

EXECUTIVE

Tuesday 23 November 2010

Present:-

Councillor Edwards (Chair)

Councillors D Baldwin, Fullam, R M Hannaford, Mrs Henson, Martin, Mrs J Morrish, Sheldon and R Sutton

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

103

MINUTES

The minutes of the meeting of Executive held on 28 September 2010 were taken as read and signed by the Chair as a correct record.

104

DECLARATIONS OF INTEREST

A Member declared the following personal interest:

Councillor	Interest
Edwards	Minute 110 (employee of Stagecoach Devon)

105

MASTERPLAN FOR THE FUTURE DEVELOPMENT OF NEWCOURT

The report of the Head of Planning and Building Control was submitted re-presenting the responses to the consultation and further responses received on the Newcourt Masterplan and seeking approval for the inclusion of a location for a Gypsy and Travellers Site within the Masterplan.

The Head of Planning and Building Control presented the report. He reminded members that Executive in September 2010 had approved the Newcourt Masterplan for development management purposes and in due course as a Supplementary Planning Document, but had deferred approval of the location for the Gypsy and Travellers site. He outlined the consultation that had taken place and reported that 450 representations had been received to date from local residents and significant landowners in the vicinity in opposition to the identification of Site 2, land to the east of St Bridget Nurseries, for a Gypsy and Traveller site. He identified the main areas of objection including the perceived inadequacy of consultation, fears of anti-social behaviour and the concerns of landowners that potential housebuilders would withdraw from the development. He also reported a request from Councillor Mrs Danks to withdraw or defer the proposal. He summarised the Council's response to the main issues raised as set out in the report, including the requirement to provide a site, the suitability of the proposed site, the consultation process and the impact on the local area. He stressed the distinction between unlawful encampments and a properly managed permanent site. He also briefed Members on the current position with regard to the Regional Spatial Strategy following a successful legal challenge.

Councillor Mrs Henson presented a petition signed by 524 persons, in the following terms:

"We the undersigned, petition the Council to revoke the planning permission for the Gypsy and Travellers site in Topsham Road. We further call upon the Council to locate this site in a non-residential area as existing sites."

Councillor Margaret Baldwin attended the meeting and spoke on this item under Standing Order 44. She reported the anger and frustration of local residents illustrated by the significant number of people who had come to the Civic Centre. She reported their concerns that consultation had been inadequate and their views that settled and travelling communities could not co-exist happily. Given the transient nature of travellers, she queried whether they would wish to reside in a densely populated residential site. She questioned the need for additional pitches and why the Council was proceeding with proposals that were not supported by local Council Taxpayers. She requested that the proposal was withdrawn for further consultation and consideration.

Councillor Newby attended this meeting and spoke on this item under Standing Order 44. He stated that the publicity and consultation that had taken place on the Masterplan had not focussed on the Gypsy and Traveller site. He queried why it appeared that only sites to the east of the City were being considered, how the criteria were scored and how the site would be funded and suggested the possibility of exploring joint provision with neighbouring authorities. He reported the concern of residents at the perceived negative impact on the future development of Newcourt and the inadequacy of facilities, particularly primary schools. He emphasised the concern of residents regarding the inadequacy of consultation. He requested that a decision on the proposed site be delayed pending further Government guidance after which a fairer consultation process should be undertaken.

The Head of Planning and Building Control responded to the various points raised. He reported that the consultation process on the Masterplan had been agreed by members and that the Gypsy and Travellers site constituted only one element of a comprehensive plan. He explained the weighting of criteria and the operation of the scoring process in selecting the site. He advised members that funding would be considered at a later stage. He reported that joint provision with neighbouring authorities was not an option as they had to meet their own provision for pitches. He accepted that local landowners had made their position clear in respect of the proposed site and that the Council would need to negotiate on how they could work together. He emphasised that extensive research had already been undertaken into all potential Gypsy and Traveller sites in the City as a result of which the identified sites had been assessed as most suitable according to the criteria.

