

## **EXECUTIVE**

Tuesday 20 November 2012

### Present:

Councillor Edwards (Chair)

Councillors Denham, Fullam, Hannaford, Mrs Henson, Martin, Sheldon and Sutton

### Also present:

Chief Executive, Strategic Director (KH), Strategic Director (MP), Assistant Director Business Transformation, Assistant Director Economy, Assistant Director Public Realm, Assistant Director City Development, Assistant Director Finance, Assistant Director Housing and Contracts, Housing Benefit Manager and Member Services Manager

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### **MINUTES**

The minutes of the meetings of Executive held on 18 September and 2 October 2012 were taken as read and signed by the Chair as correct.

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### **DECLARATIONS OF INTEREST**

The following disclosable pecuniary interests were declared:

<b>Councillor</b>	<b>Interest</b>
Fullam	109, 110, 111 and 112 (employee of Sanctuary Housing Association)
Prowse	107 (member of Devon County Council)

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### **PARKING TARIFFS**

The report of the Assistant Director Public Realm was submitted seeking agreement to the proposed changes to the banding of parking tariffs set out in the report and annex and to consequent changes in tariff levels with effect from 21 January 2013. The report proposed implementation of the recommendations of the all-party Car Parks Task and Finish Group to create four tariff bands with some consequent changes to tariffs (both up and down) in individual car parks.

Councillor Crow spoke on this item under Standing Order 44 drawing attention to the potential impact of removing the restriction on long-stay parking in the Gordons Place (Fore Street, Heavitree) car park. She was concerned that the spaces would be taken up by local workers and would not be available for shoppers for whom they were primarily intended. Executive accepted that this was an issue which should be addressed.

Councillor Baldwin spoke on this item under Standing Order 44. She felt that the inclusion of Topsham Quay within Tariff Band 2 as a Short Stay Car Park was an anomaly and drew attention to a 1000 signature petition and letters from traders on the issue. She considered this to be misplaced in relation to the Exeter Cathedral and Quay car park which was classed as a Long Stay Visitors' Car Park. She also considered the inclusion of Matthews Hall Car park within Tariff Band B alongside large city car park to be inappropriate. She commented on inadequate signage to the Tappers Close and Holman Way car parks, making these hard for visitors to find.

Councillor Prowse spoke on this item under Standing Order 44, declaring an interest as a member of Devon County Council. He emphasised the need to ensure that the City Council's car parking tariffs were set at an appropriate level in comparison with on-street parking charges to ensure that the Council met income targets.

Responding to the points raised, the Portfolio Holder Sustainable Development and Transport stated that the categorisation of Topsham Quay as a short stay shoppers car park reflected the desire to encourage visitor turnover for the benefit of traders. Consideration of some form of scheme for traders at Matthews Hall should be undertaken at a later stage as part of an overall review of permit arrangements in all car parks, acknowledging the demand generated by the Saturday Markets in the hall. The Portfolio Holder accepted the need to address the issue relating to the Gordons Place, Heavitree car park. She proposed that discussions should be held with Devon County Council regarding improved signage to car parks, and that a colour-coding system to identify the relevant tariff band should be pursued when publicising the City Council's own car parks.

Executive commended the all-party Car Parks Task and Finish Group on their work, noting that they had focussed on the banding of car parks and that the issue of charges had been outside their remit. Members acknowledged that parking income represented a significant revenue stream for the Council and were aware that there had been no increase in charges in the large majority of car parks in the last two years. One member commented that the decreased time bands for parking in many car parks equated to an increase in charges. Executive members were pleased to note that the projected income on car parks overall was on target indicating that the Council's pricing strategy was about right. They supported a request for details of the 5 year trend in car park usage and revenue. They were informed of the significant increase in the income from the John Lewis Car Park in October this year compared with the previous year and welcomed the positive impact of the John Lewis store on the City's economy.

