

EXECUTIVE

Tuesday 26 January 2010

Present:-

Councillor Fullam (Chair)

Councillors S Brock, Cole, Edwards, Mrs Henson, Mitchell, Mrs J Morrish, Newton and Wadham

Chief Executive, Director Community and Environment, Director Corporate Services, Assistant Chief Executive, Head of Planning and Building Control and Member Services Manager

1

MINUTES

The minutes of the meetings of Executive held on 24 November and 8 December 2009 were taken as read and signed by the Chair as a correct record.

2

GRANTS COMMITTEE

RESOLVED that the minutes of the meeting of the Grants Committee held on 3 December 2009 be received and, where appropriate, adopted.

3

DECLARATIONS OF INTEREST

Members declared the following personal interests:

COUNCILLOR	MINUTE
Mitchell	13 (employee of Royal Devon and Exeter Healthcare NHS Trust)
Mrs Morrish	16 (member of Methodist Church)

4

COUNCIL TAX BASE 2010-2011

The report of the Head of Treasury Services was submitted, setting out the 2010/11 Council Tax base in accordance with the Local Authorities (Calculation of Tax Base) Regulations.

RESOLVED that, in accordance with the Local Authorities (Calculation of Tax Base) Regulations, the amount calculated by Exeter City Council as its tax base for the year 2010/11 shall be 37,827.

(Report circulated)

5

EQUALITY AND DIVERSITY STRATEGY FOR HOUSING 2009-2014

The report of the Head of Housing Services was submitted, seeking approval to the Equality and Diversity Strategy for Housing 2009-2014.

Scrutiny Committee – Community considered the report at their meeting of 19 January 2010 and their support for the proposals was noted.

Executive members welcomed the Strategy. In response to questions regarding its implementation, the Director Community and Environment confirmed that staff at all levels would be made aware of the Strategy through various means of communication. All staff training aimed to be appropriate, proportionate and targeted.

RESOLVED that:-

- (1) the Equality and Diversity Strategy for Housing 2009 – 2014 be approved;
- (2) a further report on progress against the action plan be submitted to Members annually; and
- (3) in accordance with the Local Government & Public Involvement in Health Act 2007, the Equality and Diversity Strategy for Housing and its associated action plan be placed on the website and further comments invited from the community.

(Report circulated)

6

HOUSING RENTS 2010-11

The report of the Head of Treasury Services was submitted, recommending a rent increase from 1 April 2010 for Council dwellings.

Scrutiny Committee – Community considered the report at their meeting on 19 January 2010 and their support was noted.

In response to a request from a Member, the Director Community and Environment undertook to seek clarification of the current position in relation to the rent convergence of social landlords.

RESOLVED that rents of Council dwellings are increased from 1 April 2010, by an average of 3.1% which includes a general decrease of -0.9% together with the phased introduction of the Government's rent restructuring proposals.

(Report circulated)

7

EFFICIENCY GAINS TO DOMESTIC REFUSE AND RECYCLING COLLECTION

The report of the Head of Environmental Health Services was submitted, seeking approval to improve the efficiency of domestic refuse and recycling collections for all households in Exeter.

The Director Community and Environment reported that the proposals before the Executive were the outcome of a Member Working Group, supported by officers, which had met during 2009 to examine options for rationalising the domestic refuse and recycling collections services. She identified the main findings of the extensive public consultation that had been undertaken on the proposals. The initial proposals had been modified to take account of the strong public opposition to changing from back alley to front gate collection. Discussions were continuing with UNISON who wished to consult on the detail of the proposed collection rounds before formally agreeing the proposals.

Scrutiny Committee – Community considered the report at their meeting of 19 January 2010 and their comments were noted. Executive Members welcomed the significant environmental and financial benefits of the proposals and endorsed the importance of securing the co-operation of staff in order to achieve the successful implementation of the proposals. They reported on the positive feedback they regularly received from residents on the courteous and pragmatic attitude of the refuse collectors and requested that their appreciation be conveyed to the staff. Whilst acknowledging that some residents may have initial reservations about the new arrangements, members were confident that they would recognise the benefits of the scheme once it had been implemented. They emphasised the importance of ensuring residents were familiar with the operation of the scheme.

