



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 8 APRIL 2014**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

	Pages
1 Minutes	
To sign the minutes of the Special and Ordinary Meetings held on 25 February 2014.	5 - 12
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 17 February 2014	13 - 20
4 Planning Committee - Special - 24 February 2014	21 - 26
5 Planning Committee - 17 March 2014	27 - 40
6 Licensing Committee - Special - 26 February 2014	41 - 42
7 Licensing Committee - 25 March 2014	43 - 44
8 Scrutiny Committee - Community - 4 March 2014	45 - 60
9 Scrutiny Committee - Economy 6 March 2014	61 - 66
10 Scrutiny Committee - Resources - 19 March 2014	67 - 70
11 Audit and Governance Committee - 12 March 2014	71 - 74
12 Executive - 18 March 2014	75 - 80
13 Executive - 1 April 2014	81 - 86

A plan of seating in the Guildhall is attached as an annexe

Office of Corporate Manager Democratic & Civic Support			
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Notice of Motion

a) Notice of Motion by Councillor Mitchell under Standing Order No. 6

Exeter City Council recognises the importance of its twinning relationship with Yaroslavl, Russia. The City Council recognises that this relationship is long-term and that it has been at its best when jointly we have put our people first, introducing them to new experiences and new friends. Our twinning relationship has helped us to meet, mix and get along, to share our ideas, our hopes and our fears and we have given each other support.

It is in this spirit that Exeter City Council raises concern over the treatment of Lesbian Gay Bi-sexual and Transgender (LGBT) people in Russia. In 2013, The Russian LGBT Network, an umbrella LGBT group based in St. Petersburg, conducted an anonymous survey on discrimination against LGBT populations, more than 50% of the 2,007 respondents had experienced psychological abuse, and 15% had experienced physical violence.

The recent proposals and adoption of anti-LGBT laws in Russia, which include banning representing “traditional” and “non-traditional” relationships as equally acceptable, making it illegal to say anything positive about being gay publicly, or to tell a child that there is nothing wrong with being gay or being raised by gay parents, has coincided with evidence of the spread of homophobic violence in the country.

Exeter City Council recognises that putting people first in our twinning relationships means putting all people first, whatever their sexual orientations.

This Council therefore RESOLVES:

1. To write to the Foreign Secretary and Russian Ambassador to the United Kingdom, expressing this Council’s disquiet at the continuing Civil Rights issues occurring in Russia, including the systematic discrimination towards the LGBT community; and
2. That it considers the above matter to be in direct contravention of the Twinning Agreement between the Cities of Exeter and Yaroslavl, dated 17 October 1989, and as such requests officers to:
 - a) Write to the City Administration in Yaroslavl offering its support to the LGBT community in Yaroslavl in particular and in Russia as a whole; and
 - b) Make representations to this effect to the official delegation from Yaroslavl during their forthcoming civic visit to the City in July 2014.

Date: Date Not Specified

Karime Hassan
Chief Executive &
Growth Director

Office of Corporate Manager Democratic & Civic Support			
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NOTE: Members are asked to sign the Attendance Register



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The Right Worshipful the Lord Mayor (Cllr Lyons)
The Deputy Lord Mayor (Cllr Hannaford)
Councillors Baldwin, Bialyk, Bowkett, Branston, Brock, Bull, Choules, Clark, Crew, Crow, Dawson, Denham, Donovan, Fullam, D J Henson, Mrs Henson, Laws, Leadbetter, Macdonald, Mitchell, Morris, Mottram, Newby, Owen, Payne, Pearson, Prowse, Robson, Ruffle, Sheldon, Shiel, Spackman, Sutton, Tippins, Wardle and Winterbottom

1 **APOLOGIES**

Apologies for absence were received from Councillors Edwards and Martin.

2 **BUDGET 2014/15**

Minute 8 (2014/15 Council Tax Base and NNDR1)) of the meeting of Executive held on 21 January 2014 was taken as read and adopted.

Councillor Sutton, the Deputy Leader of the Council, moved and Councillor Denham seconded the resolution as set out in the agenda and circulated papers in respect of the Council Tax for 2014/15.

After discussion, which included:-

- some Members opposing the proposed increase in Council Tax and the impact it could have on low income households in the city, particularly when the Government was offering a payment for those authorities who did not impose an increase;
- the prudent way in which this Council was treating its receipts of New Homes Bonus and using them to help local communities; and
- the level of interest and debt payments that the Council will be required to make; how this could impact on the Council's revenue budget and the effect a rise in interest rates could have on the future medium term financial plan and the Council resources.

The following resolution was adopted:-

RESOLVED:-

- (1) That the following, as submitted in the Estimates Book, be approved:-
 - (a) the Revenue estimates for 2014-2015;
 - (b) the Capital programme for 2014-2015;
- (2) that it be noted that, at the meeting of the Executive on the 21 January 2014, the Council calculated the figure of 34,344, as its council tax base for the year 2014-2015 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 made under Section 33(5) of the Local Government Finance Act 1992;
- (3) that the following amounts be now calculated by the Council for the year 2014-2015 in accordance with Sections 31A of the Local Government and Finance Act 1992:-

- (a) £102,645,000m being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2)(a) to (f) of the Act;
- (b) £98,097,168 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act;
- (c) £4,547,832 being the amount by which the aggregate at (3)(a) above exceeds the aggregate at (3)(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year;
- (d) £132.42 being the amount at (3)(c) above divided by the amount at 2 above, calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its council tax for the year;
- (e) Valuation Bands

A	B	C	D
£88.28	£102.99	£117.71	£132.42
E	F	G	H
£161.85	£191.27	£220.70	£264.84

Being the amount given by multiplying the amount at (3)(d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (4) That it will be noted that, for the year 2014-2015, Devon County Council, the Office of the Police and Crime Commissioner for Devon and Cornwall and the Devon and Somerset Fire and Rescue Authority have stated the following amounts on precepts issued to the Council, in accordance with Section 83 of the Local Government Act 2003, for each of the categories of the dwellings shown below:-

Devon County Council
Valuation Bands

A	B	C	D
£759.06	£885.57	£1,012.08	£1,138.59
E	F	G	H
£1,391.61	£1,644.63	£1,897.65	£2,277.18

Office of the Police and Crime Commissioner for Devon and Cornwall

A	B	C	D
£110.77	£129.24	£147.70	£166.16
E	F	G	H
£203.08	£240.01	£276.93	£332.32

Devon and Somerset Fire and Rescue Authority
Valuation Bands

A	B	C	D
£51.26	£59.80	£68.35	£76.89
E	F	G	H
£93.98	£111.06	£128.15	£153.78

- (5) That, having calculated the aggregate in each case of the amounts at (3)(e) and (4) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby set the following amounts as the amounts of council tax for the year 2014-2015 for each of the categories of dwellings shown below:-

Valuation Bands

A	B	C	D
£1,009.37	£1,177.60	£1,345.84	£1,514.06
E	F	G	H
£1,850.52	£2,186.97	£2,523.43	£3,028.12

In accordance with Standing Order 27(1), a named vote on the Resolution was called for, as follows:

Voting for:

Councillors Bialyk, Branston, Bowkett, Bull, Choules, Clark, Crew, Dawson, Denham, The Deputy Lord Mayor, The Right Worshipful the Lord Mayor, Councillors Macdonald, Morris, Owen, Pearson, Robson, Sheldon, Spackman, Sutton, Tippins and Wardle.

(21 Members)

Voting against:

Councillors Brock, Fullam, Mitchell, Payne and Ruffle.

(5 Members)

Abstain:

Councillors Baldwin, Crow, Donovan, Henson D, Mrs Henson, Leadbetter, Mottram, Newby, Prowse, Shiel and Winterbottom

(11 Members)

(Councillor Laws left the Council Chamber before the vote was cast)

The Resolution was carried.

(The meeting commenced at 6.00 pm and closed at 7.10 pm)

Chair

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THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 25 February 2014

The Right Worshipful the Lord Mayor (Cllr Lyons)
The Deputy Lord Mayor (Cllr Hannaford)
Councillors Crew, Crow, Dawson, Denham, Donovan, Fullam, D J Henson, Mrs Henson, Leadbetter, Macdonald, Mitchell, Morris, Mottram, Newby, Owen, Payne, Pearson, Prowse, Robson, Ruffle, Sheldon, Shiel, Spackman, Sutton, Tippins, Wardle and Winterbottom

1 **APOLOGIES**

Apologies for absence were received from Councillors Edwards, Laws and Martin.

2 **MINUTES**

The minutes of the meeting of Council held on 17 December 2013 were taken as read and signed as correct.

3 **OFFICIAL COMMUNICATIONS**

The Lord Mayor announced that the Banquet on Saturday 22 March had raised nearly £500. She thanked everyone who had contributed to help make the evening a success.

4 **PLANNING COMMITTEE - 13 JANUARY 2014**

The minutes of the Planning Committee of 13 January 2014 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Planning Committee held on 13 January 2014 be received.

5 **PLANNING COMMITTEE - SPECIAL - 20 JANUARY 2014**

The minutes of the Special Planning Committee of 20 January 2014 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Special Planning Committee held on 20 January 2014 be received.