**RESOLVED** that:-

- (1) the proposed car parking tariff structure and charges set out in the report be supported, subject to retaining a maximum stay of 3 hours in respect of Gordons Place, Heavitree;
- (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 2012 to enable all the changes proposed in the report and annex, subject to the amendment noted above, to come into effect on 21 January 2013;
- (3) authority to consider any objections be delegated to the relevant Strategic Director in consultation with the Leader of the Council and the Portfolio Holder for Sustainable Development and Transport;
- (4) subject to consideration of any objections, the Order be made and sealed; and
- (5) improved signage on the highway be discussed with Devon County Council.

(Report circulated)

**SUPPORT FOR BUSINESS - CHRISTMAS PERIOD**

The report of the Assistant Director Economy was submitted seeking approval to expenditure on a promotional programme to support smaller independent businesses during the important period leading up to Christmas.

Councillor Prowse spoke on this item under Standing Order 44. Commenting on the attraction of Christmas lights for the City, he enquired whether a contribution could be made from the Royal Albert Memorial Museum (RAMM) Art Fund prize in future years. The Portfolio Holder Environment and Leisure responded that the Art Fund award was strictly ring-fenced for RAMM purposes.

Executive members recorded their appreciation to the Express and Echo in conjunction with SunGift Solar for providing Christmas lights in the High Street this year. They regretted that the contribution of businesses to the provision of lights had declined significantly in recent years to the extent that it was no longer possible for the City Council to provide the budget. Whilst the lights were greatly appreciated by residents and visitors it was noted that they had also been identified in the public consultation on the budget as lower priority expenditure.

The Leader drew attention to the significant investment that the City Council already made in the City Centre, including the provision of environmental improvements, bus stops, CCTV, signage etc and hoped that a successful Business Improvement District (BID) ballot would enable funding by the business sector of enhancements such as Christmas lights in future years.

Executive acknowledged that the last year had been particularly hard for independent traders and welcomed the proposed programme of additional promotional activity.

**RESOLVED** that the programme of additional promotional activity to support the City's independent traders be approved.

(Report circulated)

**WELFARE REFORM**

Councillor Fullam declared a disclosable pecuniary interest as an employee of Sanctuary Housing Association.

The report of the Assistant Director Housing and Contracts and the Assistant Director Business Transformation was submitted identifying the anticipated impact of the proposed welfare reforms. The report also sought approval to the activities identified in the risk assessment to mitigate the impact of the changes. The Assistant Director reported that the issue had been the subject of robust discussion by the Social Health and Inclusion Partnership (SHIP) and the Scrutiny Committee – Community on 6 November 2012. Executive noted the comments of members and the resolutions of that Committee including their request for a further report.

Members noted the far-reaching welfare reforms and the serious impact on the individuals and families who would be adversely affected by the changes. They also noted the potential implications for the Council's general fund and housing income and on the demand for particular services including debt collection, debt advice, council tax, benefits, housing options and homelessness and tenants' services. Members commented that the proposals appeared to be disjointed and ill thought out and hoped that new Ministerial Guidance would address some of the issues. They endorsed the need for a joined-up approach amongst stakeholders in the city.

They expressed grave concern for the impact on young people and the likely increase in homelessness, hardship and child poverty. Others expressed particular concern about the disproportionate effect on low paid workers, the impact of the Housing Benefit cap and the anticipated rise in debt and homelessness. They endorsed the need to carefully monitor the adequacy of the home downsizing budget and to review the practical assistance that the Council would offer in cases of under-occupation. They particularly welcomed the comprehensive risk assessment provided with the report.

Other members acknowledged that some aspects of welfare reform were essential and hoped that certain elements of the changes may remove disincentives to work through minimising the bureaucracy of the system, thereby enabling the redirection of resources towards the most vulnerable in society. It was hoped that the increase in basic income tax allowance levels would be a further mitigating factor.