Councillor Mrs Henson stated her view that a Gypsy and Traveller site would not work within a new development. She endorsed the concern of residents about a potential negative impact on the housing market. She was disappointed at the lack of consultation and advertisement and regretted that there had not been more opportunity for public discussion. She felt that the site identified in the Monkerton /Hill Barton Masterplan was sufficient provision and that the Council did not need to provide so many pitches.

Councillor Fullam stated that he found it abhorrent that caravan dwellers should be regarded as illegal residents and regretted that there were no permanent managed sites in the city for travellers. He strongly disagreed with the presumption by some people that members of the gypsy and traveller community posed a greater threat in terms of criminal and anti-social behaviour and reminded members that the legal system existed to deal with all members of society who broke the law. He reminded

members that the proposal to establish a site had been established in principle some time ago and that there was a responsibility on local Councillors to keep their residents informed. In the context of the number of dwellings proposed in the area, he felt that the 12 pitches proposed constituted a very small element of the development.

Councillor Mrs Morrish endorsed the considerable efforts that had been made by the residents of Digby to achieve an integrated community and understood concerns that this might be jeopardised by the proposals. She felt that it was essential for the City to have a permanent well-managed site to avoid the repetition of past problems caused by illegal encampments. Whilst she would welcome further consideration of the whole city, she considered that some residents may be over-apprehensive in relation to the proposal.

Councillor Martin re-iterated the concerns regarding the distress caused by illegal encampments and abhorred the prejudice with which some people regarded the Gypsy and Traveller community. He emphasised that Councillors had a responsibility to all citizens not just their own wards.

Councillor Hannaford re-iterated that a city-wide search for potential sites had already been undertaken and acknowledged that there would be opposition wherever the site was proposed. He felt that a legal site would strengthen the Council's position in dealing with illegal encampments. He felt that travellers should be treated in the same way as other residents and that their children had the right to an education.

Councillor Edwards stated the importance of working with relevant landowners and moved an additional recommendation in these terms which was agreed by Executive.

RESOLVED that:-

- (1) Site 2 be included as the location for a Gypsy and Travellers site in the Newcourt Masterplan and the Masterplan thus amended be approved for Development Management purposes in due course for adoption as a Supplementary Planning Document; and
- (2) in supporting the principle of this provision in the area, based on established need, the Council is prepared to enter into meaningful discussions with the relevant landowners to explore all options for actual site delivery.

(Report circulated)

MASTERPLAN FOR THE FUTURE DEVELOPMENT OF MONKERTON AND HILL BARTON

The report of the Head of Planning and Building Control was submitted representing the responses to the consultation on the Monkerton and Hill Barton Masterplan and seeking approval for its use for Development Plan purposes with the inclusion of a location for a Gypsy and Traveller Site.

The Head of Planning and Building Control reported that there had been one further representation from the Met Office re-iterating previous concerns regarding security and requesting a "buffer zone".

Councillor Edwards stated the importance of working with relevant landowners and moved an additional recommendation in these terms which was agreed by Executive.

RESOLVED that:-

- (1) the site north of the Met Office be agreed for inclusion in the Monkerton and Hill Barton Masterplan as a Gypsy and Travellers site, the use of the Masterplan be approved for Development Management purposes and it be adopted in due course as a Supplementary Planning Document; and
- (2) in supporting the principle of this provision in the area, based on established need, the Council is prepared to enter into meaningful discussions with the relevant landowners to explore all options for actual site delivery.

(Report circulated)

107

LOCAL DEVELOPMENT FRAMEWORK - CORE STRATEGY SUBMISSION

The report of the Head of Planning and Building Control was submitted considering the representations received following the pre-submission publication of the Core Strategy and making a recommendation concerning the formal submission of the document to the Secretary of State.

The Interim Director Economy and Development informed members of the relatively low number of representations received and of the principal issues raised. He reported that the additional evidence required to support the figure of 12,000, rather than 15,000, new homes would require some additional work and may incur a slight delay in the submission timescale.

