

EXECUTIVE

Tuesday 23 June 2015

Present:

Councillor Sutton (Chair)
Councillors Denham, Hannaford, Leadbetter, Morris, Owen and Pearson

Apologies:

Councillor Edwards

Also present:

Chief Executive & Growth Director, Assistant Director Housing, Assistant Director Environment, Assistant Director Economy, Assistant Director City Development, Corporate Manager Democratic and Civic Support, Corporate Manager Property, Senior Housing Development Officer and Democratic Services Manager (Committees)

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CHAIR

In the absence of the Leader, the Deputy Leader Councillor Sutton, chaired the meeting.

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MINUTES

The minutes of the meetings held on 17 March, 14 April and 3 June 2015 were taken as read and signed by the Chair (Councillor Sutton) as correct.

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DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

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ENVIRONMENTAL HEALTH AND LICENSING STATUTORY SERVICE PLAN

The report of the Assistant Director Environment was submitted which sought approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2015/16. The Statutory Service Plan sets out the Council's regulatory function in respect of Food Safety, Health and Safety, Licensing, Environmental Permitting and other statutory functions over the forthcoming year.

In response to a Member's question, the Assistant Director Environment advised that the food safety sampling programme was specifically targeted at foods that were more likely to cause issues, and this would account for the relatively high percentage of results that were not deemed satisfactory.

Scrutiny Committee – Community considered the report at its meeting on 16 June 2015 and its comments were reported.

RECOMMENDED to Council that:-

- (1) the Statutory Service Plan 2015/16 be approved ; and

- (2) the Assistant Director Environment be authorised to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

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PROPOSED AMENDMENTS TO THE MANDATORY LICENSING SCHEME FOR CERTAIN TYPES OF HOUSES IN MULTIPLE OCCUPATION (HMO'S).

The report of the Assistant Director Housing was submitted which sought to introduce a £125 discount on the licence fee charged for Houses in Multiple Occupation (HMOs) covered by mandatory HMO licensing where the landlord of the HMO was credited under a nationally recognised accreditation scheme, and the property had been subject to an inspection by an inspector employed by the accrediting organisation. Such a discount was already offered to the landlords of HMOs licensed under the recently introduced additional HMO licensing scheme, and the proposal would remove the inconsistency between the two schemes.

The Portfolio Holder for Customer Access fully supported the introduction of the scheme to encourage Landlords to take responsibility and drive up the standards of HMOs.

Scrutiny Committee – Community considered the report at its meeting on 16 June 2015 and its comments were reported.

RESOLVED that a £125 discount is introduced on mandatory HMO licensing fee where landlords are accredited under a nationally recognised accreditation scheme, and the property has been subject to an inspection by an inspector employed by the accrediting organisation.

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RUGBY WORLD CUP UPDATE

The report of the Assistant Director Economy was submitted to update Members on the preparation for Exeter being a 'Host City' for the Rugby World Cup tournament, including work being undertaken to ensure that there was a legacy from the city's involvement.

The Portfolio Holder for Economy and Tourism commented that a good discussion had taken place at Scrutiny Committee – Economy, with Members supporting the programme of events and the work on the legacy activities.

In response to a Member's question, the Assistant Director Economy confirmed that the budget of £300,000 included £50,000 for the programme of legacy projects.

Scrutiny Committee – Economy considered the report at its meeting on 18 June 2015 and its comments were reported.

RESOLVED that the:-

- (1) programme of legacy projects be endorsed; and
- (2) preparations for the Fanzone and activities to promote the city leading up to the Tournament be supported.

**REPAYMENT OF OUTSTANDING CAPITAL GRANT UPON THE TERMINATION
OF A PRIVATE RENTAL AGREEMENT WITH AN INDIVIDUAL LANDLORD**

The report of the Assistant Director Housing was submitted requesting that delegated authority to create a landlord repayment plan for properties on the Council's EXtraLet or Private Sector Leasing Scheme. This was for properties where Council no longer considered the property to be successful and wished to end the rental agreement early and there was an outstanding debt owed to the Council. The Constitution would be amended to reflect this delegated authority.

In response to a Member's question, the Senior Housing Development Officer clarified that few properties would be affected and that usually, the repayment period for the loan was for the period of the lease.

The Portfolio Holder for Customer Access stated her support for this landlord repayment plan.