Executive recorded their appreciation to Laura Fricker, Benefits Manager and her team for the enormous work they had put into the introduction of the new Welfare and Council Tax schemes as set out in this and the following two reports.

**RESOLVED** that:-

- (1) Executive recognises that it is Central Government through its programme of cuts and changes to the welfare benefits system, that is forcing this Council to urgently implement measures to help mitigate the effects that the reforms would have on both the local economy and the residents of Exeter;
- (2) the report and the implications of the Government's welfare reform programme on the Council's services and benefits claimants be noted and the proposed interventions be approved; and
- (3) Executive continues to monitor the Welfare Reform Risk Map and the effectiveness of the Council's response as further evidence emerges, and agrees to take appropriate action where possible to protect the local community from further financial hardship, reporting back to Scrutiny Committee – Community when necessary.

(Report circulated)

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**PROPOSED LOCAL COUNCIL TAX SUPPORT SCHEME**

Councillor Fullam declared a disclosable pecuniary interest as an employee of Sanctuary Housing Association.

The report of the Assistant Director Business Transformation was submitted seeking approval to the proposed Local Council Tax Support Scheme due for implementation from April 2013 and informing members of the components of the scheme.

The Assistant Director reported that one of the major welfare changes coming into effect related to the abolition of Council Tax benefit and its replacement with a Local Council Tax Support (LCTS) Scheme. Local authorities would receive a budget for the new scheme based on 10% less than the government's estimated projection of Council tax benefit in 2013-14. The Assistant Director outlined the main principles of the new scheme. Support for pensioners would not be affected by the cut and vulnerable residents would be protected. It was intended that support for Council Tax would become fully integrated into the Council tax system and would no longer be a "benefit" subject to Social Security legislation.

Executive noted the main components of the proposed scheme, the financial implications and the potential impact of the new scheme on working age customers and collection. They were impressed by the extensive consultation that had been undertaken on the scheme and thanked officers for their hard work.

Members were advised of the creation by Communities and Local Government of a Transitional Grant Scheme comprising a fund of £100 m of which authorities were invited to bid for a predetermined share. They noted the measures the Council would be required to undertake to apply for a grant and that the funding was for 2013-14 only. On this basis they fully endorsed the recommendation that it would not be in the interests of the Council to apply for a grant and noted that this was the stance taken by the majority of local authorities so far.

Members hoped that the 10% reduction in budget would be offset by greater efficiencies in the administration of the scheme and anticipated that the shift away from central government control would enable greater localisation.

Executive unanimously supported the proposed new scheme.

**RECOMMENDED** to Council:-

(1) to note the following documents circulated as Appendices to the report:

- (i) Draft S13a policy
- (ii) Consultation report
- (iii) Equality Impact Assessment
- (iv) Amendments to the Constitution
- (v) Exceptional Hardship Fund Policy
- (vi) Vulnerability Statement
- (vii) Band D Restriction report

(2) to agree the amendments to the Constitution, as circulated; and

(3) to approve the proposed scheme for Local Support for Council Tax, to be introduced on 1 April 2013.

(Report circulated)

### **TECHNICAL REFORMS TO COUNCIL TAX**

Councillor Fullam declared a disclosable pecuniary interest as an employee of Sanctuary Housing Association.

The report of the Assistant Director Finance was submitted, setting out the Technical Reforms to Council Tax that the Government is introducing from April 2013. The reforms give billing authorities more flexibility on some of the discounts that could be granted which would provide the opportunity to generate additional income. This flexibility relates to:

- Second Homes
- Empty Properties
- Properties undergoing or requiring structural works

The report also explained other reforms which include:

- The right to pay council tax by 12 monthly instalments
- Enabling billing authorities to publish council tax information on their website rather than in paper format.
- Making the mortgagee (the lender) responsible for paying the council tax when a property is repossessed.

Executive welcomed the proposed reforms and were particularly pleased to note measures aimed at encouraging owners of long term empty properties to return them into use.