6 **SCRUTINY COMMITTEE - COMMUNITY - 14 JANUARY 2014**

The minutes of the Scrutiny Committee - Community of 14 January 2014 were presented by the Chair, Councillor Shiel and taken as read.

In relation to Minute 4 (Reports of Portfolio Holders) and in response to question the Portfolio Holder for Environment, Health and Wellbeing stated that the Council had very limited powers to prevent betting shops from opening. It was hoped that a change in legislation would be brought forward to enable Local Authorities to have more control over the location and the number of betting shops.

In response to a question, the Portfolio Holder for Housing and Customer Access commented that with regards to the issue of begging work was being taken in conjunction with the Anti Social Behaviour Action Team to address this. The Council

had a no second night out policy and the Police had doubled patrols on the High Street. There would also be a campaign to promote an Alternative Giving Scheme which would encourage the public to avoid giving money directly to people begging on the street, and instead to divert their money to charities that run programmes to assist homeless people.

In relation to Minute 8 (Minutes of the Devon and Cornwall Police and Crime Panel), the Portfolio Holder for Environment, Health and Wellbeing advised that other Authorities in Devon and Cornwall were also having issues with regards to the non-attendance of the Police and Crime Commissioner at their meetings.

RESOLVED that the minutes of the Scrutiny Committee - Community held on 14 January 2014 be received.

7

SCRUTINY COMMITTEE - ECONOMY - 16 JANUARY 2014

The minutes of the Scrutiny Committee - Economy of 16 January 2014 were presented by the Chair, Councillor Leadbetter and taken as read.

Councillor Brock declared a disclosable pecuniary interest as a trader on Magdalen Road and left the meeting during consideration of the following minute.

In relation to Minute 5 (Reports of Portfolio Holders), and in response to a question the Portfolio Holder for Economy and Culture stated whilst not commenting on any possible planning application by Asda, it would be the intention of the Council to support the Traders on Magdalen Road where possible and practical to do so.

In response to a question, the Portfolio Holder for Economy and Culture commented that the Harbour Revision Order that was submitted in 2008 to the Department of Transport had not been processed. This order would be withdrawn and a fresh look would be taken at to ensure that it met the operational requirements for the Council's waterways.

In relation to Minute 6 (Parkwood Leisure Management Contract), and in response to a question the Portfolio Holder for Economy and Culture advised that a new heat exchange unit had been ordered for the Pyramids Swimming Pool and it was hoped that this would be received within the next couple of weeks. Users of the facility who were adversely affected by this were being offered free swims at alternative Council facilities.

RESOLVED that the minutes of the Scrutiny Committee - Economy held on 16 January 2014 be received.

8

SCRUTINY COMMITTEE - RESOURCES - 22 JANUARY 2014

The minutes of the Scrutiny Committee - Resources of 22 January 2014 were presented by the Chair, Councillor Baldwin and taken as read.

In relation to Minute 4 (Reports of Portfolio Holders), and in response the Portfolio Holder for Enabling Services confirmed that the Corporate Manager Property had now been appointed.

RESOLVED that the minutes of the Scrutiny Committee - Resources held on 22 January 2014 be received.

EXECUTIVE - 21 JANUARY 2014

The minutes of the Executive of 21 January 2014 were presented by the Deputy Chair, Councillor Sutton and taken as read.

In respect of Minute 4 (Housing Rents and Service Charges 2014/15) and in response to a question the Portfolio Holder for Housing and Customer Access clarified that the rent increase was necessary to facilitate rent convergence.

RESOLVED that the minutes of the Executive held on 21 January 2014 be received. and, where appropriate, adopted.

EXECUTIVE - 4 FEBRUARY 2014

The minutes of the Executive of 4 February 2014 were presented by the Deputy Chair, Councillor Sutton and taken as read.

In respect of Minute 16 (Future Working of Scrutiny), Members discussed the issues and merits of a cross party working group to look into the future of Scrutiny. Some Members raised concerns regarding the need to ensure that the Council had a robust and open scrutiny process.

The Deputy Leader stated that due to timescale and resources that the cross party working group would be established at Annual Council.

With regards to Minute 27 (Tender of Housing Gas Contract) and in response to a question the Portfolio Holder for Housing and Customer Access commented that the Council was looking into and trialling new ways of working.

RESOLVED that the minutes of the Executive held on 4 February 2014 be received and, where appropriate, adopted.

(The meeting commenced at 7.10 pm and closed at 8.20 pm)

Chair

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PLANNING COMMITTEE

Monday 17 February 2014

Present:

Councillor Bialyk (Chair)
Councillors Choules, Denham, Mrs Henson, Newby, Owen, Prowse, Sutton, Tippins and Winterbottom

Apologies:

Councillors Spackman, Edwards and Mitchell

Also Present:

Assistant Director City Development, Senior Area Planning Officer, Planning Solicitor and Democratic Services Officer (Committees) (SLS)

23

DECLARATIONS OF INTEREST

No declarations of discloseable pecuniary interests were made.

24

PLANNING APPLICATION NO. 13/4988/16 - LAND TO REAR 94-106 THORNPARK RISE, EXETER

The Assistant Director City Development presented the application for demolition of 54 garages owned by Exeter City Council, and the erection of 8, 3 bed, 4 person semi-detached houses and associated access and parking.

Members were circulated with an update sheet - attached to minutes, which included further clarification regarding the current occupancy of the garages.

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

A revised proposal for reducing the scheme to 8 from 9 homes (four pairs of semi-detached houses) of standard design had been submitted, including parking provision for 12 spaces. The Assistant Director City Development responded to a comment on the ownership of the garages.

RESOLVED that planning permission for land to rear of 94 – 106 Thornpark Rise, Exeter be **APPROVED** subject to a legal agreement limiting occupation of 35% of units as affordable houses and 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 6 February 2014 (dwg. Nos. AL(0)200TR Rev P3, LL(0)400TI Rev P, AL(0)201TR REV P3, AL(0)202TR Rev P3, AL(0)203TR Rev P3, AL(0)204TR Rev P3, AL(0)206TR Rev P2, AL(0)205TR Rev P3) as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved drawings.

- 3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials confirm with the visual amenity requirements of the area.
- 4) The development shall not begin until full details of drainage works have been submitted to and approved by the Local Planning Authority in writing.
Reason: To ensure the satisfactory drainage of the development.
- 5) 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: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 6) 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: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 7) No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2005 - 'Trees in Relation to Construction'. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.
Reason: To ensure the protection of the trees during the carrying out of the development.
- 8) The proposed estate road, cycle ways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.

- 9) No part of the development hereby approved shall be brought into its intended use until the secure cycle parking facilities have been provided and maintained in accordance with details stated on drawing no. LL (0) 400 T1 Rev P. Thereafter the said facilities shall be retained for that purpose at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 10) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The statement should include details of access arrangements and timings and management of arrivals and departures of vehicles associated with the construction process.
Prior to commencement it is recommended that the developer consults, and if necessary meets with, the Local Highway Authority to establish a safe means of progress. The approved Statement shall be adhered to throughout the construction period.
Reason: In the interests of highway safety and public amenity.
- 11) 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: In the interests of local amenity.
- 12) Unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of the development a time frame for the installation of photo voltaic panels in line with the details set out in section of the submitted Design and Access Statement Rev P1 dated 03/02/2014 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed strictly in accordance with the approved details, and upon installation, the photo voltaic panels shall thereafter be maintained so that they provide the required level of generation.
Reason: In the interests of sustainable development.
- 13) Within 1 month of occupation all occupants of the new dwellings hereby approved shall be provided with a residential travel pack containing details (and maps if appropriate) of walking and cycling routes in the area and their links to wider networks within the city, and timetables and routes of public transport provision in the area.
Reason: To encourage the adoption of sustainable modes of transport and minimise reliance on private motor vehicles.
- 14) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.
Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

- 15) Following demolition of the garages and prior to the construction of the replacement dwellings hereby approved details of the proposed boundary treatment, including any retaining structure required, between the site and Nos 67-85 Birchy Barton Hill shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the development shall be completed strictly in accordance with the approved details.

Reason: In the interests of the visual amenity of the area and the residential amenities of the occupants of the adjoining properties.

25 **PLANNING APPLICATION NO. 13/4937/03 - 15 REGENTS PARK, EXETER**

This item was deferred to enable an updated position to be reported. It was anticipated that the application would be presented to the Planning Committee meeting to be held on 17 March 2014.

26 **PLANNING APPLICATION NO. 13/5032/02 - TITHEBARN GREEN LAND AT MONKERTON, EXETER**

The Area Planner presented the application for reserved matters on details of the Link Road between Cumberland Way and Tithebarn Lane Bridge (Ref 12/0802/01) which related to the link road to Exeter, and was needed to help deliver additional housing in East Devon and support future employment opportunities.

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

Members were circulated with an update sheet - attached to minutes. It contained details of a further objection which had been received identifying issues similar to those set out in the main report.

