

## EXECUTIVE

Tuesday 19 March 2013

### Present:

Councillor Edwards (Chair)  
Councillors Denham, Fullam, Hannaford, Mrs Henson, Martin, Sheldon and Sutton

### Also present:

Chief Executive, Strategic Director (MP), Assistant Director Business Transformation, Assistant Director Economy, Assistant Director Environment, Assistant Director City Development, Assistant Director Housing and Contracts, Projects and Business Manager and Member Services Manager

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### MINUTES

The minutes of the meetings of the Executive held on 22 January and 5 February 2013 were taken as read and signed by the Chair as a correct record.

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### DECLARATIONS OF INTEREST

No declarations of interest were made.

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### MAJOR GRANTS AND NEW HOMES BONUS PANEL

The minutes of the meetings of the Major Grants and New Homes Bonus Panel held on 21 and 28 February and 8 March 2013 were submitted.

The comments of the Scrutiny Committee – Community on 5 March 2013 on Community Grants 2012/13 and members' support for the Panel's recommendation on the item were noted.

Executive members welcomed the significant investment in community initiatives enabled by the use of the New Homes Bonus Local Infrastructure Fund and acknowledged the huge voluntary effort which made these projects viable.

**RESOLVED** that the minutes of the Major Grants and New Homes Bonus Panel held on 21 and 28 February and 8 March 2013 be received and, where appropriate, adopted.

(Minutes circulated)

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### NEW HOMES BONUS LOCAL INFRASTRUCTURE FUND CRITERIA

The report of the Projects and Business Manager was submitted, beginning the review of eligibility and evaluation criteria for the New Homes Bonus Local Infrastructure Fund.

**RESOLVED** that Executive note and support the revised criteria recommended by the Major Grants and New Homes Bonus Panel in the following terms:

- Upper limit should remain as 20% of the fund for the year (and therefore currently £50,000 per application); in practice there is only £32,240 left for 2013/12
- Applications should be limited to one financial year at a time.
- Repeat bids for the same project should continue to be allowed, but continuing support for existing projects needs to be balanced with support for worthwhile new projects.
- Revenue bids should continue to be allowed, but only in exceptional circumstances and time limited (normally for one year only).
- Areas of the city with significant past or future growth will be favoured.
- Projects will be expected to secure significant funding from other sources.
- Joint projects will be favoured, for example whereby two or more organisations pool their resources to provide or improve a joint facility.
- County Council functions (e.g. highway works) will not be eligible. City Council functions (especially community facilities) will continue be eligible, although not normally for something that should be provided as part of ordinary service delivery.
- Projects for which a more suitable funding stream exists (eg. arts or rent grants) will not normally be eligible, regardless of whether money is actually available from that source.

(Report circulated)

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### **SUSTAINABLE TRANSPORT SUPPLEMENTARY PLANNING DOCUMENT**

The report of the Projects and Business Manager was submitted, informing Members of the outcome of the consultation on a draft Supplementary Planning Document (SPD) on sustainable transport, which was carried out in November and December 2012. It recommended adoption of a revised draft as part of the Council's Local Development Framework (LDF), and revocation of the Supplementary Planning Guidance (SPG) on car clubs which had been superseded by the new SPD. The support of the Planning Member Working Group for the document was reported.

Executive was pleased to note that 24 responses had been received and none of the comments had challenged the desirability of promoting sustainable transport. Members thanked officers, particularly the Projects and Business Manager, for the significant effort that had gone into the production of the comprehensive Supplementary Planning Document and its adoption process.

**RESOLVED** that:-

- (1) the revised draft Sustainable Transport SPD be approved and adopted as part of the Local Development Framework; and
- (2) the Supplementary Planning Guidance on Car Clubs be revoked.

(Report circulated)

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### **EXTENDED OPENING FOR CIVIC CENTRE-BASED COUNCIL SERVICES**

The report of the Assistant Director Business Transformation was submitted, seeking to inform Members about the arrangements for extending the availability of a wider range of the Council's services by making them available until 7pm on a Thursday via telephone and the Customer Service Centre. The report also sought approval to a budget to facilitate this extension to some Civic Centre-based services' open hours.

The Assistant Director Business Transformation reported that the lessons learned during the previous extended opening pilot scheme had been used to inform proposals for this new trial. This included the proposal for a wider range of services to be available during the extended hours.

Members welcomed the proposal which enhanced the availability of Council services, particularly for customers who found them difficult to access in traditional working hours. They commented on the responsive and helpful manner of Council staff to requests and queries from the public.

