



## Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 13 DECEMBER 2016**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

|    |                                      |         |
|----|--------------------------------------|---------|
| 4  | Planning Committee - 5 December 2016 | 3 - 10  |
| 10 | Executive - 6 December 2016          | 11 - 18 |

Date: Monday 5 December 2016

Karime Hassan  
Chief Executive &  
Growth Director

**NOTE: Members are asked to sign the Attendance Register**

Office of Corporate Manager Democratic & Civic Support

Civic Centre, Paris Street, Exeter, EX1 1JN

Tel: 01392 277888

Fax: 01392 265593

[www.exeter.gov.uk](http://www.exeter.gov.uk)

This page is intentionally left blank

## PLANNING COMMITTEE

Monday 5 December 2016

### Present:

Councillor Sutton (Chair)  
Councillors Lyons, Bialyk, Denham, Edwards, Foale, Gottschalk, Harvey, Mrs Henson, Morse, Newby, Prowse and Spackman

### Apologies:

None received

### Also Present:

Assistant Director City Development, City Development Manager and Democratic Services Officer (Committees) (HB)

96

### DECLARATIONS OF INTEREST

Councillor Morse declared a disclosable interest in Min No 97 as, in her capacity as Portfolio Holder for Customer Access, she had been consulted on the proposal for using Former Richards Aquatics for the Safe Sleep initiative.

97

### PLANNING APPLICATION NO. 16/1376/03 - FORMER RICHARDS AQUATICS, MARKET STREET, EXETER

Councillor Morse declared a disclosable interest and left the meeting during consideration of this item as she had been consulted on the proposal for using the Former Richards Aquatics for the Safe Sleep initiative in her capacity as Portfolio Holder for Customer Access.

The Assistant Director City Development presented the application to change the use from A1 to temporary night shelter (sui generis) until end of March 2017. He reported further representations that had been received in support and objection.

Members were circulated with an update sheet – attached to minutes.

Councillor Bull attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- speaking as Lead Councillor for Neighbourhoods and Communities on behalf of the street homeless, a hidden and voiceless community, and some 860 signatories to an online petition in support of this Safesleep application;
- rough sleeping is not the problem but the result of a problem since those in this need do not choose to live on the streets but find themselves there through circumstances;
- the average life expectancy of the homeless is 47 for males and 43 for females, Citizens Advice Bureau stating that some others are only three payslips away from the same fate;
- a similar facility the previous winter had provided 1,235 bed spaces over 91 days for 82 homeless, 45 of whom had secured more settled accommodation thereafter as a result of engagement with voluntary partners

who help to turn around chaotic lives. Safesleep can help today, tomorrow and into the future;

- a City Centre location is necessary as rough sleepers would not seek the use of any out of centre facility;
- Julian House has extensive experience in working with the homeless and can help ensure minimum impact on the surrounding and wider neighbourhood and harm to local amenities such as through noise, smell, litter and late night activity. Will work with the Police and through the Street Homeless Outreach Team (SHOT) to minimise anti-social behaviour;
- Julian House will work with the Council, other housing agencies and volunteers all coming together in a real sense of community to help this voiceless community. There will be close liaison with local residents and businesses to reassure them over their concerns; and
- this facility will contribute to the wider City Council objectives and, crucially, result in zero loss of life.