Ms Carleton spoke against the application. She raised the following points:-

- the Gipsy Hill has been a hotel since the 1960's and is a family run business run by myself and my two daughters. In its past it has been a Judges' Lodge and past guests include Cliff Richard, John Major and, more recently, David Miliband. Its facilities and gardens contribute to the quality of life in the local community. It's internal facilities are able to play host for 400 guests and, with its gardens, many more.
- the closure of the link road would be so detrimental to the hotel that it would threaten its closure and, with the closure, the staff, who have mortgages to pay, would lose their jobs.
- the hotel played a vital part in the cycle path scheme. A strip of land was sold to the County Council for just £1,000 without which, Government funding would have been lost. Now the County Council seem to have disregarded the hotel completely.
- the County Council have produced the "Monkerton and Hill Barton Transportation and Access Strategy" where there is no reference to the Hotel or the number of trips generated to and from it. Yet figures have been produced that suggest that the average daily trip count for the hotel is 241 (88,000 per annum) and many of these are in rush hours. Yesterday lunch time an hour was spent finding out the direction of guests travelling to and from the hotel. Between 1.15pm and 2.15pm there were 15 motor vehicles and, of the 30 trips, 50% were via Pinhoe. This same document has an orange line showing that Gipsy Hill Lane is a cycle and pedestrian

infrastructure. Yet the Lane has the aforementioned vehicle movement which includes large delivery vans and coaches.

- three of the closest neighbours who would most greatly be affected by the road closure were never consulted so were unable to object. The letters that were received should have clearly identified that Pinn Lane was going to be closed.
- a plan of the link road shows provision for a staggered junction close to Pinn Lane. It would be simple to provide a connection from the south of Pinn Lane. This could be changed if and when the staggered junction was built. This change in the plans could be made quite easily. The changes would eliminate the threat of closure of the hotel.
- benefits for keeping the junction open include:-
 - a) the B bus will still be able to continue for locals and hotel guests to use
 - b) compliance with the 2004 Traffic Management Act to facilitate the expeditious movement of traffic i.e. traffic will be dispersed in two directions and less build up for traffic leaving Exeter Business Park
 - c) reduced carbon emissions due to reduced journey times in line with Government policies
 - d) emergency vehicles will keep the required two points of entry.
 - e) local residents will be able to use the facilities of the hotel and jobs won't be lost.
- the above benefits should be considered and:-
 - a) the Access Strategy documentation is inaccurate and should therefore not be relied on.
 - b) some of the neighbours were not consulted.
 - c) the fact that Pinn Lane was to be closed was not made clear.
 - d) present plans could easily be changed.
 - e) Since the opening of Cumberland Way the problem of the rat run no longer exists
- request refusal of the application

She responded as follows to Members' queries:-

- the staff profile was varied with many long standing members of staff who lived local to the hotel.
- officers from Devon County Council had visited the hotel in relation to the development of the cycle route.

Responding to Ms Carleton's query as to why a crossroads could not be provided, the Area Planner stated that the County Council had indicated that it would not be safe.

The Assistant Director City Development confirmed that any delay could jeopardise external funding for the Tithebarn Green link road and work was due to commence as early as 2 June. Members were sympathetic to the potential impact on the Gypsy Hill Hotel, but considered that the economic impact of not approving the application would be far greater. The Chair proposed an adjournment to allow more dialogue with Devon County Council officers to address some of the issues raised.

RESOLVED that a decision on planning permission for reserved matters on details of the Link Road between Cumberland Way and Tithebarn Lane Bridge (Ref

12/0802/01) be **ADJOURNED** until the Planning Committee meeting on 24 February 2014.

27

PLANNING APPLICATION NO. 13/5118/03 - HALL HOUSE, 15 CATHEDRAL CLOSE, EXETER

The Assistant Director City Development presented the application for the erection of two nursery classrooms for additional nursery provision at Hall House, Exeter Cathedral School to enable the number of pupils to increase from 120 to 153.

Members were circulated with an update sheet - attached to minutes including revised and additional conditions.

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

The Assistant Director City Development reported the views of English Heritage, the Conservation Officer and Environmental Health Officer which were included on the update sheet.

It was **RESOLVED** that planning permission for two classrooms for nursery provision be **APPROVED** subject to the following conditions –

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings - Notwithstanding details contained within the submitted plans, samples of the materials (including sample panels where appropriate) intended to be used externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform to the visual amenity requirements of the area.
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) No part of the development hereby approved shall be brought into its intended use until the cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by the Local Planning Authority and retained for that purpose at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 7) C57 - Archaeological Recording
- 8) Notwithstanding Condition no. 2 no work shall commence on site under this permission until full details of the proposed external lighting for the building and associated play/garden space have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

- 9) New Condition - The original boundary walls and doorways shall be protected throughout the development and shall not be removed or altered without the prior written consent of the Local Planning Authority.
Reason: To protect and preserve the character of the listed building.
- 10) New Condition - No material or equipment required in connection with works hereby approved shall be brought onto site until a construction management plan which outlines the methodology of the works to be undertaken, to include areas identified for material/equipment storage and proposed means of access for construction traffic and delivery.
Reason: To protect and preserve the character of the listed building.
- 11) New Condition - The building hereby approved shall not be used otherwise than in association with the Hall House.
Reason: To prevent the subdivision and retain the historic spatial hierarchy of the site.

28

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

29

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

30

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party be held on Tuesday 4 March 2014 at 9.30 a.m. The Councillors attending will be Prowse, Sutton and Winterbottom.

Additional Information Circulated after Agenda Dispatched - circulated as an appendix

(The meeting commenced at 5.30 pm and closed at 6.40 pm)

Chair

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PLANNING COMMITTEE - SPECIAL

Monday 24 February 2014

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Choules, Denham, Mrs Henson, Newby, Owen, Prowse, Sutton,
Tippins and Winterbottom

Apologies:

Councillors Edwards and Mitchell

Also Present:

Chief Executive & Growth Director, Assistant Director City Development, Senior Area
Planning Officer, Planning Solicitor and Democratic Services Manager (Committees)

31 DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

32 PLANNING APPLICATION NO. 13/5032/02 - TITHEBARN GREEN LAND AT MONKERTON, EXETER

The Senior Area Planning Officer presented the application for reserved matters on details of the Link Road between Cumberland Way and Tithebarn Lane Bridge (Ref 12/0802/01) which related to the part of the link road to Exeter, which was needed to help deliver additional housing in East Devon and also in relation to the future development of Cranbrook and to support employment in the area and Exeter.

This application had been deferred at Planning Committee on 17 February 2014 to enable further discussions to take place between Devon County Council Highways and Exeter City Council. Members were shown two additional plans received from Devon County Council.

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

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

Mr Hulland (Devon County Council Transportation Studies Manager) advised that a Toucan crossing was proposed at the crossing point with Pinn Lane for safety reasons. This would have a limited impact on the traffic on the Link Road and cause minimum disruption to the traffic flow. The route was a key link to provide a safe route to the proposed Primary School and was an important strategic cycle corridor.

Ms Carleton spoke against the application. She circulated to the Planning Committee an additional information sheet and raised the following points:-

- the Gypsy Hill Hotel was one of few independent Hotels in the city
- if closed, would be a loss of revenue to the Council in the form of business rates
- it provides a conference facility with accommodation for delegates
- it would be a loss of a local community facility

- there was no mention of the closure of Pinn Lane in the planning application
- was vital that Pinn Lane was not stopped up for the Hotel to remain open.
- believe the closure of Pinn Lane and the probable closure of the hotel will conflict with the Local Vision for Sustainable Development and the three dimensions to sustainable development produced by the City Council;
- the Economic role. The hotel is one of the few hotels left in Exeter which is not identikit. Guests travelling in particular along the M5 corridor choose to stay because the owners and rooms are individual and room types, which are not available at other hotels in Exeter, are offered in addition to the onsite restaurant bar and lounge which are open to everyone. This tourist revenue will be lost together with the £40,000 annual taxes paid to the Council;
- the Environmental role. Account has not been made of the number of functions and conference guests. A local company has held 23 conferences at the Hotel in the last 15 working days. Many of these delegates walk to the hotel. With the loss of the hotel they will have to travel by car to a different venue several miles away. Conference guests often need bedrooms, other local conference venues do not have accommodation so delegates have to drive to a hotel, if needed;
- the Social Role. Pinhoe only has one pub and no cafes or restaurants. The hotel caters for the social needs of the local community. Policy DD17 encourages tourist and cultural uses, and ensures the retention of existing uses. The National Planning Policy Framework requires planning policies to guard against loss of facilities and services.
- it seems wrong that, as the closure of Pinn Lane was not mentioned in the application, the Traffic Assessment or the Traffic Plan cannot be proposed now. The documentation does not say that Pinn Lane is to be closed from the south. Documents also show that the public consultation also avoided this.
- the Government planning portal website states in a Design and Access statement that applicants must also explain how any issues which might affect access to the proposed development have been addressed. This has not been done in respect of the proposed closure of Pinn Lane.
- sometimes traffic in the evenings queue back as far as the entrance to Pinn Lane. My daughter already has to add an extra ten minutes to her journey when travelling in rush hour to allow for the traffic in the business park, this will only get worse if Pinn Lane is closed.
- should Pinn Lane be closed, the application shows that the access point from the south of Pinn Lane is for pedestrians. No objection to this, but would object to the access point being available to cyclists as it is not in the application. It would be much safer for pedestrians if cyclists were not allowed.
- Tourism and small businesses play a vital role in the economy of Exeter and offer to work with the Council to take steps to keep the road open rather than threaten the existence of the Hotel. Tourism is vital to the prosperity and economy of Exeter and Devon.
- the Design and Access statement does not state the closure of Pinn Lane.