The Portfolio Holder Environment and Leisure welcomed the proposals and thanked the Member Working Group for their thorough investigation of the options.

RECOMMENDED that:-

- (1) the proposal to change the collection frequency of residual waste of suitable properties (estimated at between 12,000 to 14,000) from once a week to once a fortnight be approved;
- (2) subject to negotiation and agreement with staff and the trade unions, to move from a 5-day working week to a 4-day working week for the domestic refuse collection and recycling service;
- (3) the domestic refuse collection and recycling rounds be remodelled accordingly, subject to approval of recommendations (1) and (2) above;
- (4) capital expenditure of £176,000 be approved to be funded from the capital programme in 2010/11, off-set by the sum of £135,000 from the Vehicle Replacement Programme, to give an additional requirement of £41,000 to be included in the capital programme for 2010/11.

(Report circulated)

8 **RESTRUCTURE OF CONTROL CENTRE RESOURCES FOLLOWING REVIEW**

The report of the Head of Environmental Health Services was submitted, seeking approval for a restructuring of the Control Centre establishment following a review of Control Centre resources.

Scrutiny Committee – Community considered the report at their meeting of 19 January 2010 and their comments were noted.

Councillor Prowse attended the meeting and spoke on this item under Standing Order 44. He emphasised the important role undertaken by the Control Centre particularly in securing high quality CCTV footage which was used by the police in criminal prosecutions. He regretted that a financial or staffing contribution had not been secured from the Police towards the operation of the Centre in view of the benefit they derived from it.

The Director Community and Environment reported on the impact of the proposals on the operation of the service. Both the Police and the Community Safety Partnership were against the reduction in the service. Whilst staff and trade unions continued to oppose in principle the reduction in staff, negotiations had proceeded and the alternative shift model devised by staff had been accepted. In response to queries regarding the contributions made to the service by other users, the Director reported that Land Securities already made a significant contribution in respect of coverage of Princesshay as well as operating their own control centre.

Other Members also acknowledged the value of the Control Centre service and expressed concerns about any safety implications of the proposals. They were keen to explore external contributions, either in terms of funding or staffing resources, towards the cost of the centre and supported the proposal of the Scrutiny Committee - Community to meet with appropriate bodies to consider this further.

The Portfolio Holder Environment and Leisure accepted the proposal of the Scrutiny Committee – Community to explore contributions from external sources but drew attention to the significant financial pressures which the police force also faced at present.

RESOLVED that:-

- (1) an urgent meeting be sought with the Devon and Cornwall Constabulary, the Crown Estate, Land Securities and any other appropriate bodies, to include the Chair of Scrutiny Committee – Community, with a view to seeking contributions from them to keep the proposed cuts to the running of the Control Centre to a minimum, either through a financial contribution or, in the case of the Police, contributing their own staff resources;
- (2) the proposed re-structure of Control Centre resources as shown in Appendix II of the report, and the prioritisation of work tasks as set out in paragraph 4.1 of the report, be approved.

(Report circulated)

REVIEW OF PUBLIC CONVENIENCE PROVISION

The report of the Head of Environmental Health Services was submitted, seeking approval for a rationalisation of public convenience provision within the City.

The Director Community and Environment informed members of the criteria which had been used to identify the toilets proposed for closure. Whilst this represented a reduction in service provision, the aim had been to retain a good distribution of facilities throughout the City. In addition to the coupons submitted by the Express and Echo in response to their campaign, representations had been received from a number of individuals and organisations including Age Concern, Living Options etc.

Scrutiny Committee – Community considered the report at their meeting of 19 January 2010 and their opposition to the closure of the public conveniences and their request for the matter to be determined by Council was noted.

Councillor Hobden attended the meeting and spoke on this item under Standing Order 44. Whilst the closure of toilets would never be a popular option, she acknowledged the significant budgetary savings the Council was required to make and the fact that the City currently enjoyed above-average provision. She reported on the research she had undertaken into Community Toilet Schemes, particularly the successful scheme operated by Richmond-upon-Thames Council. This enabled the public to use a range of facilities in premises in exchange for the Council making a financial contribution towards their maintenance. She urged Executive to explore a similar scheme for the City.