Mr Denning spoke in support of the application. He raised the following points:-

- working closely with Exeter City Council and responding to the numbers of people identified nightly by the Julian House outreach team and verified by the formal rough sleepers count and, in particular, the high numbers of women sleeping on the streets of Exeter, the case for providing emergency accommodation which is safe, warm and supervised is overwhelming;
- the building itself has the size to make it work well, and it is open plan allowing observable and safe operation. There have been a number of comments recognising the need for a winter shelter, but seeking an alternative location. A shelter well outside the city centre would have lower take-up and therefore be less effective in achieving its purpose;
- the main issue is the impact of the shelter on crime in the immediate area and concerns have been raised locally. The comments from local residents and traders have shown that there is a high level of anti-social behaviour now. By bringing people out from shop doorfronts and other city centre locations offering a safe, warm and supervised environment and, ideally doing this in partnership with the local community, all ingredients will be in place for anti social behaviour to reduce;
- Market Street is an area not free from anti social behaviour now, and an initiative like this, will not solve the underlying problems, but should see anti social behaviour reduce during the time it is in operation. The shelter will have two experienced staff on duty at all times and the building inside, as well as the area immediately outside, will be covered by networked high definition CCTV; and
- the rear entrance will not be accessible by visitors.

He responded to Members' queries:-

- enhanced CRB checks are carried out on all Julian House staff;
- high definition CCTV cameras will monitor any individuals hanging around this facility. Any issue of anti-social behaviour can be followed up by the SHOT;
- are links to agencies who also offer support to women and those with mental health and substance abuse issues;
- any aggressive clients will be barred from Safesleep;
- three staff will be employed during the day and two between 12 midnight and 08.00 hours, assistance also available if necessary for the latter shift from outreach workers in the City Centre who work for Julian House.

Although the night shift workers may not have a male/female split, again females from the outreach team can be called upon;

- will be a contact number available for residents and businesses to raise concerns, a closed Facebook Group set up to receive feedback and Brett Sentence has met with the owners of the DanSci Dance Studio; and
- Safesleep is set to open on 12 December for 90 days over December, January and February and will remain open in March if the weather remains cold.

The recommendation was for approval, subject to the conditions as set out in the report.

**RESOLVED** that, subject to an additional condition requiring a management plan, planning permission to change the use from A1 to temporary night shelter (*sui generis*) until end of March 2017 be **APPROVED**, subject also to the following conditions:

- 1) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 4 November 2016 (*Site Location Plan, Planning Statement, Floor Plan as Existing and Floor Plan as Proposed*), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings and details.
- 2) The use hereby approved shall cease on or before 31 March 2017.  
**Reason:** To ensure that the use ceases when no longer required as part of Safe Sleep.
- 3) The use hereby permitted shall be carried on only by the organisation Julian House and shall cease at such time as the aforementioned person(s) cease to occupy the site.  
**Reason:** To enable the proposed use by the applicant to be monitored.

98

**PLANNING APPLICATION NO. 16/0864/03 - LAND TO REAR OF CRAWFORD HOTEL, ALPHINGTON ROAD, EXETER**

The Assistant Director City Development presented the application for four new dwellings.

Councillor Musgrave attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- serious reservations on behalf of residents relating to access, parking in the neighbourhood and insufficient parking for the new development, noting that the four properties could generate up to four vehicles each, including visitors;
- the local community works with the Police over the problem of illegal parking which is a safety issue and which will be exacerbated should this development be brought forward;
- residents acknowledge need for housing but believe that an access off Retail Park Close would be preferable which would help mitigate parking problems in Percy Road;
- appreciate developer need to maximise profit but commercial drivers should not trump public safety and quality of life; and
- application should be rejected as the development will have a real and negative impact on residents.

Mr Hunt spoke in support of the application. He raised the following points:-

- a month or so ago the merits of this planning application were considered when the only concerns related to highway safety and car parking and it was suggested that the officers' report and other specialists had "got it wrong"
- suggest that this isn't the case as the facts are clear. Highways Officers have looked at this scheme twice and decided that it is acceptable. City Council Planning Officers have assessed the scheme on two occasions and came to the same conclusion. Furthermore, a Planning Inspector has determined an appeal which also concluded that the scheme is safe in highway terms. It is suggested therefore that there is significant evidence to demonstrate that the scheme is acceptable;
- as requested, the applicant was asked about changing the layout and access design but instructed to proceed with this scheme. The applicant is not a developer, they have spent considerable time and resource to progress an application for much needed housing and now wish to dispose of the surplus land to allow it to be productively used. It is not believed that the alternative access is suitable or preferable and the highways officers support this opinion; and
- is suggested that the application is wholly acceptable as demonstrated by technical evidence and the advice of officers; and
- the applicant is minded to appeal should the application be refused on the basis that there is no technical evidence to suggest that this application should not be approved.