**RECOMMENDED** to Council that the following changes to Council Tax are made from 1 April 2013:-

- (1) to reduce the current Second Home discount from 10% to 0%;
- (2) for properties that would fall under Class C exemption, to set a discount of 100% for the first 2 months and then reduce the discount to 0% for the next 4 months;
- (3) to impose a premium levy of 50% council tax on properties that have been empty for more than 2 years;
- (4) to reduce the current long term empty property discount from 10% to 0%; and
- (5) for properties that would fall under Class A exemption, to set a discount of 50%.

(Report circulated)

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### **TENANCY STRATEGY AND TENANCY POLICY**

Councillor Fullam declared a disclosable pecuniary interest as an employee of Sanctuary Housing Association.

The report of the Assistant Director Housing and Contracts was submitted seeking adoption of a Tenancy Strategy and Tenancy Policy as required by the Localism Act 2011. The Assistant Director outlined the broad principles and expectations of registered providers set out in the Tenancy Strategy. She identified the main features of the Tenancy Policy which set out in more detail how the Council would implement the guiding principles of the Strategy in day to day housing management operations. Members' attention was drawn to the Equality Impact Assessment (EQIA) which recorded the potential impacts on the protected characteristic groups and the actions it was intended to take to address them. The policy would be monitored for unintended consequences and the EQIA would be reviewed and updated as necessary.

Executive welcomed the new Tenancy Strategy and Policy. They noted that fixed term tenancies would only apply to new tenants and considered the proposed five year term would normally be appropriate. They supported continuing "lifetime" tenancies for the specific groups identified. Noting the inadequate supply of social housing available, Members hoped that the measures would facilitate the provision of social housing to those most in need. They anticipated a decrease in anti-social behaviour resulting from the threat of losing tenancies as well as a decrease in the major cost of evictions. It was agreed that the downsizing policy should be reviewed in the context of the new scheme.

Scrutiny Committee – Community considered the report at their meeting on 6 November 2012 and the support and comments of members were noted.

**RESOLVED** that the new Tenancy Strategy and Policy be approved.

(Report circulated)

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**PROPOSAL TO DE-ACCESSION ITEMS FROM RAMM'S COLLECTION**

The report of the Assistant Director Economy was submitted setting out proposals to de-accession selected items from RAMM's permanent collection. As RAMM's governing body, Exeter City Council must formally approve de-accessions. The report summarised the context, reasons and outcomes sought in de-accessioning these items.

Scrutiny Committee – Community considered the report at their meeting on 6 November 2012 and the support and comments of members were noted. Executive supported the proposal of the Scrutiny Committee to establish a Museums Storage Facilities Working Group to comprise Councillors Shiel (Chair), Choules and Payne.

**RESOLVED** that the de-accessioning of the items listed in the Appendix to the report be approved; and

**RECOMMENDED** that future recommendations and approval of items for de-accession be delegated to the Assistant Director Economy in consultation with the Portfolio Holder responsible for the Museum.

(Report circulated)

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**EXETER ST JAMES FORUM NEIGHBOURHOOD PLAN**

The report of the Assistant Director City Development was submitted informing members of progress on the production of a Neighbourhood Development Plan for Exeter St James. The report also sought agreement to the Council's response to the consultation process and to granting delegated powers to take the process forward.

Members noted that the uncertainty over the ownership of the Queen's Crescent open space would be resolved through the Compulsory Purchase Order process and looked forward to the creation of a community green space.

Executive congratulated the Forum on their fortitude in staying with the long and complex process and noted that they were one of the few urban forums to have progressed so far. Their experience and expertise had been widely acknowledged.