She responded as follows to Members' queries:-

- had spent hours researching the Local Transport Plan and could find no mention of the closure of Pinn Lane; and
- improved signage could help to alleviate the issues although did have concerns that visitors would find it difficult to locate the Hotel.

The Transportation Studies Manager was questioned as to why if there was a Toucan Crossing for cyclists and pedestrian then why could there not be a crossing

for traffic lights. He responded that a longer phase of traffic lights would have significant capacity issues.

Ms T Jackson from Devon County Council spoke in support of the application. She raised the following points:-

- the key issue is Pinn Lane's crossing point with the Gypsy Hill Lane/Hollow Lane route which forms a strategic cycle corridor and a safe route to school; very important to make this junction as free of traffic as possible on safety and sustainability grounds
- met with a resident and Ms Carleton to discuss their concerns and investigated alternatives
- the question of the exact point of closure of Pinn Lane has been explored. Devon County Council would be happy with a closure at an alternative point further south, which would have satisfied the residents, but not the Hotel
- had explored how a junction onto the new Link Road could be formed; a crossroads is not advisable for safety reasons given the level of forecast traffic on the Link Road; a left in, left out option is not advisable as it is not possible to place restrictions on highway movements unless they are self-enforcing
- traffic signals will have a detrimental impact on the capacity of the Link Road.
- a staggered junction, utilising the stub junction, is feasible to build when looking purely at the engineering constraints but the key principle is to limit the traffic crossing the green corridor forming the safe route to school. The design of this link between the two developments would be to a residential standard, it would not be appropriate for this to serve as a suitable access for the Hotel
- assumed that most overnight guests at the Hotel arrive via Honiton Road, their access is unaffected.

She responded as follows to Members' queries:-

- a round-about at the junction with Gypsy Lane would have a negative impact on the traffic flow on the Link road
- there would be a minimal increase in the distance from Pinhoe Church to the Gypsy Hill Hotel this would not be enough to divert business away from the Hotel
- there would be island with bollards to prevent vehicles from travelling the lane
- a scheme of brown tourist signs could be included within the Link Road scheme as mitigation.

Mr Hulland clarified that plans displayed at the Public Consultation showed that Pinn Lane would be closed. The legal process of how the road would be closed, either Stopping Up Order or Prohibition of Vehicles' Order, would be considered by HATOC.

Some Members felt that Pinn Lane should be closed as the route was an essential part of the Monkerton Master Plan, would support a safe route to the school and would encourage a shift to sustainable modes of transport. Other Members felt that the closing of this part of Pinn Lane would have a negative impact on the businesses in the area.

RESOLVED that reserved matters details of Link Road between Cumberland Way and Tithebarn Lane Bridge (Ref 12/0802/01 granted 29.11.2013) be **APPROVED** subject to the following conditions:

- 1) C06 - Time Limit - Approval of Reserved Matter
- 2) C15 - Compliance with Drawings
- 3) All conditions imposed on notice of outline approval ref no.12/1802/01 are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

33 **PLANNING APPLICATION NO. 13/3822/03 - EXETER GOLF AND COUNTRY CLUB, TOPSHAM ROAD, EXETER**

The Assistant Director City Development presented the application for the erection of a specialist golf course netting (20 and 30 metres high) along specific sections of the golf course's boundaries.

The application was reported to Planning Committee on 30 September 2013. It resolved that it was minded to approve the application, however, it deferred a decision to provide an opportunity for the applicant, Exeter Golf & Country Club (EG&CC) and the adjacent developer (Persimmon Homes SW) to discuss an alternative, more appropriate solution.

The Assistant Director City Development updated Members on the planning application, alternative re-profiling options and the potential costs and the insurance issues. He advised of the difference in costs for the fencing and re-profiling that had been submitted by EG & CC and Persimmon Homes SW. The proposed 30 metre high fence would comprise of galvanised steel lattice towers set in 5 square metre concrete pads which would support dark netting. Members had received emails from Mr Dart and Mr Gannon.

Members were advised of the main issues including the impact of the proposed fence on the amenity of future residents and the wider landscape, the need for EG & CC to manage risk to the public and the feasibility of any alternative options of re-profiling the golf course.

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

Mr Holden (representing Persimmon Homes SW) spoke against the application. He raised the following points:-

- recognised that no one wants to see 30 metre high fence
- did not want to see the EG & CC close
- there were other solutions available
- the EG & CC could obtain insurance to protect them against 'Harm'
- there was significant differences in the costs that Persimmon Homes SW had submitted to those of the EG & CC
- his client had offered a significant contribution towards the costs of re-profiling the golf course
- there was an alternative solution to the 30 metre high fence.

He responded as follows to Members' queries:-

- was looking for a compromise and his client had offered £150,000 towards the costs of re-profiling
- site works were underway including on the boundary with the golf course.

Mr W Gannon (representing Exeter Golf & Country Club) spoke in support of the application. He raised the following points:-

- Chairman of EG & CC
- on 30 September 2013 the Planning Committee had been minded to approve the application for the fencing
- the Golf Club had fully engaged in the process to come up with alternative options but Persimmon Homes SW had not been willing to compromise
- had taken advice from professional golf consultants with regards to costs of re-profiling
- asked Planning Committee to approve the application as they were minded to do last September.

He responded as follows to Members' queries:-

- the Golf Club was willing to compromise but Persimmon Homes had only offered £150,000 towards the £616,000 costs of re-profiling. This cost did not include the loss of business and subsequent revenue that the club would incur during the work. Did not think it unreasonable for Persimmon Homes to pay for the costs of re-profiling and the Golf Club to cover the costs of the unknown loss of revenue while the re-profiling took place
- the golf club bankers are not willing to lend the Golf Club the £616,000 required for re-profiling
- if the application to erect the fence was approved golf club members would undertake some of the work themselves; the impact on the golf course would be minimal as the works would be undertaken in sections
- the price of one of the new houses is the same as the re-profiling costs
- had tried to work towards a compromise; the club offered local employment and community facilities, and did not want to move out of the city.

During discussion Members raised concerns regarding the aesthetic aspects of a 30 metre fence and felt that EG & CC and Persimmon Homes should work together to find a compromise that was agreeable to both parties.

RESOLVED that the application for erection of a specialist golf course netting (20 and 30 metres high) along specific sections of the golf course's boundaries, be deferred for further consideration of the feasibility of alternative solutions.

The Committee strongly urge the Exeter Golf & Country Club and Persimmon Homes SW to seek through agreed mediation to undertake further negotiations to resolve the position. A time table for negotiations should be presented to the next Planning Committee.

(The meeting commenced at 5.30 pm and closed at 8.10 pm)

Chair

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PLANNING COMMITTEE

Monday 17 March 2014

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Denham, Mrs Henson, Owen, Sutton, Tippins and Winterbottom

Apologies:

Councillors Choules, Edwards, Mitchell, Newby and Prowse

Also Present:

Assistant Director City Development, Area Planner (MH), Planning Solicitor, Highway Development Management Officer and Democratic Services Officer (Committees) (HB)

34

MINUTES

The minutes of the Ordinary Meeting held on 13 January 2014 and the Special Meeting held on 20 January 2014 were taken as read and signed by the Chair as correct.

35

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

36

PLANNING APPLICATION NO. 13/3822/03 - EXETER GOLF AND COUNTRY CLUB, TOPSHAM, EXETER

The Assistant Director City Development reported that on 24 February 2014, this Committee had resolved to defer consideration of the application for the erection of specialist golf course netting (20 and 30 metres high) to enable further discussions between the applicant and adjacent landowners on a more appropriate solution, with verbal updates to be given to future meetings of this Committee.

He advised that he had emailed the Golf Club and Persimmon on the following day seeking formal agreement to participate in a mediation process, agreement on the required mediation skills and views on a timetable. He had also researched accredited Royal Institute of Chartered Surveyors mediators who were south west based but not so local as to have more likelihood of a conflict of interest and he had passed three names to the Golf Club and Persimmon. Persimmon had responded, agreeing to a mediation process but had not commented on other matters. The agents for the Golf Club had commented that Will Gannon, the Chairman of the Golf Club, would represent the Club but was on holiday for a month from 8 March 2014. Dates for his availability would be advised on his return.

37

PLANNING APPLICATION NO. 13/5108/03 AND 13/5109/07 - THOMAS HALL, COWLEY BRIDGE ROAD, EXETER, EX4 5AD

The Area Planner presented the application for planning permission and listed building consent for construction of a new school (education use D1) and sports hall with associated car parking and landscaping, change of use and refurbishment of Thomas Hall for education and administrative purposes, construction of early years

accommodation, demolition of curtilage listed buildings, new pedestrian crossing on Cowley Bridge Road and associated pedestrian access from Cowley Bridge Road to Thomas Hall and alterations to existing lay-by on Cowley Bridge Road.