RECOMMENDED to Council that the Core Strategy be formally submitted to the Secretary of State and that the Head of Planning and Building Control, in conjunction with the Interim Director Economy and Development and the Portfolio Holder, be authorised to submit a list of minor amendments and editorial changes to the Core Strategy at the time of submission.

(Report circulated)

108

PRIVATE SECTOR HOUSING POLICY - ANNUAL REVIEW

The report of the Head of Environmental Health Services was submitted proposing specific changes to the Private Sector Housing Renewal Policy in order to address local needs, as identified in the on-going private sector house condition survey.

Scrutiny Committee – Community considered the report at its meeting on 9 November 2010 and the support of members was noted.

Members supported the proposals of Wessex Home Improvement Loans to improve the take-up of loans. They noted that a report would be made to Scrutiny Committee – Community in due course regarding the feasibility of introducing additional licensing in respect of Houses in Multiple Occupation.

RESOLVED that:-

- (1) the changes to the Private Sector Housing Renewal Policy outlined in the report be adopted; and

- (2) in future the Private Sector Housing Strategy be incorporated as a sub-strategy of the Council's overall Housing Strategy, with amendments made as appropriate in order to address local needs and changing government policy.

(Report circulated)

109

A SUSTAINABLE ENERGY FUTURE - A STRATEGIC PARTNERSHIP WITH E.ON

The report of the Interim Director Economy and Development was submitted on proposals for an energy partnership agreement with E.ON.

Scrutiny Committee – Economy considered the report at its meeting on 11 November and the support of members was noted. Scrutiny Committee's request for the work of the partnership to be kept under regular review was supported.

Executive welcomed the proposed partnership with E.ON with the aim of creating a thriving low carbon city where residents and businesses take action to reduce their carbon emissions. Members particularly welcomed the opportunity to achieve high quality energy standards in house building at competitive cost.

RESOLVED that:-

- (1) Exeter City Council enter into an energy partnership agreement with E.ON and East Devon District Council;
- (2) the Exeter and East Devon New Growth Point Board function as the governance structure for assessing performance and managing the partnership;
- (3) the partnership seeks to engage Devon County Council in taking forward the work programme;
- (4) the Projects Director for the New Growth Point acts as the principal lead for the Partnership; and
- (5) a review of the progress on both the working of the Partnership and the Energy Strategy be made regularly to Scrutiny Committee.

(Report circulated)

110

PARKING TARIFFS

The report of the Head of Operational Services and Transport was submitted seeking agreement to the increase in car park tariffs set out in the report and its annex.

Councillor Edwards declared a personal interest in the item as an employee of Stagecoach Devon.

Members supported the proposed tariffs but requested that the position be monitored to ensure that there were no adverse implications for the City's retail economy.

Councillor D Baldwin, seconded by Councillor Sheldon, proposed that discussions were held with Stagecoach regarding the possible provision of a Park and Ride service on Sundays.

RESOLVED that:-

- (1) 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 changes proposed in the report and its Annex to come into effect on 10 January 2011;
- (2) authority to consider any objections be delegated to the Interim Director Economy and Development in consultation with the Leader of the Council and the Portfolio Holder for Sustainable Development and Transport;
- (3) subject to consideration of any objections, the Order be made and sealed;
- (4) officers be asked to review the present arrangements for permit parking in off street car parks and report back to Executive with any proposals for changes prior to the commencement of the new financial year; and
- (5) discussions be held with Stagecoach regarding the possible provision of a Park and Ride service on Sundays.

(Report circulated)

111

HONORARY ALDERMEN

Section 249 of the Local Government Act 1972 empowers the Council to confer the title of Honorary Alderman on persons who have, in the opinion of the Council, rendered eminent service to the Council as a past member of the Council. An Honorary Alderman is invited to participate in those Civic ceremonies which the Mayor attends In State, and to which it is usual to invite Past Mayors.