The recommendation was for approval, subject to the conditions as set out in the report.

**RESOLVED** that, subject to the addition of an informative that the Council's preferred option would be an access off Retail Park Close and it would therefore be likely to make any necessary land in its ownership available to any future developer to enable this access to be realised, planning permission for four new dwellings be **APPROVED**, subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 11 July 2016 (dwg. nos. 0-0002 Revision A and 1-0003 Revision B, and Design and Access Statement) and 10 October 2016 (dwg. no. 0-0001 Rev. A), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved details.
- 3) C17 - Submission of Materials
- 4) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes Level 5 (Zero Carbon) in accordance with the requirements of the Code for Sustainable Homes 2006, the Code for Sustainable Homes Technical Guide November 2010 and the Code Addendum May 2014 (or such equivalent standard that maybe approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.  
**Reason:** In the interests of sustainable development.
- 5) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority a Design Stage Code for Sustainable Homes (CSH) assessment including the score expected to be achieved and which standard this relates to. Where this does not meet the minimum required standard in relation to the energy

elements the developer must provide details of what changes will be made to the development to achieve the minimum standard in respect of those elements of the code, and thereafter implement those changes. Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until an application for a Final Code Certificate has been made seeking certification that the required Code Level has been achieved and within one year of occupation of any dwelling the developer shall submit to the Local Planning Authority a Final Code Certificate to demonstrate that a Final Code Level of 4 in respect of the energy elements has been achieved as required above.

**Reason:** To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.

- 6) Unless otherwise agreed with the Local Planning Authority, the development shall be carried out in line with the recommendations contained in submitted Ecological Appraisal and the Flood Risk Assessment.  
**Reason:** To ensure that opportunities for wildlife enhancements are maximised and in the interests of minimising flood risk over the lifetime of the development.
- 7) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.  
**Reason:** In the interests of amenity.
- 8) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.  
**Reason:** In the interests of amenity.
- 9) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason:** To protect neighbouring residential amenities.
- 10) The applicant shall undertake a noise assessment to determine whether noise from plant, equipment and deliveries at the adjacent retail store would be likely to cause disturbance and annoyance to residents of this site. The assessment shall be submitted for approval in writing by the Local Planning Authority prior to commencement of the development. If, following the above assessment, the Local Planning Authority concludes that noise mitigation measures are required, the applicant shall then submit a scheme for protecting the proposed development from noise from the adjacent store. This shall be based on the results of the above assessment and shall be submitted to and approved by the Local Planning Authority before development commences. All works that form part of the scheme shall be completed before any of the approved development is occupied.  
**Reason:** To protect the residential amenities of future occupants of the dwellings.

- 11) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.  
**Reason:** To protect the health and safety of future occupants of the dwellings.
- 12) No part of the development hereby approved shall be occupied until the amendments to Percy Road boundary wall, dropped kerb vehicular access, on site layout, footpaths, car and cycle parking facilities, as outlined in Drawing 1-0003 Revision B, have been provided and retained for that purpose at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site
- 13) No more than three of the dwellings hereby approved shall be occupied until a shared use pedestrian/cycle connection to the eastern boundary of the site with Retail Park Close, as indicated on drawing 1-0003 Revision B, has been provided and made available for public use in accordance with details to be approved by the Local Planning Authority and maintained for this purpose at all times.  
**Reason:** To provide adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the National Planning Policy Framework.
- 14) The development shall incorporate into the fabric of the buildings nesting opportunities for swifts. Details of how this shall be achieved must be submitted to, and approved by, the Local Planning Authority. The development shall thereafter be built in accordance with these approved details.  
**Reason:** In the interests of providing biodiversity enhancements on the site.