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

Councillor Mottram, having given notice under Standing Order No. 44, spoke on the item.

- measures need to be taken to ensure that the volume of vehicular traffic accessing the site via West Garth Road does not increase; and
- the school should seek to involve itself in the local community as much as possible including opening up its facilities to local residents which, if possible, should be free of charge.

The Highway Development Management Officer advised that as West Garth Road was a public highway restrictions could not be placed on traffic although markings for "school keep clear" could be provided on the road itself. He suggested that the school should be approached to monitor the use of this access.

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

- the Steiner School had operated successfully at its temporary location at the former Foxhayes Primary School site, Exwick since temporary permission had been granted in the summer of 2013, permission having been granted in the knowledge that the Thomas Hall site had been identified as a permanent location for the school;
- Thomas Hall had been recommended by planning officers and the proposed design was of a high standard which would preserve this Grade II Listed Building;
- the Department for Education is providing capital funding and requires schools supported in this way to fully engage with the local authority;
- the school will serve the whole of Exeter and surrounding district and will provide additional school spaces in the City as well as widening educational choice;
- the development aligns with existing planning policies, the National Planning Policy Framework requiring the support of the local planning authority;
- this will be a viable use of Thomas Hall and would bring wider economic benefits to the City;
- the reservations of residents regarding transport issues have been resolved in consultation with Highways officers at Devon County Council and a sustainable transport plan has been prepared; and
- car parking spaces on site achieve a balance between providing room for staff at the top of the site and for parents dropping off and picking up children from the car park at the bottom of the site. In addition, the impact on the listed building would be minimal.

He responded as follows to Members queries:-

- the Steiner Academy is keen to develop sustainable transport solutions for pupils, teachers and visitors to the school. Pupils will be encouraged to walk and cycle to school and there will be an appropriate route available to St. David's Station. Parents will be able to drop children off either at the layby on Cowley Bridge Road, near the entrance to the site, or at the car park at the bottom of the site. Access to the car park during drop off and pick up times for pupils and access during the rest of the day will only be possible

through a swipe card and a CCTV coverage system. Other visitors to the school will be met at the control point;

- 125 square metres of photo voltaic panels are to be provided and the school will be insulated to the highest standards and a fuel efficient heating system used;
- the school intends to engage with the local community and the hall and sunken/walled garden will be made available in due course. Regard will be had however to security issues.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 to secure (if necessary) the direct provision of off-site highway improvements in Cowley Bridge Road including a new pedestrian crossing and to secure financial contributions towards new traffic orders and improvements to the raised pedestrian walkway on Cowley Bridge Road in the light of the increased level of usage directly resulting from the establishment of a school on the application site, planning permission for the construction of a new school (education use D1) and sports hall with associated car parking and landscaping, change of use and refurbishment of Thomas Hall for education and administrative purposes, construction of early years accommodation with the existing landscape, demolition of curtilage listed buildings, new pedestrian crossing on Cowley Bridge Road and associated pedestrian access from Cowley Bridge Road to Thomas Hall and alterations to existing lay-by on Cowley Bridge Road be **APPROVED**, subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) Within three months of the commencement of the development (the date of which shall be confirmed in writing) a detailed scheme for landscaping of the site, including the planting of trees and/or shrubs, and the use of surface materials shall be submitted to the Local Planning Authority. Such scheme shall be based upon the concept planting plan drawing no. P-SAE-007 Rev 5 and 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 and agreed programme.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 5) Other than those agreed on the plans hereby approved no trees or hedges on or around the site shall be felled, lopped or removed without the prior written consent of the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 6) C38 - Trees - Temporary Fencing
- 7) Construction work shall not take place outside the following times: 8am to 6pm (Monday to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of the amenity of occupants of nearby buildings.

- 8) A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction phase, including site traffic (management of arrivals and departures of vehicles) and emissions of noise and dust. This should also include details of the access arrangements, phasing and timing of work to minimise noisy activities on Saturdays and measures that will minimise the impact of construction traffic on the local road network, including parking provision during the construction process. The CEMP should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during this phase of the development, in order to discuss forthcoming work and its environmental impact.
Reason: In the interests of highway safety and local amenity.
- 9) Details of all building services plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope, are also required to be submitted to and approved in writing by the LPA. The predicted noise levels shall be submitted prior to commencement of the development and shall be demonstrated by measurement prior to occupation of the development.
Reason: In the interests of local amenity.
- 10) 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: In the interests of the amenity of the occupants of the buildings hereby approved.
- 11) No part of the development hereby approved shall be brought into its intended use until the access drive/entrance, visibility splays, passing bays, car parking and turning/servicing areas and servicing areas have been provided in accordance with details that shall previously have been submitted to, agreed and approved in writing by, the Local Planning Authority in liaison with the Local Highway Authority. Thereafter the said facilities shall be retained and maintained for their intended purpose at all times.
Reason: To provide a safe and suitable access, in accordance with paragraph 32 of the NPPF, and ensure that adequate facilities are available for the traffic attracted to the site.
- 12) Prior to the commencement of works relating to the provision of the parking facilities in the south-east corner of the site a detailed construction method statement and detailed design specifications for these works shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the construction of this element of the scheme shall proceed strictly in accordance with the details approved pursuant to this condition.
Reason: To ensure that the construction of this parking area is carried out with minimal impact on the surrounding vegetation and in a design that is

appropriate to the character and appearance of the setting of this Grade II Listed Building.

- 13) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the said facilities shall be retained for that purpose at all times
Reason: To maximise the potential for the use of sustainable modes of transport by providing adequate facilities for the storage of cycles.
- 14) The development hereby approved shall be implemented in accordance with the submitted Flood Risk Assessment dated December 2013.
Reason: To ensure that the development proceeds in accordance with an appropriate drainage strategy to minimise any potential flood risk arising from the development.
- 15) C57 - Archaeological Recording
- 16) Notwithstanding the submitted Travel Plan a revised Travel Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development and a review of travel patterns for the site shall be undertaken within six months of occupation of the development and on an annual basis thereafter, unless otherwise agreed with the Local Planning Authority.
Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF.
- 17) Unless otherwise agreed in writing by the Local Planning Authority all of the interior works within Thomas Hall shall proceed strictly in accordance with individual room specification schedules that shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the works being carried out. The room specification schedules shall specify the interior finishes proposed.
Reason: In the interests of the preservation of the character and appearance of this Grade II Listed Building.
- 18) Prior to the erection of any buildings/structures within walled garden detailed plans of the siting, size and external appearance of the proposed buildings shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the development shall be completed in strict accordance with the approved details.
Reason: In the interests of the character and appearance of this Grade II Listed Building and its setting.
- 19) Any external lighting of the buildings and grounds shall only be implemented in accordance with details that shall previously have been submitted to and approved in writing by, the Local Planning Authority.
Reason: In the interests of the character and appearance of this Grade II Listed Building and its setting and to ensure that potential light pollution is minimised.
- 20) The development hereby approved shall be implemented strictly in accordance with the recommendations and mitigation strategies set out in the submitted Extended Phase 1 Habitat Survey and Protected Species Survey dated December 2013 (Report No: 13/2293rev02) and October 2013

(Report No: 13/22293b) respectively. If, as a result of any further surveys undertaken as identified in the above documents, the presence of any protected species are identified works should only be proceed in accordance with further details and specifications that shall be submitted to and approved in writing by the Local Planning Authority prior to works being carried out.

Reason: To ensure that the development proceeds without detrimental impact on any protected species present on the site and without undue harm to existing wildlife habitats on the site.

- 21) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved in writing by the Local Planning Authority. The Wildlife Plan shall include details of the provision of additional wildlife habitats, including but not limited to integral bird/bat boxes, as well as on-going landscape management measures aimed at enhancing the overall wildlife/ecological value of the site. Thereafter the development shall be carried out entirely in accordance with the approved plan.

Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area to ensure that the wildlife opportunities associated with the site are maximised in the interests of biodiversity.

- 22) Notwithstanding Condition 2 and unless otherwise agreed in writing, no work shall commence on any individual building under this permission until details of the following for that building have been submitted to and approved in writing by the Local Planning Authority:-

Full elevational and sectional details of the following elements of the development to a scale of 1:20 and 1:5 :-

- i) windows, cills, headers and reveals, including materials and fixing methods;
- ii) all details of parapets, eaves, verges, rainwater goods, louvres, canopies and external doors.

Reason: To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development, and in the interests of the character and setting of this Grade II listed building.

- 23) Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall proceed strictly in accordance with details and recommendations as set out in the submitted Tree Survey and Assessment dated December 2013.

Reason: To ensure that the development is implemented with minimal impact upon the trees within the application site in the interests of the visual amenities of the area and the setting of this Grade II Listed Building.

- 24) Prior to the school hereby approved being brought into use the school opening hours for each of the different year groups on Mondays to Fridays shall be staggered to spread the distribution of trips in a pattern to be agreed in writing by the local planning Authority.