**RESOLVED** that Executive offers its congratulations to Exeter St James Forum on the production of the draft plan and delegates authority to the Assistant Director City Development in consultation with the Portfolio Holder:

- (1) to continue to negotiate with the Forum on how best to address issues regarding the content of the draft plan identified in Appendix C;
- (2) to make any formal representations appropriate on the plan reflecting unresolved concerns;

- (3) to undertake the necessary procedures to enable the plan to proceed towards adoption;
- (4) to undertake the acquisition of the Queen's Crescent Gardens open space, by agreement with the owner if the owner is found. If the owner is not found, or terms are not agreed, that Executive authorises the acquisition of the land by making a Compulsory Purchase Order under Section 226 of the Town and Country Planning Act 1990 (as amended), on the basis that Executive thinks the acquisition will facilitate the carrying out of improvement on or in relation to that land; and
- (5) to undertake all necessary action to proceed with the Compulsory Purchase Order.

(Report circulated)

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### **TEIGNBRIDGE LOCAL PLAN DEVELOPMENT PLAN DOCUMENT** **CONSULTATION ON DRAFT SUBMISSION**

The report of the Assistant Director City Development was submitted, seeking to formulate a response to the Draft Submission document that is being published by Teignbridge District Council.

The Assistant Director reported that the Planning Member Working Group on 16 October had noted and supported the report which will form the basis of the response to Teignbridge District Council.

Councillor Clark spoke on this item under Standing Order 44, conveying the views of residents in the Alphington area which she felt were not adequately reflected in the City Council's response. Their concerns related to the draft infrastructure delivery plan and specifically the phasing of the primary and secondary schools, the health centre and highways improvements which they felt should be undertaken much earlier in the development.

Executive members emphasised the benefits of a single urban extension rather than piecemeal development and endorsed the huge importance of an adequate infrastructure to support sustainable development in the area. They referred to a number of measures which would mitigate the impact of additional traffic including the proposed rail halt and Park and Ride facility. Residents were urged to respond directly to the consultation; the public examination would provide a further opportunity to explore issues of concern.

Residents were assured of the close and co-operative working arrangements with Teignbridge District Council on the Infrastructure Delivery Plan. Whilst the Council was able to comment on the draft submission they could not make demands on Teignbridge District Council. Regrettably the development would not attract the multi-million pound investment from Central Government that Cranbrook had received and the prioritisation of infrastructure facilities would necessarily reflect commercial viability.

Whilst noting the on-going dialogue with Teignbridge District Council in relation to these issues, Executive acknowledged the concerns of residents and proposed that a further report be made to Executive on 4 December addressing these specific issues prior to responding to the document.



**RESOLVED** that the proposed response to Teignbridge District Council be deferred pending a further report to Executive on 4 December.

(Report circulated)

116      **DRAFT REVISED PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT**

The report of the Assistant Director City Development was submitted seeking approval to the draft revised Planning Obligations Supplementary Planning Document (SPD) to be published for public consultation. The main revisions to the existing, adopted planning obligations document respond to planning system changes and anticipate a Community Infrastructure Levy for Exeter. The Assistant Director City Development reported that Planning Member Working Group had considered and supported the report and the draft revised SPD earlier that day.

**RESOLVED** that the proposed draft revised Planning Obligations SPD attached as Appendix 1 to the circulated report be approved for consultation.

(Report circulated)

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

The schedule of appointments to outside bodies was circulated.

It was noted that the Exeter Municipal Charities (General List) had merged with a smaller almshouses trust, the Lord Mamhead Homes, to form the Exeter Municipal Charity. It was proposed that the Lord Mayor and the four members formerly appointed to represent the Council on Exeter Municipal Charities (General List) be appointed to the new Charity.

**RESOLVED** that the following members be appointed to the new Exeter Municipal Charity:-

The Lord Mayor (ex officio)  
Cllr Branston  
Cllr Robson  
Mr P Wadham  
Cllr Winterbottom

(Schedule circulated)

(The meeting commenced at 5.30 pm and closed at 8.10 pm)

Chair

**The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 11 December 2012.**