**RECOMMENDED** to Council that:-

- (1) the actions being taken to implement the Pilot Extended Hours Opening on Thursdays be noted;
- (2) the creation of a budget of £50,000 which includes an allowance for contingencies be approved; this will be used to support the implementation of the six-month pilot, funding in the main the costs of overtime as well as publicity; and
- (3) a review of the success of the initiative be reported back to Executive six months after its implementation.

(Report circulated)

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### **CHARGING PROTOCOL FOR WASTE RECEPTACLES**

The report of the Assistant Director Environment was submitted. Following a review of chargeable services, a set of fees and charges had been agreed by Council on 26 February 2013 to cover the provision of refuse containers to domestic premises from 1 April 2013. The report gave options in which to apply a charge and, dependent on the option taken, sought agreement to the adoption of a charging protocol in response to circumstances where it may be in the public interest to waive or reduce some of these changes.

Scrutiny Committee – Community considered the report at their meeting of 5 March 2013 and the comments and support of members for the preferred option were noted.

Whilst some concerns were expressed by members about the principle of introducing charges for the service, Executive supported the modest charges proposed. Members acknowledged the continuing increase in recycling waste and hoped that the proposals would further encourage this trend and reduce demand for replacement bins.

**RESOLVED** that charges be introduced as set out in Appendix 1 of the report, in respect of newly developed or converted dwellings only (Option A) in combination with applying a delivery charge set out in Appendix 2 of the report for all other requests for waste receptacles (Option B).

(In accordance with Standing Order 43, Councillors Mrs Henson and Fullam requested that their names be recorded as having voted against the recommendation.)

(Report circulated)

### **ENERGY WORKS 2013/14**

The report of the Assistant Director Housing and Contracts was submitted, seeking approval for undertaking energy saving works on the housing stock.

Scrutiny Committee – Community considered the report at its meeting of 5 March and the comments and support of members were noted.

Members welcomed the proposed measures to further improve the condition of the Council's housing assets whilst reducing carbon emissions and potentially decreasing energy costs for tenants. They considered the proposed works would be of benefit to tenants and the environment and would raise awareness of energy use as well as reducing consumption.

**RESOLVED** to commit:

- (1) the allocated Energy works budget for 2013/14, any under-spend from the 2012/13 budget, Feed In Tariff (FIT) payments and any grant income received from energy efficiency works to install photovoltaic arrays to as many properties at Hawthorn Road as possible, in conjunction with the re-roofing programme;
- (2) £40,000 from a combination of existing budgets to undertake a trial retro-fit to improve thermal efficiency at two properties identified at Shakespeare Road; and
- (3) £31,200 from the Communal Areas budget for upgrading the window glass on 48 flats, in conjunction with the external rendering programme works.

(Report circulated)

### **EMPTY HOMES ENFORCEMENT**

The report of the Assistant Director Housing and Contracts was submitted, seeking to approve a systematic approach to tackling long term empty homes in the city and the use of enforcement powers where required to ensure empty homes are returned back into use.

The Assistant Director Housing and Contracts reported that, compared to similar areas, the Council already had a good track record in tackling empty properties. Nevertheless in February 2013, there were 310 long term empty properties on the Council Tax Class C list, with 77 having been empty for longer than 12 months.

Executive welcomed the robust approach proposed. Members felt strongly that long term empty properties were a waste of a valuable housing resource, particularly in areas of high housing demand like Exeter. They acknowledged that unoccupied properties rapidly fell into disrepair and neglect, frequently becoming a blight on the neighbourhood by attracting anti-social behaviour, fly-tipping and vermin. They were assured that all possible measures to encourage the re-use of properties would continue to be taken and that Compulsory Purchase Orders would only be used as a last resort. They hoped that the power to compulsorily purchase properties would in itself act as an incentive to property owners to bring properties back into use.

Scrutiny Committee – Community considered the report at its meeting of 5 March and the comments and support of members were noted.

**RESOLVED** that:-

- (1) the Empty Homes Enforcement Policy attached at Appendix 1 to the report be approved;
- (2) the use of New Homes Bonus to fund enforcement action on empty properties in exceptional circumstances be authorised where external services are required, to a maximum of £20,000 over the next three years;
- (3) the use of New Homes Bonus in exceptional circumstances be authorised to fund the purchase of an empty property to a maximum of £300,000 per property; and
- (4) the Assistant Director Housing and Contracts, in consultation with the Portfolio Holder for Housing and Community Involvement, be authorised to undertake an Enforced Sale, an Empty Dwelling Management Order or a Compulsory Purchase Order to bring an empty property back to use.

