

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

**Statement of Decisions**

Tuesday 24 November 2009

**Present:-**

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

**Also Present**

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

**Minutes (Minute 126)**

The minutes of the meetings of Executive held on 15 September and 29 September 2009 were taken as read and signed by the Chair as a correct record.

**Declarations of Interest (Minute 126)**

No declarations of interest were made.

**Proposals for Community Involvement (Minute 128)**

The report of the Assistant Chief Executive was submitted, seeking the approval of Executive to the Council's proposed approach to Community Involvement and the identified priority neighbourhoods of the city as a focus for one aspect of the Council's involvement work. The views of Executive were also sought on the future format of the Community Forums.

The Assistant Chief Executive identified the main drivers for the initiative including the "Duty to Involve" introduced by the Local Government and Public Involvement in Health Act which was designed to ensure that local people have greater opportunities to influence decision-making.

Scrutiny Committee – Community considered the report at their meeting on 10 November 2009 and the comments and concerns of members were noted.

A Member expressed concern that the Area Liaison Officers would duplicate the role of Councillors and also queried whether working alongside the PACT meetings was the most effective vehicle for public engagement. Another member expressed particular concern at the principle of extending the initiative at a time when the Council was under considerable financial pressures and queried the financial contribution that the Police would be making to the initiative.

The Assistant Chief Executive responded that the previous My Neighbourhood pilot scheme had cost £51,000 compared with proposed expenditure of £33,000 for the current initiative. The financial contribution of the Police would include the promotion of the PACT meetings through leafleting and part-funding the training programme. Whilst initial discussions with Devon County Council and other partners had indicated their support for the scheme, the

approval of Executive was being sought before engaging in more detailed discussions. The payment of an honorarium to the Area Liaison Officers reflected the requirement to work additional hours and beyond the scope of their day-to-day jobs.

Other members noted the considerable success of the My Neighbourhood pilot scheme and welcomed the proposals to extend the initiative. A member reported on how the work of the Community Consultation and Engagement Officer had complemented and enhanced her role as Councillor rather than encroached on it. The scheme enabled Councillors to make direct contact with a much broader sector of the community than would otherwise have been possible.

Members discussed how the initiative would operate alongside PACT and many felt that this would be an effective way of working with partners. Issues were frequently raised at PACT meetings which were outside the remit of the Police and related directly to the services provided by partners such as the City or County Council. Members also referred to the "Duty to Involve" and the desire to improve the dialogue between the Council and residents. The Area Liaison Officers were intended to support and extend the work of Councillors and were not intended to supercede their role.

Executive supported the proposals in relation to the future of Community Forums. In response to a question, the Assistant Chief Executive stated that it was the intention that the Forums should continue to meet at the Guildhall.

Noting the options available and for the reasons stated in the report Executive resolved that:-

- (1) the proposed pilot My Neighbourhood/PACT model of Community Involvement be approved for introduction in the eight areas of Exeter identified in the report; and
- (2) the Community Forum model proposed in the report be agreed and further consultation takes place with Local Strategic Partnership partners on the thematic areas and format.

In accordance with Standing Order 43, Councillors Edwards and Mrs Henson requested that their names be recorded as having voted against the resolution.

### **Review of Anti-Social Behaviour Policy and Procedures for Housing Landlord Services (Minute 129)**

The report of the Head of Housing Services was submitted seeking approval for the amended Anti-Social Behaviour Policy and Procedure document following its regular review.

Scrutiny Committee – Community considered the report at their meeting on 10 November 2009 and their comments were noted.

Executive agreed the revised Anti-Social Behaviour – Statement of Policy and Procedure.

### **Tree Management in Exeter (Minute 130)**

The report of the Head of Contracts and Direct Services was submitted, presenting recommendations for the safe, effective and sustainable management of trees within the Council's care.

Scrutiny Committee – Community considered the report at their meeting on 10 November 2009 and their support and comments were noted. Executive endorsed the proposal of Scrutiny Committee – Community to change the title of the post of Parks Tree Administration Support Officer (CE11109).

Executive resolved that:-

- (1) the revised funding proposals contained in the report be approved;
- (2) the deletion of the posts of Arboricultural Officer (CE11109) and Assistant Arboricultural Officer (CE11148) be approved;
- (3) the appointment to the post of Parks Tree Administration Support Officer (CE11109) be approved at a grade to be determined by Job Evaluation and subject to the renaming of the post;
- (4) the development of the existing contractual arrangement to a partnership approach as detailed in section 4 of the report be approved; and
- (5) the move to planned from reactive maintenance be approved.

### **Council Housing Energy and Sustainability Policy (Minute 131)**

The report of the Head of Housing Services was submitted, seeking approval to the new Housing (Landlord Services) Energy and Sustainability Policy that sets out how the Council will seek to improve the energy efficiency of its homes and help reduce incidence of fuel poverty for tenants.

