

## **EXECUTIVE**

Tuesday 16 September 2014

### **Present:**

Councillor

Councillors Denham, Fullam, Hannaford, Leadbetter, Owen, Pearson and Sutton

### **Also present:**

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Economy, Assistant Director Housing, Assistant Director Public Realm, Corporate Manager Policy, Communications and Community Engagement, Service Lead Housing Customers, Principal Project Manager (Infrastructure Management & Delivery) and Democratic Services Manager (Committees)

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### **MINUTES**

The minutes of the meetings held on 24 June and 15 July 2014 were taken as read and signed by the Chair as correct.

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### **DECLARATIONS OF INTEREST**

No declarations of disclosable pecuniary interest were made.

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### **MAJOR GRANTS AND NEW HOMES BONUS MINUTES 28 JULY 2014**

The minutes of the meeting of the Major Grants and New Homes Bonus Panel held on 28 July 2014 were submitted.

**RESOLVED** that the minutes of the Major Grants and New Homes Bonus Panel held on 28 July 2014 be received and, where appropriate, adopted.

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### **ALLOTMENT SERVICE REVIEW**

The report of the Assistant Director Public Realm was submitted, setting out the current position with regard to the Council's provision of allotments and, in the light of consultation with service users, proposed a number of changes to the operation of the service and the rules governing lettings.

The Portfolio Holder for Environment, Health and Wellbeing thanked the allotment holders for participating in the consultation process and the officers for the report. He reported that Scrutiny Committee – Community had supported the way forward and had also agreed an additional recommendation for the formation of an Allotment Users' Forum. He welcomed comments with regards to the empty plots and the waiting list and anticipated that this was one of the issues that the Forum could help to address.

A Member stated that he did not support a cut in the allotments budget. He had concerns regarding how the Users' Forum would operate and the need for transparency.

The Portfolio Holder for Housing and Customer Access stated that local management would help with the knowledge of unused plots these can then be re-let to new users, reducing the waiting list. The Council had proposals for new allotments on council owned build sites and through the use of Section 106 monies on new, larger development.

Scrutiny Committee – Community considered the report at its meeting on 9 September 2014 and the comments of the Members were noted including the additional recommendation with regards to the formation of an Allotment Users' Forum.

**RESOLVED** that:-

- (1) all new tenancies be restricted to those living within the city and for as long as they continue to do so;
- (2) all new tenancies be restricted in size to a maximum of ten rods (approx 250 m<sup>2</sup>) per household;
- (3) payment arrangements for allotment rents are brought into line with the range of payment options available for other council services, subject to such arrangements complying with the statutory provisions relating to allotments;
- (4) discounts applied to current tenancies remain for the duration of the individual tenancy and are not transferrable, and that no discounts are applied to new tenancies;
- (5) changes are made to the service to reduce maintenance costs and bring the service into line with the projected budget for 2015/16 as set out in Section 9 of the circulated report;
- (6) a rent free period of up to a year may be authorised by the Service Manager where a new tenant is willing to accept an untidy plot or where a tenant is prepared to be the single representative overseeing the allotment site on behalf of the council; and
- (7) an Allotment Users' Forum be established in liaison with the Allotment Bodies;

**RECOMMENDED** to Council that:-

- (8) greater service user participation is encouraged and that the authority to enter into management agreements with duly elected Allotment Associations as laid out in **Appendix B** be delegated to the Assistant Director Public Realm in consultation with the Portfolio Holder for Environment, Health and Wellbeing;
- (9) changes in the Allotment Gardens Rules and Conditions set out in **Appendix C** are approved and that the Service Manager with overall responsibility for Allotments be delegated responsibility to interpret the Rules in the case of a dispute; and

- (10) allotment Gardens Rules and Conditions are issued from 1 October 2014 and thereafter reviewed annually and that authority to approve or amend the Rules is delegated to the Assistant Director Public Realm in consultation with the Council's Monitoring Officer and the Portfolio Holder for Environment, Health and Wellbeing.

(In accordance with Standing Order no.43, Councillor Fullam requested that his vote against this proposal be recorded and Councillor Leadbetter requested that his abstention from voting be recorded)

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### **TRANSPORT INITIATIVES AND ISSUES - UPDATE**

The report of the Assistant Director City Development was submitted updating Members in relation to transport initiatives and issues affecting Exeter. The emphasis this year was on rail, with new stations opening soon and more certainty in relation to the franchising process; also electric vehicles, with a strategy being presented to Members for endorsement.

Members welcomed the installation of the electric charge points in the city and acknowledged that the ownership of electric cars was increasing.

In response to Members, the Principal Project Manager stated that it was not practical to have real time information at all bus stops although it was anticipated that information would be available via an application on smart phones in future. New proposals for a Park and Ride site at Alphington were expected to come forward in due course.

A Member stated that Devon County Council was waiting for a price for a replacement canopy for the Central Station forecourt.

Scrutiny Committee – Economy considered the report at its meeting on 11 September 2014 and the comments of the Members were noted.