(Report circulated)

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### **PREPARATION OF KNOWLEDGE ECONOMY STRATEGY 2013-2018**

The report of the Assistant Director Economy was submitted, seeking support for the preparation of a strategy and action plan setting out how the City's economy could benefit from focussing on the development and attracting of science and technology organisations, creating high quality employment.

Scrutiny Committee – Economy considered the report at its meeting of 7 March and the support and comments of members were noted.

Executive welcomed the preparation of the strategy and action plan, acknowledging that support for the growth of higher value jobs was an essential element in the future success of the City. They endorsed the need to take specialist advice to enable the City to take full advantage of potential opportunities to grow the City's knowledge economy.

**RESOLVED** that a strategy be developed to promote the further development of the City's knowledge economy and funding of up to £20,000 be approved to secure specialist advice to prepare the strategy.

(Report circulated)

34

### **CITY CENTRE BUSINESS IMPROVEMENT DISTRICT**

The report of the Assistant Director Economy was submitted proposing City Centre support and funding towards the costs of establishing a City Centre Business Improvement District (BID).

Scrutiny Committee – Economy considered the report at their meeting of 7 March 2013 and the comments and support of members were noted.

Executive noted the attendance of Sarah Bond, Chair of Exeter Chamber of Commerce at the Scrutiny Committee and were pleased to note the strong support of the Chamber for the second BID proposal. Executive emphasised the importance of a successful collaboration with the business sector for the future prosperity of the City and hoped for a successful outcome to the second BID ballot.

**RESOLVED** that:-

- (1) support for the development of the City Centre Business Improvement District proposal be confirmed; and
- (2) up to £25,000 towards the costs of the preparation of the BID Business Plan, and for the holding of the ballot, be approved, subject to an appropriate proposal being brought forward.

(Report circulated)

35

### **PRODUCTION OF PROMOTIONAL VIDEO**

The report of the Assistant Director Economy was submitted, seeking support for the production of a promotional video (also known as a Vodcast) that will appear on Exeter City Council's website and be available in an edited format for personal presentations.

Scrutiny Committee – Economy considered the report at its meeting of 7 March 2013 and members' support for the initiative was noted.

Executive supported the production of a video as a further tool in the range of marketing activities to promote the city for investment and to continually raise its profile. Members endorsed the request of Scrutiny Committee – Economy that efforts should be made to ensure the video had sufficient sustainability and longevity to acknowledge future changes in the city.

**RESOLVED** that:-

- (1) a video be produced to promote the advantages of the city for local and relocating businesses; and
- (2) funding of up to £18,000 be approved to produce a 5 minute video to be included on the Exeter City Council website and a shorter edited version to be available for separate presentations.

(Report circulated)

36

### **EXETER ST JAMES FORUM NEIGHBOURHOOD PLAN**

The report of the Assistant Director City Development was submitted, informing Members about the outcome of the Exeter St James Neighbourhood Plan examination, seeking agreement to the Council's response to the Examination report and to grant delegated powers to take the process forward to referendum.

Executive congratulated the Exeter St James Forum, together with all the members and officers involved in the process, on the impressive progress made so far in producing a Neighbourhood Plan. Members were pleased to note that they were second in the country, and the first urban forum to pass independent examination, despite being in the fourth round of communities receiving funding to progress their plans.

In response to members' concerns regarding the importance of effective publicity for the referendum, the Assistant Director City Development informed members of the documentation that was being produced to publicise the vote, including the delivery of leaflets to households in the ward.