Scrutiny Committee – Community considered the report at their meeting on 10 November 2009 and the support of members was noted.

Executive agreed the Housing (Landlord Services) Energy and Sustainability Policy.

### **Downsizing Incentives for Council Tenants (Minute 132)**

The report of the Head of Housing Services was submitted, seeking Members' agreement to implement an amended downsizing incentive scheme for Council tenants to improve the management of the housing stock and increase the supply of family housing to applicants on the Home Choice register.

Scrutiny Committee – Community considered the report at their meeting on 10 November 2009 and the views of members were noted.

Councillor Edwards did not support the proposal to reduce the level of cash incentive payments which he felt would deter tenants from moving into smaller properties thereby resulting in families having to remain for longer periods in over-crowded conditions.

The Portfolio Holder Housing and Community Involvement responded that it was no longer sustainable to fund overspends on the downsizing scheme from savings within the housing revenue budget as had happened in the current and previous years. The proposal aimed to redress the balance by providing advice and support to tenants through other means including the payment of removal fees. Further research was being undertaken to explore the many reasons why tenants chose to move.

The Chair commented that the revised policy aimed to operate a balanced and fair scheme within the current budgetary constraints.

Executive resolved to adopt the amended policy document, Reducing Under-Occupation in the Council's Housing Stock – Incentives for Downsizing.

### **Funding of New Technology for Efficiency Gains in Cleansing Services (Minute 133)**

The report of the Head of Environmental Health Services was submitted, seeking approval for the introduction of new technology and working practises in Cleansing Services.

Scrutiny Committee – Community considered the report at their meeting on 10 November 2009 and their comments were noted.

Executive approved the introduction of new technology and working practises as outlined in the report; the initial costs to be met from external funding of £110,000 from South West Regional Improvement and Efficiency Programme (SWRIEP) and up to £127,000, subject to confirmation of final prices from systems providers, from the Council's LGR and Mobile Working Budget.

### **Replacement of Homecall Equipment (Minute 134)**

The report of the Head of Environmental Health Services was submitted, notifying Members of a forthcoming withdrawal of support by the Council's current provider for Home Call equipment and systems, and seeking approval to purchase new equipment and systems in the financial year.

Scrutiny Committee – Community considered the report at their meeting on 10 November 2009 and their support was noted.

A Member queried the comparison of costs between the options for acquiring the new equipment and the Portfolio Holder for Housing and Community Involvement undertook to look into this and respond.

Noting the options available and for the reasons stated in the report, Executive recommended that:-

- (1) an adjustment to the 2009/10 Capital Programme be made to include capital funding of £58,800 from new borrowing, with an ongoing revenue cost of £12,000 for 5 years, for the purchase of new Telecare equipment and systems, and the new purchase of a UPS in 2009/10 to replace the existing equipment before 31 March 2010;
- (2) revenue funding of £2,500 from the General Fund Revenue from April 2010 be approved to maintain accreditation with the Telecare Services Association; and
- (3) the service expand its customer base subject to the available resources of the service.

### **Parking Tariffs (Minute 135)**

Executive were advised that Parking tariffs need to be increased to reflect the reversion of the VAT rate to 17.5%. No further increase was recommended in view of the wider economic climate and it was proposed to implement the tariffs shown in the schedule attached to the report with effect from 11 January 2010, thus allowing time for the necessary Amendment Order to be advertised and made.

The Chair hoped that the retention of the current parking tariffs, other than the VAT adjustment, would benefit businesses in the City.

Executive resolved that:-

- (1) the changes to tariffs detailed in the schedule attached to the report be approved;

- (2) notice of intention be given to make a Parking Places Amendment Order to revise the City of Exeter (Civil Enforcement Off-Street Parking Places) Order 2008 to enable the tariff changes detailed in the schedule to come into effect on 11 January 2010;
- (3) officers be authorised to make any further necessary changes to the City of Exeter (Civil Enforcement Off-Street Parking Places) Order 2008 to ensure it remains fit for purpose;
- (4) authority to consider any objections be delegated to the Director Economy & Development in consultation with the Leader of the Council and Portfolio Holder for Sustainable Development & Transport; and
- (5) subject to consideration of any objections, the Order be made and sealed.

### **Funding of Concessionary Fares (Minute 136)**

The report of the Director Economy and Development was submitted advising Members of the recent consultation paper issued on the funding of concessionary fares for 2010/11 and seeking advice on the response to the Department for Transport.

Scrutiny Committee – Economy considered the report at their meeting of 12 November 2009 and their support for the proposed response was noted.