Councillor Prowse also spoke on this item under Standing Order 44. He referred to the importance of this service to the public and the request of the Scrutiny Committee – Community for the matter to be debated at full Council. The Chair responded that Councillors would have the opportunity to debate the budget at the Council Tax Meeting of Council on 23 February. He reminded members that the Council was required to agree a balanced budget, however, and in order to restore any proposed savings, it would be necessary to identify equivalent savings elsewhere.

The Portfolio Holder Environment and Leisure acknowledged that the closure of the toilets was a very emotive issue and was certainly not a “soft option”. The recommendation was being made in view of the extremely difficult financial circumstances facing the Council and the urgent need to identify savings. He also reminded members that the Council had significantly more public conveniences than cities with a similar population. He was interested to note the success of Community Toilet Schemes in other Cities, however, and proposed an additional recommendation for an all-party working group to be formed to discuss public service provision within the City and the potential for the implementation of a Community Toilet Scheme. The proposal was seconded by Councillor Newton and agreed by Executive.

Other Members expressed particular concern at the detrimental impact of the proposals on the elderly and people with disabilities. They expressed reservations about the practical operation of a Community Toilet Scheme in view of the limited opening hours of some buildings. They questioned the criteria for the selection of toilets to be closed, particularly the Blackboy Road toilets which had recently been refurbished at significant cost. Other areas for potential savings or increased income, such as car parking charges, were suggested for further exploration.

The Portfolio Holder Housing and Community Involvement regretted that the closure of public conveniences was necessary but drew members’ attention to the serious consequences of the Council failing to address the financial challenges ahead. She welcomed the creative thinking of some members on the issue.

The Chair emphasised the severity of the financial situation faced by the Council and the need to identify savings across all services. Whilst not welcoming the proposed closure of toilets, he commented that alternative facilities were already available elsewhere and extensively used by the public. He reminded members of the requirement for the Council to deliver a balanced budget and the challenge faced by an already efficient authority in identifying savings. He welcomed members’ engagement in and contribution to the construction of a balanced budget and invited members to make alternative proposals for savings should they wish.

RESOLVED that:-

- (1) the closure of the public conveniences listed in Appendix III of the report from 1 April 2010 be approved; and
- (2) an all-party working group be formed to discuss public service provision within the City and the implementation of a Community Toilet Scheme.

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

(Report circulated)

10 **MASTERPLAN FOR THE FUTURE DEVELOPMENT OF MONKERTON/ HILL
BARTON**

The report of the Head of Planning and Building Control was submitted, briefing Members on a draft Masterplan, seeking approval for its use for Development Management purposes and for its publication for public consultation as a proposed draft Supplementary Planning Document after finalisation.

The Head of Planning and Building Control reported that Planning Member Working Group on 12 January and Planning Committee on 18 January 2010 had considered the report and supported the publication of the Masterplan for consultation. In response to a member, he undertook to ensure that the consultation documentation was clear and adequate and to inform local Councillors of proposals for the consultation prior to distribution of the leaflets.

RESOLVED that the use of the Masterplan for Development Management purposes be approved and the publication of the draft Masterplan for public consultation as a proposed Supplementary Planning Document be approved.

(Report circulated)

11 **DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT**

The report of the Head of Planning and Building Control was submitted, seeking agreement to a draft Supplementary Planning Document (SPD) prepared to amplify existing policy on the provision of affordable housing as a basis for public consultation.

RESOLVED that the draft Affordable Housing SPD be agreed as a basis for public consultation.

(Report circulated)

12 **AMENDMENTS TO CONSTITUTION: DEPUTIES FOR DELEGATED POWERS**

The report of the Head of Planning and Building Control was submitted, recommending amendments to the Constitution in relation to deputies who could exercise the delegated powers of his post. The amendments were necessary to reflect past changes in the delegated powers of the Head of Planning and Building Control that were agreed by Executive and to provide greater flexibility to cover for potential staff absences due to sickness and leave.