Reason: To prevent a severe impact on the public highway arising as a result of the proposed development.

- 25) No part of the development hereby approved shall be commenced until details of the access arrangements from the A377 including

- Approved Lay-by arrangements
- Access arrangements for site traffic entering and exiting the A377

- Signalised crossing of the A377
- An acceptable Road Safety Audit of the proposals being put forward.

have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the proposal shall be implemented in accordance with the approved details at all times.

Reason: To provide a safe and suitable access for all users and prevent a severe impact on the operation of the A377, in accordance with paragraph 32 of the National Planning Policy Framework.

- 26) No part of the development hereby approved shall be occupied until the arrangements pertaining to condition 25 above have been provided in accordance with details previously submitted to, and agreed in writing, by the Local Planning Authority and shall be retained for these purposes at all times.
Reason: To provide a safe and suitable access for all users, in accordance with paragraph 32 of the National Planning Policy Framework.
- 27) Unless otherwise agreed in writing by the Local Planning Authority the existing access onto West Garth Road, as indicated on drawing P-SAE-005 Revision 11, shall be retained for use as a pedestrian and emergency vehicle access point to serve the development at all times.
Reason: To prevent severe highway impacts on the operation and safety of the A377, in accordance with paragraph 32 of the NPPF.
- 28) A Car Park Management Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority and Local Highway Authority prior to commencement of any part of the development. A review of travel behaviour shall be undertaken within 6 months of occupation of the development and the Car Park Management Plan updated on an annual basis thereafter, unless otherwise agreed with the Local Planning Authority.
Reason: To ensure that adequate on-site parking provision is provided and operated as to prevent a severe impact on the A377 and ensure safe and suitable access to the site is maintained, in accordance with paragraph 32 of the NPPF.
- 29) Unless otherwise agreed in writing by the Local Planning Authority no other part of the development hereby approved shall be commenced until the site access onto Cowley Bridge Road, and driveway up to the first passing place shown on drawing no. P-SAE-005 Rev 11, have been widened in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include information relating to the proposed re-built gate posts and new gates as well as the width of the access and the construction details for the widened section of the drive. Thereafter the development shall be completed strictly in accordance with the approved details.
Reason: To ensure that safe and suitable access is provided to the site and to ensure that the details area appropriate to the setting and character of this Grade II Listed Building.

RESOLVED that Listed Building Consent for the construction of a school be **APPROVED**, subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings

- 3) C17 - Submission of Materials
- 4) Prior to the commencement of works relating to the provision of the parking facilities in the south-east corner of the site a detailed construction method statement and detailed design specifications for these works shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the construction of this element of the scheme shall proceed strictly in accordance with the details approved pursuant to this condition.
Reason: To ensure that the construction of this parking area is carried out with minimal impact on the surrounding vegetation and in a design that is appropriate to the character and appearance of the setting of this Grade II Listed Building.
- 5) C57 - Archaeological Recording
- 6) Unless otherwise agreed in writing by the Local Planning Authority all of the interior works within Thomas Hall shall proceed strictly in accordance with individual room specification schedules that shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the works being carried out. The room specification schedules shall specify the interior finishes proposed.
Reason: In the interests of the preservation of the character and appearance of this Grade II Listed Building.
- 7) Notwithstanding Condition 2 and unless otherwise agreed in writing, no work shall commence on any individual building under this permission until details of the following for that building have been submitted to and approved in writing by the Local Planning Authority:-
Full elevational and sectional details of the following elements of the development to a scale of 1:20 and 1:5 :-
i) windows, cills, headers and reveals, including materials and fixing methods;
ii) all details of parapets, eaves, verges, rainwater goods, louvres, canopies and external doors.
Reason: To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development, and in the interests of the character and setting of this Grade II listed building.

38

PLANNING APPLICATION NO. 13/4984/01 - LAND KNOWN AS MONKERTON FARM ON WESTERN AND EASTERN SIDES OF CUMBERLAND WAY, EXETER

The Assistant Director City Development presented the application for outline planning permission for residential development scheme including new access to Cumberland Way and internal roads to accommodate two way public transport link between Cumberland Way and Harts Lane, and associated infrastructure (All matters reserved for future consideration apart from access).

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

The Assistant Director City Development reported the receipt of seven additional objections and a revision to the directed condition sought by the Highways Agency. Late representations queried whether the design of the right turn out of the site onto Cumberland Way was appropriate and sought a roundabout to serve both this development and the site opposite which had been purchased by Barratt Homes.

Councillor Macdonald, having given notice under Standing Order No. 44, spoke on the item

- the proposed road layout shown in drawing No. V2A - Preliminary Road Layout is unsatisfactory, in that it does not allow for the creation of a roundabout which would serve development to the west equally as development is being served to the east of Cumberland Way. Request that the drawing be withdrawn and serious consideration be given to the optimum road layout, with the potential to serve developments on both sides of Cumberland Way. The redesign of the Cumberland Way single access point into a roundabout serving both sides of Cumberland Way is the best solution to problems associated with Station Road and Pinn Lane;
- Pinhoe is subject to a large number of separate developments and no individual development should be considered in complete isolation. Where a development has a feature which might, at an early stage, be altered so as to facilitate improvements in an adjacent development this ought to be given due consideration, the application by Barratt Homes, for example, on the west side of Cumberland Road has significant difficulties including construction site traffic and eventual residents' traffic. Traffic issues will therefore cause nuisance and it is therefore reasonable to look at adjacent developments to see whether an alternative access route can be achieved;
- the Monkerton masterplan has already been over-ridden, in other planning applications, in favour of later improved proposals. It is not an authoritative document, but an amalgamation of design concepts meant to guide development. It can have no deciding status as to whether or not there should be a roundabout;
- construction site traffic has been a significant problem to Pinhoe residents particularly at Station Road or Pinn Lane over the past two years – noise, weight of lorries damaging the road, affect on South West Water's underground pipes. Crucially, the agreed route for the construction lorries was on two-way traffic roads, with pavements on both sides;
- County Councillor Morse is supportive of a roundabout as is Gareth Kendall, who is in charge of Barratt Homes' Monkerton development. There are already more roundabouts on the Sowton side of Cumberland Way and there should therefore be a similar number on the Pinhoe side - the addition of a fourth roundabout is not excessive - it merely equalises, on either side of the ridge, the access routes off Cumberland Way.
- at the very least, make provision for site construction traffic access to the east side of Cumberland Way, as well as its provision to the west.
- oppose the opening up of Monkerton Drive and converting from a cul-de-sac into an avenue as it would need the width of the road to be increased, which would bring traffic too close to the mature trees. Although it has been the intention to open up the cul-de-sac this was before the Residential Design Guide supplementary planning document was upgraded. The proximity of the road to houses in this specific style of development would not now be favoured. There is too much loss of amenity if traffic levels were to rise even by 10% let alone the far larger percentage of vehicles that would be travelling back and forth day and night because of Monkerton Drive being the only access. There would be no need to open it up as a roundabout entry point from Cumberland Way was a genuine option

Mrs Thompson spoke against the application. She raised the following points:-

- work on the Tithebarn Link road is set to commence in July 2014 and will impact on the other roads in Pinhoe notably Pinn Lane and Station Road. Part of the former is to be closed and this is likely to lead to tail backs on Station Road and lead to dangerous conditions at the railway crossing. The report does not refer to the frequency of closures of the safety barrier at the level crossing;

- support call for roundabout at Cumberland Way to serve the housing development to the west; and
- further information required in respect of closure of Pinn Lane.

Members referred to the need for more than 10% open space to create a Ridge Line Park.

The Highway Development Management Officer explained why the County Council was not supportive of an additional roundabout. The proposed priority junction was desired so that the proposed primary school (for 620 pupils) would not be off a cul de sac. Cumberland Way was a classified route carrying a reasonably amount of traffic and to maintain its function it was necessary to minimise the access points onto it. A roundabout was opposed as it would be detrimental to pedestrians and cyclists travelling north-south on Cumberland Way and was likely to have a higher accident rate than a ghost island priority junction. In addition, the proximity of the roundabout to the Pinhoe Road traffic signals would not be acceptable and it would be unreasonable to require the development east of Cumberland Way and north of Harts Lane(circa 60-80 dwellings) to provide a roundabout.

The Highway Development Management Officer also explained why there was a need for the roundabouts on the Sowton side of Cumberland Way but that an additional roundabout was both contrary to the National Planning Policy Framework and the County Council's highway hierarchy. He stated that construction access off of Cumberland Way, if feasible, would be preferable.

Because of the late receipt of objections relating to the issue of an additional roundabout Members felt that further evidence for the assertion that a roundabout was not required would be helpful. It was also felt that a site inspection should be held.

RESOLVED that the application for outline planning permission for residential development scheme including new access to Cumberland Way and internal roads to accommodate two way public transport link between Cumberland Way and Harts Lane, and associated infrastructure (All matters reserved for future consideration apart from access) be **DEFERRED** for a site inspection by all Members of this Committee (with an invitation to Ward Members), Members to all consider the traffic consequences of the future developments on this area.