**RESOLVED** that:-

- (1) the Council's involvement in the initiatives outlined in the report be supported; and
- (2) the Electric Vehicle Strategy, as a strategy for promoting the ownership and use of electric vehicles within Exeter, be endorsed.

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### **RELEASE OF FUNDS FROM THE HOLMAN TRUST TO TOPSHAM COMMUNITY ASSOCIATION**

The report of the Assistant Director Public Realm was submitted regarding a request from Topsham Community Association for a sum of £15,000 from the Holman Trust, a Trust Fund which the Council administers, to help fund the 'Revitalise the Rec' project. Although the Council administers this Trust Fund, an application to the Charity Commission would be required in order for this sum to be released.

Members supported the application to the Charity Commission for the release of funds from the Holman Trust for a contribution of £15,000 towards the costs of this worthwhile project.

**RECOMMENDED** to Council that:-

- (1) the Charity Commission be approached to release £15,000 from the Trust to refund the Topsham Community Association; and
- (2) a Recoupment Order remains in place for the remaining sum.

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#### **CORPORATE PLAN UPDATE 2014**

The report of the Corporate Manager (Policy, Communications and Community Engagement) was submitted, seeking Members' approval of the council's 2014 Corporate Plan update.

The Leader stated this was a one year update and that a budget consultation exercise would be undertaken over the coming months which together with the medium term financial plan, would form the future Corporate Plan.

**RECOMMENDED** that Council notes and approves the 2014 Corporate Plan update.

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#### **REPRESENTATION AT MAGISTRATES COURTS AND COURT**

**RESOLVED** that, in accordance with section 223 of the Local Government Act 1972, the following officer be authorised to represent the Council at the County and Magistrates Courts:-

Jayne Hanson – Service Improvement Lead (Payments)

**RESOLVED** that, in accordance with section 223 of the Local Government Act 1972, the following officers be authorised to represent the Council at the County and Magistrates Courts in Council Tax and Business Rates cases :-

Jayne Hanson – Service Improvement Lead (Payments)

Sue Rolfe – Senior Recovery Officer

Kevin Hughes – Service Improvement Lead (Local Taxation)

Guy Burnley – Senior Rating Officer

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#### **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 during consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1, Schedule 12A of the Act.

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#### **WATER INGRESS TO COUNCIL HOUSING STOCK**

The report of the Assistant Director Housing was submitted, setting out the impact extreme weather conditions over the 2013/14 winter had on some Council homes and advising Members what work was required to tenanted and leasehold properties to make good the damage caused. The report also identified how the work could be funded and the likely scale of resources required.

The Leader supported the proposed way forward to undertake the necessary remedial works.

The Assistant Director Housing advised of the position regarding the Housing Revenue Account and the anticipated affect the remedial work would have on the short and medium term financial plan.

Scrutiny Committee – Community considered the report at its meeting on 9 September 2014 and the comments of the Members were noted.

**RESOLVED** that:-

- (1) funding from HRA balances as set out in the report be allocated to carry out the required building works to remedy the damp ingress, an element of this budget to be added to the External Painting and Rendering budgets to cover the work that could be carried out in conjunction with work already planned by the Council's current contractors in 2014/15;
- (2) the variation of the existing contractual arrangements with the contractors as a consequence of the above recommendation be agreed;
- (3) the criteria previously agreed with the Portfolio Holder for Housing and Customer Access, as set out in the report, be approved for 'fast tracking' works or other interventions where there were medical or other exceptional circumstances; and
- (4) the recharging of the value of the works as set out in the report to the leaseholders be supported as a service charge to cover elements of work that were planned (and would normally be charged to the leaseholder) but were being completed ahead of programme at the same time as the damp ingress works to ensure cost efficiencies. These would only be reasonable costs and only following the appropriate consultation process.

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### **LEISURE LEGACY PROPOSAL**

The report of the Assistant Director City Economy was submitted updating Members on the opportunity to allow Parkwood Leisure to transfer the management of the City Council leisure facilities to their charitable trust model – Legacy Leisure. There have been ongoing discussions with colleagues in the Legal Department to ensure that all of the proposed arrangements would ensure that the best interests of the Council were protected. It was noted that the charitable trust status principle was now well established as an accepted operational model for leisure facilities.

The Portfolio Holder for Economy and Culture thanked the officers involved in the negotiation of the terms of the transfer to Legacy Leisure.

Scrutiny Committee – Economy considered the report at its meeting on 11 September 2014 and the comments of the Members were noted.

**RESOLVED** that delegated authority be given to the Assistant Director Economy in consultation with the Portfolio Holder for Economy and Culture to confirm the Council's agreement to the transfer of the management of the City Council leisure facilities to Legacy Leisure. Such confirmation to be dependent on Parkwood Leisure providing requested verification regarding the status of Legacy Leisure.

**RESOLVED** that the minutes of the Exeter and Heart of Devon Growth Board meeting held on 28 July 2014 be noted.

(The meeting commenced at 5.30 pm and closed at 6.30 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 15 October 2014.**