99 **PLANNING APPLICATION NO. 16/1068/03 - HOPE COURT, PRINCE OF WALES ROAD, EXETER**

The Assistant Director City Development presented the application for the construction of a six bed annex to the existing Hope Court Student Accommodation block.

Councillor Mitchell attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- the Exeter St James' Forum does not necessarily speak for the entire St. James Community. Am speaking on behalf of the neighbours of this development who disagree with the Forum's interpretation of the St James Neighbourhood Plan's policies;
- the description of the original application was that of a house in multiple occupation rather than an annexe to the current building, a description which is more accurate in terms of design and use when the building will possess its own kitchen and bathroom and is separate from Hope Court. The management arrangements are also similar to that of a HMO;
- with regard to Policy C3 of the Neighbourhood Plan believe that the scale and intensity of use will harm the character of the building and locality and will cause an unacceptable reduction in the amenity of neighbouring occupiers and result in on-street parking problems;

- in respect of policy H5 of the Neighbourhood Plan, the proposal will create an overconcentration in this area of the city and change the character of the neighbourhood and create an imbalance in the local community. Although the development will see a student increase of about 0.1%, further developments of this nature could see a 2% increase in the area which will impact on the balance;
- the history of the site shows permission granted in 2006 for the demolition of the existing building and provision of 14 student cluster flats, in 2007 for 12 student cluster flats and, subsequently, in 2009, in addition to the 12 flats, a flat for nursing support taking the total to 13. The current application for six flats will bring the total to 19, higher than the original 12 flats granted permission. Such an incremental increase in development should not be permitted; and
- request rejection of this application.

Mr Simons spoke in support of the application. He raised the following points:-

- careful consideration has been given to the impact on the neighbourhood, its relationship to existing buildings and regard to the St James Neighbourhood Plan;
- the land is currently raised and has always been outside the amenity space available to the students, due to its elevated nature and associated health and safety risk;
- more than adequate amenity space within the curtilage of the site of both hard and soft landscaping;
- the planning department was consulted on the design and the intention has always been that this unit would be managed by the existing management team as part of the whole entity within the curtilage of Hope Court and be connected to existing services all of which sit behind the existing controlled entrance gate;
- after meeting the Forum it was agreed that the description be changed to construction of a six bedroom annexe of the existing Hope Court student accommodation;
- a meeting with the Forum was requested to overcome any objections that might arise from their aims. A Forum member had stated that, on policy grounds, no objection would be met but asked that the design be looked at again which was agreed;
- it was suggested by the agent that the corner be rounded off where it faced onto Lower St. German's Road;
- the planning department agreed with the agent that the building should relate to the existing Hope Court building. The proposal retains the existing stone wall but not the beech hedge but has the desirable effect of placing windows and the light emanating therefrom onto Lower St German's Road, improving the security aspect of that dark area and increasing the safety of students etc.;
- in the Design and Access statement it is stressed that the proposed additional accommodation will be managed and covered by the same rules applying to those which appertain to the main block;
- Hope Court is well managed and maintained and this proposal will help alleviate of the pressure of the demands for student accommodation elsewhere;
- the managing agent has stated that no complaints have been received in connection with this student development.

He responded to Members' queries:-

- there is a health and safety issue on site in respect of any use of the raised grassed area; and
- students of Hope Court are required to sign an agreement that they will not bring cars to Exeter.

The recommendation was for approval, subject to the conditions as set out in the report.