39

PLANNING APPLICATION NO. 14/0395/26 - LAND BETWEEN HOLLOW LANE AND HARTS LANE, EXETER, EX1

The Assistant Director City Development presented the Devon County Council Consultation for a new 630 pupil primary school with potential to increase to 840 in the future.

Members were circulated with an update sheet - attached to minutes. It set out revised pupil numbers provided by Devon County Council.

RESOLVED that the City Council **RAISE NO OBJECTION** in principle to the proposal, subject to the removal of the reference to future temporary buildings and to a commitment that the following matters will be secured:-

- co-located community facilities, including arrangements for access and management to be achieved through a Section 106 Agreement under the Town and Country Planning Act 1990;
- pedestrian/cycle access to the site from Hollow Lane.

- conditions requiring connection to the District Heating Network when this becomes feasible, and the achievement of a BREEAM 'excellent' development, both in accordance with the terms set out in the City Council's Core Strategy.
- further conditions relating to materials, landscaping, sustainable travel and the provision of cycle storage facilities, showers and lockers for staff, implementation of a wildlife plan, a Construction Environmental Management Plan, a noise assessment and contaminated land.

40 **PLANNING APPLICATION NO. 14/0057/03 - LAND TO WEST OF PILTON LANE, EXETER**

The Assistant Director City Development presented the application for planning permission for a three storey building containing 41 retirement apartments including communal facilities and associated car parking and landscaping.

Councillor Macdonald, having given notice under Standing Order No. 44, spoke on the item

- fully support the application which is a good example of an applicant having consulted extensively with local residents. The development will be an asset to the local community as Pinhoe has a high proportion of elderly residents some of whom will be looking to move into the units if they decide that they require a greater level of supported living.

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

- full consultation has been carried out with local residents
- the design meets the standards of the Core Strategy
- 35 car parking spaces will be provided for the 41 units which is 50% higher than the level of parking provided at the McCarthy and Stone development at Isabel Court in Cowick Street;
- the development helps meet the need for flexible housing opportunities in the City for the elderly. Some 70% of elderly residents in Exeter are owner occupiers and their movement to specialised housing will release housing for other families in the City; and
- the nature of this development does not lend itself to include affordable housing but McCarthy and Stone are set to provide some £700,000 through CIL and the New Homes Bonus; and
- the development does meet energy efficient requirements.

He responded as follows to Members' queries:-

- McCarthy and Stone are committed to the district heating system and would sign up immediately if it was in place. It was likely that full connection of internal systems for space and water heating would take a number of years before being connected to the proposed decentralised energy network with necessary on site infrastructure also put in place for connection of those systems to the network; and
- the average age of residents is in the late 70's and many remain very active and make use of the social activities organised within the complex such as quizzes etc. Facilities will include a residents' lounge, on site laundry, guest suite, manager's office etc.

RESOLVED that, subject to prior consultation with the Chair of the Planning Committee, the Assistant Director City Development be granted delegated authority, to **DETERMINE** the application for planning permission for a three storey building containing 41 retirement apartments including communal facilities and associated car parking and landscaping, subject to a Section 106 Agreement under the Town and Country Planning Act 1990 (if such an Agreement is deemed necessary) to secure affordable housing (if found to be viable) and connection to district heating (this could alternatively be dealt with via a condition if the applicant prefers) and subject also to the following conditions (which may be varied or supplemented as appropriate):-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C36 - No Trees to be Felled
- 6) C37 - Replacement Planting
- 7) C38 - Trees - Temporary Fencing
- 8) 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: In the interests of local amenity.
- 9) The applicant shall submit a scheme for protecting all flats facing on to Pinhoe Road from road noise, internal noise sources and any associated plant. The scheme shall give consideration to providing adequate ventilation without compromising the internal acoustic environment.

The scheme shall include details of all building services plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope.

The scheme will also provide detail and location of external screening and predicted external noise levels in amenity areas.

The scheme will be based on the results of the aforementioned 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 permitted development is occupied. The applicant should aim to achieve the 'Good' standards for internal noise level specified in BS8233:1999 Sound Insulation and Noise Reduction for Buildings – Code of Practice.

Reason: In the interests of the amenity of the occupants.

- 10) The buildings comprised in the development hereby approved shall be constructed so that their internal systems for space and water heating are capable of being connected to the proposed decentralised energy network. Prior to occupation of the development the necessary on site infrastructure

shall be put in place for connection of those systems to the network at points at the application site boundary agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

- 11) The development hereby approved shall achieve Code for Sustainable Homes Level 4 (including a 44% CO2 emissions rate reduction from Part L 2006) as a minimum, and a CSH Level 5 (Zero Carbon) if commenced on or after 1st January 2016, in accordance with the requirements of the Code for Sustainable Homes 2006 and the Code for Sustainable Homes Technical Guide November 2010 (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.

- 12) Prior to commencement of development the developer shall submit to the Local Planning Authority a Design Stage CSH assessment including the score expected to be achieved and which standard this relates to. Where this does not meet the minimum required standard the developer must provide details of what changes will be made to the development to achieve the minimum standard, and thereafter implement those changes. Unless otherwise agreed in writing by the Local Planning Authority, the development shall not 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 the developer shall submit to the Local Planning Authority a Final Code Certificate to demonstrate that a Final Code Level of 4 or 5 has been achieved as required above.

Reason: In the interests of sustainable development.

- 13) Unless otherwise agreed in writing by the Local Planning Authority, prior to occupation of the development, the biodiversity enhancement measures set out in the agreed Habitat Management and Biodiversity Plan shall be implemented.

Reason: In accordance with the terms of the submitted application and to enhance biodiversity.

41

PLANNING APPLICATION NO. 13/4937/03 - 15 REGENTS PARK, EXETER, EX1
2NT

The Assistant Director City Development presented the application for variation of condition two to approve amended plans showing alterations to entrances and layout (Ref No. 12/0922/03 granted 11.09.12).

The Assistant Director City Development reported that a letter had been received from the objector's Solicitor requesting the alteration of condition three to read "three" instead of "six" months and that evidence be provided that insulation works carried out at the property had been undertaken satisfactorily. It was accepted that as the works had been undertaken it was not possible to provide satisfactory evidence other than a statement from the contractor who had undertaken the work.

RESOLVED that the application for variation of condition two to approve amended plans showing alterations to entrances and layout (Ref No. 12/0922/03 granted 11.09.12) be **APPROVED**, subject to the following conditions:-

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) C15 - Compliance with Drawings
- 3) Within three months of the date of this permission, the applicant shall confirm in writing to the Local Planning Authority, together with written confirmation from the contractor who undertook those soundproofing works, that the soundproofing works shown on the drawings approved under condition 2 have been implemented.
Reason: To ensure that the potential for noise disturbance to the adjoining neighbours is minimised.

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

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

43 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

44 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party be held on Tuesday 1 April 2014 at 9.30 a.m. The Councillors attending will be Bialyk, Mrs Henson and Sutton with all Members of this Committee and Ward Councillors also invited.

45 **ENFORCEMENT REPORT**

The Assistant Director City Development presented the report updating Members on enforcement matters.

RESOLVED that the report be noted.

46 **MATTHEW PAGE, PLANNING SOLICITOR**

The Chair reported that this would be the last Planning Committee of Matthew Page, the Planning Solicitor. The Chair and Members thanked Matthew for his hard work and service to the Council and wished him well for the future.

(The meeting commenced at 5.30 pm and closed at 8.20 pm)

Chair

LICENSING COMMITTEE - SPECIAL

26 February 2014

Present:

Councillor Dawson (Chair)

Councillors Clark, Denham, D J Henson, Macdonald, Newby, Payne, Pearson, Ruffle, Shiel, Tippins and Winterbottom

Apologies:

Councillors Laws and Choules

Also present:

Assistant Director Environment, Environmental Health and Licensing Manager, Licensing Solicitor, Solicitor and Democratic Services Officer (Committees) (SLS)

1 **Minutes**

The minutes of the meeting held on 19 November 2013 were taken as read and signed by the Chair as a correct record.

2 **Declarations of Interest**

No declarations of discloseable pecuniary interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

3 **Application for the Grant of a Sex Entertainment Venue Licence - EX4 - Eden Lounge, 162-163 Fore Street, Exeter**

At 6.15pm Councillor Macdonald withdrew from the meeting.

The Assistant Director Environment and Licensing Solicitor presented the report on the application by Valley Wood Resources Ltd (the Applicant) in respect of the premises Eden Lounge at 162-163 Fore Street, Exeter for the grant of a licence for a sexual entertainment venue (SEV) under the provisions of the above legislation. Kyriacos Kimitri, the Managing Director of the Applicant company was not in attendance. The Applicant was represented by Kitsons Solicitors of Torquay, and David Campbell, Barrister was instructed to attend from that firm.

An objector also attended the meeting.

The Notice of Determination is to follow.

RESOLVED that, an exception to the Exeter City Council Policy on Sex Establishment Licences is found, in that there is a locality in Exeter, in which it would be appropriate to licence a Sex Entertainment Venue, and that this premises falls within this one such locality, consent for the application be granted subject to the conditions set out in the Notice of Determination.

