quay Trust Ltd. 1	Cllr P.J. Brock Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) Cllr Edwards Cllr Newcombe Cllr Shepherd Cllr Sheldon Cllr Starling Cllr Winterbottom 15.06.2010	3	The preservation of land, buildings and other features of beauty or historical or architectural interest in or around the Exeter Canal and Quay Basin; The promotion and encouragement of high standards of architecture, building and town planning and the promotion of civic pride in the Area; The promotion and support of musical, artistic, educational and other cultural activities within the Area; and The promotion and support of community participation in any form of healthy recreation involving waterborne sports in the Area.
Exeter Citizen's Advice Bureau From 15.06.2010	<b>Cllr Edwards to replace Cllr Newcombe</b>	4	Committee of Management managing the Bureau. CAB provides advice and guidance to the public.
Exeter Dispensary and in Sickness Fund 4	Cllr Mrs Danks <b>Former Cllr Bond</b> 31.03.2010	2	Provides assistance to the sick-poor of Exeter.

Exeter Fairtrade Steering Group 1	One representative from each group	6	Promotes Fairtrade in Exeter and seeks to retain Fairtrade status for the City. Organises regular promotions including Fairtrade Fortnight in late February/early March and produces the Fairtrade Directory to promote shops and catering outlets that sell Fairtrade products in Exeter.
Exeter International Airport Consultative Committee 1	Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) 15.06.2010	4	Consultation with respect to any matter concerning the management or administration of the airport which affects the interests of the users, local authorities and organisations as required by the Civil Aviation Act 1982.
Exeter Municipal Charities (General List) 4	The Lord Mayor Cllr Branson - 31.12.2013 Ald N.W.F. Long - 31.12.2013 Mr J.F. Marshall - 31.12.2013 <b>Cllr D.J. Morrish - 31.12.2013</b> Ald W.H.J. Rowe - 31.12.2013 Cllr Wadham - 31.12.3013 Cllr Winterbottom - 31.12.2013	12	To provide accommodation for people who feel unable to remain in their own homes by reason of failing health or reduced circumstances.
Exeter Phoenix Arts Centre Board 1	Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock) 15.06.2010	6	To promote, maintain, improve, encourage and provide public education in the arts including the arts of drama, music, singing, dance, painting, sculpture, literature, cinematography and handicrafts.
Exeter Social, Health and Inclusion Partnership - Member Forum 1	Cllr D. Baldwin Portfolio Holder for Housing and Community Involvement (Cllr Newton) Cllr Prowse 15.06.2010	4	Oversees the implementation of work associated with health and social inclusion in the City and comprises partners from the public sector, main agencies and voluntary sector working in Exeter.

<p>Exeter Summer Festival Advisory Group</p> <p>1</p>	<p>Cllr P.A. Smith (Chair)          Portfolio Holder for Economy and Tourism (Cllr Mrs S.R. Brock)          Cllr Branston          Cllr Mrs Danks          Cllr Mrs R Smith</p> <p>15.06.2010</p>	<p>4</p>	<p>To advise on the key Festival objectives.</p>
<p>Exeter Vision Partnership</p> <p>1</p>	<p>Leader (Cllr Fullam)</p> <p>15.06.2010</p>	<p>5</p>	<p>Acts as the Local Strategic Partnership for Exeter, a non-statutory partnership that brings together the public, voluntary, community and private sectors to coordinate activity and tackle difficult cross-cutting issues within an area. The Partnership also provides a forum for setting the long-term strategic vision which is expressed through the Sustainable Community Strategy (the Exeter Vision).</p>
<p>Exeter Women's Aid (SAFE)</p>	<p><b>Cllr Newton to replace Cllr Cole</b></p>	<p>9</p>	<p>Provides help and support to women in Exeter and area who have been seriously or persistently maltreated by their partners, the fathers of their children or any other persons together with their children. It provides a place of refuge staffed by women.</p>

Haven Banks Outdoor Education Centre Advisory Committee 2	<b>Cllr Newby</b> <b>Cllr Martin</b>  <b>Cllr Newcombe has expressed the wish to become one of the Council's representatives. Only two appointments can be made</b>  15.03.2012	2	Management Committee of Outdoor Centre.
J L Thomas Liaison Group 1	Cllr Choules Cllr Newcombe Cllr Prowse  15.06.2010	2	To improve the exchange of information, report upon and monitor instances of nuisance arising from the factory or carriage of waste material and make suggestions for the improvement of the environmental conditions relevant to the operations of the factory.
Local Government Association General Assembly 1	Leader (Cllr Fullam)  15.06.2010	2	Promotes the interests of local authorities and better Local Government.
South West Councils 1	Leader (Cllr Fullam)  15.06.2010	4	Regional forum for south west authorities.
St. Sidwell's Parish Lands and Other Charities (Seldon and Others) 2	Cllr Mitchell  31.03.2010	4	Almshouse charity and assistance towards educational requirements.

Lord Mayor of Exeter's Appeal Fund 1	Lord Mayor Cllr Coates Cllr Mrs Danks Cllr Edwards  15.06.2010	n/a	Appeal fund.
Parking and Traffic Regulation Outside London Adjudication Joint Committee 1	Cllr Shepherd Portfolio Holder for Sustainable Development and Transport (Cllr Wadham)  15.06.2010	At least once a year	Adjudication service for appellants against penalty charge notices including visible independence of adjudicators from the authorities in whose areas they are working.
South West Provincial Employers 1	Portfolio Holder for Business Transformation and Human Resources (Cllr Cole)  15.06.2010	2	Joint negotiating machinery for the South West comprising the employers' side and the trade union side and provides a forum for discussion, debate and negotiation on human resources.
South West Water Liaison Group 1	Cllr Newby Cllr Mitchell Cllr Robson  15.06.2010	1	To improve the exchange of information of the Countess Wear Sewage Treatment Works operated by South West Water and the carrying out of works to improve odour control. Reports upon instances of complaints arising from odours from works and makes suggestions for the improvement of the environmental conditions relevant to the operations of the works.
Young Single Persons Housing Forum 1	Portfolio Holder for Housing and Community Involvement (Cllr Newton)  15.06.2010	4	Provides a forum for all agencies involved in issues related to homelessness amongst young (aged 16-30) single people in Exeter and the surrounding area.