Executive warmly welcomed the proposals of the Department for Transport to ensure that the available funding is fairly distributed across the country. Members placed on record their appreciation for the work of the various individuals involved, including Ben Bradshaw MP, Councillor Edwards and the other Group Leaders and officers, who had successfully lobbied the Department for Transport to address the inequity of the scheme.

Executive endorsed the proposed response to the Department for Transport.

### **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public (Minute 137)**

Executive resolved that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

### **Service Review of Building Control (Minute 138)**

The joint report of the Head of Planning and Building Control and Director Economy and Development was submitted, outlining a number of proposed changes in the structure of the Building Control team. The changes were proposed to respond to the budgetary issues facing the team, particularly a reduction in fee income.

Scrutiny Committee – Economy considered the report at their meeting of 12 November 2009 and their support was noted.

Executive resolved that:-

- (1) the employment of the holder of one of the posts of Building Control Officer (ED07167-70) be terminated on the grounds of redundancy on 31 January 2010 in accordance where applicable with the provisions of Regulation 19 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007; with compensation being paid to the holder of the selected post in accordance with the discretion exercised by the Council under the provisions of the Local

Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006; a payment of compensation be made in respect of the notice/unexpired period of notice to which the employee would otherwise be entitled under their contract of employment and the selected post be deleted from the establishment of the Council;

- (2) voluntary severance is invited and accepted if financially appropriate, as a preferred alternative to redundancy;
- (3) proposed Building Control Schedule 1 & 2 charges for new dwellings and domestic extensions be increased to match those of the Devon Building Control Partnership from 1 January 2010;
- (4) a system for charging for street naming and numbering services be introduced from 1 January 2010 based upon the charges outlined at Appendix 3 to the report;
- (5) the post of Technical Clerk (ED07176) be increased from 0.57 full time equivalent to full time and take responsibility for checking the Local Land and Property Gazetteer, funded by street naming and numbering charges and by Corporate Services; and
- (6) the Planning and Building Control Unit's budgets be amended accordingly.

#### **Soil Erosion at Clifton Hill (Minute 139)**

The report of the Head of Leisure and Museums was submitted, informing Members of the soil erosion problem at Clifton Hill and requesting urgent spending to prevent further erosion.

Councillor Shepherd attended the meeting and spoke on this item under Standing Order 44. He addressed the issue of liability for the work and urged the Council to take a longer term view of the position and consider the benefits of undertaking a more permanent solution.

Members considered the relative merits of the other options and acknowledged that the decision should be made in the context of the longer-term use of the land. Executive agreed that further work was required to evaluate the options and that a decision on the matter should be deferred pending further information.

Executive agreed to defer the decision on the issue in order that a further report could be made to the next meeting of Executive where further consideration would be given to the options.

#### **Decision made under delegated powers (Minute 140)**

The report of the Head of Leisure and Museums was submitted, informing Members of a decision, taken under delegated powers, to waive Standing Orders to make a payment to a supplier prior to goods being received.

Executive noted the decision.

#### **The Future of Exeter Archaeology (Minute 141)**

The report of the Director Economy and Development was submitted, presenting the proposed structure for a smaller core Unit of Exeter Archaeology following consideration of the issue at the previous meeting of Executive.

Executive resolved that:-

- (1) the proposed staff restructure indicated in Appendix 2 of the report be approved;

- (2) the funding as set out in Section 6 of the report be approved;
- (3) the method of implementation be approved;
- (4) the employment of the holder of the post of Project Manager (ED6103); holders of the post of Project Officer (ED6106, 6107, 6111, 6154); Project Archaeologist (ED6152); and Illustrator (ED6132) be terminated on the grounds of redundancy on 31 January 2010 in accordance where applicable with the provisions of Regulation 19 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007; with compensation being paid to the holder of the selected posts in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006; a payment of compensation be made in respect of the notice/unexpired period of notice to which the employee would otherwise be entitled under their contract of employment and the selected posts be deleted from the establishment of the Council.

### **Economy and Development - Staffing (Minute 142)**

The report of the Chief Executive was submitted regarding the request of the Director Economy and Development to retire with effect from 31 March 2010, under the terms of the Local Government Pension Scheme (LGPS) "85 Year Rule".

Executive resolved that:-

- (1) the retirement of the Director Economy and Development be approved, with effect from 31 March 2010, in accordance with the provisions of the "85 Year Rule" as described in the report;
- (2) decisions on measures to ensure appropriate senior management arrangements in the short term, and on the process described in paragraph 4.3 of the report, be delegated to the Chief Executive, in consultation with the political Group Leaders; and
- (3) an interim report be made to Executive in the New Year regarding progress on the consideration of the Council's future direction and appropriate senior management structure.

(The meeting commenced at 5.30 pm and closed at 7.50 pm)

**The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 15 December 2009.**