**RESOLVED** that planning permission for the construction of a six bed annex to the existing Hope Court Student Accommodation block be **APPROVED**, subject to the following conditions:

- 1) C05 - Time Limit – Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 26 August 2016 and the revised plans received on 01 November 2016 (*dwg. no(s).2022/16/001, 2022/16/010 Rev D, 2022/16/011 Rev D, 2022/16/002*), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved details and drawings.
- 3) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the student residential use of the dwelling known as Hope Court and shall not be run as a separate facility.  
**Reason:** To prevent the creation of an additional separate dwelling and to ensure that the new accommodation is run in accordance with the existing conditions and management plan for Hope Court.
- 4) C75 - Construction/demolition hours

100 **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

101 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

102 **SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 20 December at 9.30 a.m. The Councillors attending will be Mrs Henson, Edwards and Foale.

**Additional Information Circulated after Agenda Dispatched - circulated as an appendix**

(The meeting commenced at 5.30 pm and closed at 7.07 pm)

Chair

## EXECUTIVE

Tuesday 6 December 2016

### Present:

Councillor Edwards (Chair)  
Councillors Bialyk, Bull, Denham, Leadbetter, Morse, Owen, Pearson and Sutton

### Apologies:

Councillor Hannaford

### Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Customer Access, Assistant Director Finance, Corporate Manager Democratic and Civic Support, Assistant Director Public Realm, Principal Health and Safety Officer, Policy Officer (MP-J) and Democratic Services Manager (Committees)

129

### DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

130

### URGENT ITEM - REQUEST FOR ADDITIONAL FUNDING - RAMM LIFT

The Leader advised that the Council had approved a budget of £45,000 for a new lift at RAMM to rectify a Health and Safety issue with the current lift. Tenders had just been opened and the lowest tender was in excess of this amount. It was requested therefore that an additional sum of £30,000 be added to the budget to enable the tender to be awarded and the works to be undertaken as soon as possible. The request was urgent in order to allow the tenders to be accepted. The Chair of Corporate Services Scrutiny Committee was in support of this request.

In response to Member's questions, the Assistant Director Finance clarified the position with regards to the pre-tender estimate process and that all the relevant due diligence was undertaken when the original budget was set. The works would also be subject to Listed Building Consent.

The Portfolio Holder for Economy and Culture commented that the work was urgently required.

Members supported the additional budget required for the installation of a new lift at RAMM.

**RECOMMENDED** that Council approve an additional budget of £30,000 for a new lift at RAMM to rectify a Health and Safety issue with the current lift.

131 **LEISURE COMPLEX AND BUS STATION PROGRAMME BOARD MINUTES - 7  
NOVEMBER 2016**

The minutes of the Leisure Complex and Bus Station Programme Board meeting held on 7 November 2016 were submitted.

The Portfolio Holder for Sport, Health and Wellbeing clarified the position with regards to the budget and timings of the Bus Station development, the temporary moving of the Bus Station and bus shelters.

**RESOLVED** that the minutes of the Leisure Complex and Bus Station Programme Board meeting held on 7 November 2016 be received and, where appropriate, adopted.

132 **MEMBERS' ALLOWANCES 2017/18**

The Corporate Manager Democratic and Civic Support presented the report on behalf of the Derek Phillips, Chair of the Independent Remuneration Panel, which advised Members of its recommendations in relation to Members' Allowances for 2017/18.

The Local Authorities (Members' Allowances) (England) Regulations 2001 and 2003 required the Panel to meet every year to review Members' Allowances. This year, the panel undertook a review via email, its recommendation was for an increase which would mirror that of the staff pay award with all allowances being increased by 1% for 2017/18. There was also a recommendation following a recent resignation of one of the panel members for approval to embark on a recruitment exercise to identify a replacement from the voluntary sector.