RECOMMENDED to Council that:-

- (1) the Assistant Director Housing and the Portfolio Holder for Customer Access, in conjunction with the Assistant Director Finance and the Corporate Manager Legal, be given delegated authority to approve a repayment plan with a landlord where a property is handed back early from the rental agreement with outstanding funds owed to the Council. Approval would only be granted where a legal charge is created and registered in the Council's favour against the property; and
- (2) the Constitution be amended accordingly.

**APPROVAL OF DEVELOPMENT DELIVERY DOCUMENT (DPD) FOR
PUBLICATION**

The report of the Assistant Director City Development was submitted to consider the content of the publication version of the Development Delivery Development Plan Document (DPD) and agree its publication for representations prior to submission to the Planning Inspectorate for examination on behalf of the Secretary of State.

Members were advised that, whilst legislation required the consultation should be at least six weeks, as the consultation would take place over the summer the Development Delivery DPD would be published for a period of eight weeks. The final submission of the Development Delivery DPD would be brought back to Executive with approval by Council.

In response to Members' questions, the Assistant Director City Development clarified that the site of the former West of England School for Blind was not included in the 2015 Strategic Housing Land Availability Assessment (SHLAA) and therefore was not in the Development Delivery DPD.

The Portfolio Holder for City Development thanked all the officers involved for their work on the Development Delivery DPD.

RESOLVED that:-

- (1) the publication version of the Development Delivery DPD for pre-submission representations as set out in Appendix 1 be agreed; and

- (2) the Assistant Director City Development, in conjunction with the Portfolio Holder for City Development, be given delegated authority to make minor changes to the Development Delivery DPD prior to publication.

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HABITAT MITIGATION - PROPOSED JOINT COMMITTEE WITH TEIGNBRIDGE DISTRICT COUNCIL AND EAST DEVON DISTRICT COUNCIL

The report of the Assistant Director City Development was submitted to advised Members that it was a statutory requirement for the Council to mitigate the impacts of the new development on European sites and that the Joint Approach had been agreed at Executive in October 2014. Working in partnership with East Devon District Council, Teignbridge District Council and Natural England the Council had gathered evidence of negative impacts from recreation use on the Exe Estuary Special Protection Area (SPA), Dawlish Warren Special Area of Conservation (SAC) and the Pebblebed Heaths SPA/SAC. A Joint Approach had been put together to offset the impacts through a suite of mitigation measures to be delivered by the Councils and its partners. Approval was sought for the formal establishment of the new Joint Committee in accordance with the detail set out in the 'Governance Arrangement for Managing European Site Mitigation'.

In response to a Member's question, the Assistant Director City Development advised that the measures would be funded by developers through the Community Infrastructure Levy and those collected via Section 106 agreements, and would be at no cost to the Council.

RECOMMENDED to Council that:-

- (1) a Joint Committee, with Teignbridge and East Devon District Councils be established, to agree on detailed habitat mitigation schemes and the prioritisation and funding of mitigation projects to offset recreational impacts on European wildlife sites resulting from increased housing and tourist accommodation within the three authorities' areas;
- (2) the Joint Committee is set up and operates according to the proposed 'Governance Arrangement for Managing European Site Mitigation' as set out in the report and that the Officer Working Group and Mitigation Delivery Officer also work together and with the Joint Committee according to the proposed 'Governance Arrangement'; and
- (3) the Assistant Director City Development in consultation with the Leader be given delegated authority to make minor amendments to the Governance Arrangement, as a result of the recommendations of East Devon District Council and Teignbridge District Council.

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FREEDOM OF THE CITY

The report of the Corporate Manager Democratic and Civic Support was submitted setting out a proposal to offer the Freedom of the City to Mr Michael Caines in recognition of his outstanding services to cookery which has led to Exeter's name being known around the world as one which supports the culinary arts.

Members welcomed and supported the offer of Freedom of the City to Mr Michael Caines who was a truly inspirational person who supported the culinary work at Exeter College and promoted Exeter internationally.

RECOMMENDED to Council that:-

- (1) the title of Honorary Freeman of the City Status be conferred on Mr Michael Caines; and
- (2) the Right Worshipful the Lord Mayor be requested to convene an Extraordinary Meeting of the Council to be held on the rising of the ordinary meeting on 28 July 2015, for the purpose of passing the appropriate resolution under Section 249 of the Local Government Act 1972.

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HONORARY ALDERMAN

The report of the Corporate Manager Democratic and Civic Support was submitted setting out a proposal to offer the position of Honorary Alderman of the City to Mr John Winterbottom in recognition of his outstanding service to the Council over his 15 years of office on the Council, including his time as Lord Mayor in 2009.