RECOMMENDED that the amendments to the powers of the deputies relating to the scheme of delegation to the Head of Planning and Building Control to reflect the following categories of functions be approved and the Constitution amended accordingly:

Development Manager (Senior Planner in emergencies)

1-12	Applications
13-14	Listed Building & Conservation Areas
15-17	Advertisements
24	Enforcements
25	Hazardous Substances
26-31	General
32-36	Planning Obligations and Contributions

Design Manager

13-14	Listed Buildings & Conservation Areas
18-23	Trees

(Report circulated)

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

A schedule of appointments to outside bodies was circulated.

Councillor Mitchell declared a personal interest in this item as an employee of the Royal Devon and Exeter NHS Trust.

RECOMMENDED that outstanding nominations for appointments to outside bodies be agreed by Council.

(Report circulated)

14 **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, 3 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

15 **PLAY DEVELOPMENT SERVICE**

The report of the Head of Leisure and Museums was submitted, outlining changes proposed to the Council's Play Development service, including measures to make potential financial savings.

RESOLVED that:-

- (1) the new arrangements for the Play Rangers service until 31 March 2011 be approved;
- (2) the service reductions and changes outlined in section 7 of the report be approved; and

- (3) external funding be sought to allow the Play Rangers Service to continue into the future.

(Report circulated to Members)

16

WHIPTON METHODIST CHURCH - HOUSING DEVELOPMENT SITE

Councillor Mrs Morrish declared a personal interest in this item as a member of the Methodist Church.

The report of the Head of Housing Services was submitted, seeking members' approval to acquire the freehold of Whipton Methodist Church, Brookway to create a development site for the provision of new affordable housing.

Members welcomed the proposed development of the site.

RESOLVED that, subject to planning consent and satisfactory technical surveys, the Council acquire the Whipton Methodist Church, Brookway site for the amount identified in the report, plus fees, costs and any Stamp Duty Land Tax.

(Report circulated to Members)

17

SERVICE REVIEW OF PLANNING

The report of the Head of Planning and Building Control was submitted, outlining a number of proposed changes in the structure of the Planning part of the Planning and Building Control Unit. The changes were proposed to respond to the changing context facing the Unit, in particular ongoing reforms to the planning system, the likely cessation of Housing and Planning Delivery Grant, wider budgetary issues facing the Council and the need to improve the focus on sustainable development and delivery of key projects such as the Local Development Framework, coordination with the new growth point and major development at Newcourt, Monkerton and the Bus Station. The Head of Planning and Building Control reported that the redundancy of the post referred to in paragraph 4.6 of the report was not on the grounds of the efficiency of the service.

Scrutiny Committee – Economy considered the report at their meeting of 21 January 2010 and their comments were noted.

RESOLVED that:-

- (1) the employment of the holder of the posts of Senior Enforcement and Projects Officer (ED07105) and Planning Technicians 2 x 0.5 FTE (ED07113 and ED07141) be terminated on grounds of redundancy on the respective dates of 27 January 2010 (ED07105) and 31 March 2010 (ED07113 and ED07141) 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 post holders 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) the following vacant posts be deleted from 1 April 2010:
- Implementation Officer (ED07151)
 - Investigations and Compliance Officer (ED07106), frozen since February 2009
 - Landscape & Tree Officer (ED07131)
 - Clerical Assistant (ED07156)
- (3) the following new posts be created from 1 April 2010:
- Enforcement Officer (grade to be determined) to be filled by existing postholder of ED07162 .
 - The post of Environmental Improvements Officer (ED07154) be amended to Environmental Improvements and Tree Officer.
 - The fixed term post of Design Assistant (ED07162) be made permanent.
 - The post of Technical Clerk (ED07124) be reduced to 0.8FTE from April 2010 and Forward Planning Officer (Projects) (ED07133) be reduced to 0.6FTE from June 2010.
 - Design Assistant (ED07155) to become supernumerary pending an appropriate vacancy.
 - Transfer of post ED07138 (Conservation Planner) from the Development Management team to the Design Team.
- (4) the Planning Unit's budgets be amended accordingly.

(Report circulated to Members)

(The meeting commenced at 6.00 pm and closed at 8.15 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 February 2010.