**RECOMMENDED** to Council to agree:-

- (1) the basic structure and principles of the current Members' Allowances scheme be retained for 2017/18;
- (2) the principle that any Member qualifying for more than one Special Responsibility Allowance is paid the higher allowance only, should be retained;
- (3) the Councillors' Basic and Special Responsibility Allowances including the Lord Mayor and Deputy Lord Mayor's Expenses Allowances should continue to be linked and updated in line with the Local Government Employers (LGE) staff pay award for the previous year (a 1% increase in the annual Local staff pay award was awarded by the Employers side for staff above spinal column 18 in 2016/17 and 2017/18);
- (4) Travel and Subsistence allowances available for staff continue to apply to Exeter City Councillors, where appropriate;
- (5) the current Dependents Carers' Allowance scheme be maintained, with the continuation of the level of allowance matching the Living Wage of £8.25 per hour or part of (retaining the uplift of the standard rate of income tax to £9.91);
- (6) the sum of £50 be paid to the Independent Persons affiliated to the Audit and Governance Committee for up to four hours work, and £100 for four

hours and over, payable to each of the two Independent Persons (up to a maximum of £500 per person in any one year) be retained, and

- (7) following the recent resignation of one of the Panel Members, that approval be requested to embark on a recruitment exercise to identify a replacement from the voluntary sector.

133

### **THE SYRIAN RESETTLEMENT SCHEME**

The report of the Assistant Director Public Access was submitted which sought Members' endorsement for the City Council's participation in the Syrian Resettlement Scheme ('the Scheme'), as part of a wider Devon response which delivered on the Government's pledge to resettle 20,000 Syrian families during the current Parliament.

Members were advised that under the Syrian Vulnerable Persons Resettlement Programme the Council had so far housed two families and that Syrian families were housed in private rented properties.

The Leader stated that he was proud of the City Council for being involved in this scheme and other Authorities in Devon were also now taking in Syrian families.

In response to Members' questions, the Assistant Director Customer Access clarified that the costs were covered by the Home Office, there were issues of the availability of suitable accommodation within the rent amounts and in some cases properties had not progressed because of problems with mortgage companies and obtaining insurance.

Members supported the proposal.

**RESOLVED** that the City Council's participation in the resettlement of vulnerable Syrian families as part of the Government's Scheme be agreed.

134

### **AMENDMENT TO THE PENSION AGE LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2017-18**

The report of the Assistant Director Customer Access was submitted which sought Member's approval for an enhancement to the local Council Tax Support (CTS) Scheme for pension age residents for 2017-18, in order to ensure parity with the Scheme for working aged residents. This follows Executive recommending to Council the amendment of one of the recommendations for the working age scheme for 2017-18 at the meeting on 8 November 2016.

The Assistant Director Customer Access advised that adopting this change would be unlikely to have a significant impact on the cost to the Council Tax Support scheme as the number of cases affected were likely to be very minimal.

**RECOMMENDED** to Council to amend the claim date rules in the pension age Council Tax Support scheme from 1st April 2017 in line with the change for working age claimants.

### **CAPITAL MONITORING STATEMENT TO 30 SEPTEMBER 2016**

The report of the Assistant Director Finance was submitted advising Members on the current position in respect of the Council's revised annual capital programme and to advise Members of the anticipated level of deferred expenditure into future years. The report also sought Member approval to amend the annual capital programme in order to reflect the reported variations.

The Assistant Director advised that, during the first six months of the year, the Council had spent £4.063 million on the capital programme compared to £4.683 million being spent in the first six months of 2015/16. The additions to the capital programme were:-

- City Wide Property Level Protection - £100,000 funding being provided by Devon County Council; and
- Topsham – Bowling Green Marshes Coastal Defence Scheme - £40,000 2016/17 and £260,000 2017/18 funded by the Environment Agency.

The Portfolio Holder for City Development stated that the Topsham Coastal Defence scheme would not only protect a Site of Special Scientific Interest (SSSI) but a small number of properties as well.

In response to a Member's question, the Deputy Chief Executive clarified that the Council had been awarded full funding for the two additional schemes to the capital programme however both require the Council to spend money first and then make regular applications to claim the funding.

Corporate Services Scrutiny Committee considered the report at its meeting on 24 November 2016 and its comments were reported.