**RESOLVED:-**

- (1) that all of the recommendations made by the Independent Examiner in his report submitted to the Council on 15 February 2013 be accepted, and that the reasoning of the Independent Examiner in arriving at those recommendations be adopted in full;
- (2) that the modifications to the draft Exeter St James Neighbourhood Plan referred to in paragraph 4.2 of the committee report shall be made to ensure that the draft plan meets the basic conditions;
- (3) that the modifications to the draft Exeter St James Neighbourhood Plan referred to in Appendix C of the committee report shall be made for the purpose of correcting errors;
- (4) that it is satisfied that the Exeter St James Neighbourhood Plan as so modified:
  - (a) meets the basic conditions (as set out in Schedule 4B to the Town and Country Planning Act 1990);
  - (b) is compatible with the Convention rights (within the meaning of the Human Rights Act 1998); and
  - (c) complies with the provision concerning neighbourhood development plans made by or under Section 38A and 38B of the Planning and Compulsory Purchase Act 2004;
- (5) that the decision statement to publicise the result of the Exeter St James Neighbourhood Plan examination be issued on 20 March 2013 in the form, or substantially in the form, of the draft decision statement at Appendix D of the report;
- (6) to proceed to carry out a referendum on the Exeter St James Neighbourhood Plan as so modified, and for that purpose to issue the information statement in the form, or substantially in the form, of the draft information statement at Appendix E of the report, together with the specified documents referred to in paragraph 6.2 of the report, on 21 March 2013;
- (7) that it is not appropriate to extend the area in which the referendum is to take place beyond the existing designated Exeter St James Neighbourhood Area;
- (8) to authorise the Assistant Director City Development, the Electoral Services Manager or other appropriate officers to undertake all necessary action to proceed with the referendum and (if more than half of those voting in the referendum vote in favour of the plan) to seek adoption of the draft Exeter St James Neighbourhood Plan by full Council.

(Report circulated)

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### **LORD MAYORALTY**

Councillor Rachel Lyons was nominated as Lord Mayor Elect and Councillor Rob Hannaford as Deputy Lord Mayor Elect for the 2013/14 Municipal Year.

**RECOMMENDED** to Council that Councillor Lyons be nominated as Lord Mayor Elect and Councillor Hannaford as Deputy Lord Mayor Elect for the 2013/14 Municipal Year.

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

The schedule of appointments to outside bodies was circulated.

**RESOLVED** that the appointment of existing representatives on the Exeter Municipal Charities (Church List) and Wessex Reserve Forces and Cadets Association – Devon Committee, as set out on the schedule, be renewed for a further term.

(Schedule circulated)

39

### **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

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

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### **EXETER SCIENCE PARK**

The report of the Strategic Director (KH) was submitted, providing an update on progress being made to develop the Exeter Science Park, and seeking approval for a variation in the financial arrangements as set out and agreed by Executive at its meeting on 18 September 2012.

The Assistant Director Economy reported that all partners involved in the development of the Science Park were working hard to finalise outstanding agreements in order to proceed to tender for its construction at the earliest opportunity.

**RECOMMENDED** that Council:-

- (1) approves the commitment to provide a guarantee to the Exeter Science Park Company to underwrite the loan sought from the Growing Places Fund up to a maximum sum of £1,254,000 in proportion with our share holding and on the understanding that all other partners commit funds on the same basis with eventual reimbursement from the development account; and
- (2) delegate authority to the Chief Executive in consultation with the Leader of the Council to enter into the Further Agreement once the terms of the operational and strategic business plans for the Exeter Science Park Company have been agreed by the Exeter Science Park Partnership.

(Report circulated to Members)



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**EXETER AND HEART OF DEVON GROWTH BOARD MINUTES**

**RESOLVED** that the minutes of the Exeter and Heart of Devon Growth Board meeting held on 22 January 2013 be noted.

(Minutes circulated to Members)

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**EVOLUTION OF THE COUNCIL'S TOP MANAGEMENT STRUCTURE**

The Chief Executive and all remaining officers, other than the Member Services Manager, left the meeting during the consideration of this item.

Martin Denny, Principal Consultant of the Local Government Association (LGA) attended the meeting and presented his report. The LGA had previously worked with the Council on the major senior management restructuring and recruitment process which took place in 2011/12. It had subsequently been asked to support the Council in considering further potential changes to the Council's senior management structure.

Martin Denny reported that the new structure agreed in October 2011 had proved effective and able to cope with the demands placed upon it. Over the last two years there had been a gradual assimilation of a systems-thinking approach across the Council and a different cultural approach to the organisation and management of its services. In this context, further reductions to the top management structure were being proposed to reflect these changes and enable an early release of further cost savings without impact on frontline services.

Executive members accepted that a further streamlining of the top management structure would assist in the new ways of working and delivery of the priorities and purposes of the Council.

**RECOMMENDED** to Council that:-

- (1) the proposal to replace the current top management structure of Chief Executive and two Strategic Directors with two new posts of Chief Executive & Growth Director and Deputy Chief Executive, be approved, as described in section 4 of the report;
- (2) the new Chief Executive & Growth Director post relinquish the current Chief Executive's roles of Returning Officer and Electoral Registration Officer and these roles be transferred to the current holder of the post of Corporate Manager for Democratic and Civic Support; and
- (3) the proposals for implementation of these changes, as described in section 5 of the report, be approved and a further report be submitted to Executive on 9 April 2013.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.05 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 23 April 2013.**