Members supported the offer of the position of Honorary Alderman to Mr John Winterbottom.

RECOMMENDED to Council that:-

- (1) the position of Honorary Alderman be given to Mr John Winterbottom in recognition of his outstanding service to the Council over his 15 years of office on the Council, including his time as Lord Mayor in 2009; and
- (2) in accordance with Section 249 of the Local Government Act 1972, the Right Worshipful the Lord Mayor be requested to convene an Extraordinary meeting of the Council, on the rising of the Ordinary meeting of the Council on 28 July 2015, to consider granting the position of Honorary Alderman of the City to Mr John Winterbottom.

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APPOINTMENTS TO OUTSIDE BODIES

The report of the Corporate Manager Democratic and Civic Support was submitted to appoint Members to serve on outside bodies.

RESOLVED that:-

- (1) the following appointments be agreed:-

Councillor Development Steering Group – Councillor Packham
Exeter International Airport Consultative Committee – Councillor Vizard
SecAnim (J L Thomas) Liaison Group – Councillor Hannan, Harvey and Vizard
St Loyes Foundation – Councillor Morris to replace Councillor Hannaford
St Sidwell's Parish Lands and Other Charities – Councillor Morris to replace Councillor Hannaford;

- (2) the appointment to other bodies, as agreed under the delegated powers with Group Leaders, and as set out on the schedule, be noted;

- (3) the request from The Exeter Municipal Charity for the Council's number of nominated trustees to be reduced from four to two be not acceded to and that the Council representatives remain as the four current representatives, that is Councillors Branston, Henson and Robson and Alderman Williamson;
- (4) the proposed change in name of The Exeter Municipal Charity to Exeter Homes Trust Ltd. be noted; and

RECOMMENDED to Council that:-

- (5) appointments to the following remaining vacant positions to be agreed at Council:-

**Age Concern
Exeter Business Centre Board
Exeter Citizen Advice Bureau
Exeter Fair Trade Steering Group
Turntable Furniture Re-cycling Project**

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MEMBER CHAMPIONS

The list of Member Champions as circulated was noted.

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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 paragraph 3 of Part 1, Schedule 12A of the Act.

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PROPOSALS FOR THE REDEVELOPMENT OF THE BUS AND COACH STATION AND BUS DEPOT AND DEPOT RELOCATION

The report of the Corporate Manager Property was submitted to update Members on the progress on the proposed redevelopment of the Bus & Coach Station site and the relocation of the Exeter Bus Depot. The report outlined the broad heads of terms agreed for the property transactions required to effect this redevelopment and re-provision projects and sought authority to conclude the property transactions.

Members supported the way forward.

RESOLVED:-

- (1) to proceed to negotiate a conditional Development Agreement to bring forward the redevelopment of the Bus & Coach Station site on terms to be agreed by the Corporate Manager Property in consultation with the Leader Portfolio Holder for Enabling Services and the Deputy Chief Executive;
- (2) to continue to work with the County Council to fund, procure and deliver a new bus station on the site;

- (3) to agree to the surrender of the existing Bus Depot lease and to the simultaneous grant of a new 150 years development lease on the terms provisionally agreed by the Corporate Manager Property and summarised in this report;
- (4) to enter into an agreement for lease of the new Bus Depot site for the construction of the new depot;
- (5) that the terms provisionally agreed by the Corporate Manager Property for a new 150 year lease of the new bus depot site as set out in this report be approved; and
- (6) the Corporate Manager Property be authorised to carry out negotiations with third parties affected by the proposals in consultation with the Leader; the Portfolio Holder for Enabling Services; and the Deputy Chief Executive.

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EXETER AND HEART OF DEVON GROWTH BOARD MINUTES

Scrutiny Committee – Economy considered the minutes at its meeting on 22 January 2015 and the support and comments of the Members were noted.

RESOLVED that the minutes of the Exeter and Heart of Devon Growth Board meetings held on 23 February and 21 May 2015 be noted.

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URGENT ITEM - SUPPORT FOR EXETER POUND

The Chair agreed to take this item as urgent business. It related to the Council's support for the "Exeter Pound" and was considered urgent due to the timescales surrounding its public launch. This item was taken in the private part of the meeting as it related to the financial affairs of a third party.

Members were advised of the decision taken under Financial Regulation 21 to support Exeter Pound.

Members supported the decisions taken and the way forward.

RESOLVED that the support for Exeter Pound be noted, as presented to Executive.

(The meeting commenced at 5.30 pm and closed at 6.25 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 28 July 2015.