**RECOMMENDED** Council notes and approves the:-

- (1) revision of the annual capital programme to reflect the reported variations detailed in paragraphs 8.4 and 8.5; and
- (2) the additions to the capital programme detailed in paragraph 8.6.

### **OVERVIEW OF THE REVENUE BUDGET 2016/17**

The report of the Assistant Director Finance was submitted advising Members of the overall projected financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2016/17 financial year after six months and to seek approval for a number of supplementary budgets.

The Assistant Director Finance advised Members the General Fund had an overspend of £201,245, the HRA an underspend of £339,878 and Council Own Build Houses an underspend of £3,000. The supplementary budgets to be recommended to Council were for the additional Portfolio Holders, the Valley Park Transfer to the Devon Wildlife Trust and the Safe Sleep initiative.

**RECOMMENDED** that Council notes and approves the:-

- (1) General Fund forecast financial position for the 2016/17 financial year;
- (2) the HRA forecast financial position for 2016/17 financial year;
- (3) the additional supplementary budgets listed in Appendix C;

- (4) the outstanding Sundry Debt position as at September 2016; and
- (5) the creditors' payments performance.

137

### **TREASURY MANAGEMENT - HALF YEAR UPDATE 2016/17**

The report of the Assistant Director Finance was submitted advising Members on the current Treasury Management performance for the 2016/17 financial year, and the position regarding investments and borrowings at 30 September 2016. The report was a statutory requirement and was for information only with no key decisions required.

The Assistant Director Finance advised Members of the Net Interest Position with regards to investments and borrowing. An investment of £3 million had been made in CCLA's Local Authorities Mutual Investment Trust (LAMIT) Property Fund, the yield on this investment currently being 4.9%, a further £2 million had been invested in this fund in November. This was a long term investment commitment for the Council.

In response to Members' questions, the Assistant Director Finance clarified:-

- the position with regards to the funds received from the Council's investments in the Icelandic Banks and.
- that Local Authorities were in a unique position in that if there was a loss on the capital value of any investments in property funds they would only need to be recognised when the investment was sold.

Corporate Services Scrutiny Committee considered the report at its meeting on 24 November 2016 and its comments were reported.

**RECOMMENDED** that Council approves the Treasury Management report in respect of the first six months of the 2016-17 financial year.

138

### **EQUALITY AND DIVERSITY POLICY**

The Policy Officer (M P-J) presented the report which sought approval of the Equality and Diversity Policy.

Members were advised that an Equality and Diversity Task and Finish Group had been set up with the key aims to help shape and form the new Equality and Diversity Policy. The next step would be to develop a detailed implementation plan.

In response to Members' questions, the Policy Officer stated that work would now be undertaken on the implementation plan and there would be an Annual report to update Members on the Council's performance with regards to the policy. Whilst no response had been received from the Devon and Cornwall Police Equality Reference Group it was hoped that they and other consultation groups would feed into the implementation of the policy which would also be kept under regular review.

The Portfolio Holder for Communities and Neighbourhoods stated that the Task and Finish Group had identified that future work included identifying a Senior Management Equality Champion.

Corporate Services Scrutiny Committee considered the report at its meeting on 24 November 2016 and its comments were reported.

**RECOMMENDED** to Council:-

- (1) the Equality and Diversity policy be adopted; and
- (2) that delegated authority be given Corporate Manager Legal Services and Human Resources in consultation with the Portfolio Holder with responsibility for Equality and Diversity, to make any further amendments to the policy, and the Constitution be amended accordingly.

139

### **EXETER CITY COUNCIL HEALTH AND SAFETY POLICY**

The Principal Health and Safety Officer presented the report advising Members of the Council's organisation and arrangements in respect of its statutory duty under the Health and Safety at Work Act etc. 1974 and other supplementary legislation. The Health and Safety Policy was reviewed every three years and was accompanied by a Health and Safety Policy Statement. Members were advised of the minor changes policy and that there was no change to the Policy Statement other than to date it 2016.