The Council resolved in 1976 to confer the title on past Members who had rendered eminent service as Past Mayors, Past Lord Mayors, Past Leaders or as Members with 12 years' service or more. Former Councillors are eligible to have the title of Honorary Alderman conferred upon them should the Council so decide.

RECOMMENDED that:-

- (1) the title of Honorary Alderman be conferred on John Holman and Paul Andrew Smith; and
- (2) the Right Worshipful the Lord Mayor be requested to convene an Extraordinary Meeting of the Council to be held prior to the ordinary meeting on 22 February 2011, for the purpose of passing the appropriate resolution under Section 249 of the Local Government Act 1972.

112

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

A schedule of appointments to outside bodies was circulated.

RESOLVED that the following appointments be made to outside bodies:-

Joint Pilotage Committee	Portfolio Holder for Sustainable Development and Transport River and Canal Manager
St Edmunds and St Mary Major Charities, Exeter	Councillor P Brock Councillor J Coates

(Schedule circulated)

113 **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 for 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.

114 **RESTRUCTURE OF THE HOUSING NEEDS SERVICE**

The report of the Head of Housing Services was submitted seeking approval to the restructure of the Housing Needs Service.

Scrutiny Committee – Community considered the report at its meeting on 9 November 2010 and the support of members was noted.

RESOLVED that the restructure of the Housing Needs service as outlined in the report be agreed, specifically:-

- (1) the termination of the employment of the holders of the posts of Home Choice Assistant (CE06124 and CE06122) and Home Choice Officer (CE06217) on the grounds of redundancy upon implementation of the new structure in accordance with the provisions of Regulation 19 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007, with compensation being paid to the holders of the 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; payments of compensation to be made in respect of the notice/unexpired period of notice to which the employees would otherwise be entitled under their contracts of employment and the posts be deleted from the establishment of the Council;
- (2) the creation of the post of Housing Options Officer;
- (3) the deletion from the establishment of the post of Former Tenant Arrears Officer (CE06218), in order to create the post of Housing Needs Support Officer;
- (4) the re-designation of Administration Team Leader (CE06125) to Housing Needs Support Team Leader;
- (5) renaming the Housing Advice Team the Housing Options Team;

- (6) re-designating all Housing Advice Officers as Housing Options Officers (CE06111, 6112, 6113, 6120, 6121, 6224, 6210, 6181, 6206);
- (7) re-designating the Housing Advice Team Leader (CE06207) the Housing Options Manager; and
- (8) re-designating all Administration Support Officers (CE06186 and CE06204) as Housing Needs Support Officers.

(Report circulated to Members)

115

RESTRUCTURE OF THE TENANCY SERVICES TEAM

The report of the Head of Housing Services was submitted seeking approval to the restructure of the Housing Unit's Tenancy Services team to create a new neighbourhood management team. The Director Community and Environment reported a small decrease in the reported overall cost of the new team structure.

Scrutiny Committee – Community considered the report at its meeting on 9 November 2010 and the support of members was noted.

Members supported the proposed restructure and urged that all Council officers with neighbourhood responsibilities worked collaboratively and involved ward Councillors.

RESOLVED that:-

- (1) the new structure of the Tenancy Services Team be approved as shown in Appendix 2 to the report, including the creation of 2 Neighbourhood Manager posts, a Voids and Lettings Co-ordinator post, a Neighbourhood Assistant post and a new Neighbourhood Support Officer post, subject to the completion of staff consultation on both the restructure and any resultant redundancies; and
- (2) subject to full and proper consultation, the employment of the holders of the posts of Tenant Participation and Liaison Officer (CE06176) and Tenant Liaison Officer (CE06180) be terminated on the grounds of redundancy on the 31 December 2010 in accordance with the provisions of Regulation 19 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007; with compensation being paid to the holders of the 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 employees would otherwise be entitled under their contracts of employment and the posts be deleted from the establishment of the Council.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.30 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 14 December 2010.