In response to a Member's question, the Principal Health and Safety Officer clarified that Members would receive an annual update on the Council's Health and Safety performance via the Scrutiny Bulletin.

**RECOMMENDED** that Council approve the Health and Safety Policy.

140

### **AGILE WORKING IN PUBLIC REALM**

The report of the Assistant Director Public Realm which sought approval for the purchase of smart mobile technology to support the transformation of and deliver service efficiencies in the Public Realm Directorate was submitted.

The Assistant Director Public Realm advised that the proposals were to enable staff to use mobile-enabled devices which would allow the service to deliver true transformation on the Council's responsive services. The purchase of around 125 smart mobile devices and associated cases would be an estimated capital cost of around £57,144 and additional ongoing revenue cost of £18,168. A contingency had also been built into the recommendation to allow for any price increases.

In response to Members' questions, the Assistant Director Public Realm clarified that when the devices needed to be replaced a capital bid would need to be put forward and the services that would benefit from the use of this mobile working would include street cleaning, graffiti, full litter bins and dog fouling.

**RECOMMENDED** to Council that:-

- (1) further transformation of the services in the Public Realm Directorate be supported by the introduction of smart mobile technology to improve service response and efficiency;
- (2) a sum of £60,000 be added to the 2016/17 Capital Programme for the purchase of smart mobile devices for the Public and Green Spaces, Asset Maintenance, Waterways, Car Parking and HomeCall services; and

- (3) a sum of £20,000 be added to the Public Realm annual revenue budget to support the ongoing costs of the smart mobile devices.

141

**DELIVERING THE PARKING STRATEGY: TARIFFS, DESIGNATIONS AND PERMITS - ADDITION**

The report of the Assistant Director Public Realm was submitted to advise Members of the Triangle Car Park tariff changes to be introduced in January 2017. This report was to rectify the fact that Triangle Car Park was not included in the list of car parks in previous tariff report to Executive on 13 September 2016 and to ensure clarity over the parking area boundary at Leighton Terrace.

**RESOLVED** that the following be approved:-

- (1) the adoption of a linear approach to parking tariffs in order to simplify the pricing structure and encourage increased visitor dwell time, as set out in table below:-

| Long Stay Car Park (Triangle) |                |                 |
|-------------------------------|----------------|-----------------|
| Stay                          | Current Tariff | Proposed Tariff |
| 1 hour                        | £0.80          | £1.00           |
| 2 hours                       | £1.20          | £2.00           |
| 3 hours                       | £1.80          | £3.00           |
| 4 hours                       | £3.20          | £4.00           |
| 5 hours                       | £5.00          | £5.00           |
| All day                       | £6.20          | £6.00           |

and;

- (2) the clarification of the parking boundary in respect of off-street residents parking area in Leighton Terrace as per appendix 1.

142

**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 item on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1,2 3 and 4 of Part 1, Schedule 12A of the Act.

143

**PROPOSALS FOR RESTRUCTURING SENIOR MANAGEMENT**

The report of the Chief Executive & Growth Director was submitted to update Members on the results of the consultation with regards to the restructure of the Senior Management Team which was being undertaken to meet the financial and policy challenges facing the City Council and local government in general. A report had been considered at Executive on 23 August 2016 when permission had been given to proceed through the consultation phase in accordance with the City Council's Organisational Change Policy.

Members were advised of the changes that had been made to the proposed structure as a result of the feedback received from staff through the consultation process, any potential financial implications and the recruitment/selection process.

Members discussed the recruitment/selection process and supported the way forward.

**RECOMMENDED** that Council approves the changes to the Senior Management Team to meet the policy and financial challenges facing the City Council.

(The meeting commenced at 5.30 pm and closed at 6.55 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 13 December 2016.**