The meeting commenced at 5.55 pm and closed at 9.30 pm

Chair

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LICENSING COMMITTEE

25 March 2014

Present:

Councillor Catherine Dawson (Chair)

Councillors Laws, Clark, D J Henson, Macdonald, Payne, Ruffle and Tippins

Apologies:

Councillors Choules, Denham, Newby, Pearson, Shiel and Winterbottom

Also present:

Licensing Solicitor, Environmental Health Manager, Principal Licensing Officer and Democratic Services Officer (Committees) (HB)

4 **Declarations of Interest**

No declarations of interest were made by Members.

5 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 and 2 of Part I, Schedule 12A of the Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

6 **Application for the issue of a Street Consent (Mr DC)**

The Principal Licensing Officer reported that Mr DC had applied to vary his street trading consent to allow the sale of doughnuts instead of jacket potatoes on two of his permitted days. Mr DC currently sold jacket potatoes in Castle Street Monday to Saturday.

The permitted hours were reduced for the proposed days to 10.00 am - 17:00 pm Saturday and Sunday only.

Mr DC had identified a new mobile unit from which to trade which would be smaller than the one currently permitted ensuring that access and egress to and from the area would not be impeded. The proposed unit would be approximately 10ft by 6ft in size and on wheels for mobility purposes. Mr DC had requested that any additional fee for the varied consent should be waived as a fee had already been paid for the substantive application.

Mr DC attended and spoke in support of the application. Mr DC responded to Members' questions in respect of noise and emission and dispersal of fumes from an electric generator that would be necessary to prepare the doughnuts. The

Committee's expectation was that while consideration should be given to any suitable generator it should be noiseless and fumeless.

The Licensing Committee retired to make its decision.

RESOLVED that:-

- (1) subject to any generator being to the satisfaction of the Assistant Director Environment with regard to noise and emissions so far as is reasonable, given the location and bearing in mind previous practices not to allow generators in this location, the street trading consent be varied to permit the sale of doughnuts; and
- (2) the request for the waiver of the fee be supported.

TRANSPORT ACT 1985

TOWN POLICE CLAUSES ACT 1847/TRANSPORT ACT 1985, SECTION 16

7 Application for a Hackney Carriage Vehicle Licence (Mr SH)

The Principal Licensing Officer presented the report.

SH was present in the waiting area but had declined to come in to the hearing as he was suffering some difficulties following the sudden ill health of a relative earlier that day. The Licensing Solicitor had spoken to him at length and it was recorded that he wished his application to proceed. He had nothing further to add to what was presented in writing and would remain in the waiting area for the Licensing Solicitor to convey any queries or points of clarification that there were. Further, SH declined an adjournment of the application.

It was noted that any agreement to return a hackney carriage licence to the Council would be unenforceable although the Law Commission was currently considering provisions.

RESOLVED that there was no evidence of significant unmet demand before the Licensing Committee and there was no exceptional reason justifying a departure from the Council's policy not to grant a licence and so SH's application be refused.

The meeting commenced at 5.30 pm and closed at 6.17 pm

Chair

SCRUTINY COMMITTEE - COMMUNITY

4 March 2014

Present:

Councillor Norman Shiel (Chair)

Councillors Mitchell, Bowkett, Branston, Bull, Choules, Clark, Crow, Macdonald, Morris, Payne and Spackman

Apologies:

Councillor Mottram

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Environment, Assistant Director Housing, Assistant Director Public Realm, Principal Accountant (SR) and Democratic Services Officer (Committees) (HB)

In attendance:

Andrew White - Devon and Cornwall PCC

9 **Minutes**

Subject to the amendment of the third paragraph of Min. No. 8 to read “proposed for December 2012” rather than “December of last year”, the minutes of the meeting held on 14 January 2014 were taken as read and signed by the Chair as correct.

10 **Declaration of Interests**

No declarations of disclosable pecuniary interests were declared.

11 **Questions from Members of the Council under Standing Order 20**

In accordance with Standing Order 20, Councillor Morris put a question to the Portfolio Holder for Housing and Customer Access in respect of Mobile Homes and a question to the Portfolio Holder for Environment, Health and Wellbeing in respect of play areas within developments. A copy of the questions had previously been circulated to Members.

In accordance with Standing Order 20, Councillor Mitchell put a question to the Portfolio Holder for Housing and Customer Access in respect of the HRA and questions to the Portfolio Holder for Environment, Health and Wellbeing in respect of Community Patrols and Re-cycling. A copy of the questions had previously been circulated to Members.

The questions and the replies from the Portfolio Holders (in italics) are appended to the minutes.

PRESENTATION TO COMMITTEE

12 **Devon and Cornwall PCC**

The Chair welcomed Andrew White, Chief Executive of the Devon and Cornwall PCC, to the meeting

Details of the draft Police and Crime Panel Plan 2014-17 were circulated.

Mr White set out the following six priority areas of the Police and Crime Plan:-

- to make our area safer;
- a focus on cutting alcohol-related harm;
- a renewed drive for efficiency and reducing cost;
- a more effective criminal justice system;
- establishing new victim support services; and
- to enable citizens to play their part in community safety.

His presentation also covered the new approach of the PCC to performance measurement, CSP funding, use of the small grants fund, the four year funding allocation, Force resource allocation and the officer and staff profile.

He responded as follows to Members' queries:-

- the number of police officers on the beat had remained at a consistent level and he suggested that there was only a perception of reduced numbers. Special Constables continued to be recruited and use was increasingly being made of their specialist skills in respect of areas such as cyber related crime;
- the wider population had an important role to play in crime prevention through, for example, Neighbourhood Watch and participation in general volunteering in the community such as youth groups, sports clubs etc. However, it was recognised that the Force could benefit from a greater willingness to embrace the public desire to become involved;
- there was a greater emphasis in encouraging the reporting of domestic violence and abuse but this impacted on overall crime figures. The PCC was keen not to discourage reporting and therefore disaggregated the reported figures from overall crime statistics. It was currently assessing Minister of Justice guidance on re-direction of funding to ensure that there would be minimal impact on the three existing refuges in Devon;
- the PCC would assume responsibility for Victim Services from April 2015 with the management of this role currently being determined;
- there was no intention of re-allocating police resources on the basis of comparative crime levels between Exeter and other parts of Devon;
- volunteers were a valuable resource and, because of rigorous assessment and an emphasis on confidentiality, access to data was not an issue. They offered excellent support and were utilised, for example, in areas such as review of CCTV evidence;
- information on the use of private companies by the Force and details of officers on restricted duties would be circulated separately to Members;
- 826 individuals had been detained in 2013 under Section 136 of the Mental Health Act, largely for their own safety. It was recognised that, given the absence of properly trained medical staff, the current system was not fit for purpose and the PCC was in dialogue with all CCG's to review this system and to ensure that the Mental Health concordat was being honoured. Ian Ansell, the Criminal

Justice, Partnership and Commissioning Manager was attending a conference at St. Mellon on this topic shortly;

- the PCC was collating all community safety initiatives across the City, the results to be released within the next six months;
- he acknowledged Members' confirmation that there was little consistency at Councillor briefings because of the frequent changes in personnel at Inspector level and above. He would take this concern back;
- although alcohol related violence and crime was a priority there was equal emphasis on drug related problems. Legal highs were now also a concern and this situation was being monitored closely. The dangers of legal and illegal drugs were explained in school visits;
- although the small grant fund had been utilised in the past to support CCTV provision, the overwhelming number of requests had led to all support for these facilities being withdrawn as it was not possible to fund one request over another; and
- changes in the Probation Service were being closely monitored. Ian Ansell served on the Minister of Justice Committee which was tasked with monitoring roll out across the country.

The Chair thanked Mr White for his presentation.

ITEMS FOR DISCUSSION

13 Alternative Giving Scheme and Begging Enforcement Policy

The Chair advised that this report was deferred for consideration at a future meeting.

14 Housing Revenue Account Budget Monitoring to December 2013

The Chair welcomed the new reporting style and acknowledged the good work of the Financial Reporting Task and Finish Group. He advised that if Members had any difficulty with any areas of the report and which may not already have been addressed or if they had any further suggestions for improvement to contact the Scrutiny Programme Officer.

The Assistant Director Housing advised Members of any major differences by management unit to the revised budget. The total budget variances indicated that there would be a net deficit of £157,264 in 2013/14. This represented a decrease of £1,037,024 compared to the revised budgeted surplus of £879,760 for 2013-14. The main deviations from budget were set out in the report.

The Assistant Director emphasised the range of issues that were putting pressure on the HRA including welfare reform, new ways of working in terms of "designing against demand", limitations of an incremental approach to budget setting, an unexpectedly high level of voids, a very wet winter and the consequences of a deep recession. He responded in detail to Members' queries in respect of:-

- the new regime for the inspection of voids;
- kitchen replacements; and
- debt management and debt recovery in respect of unacceptable damage to assets.

Members welcomed the points set out in the Action Plan.

Scrutiny Committee - Community noted the report.

15 **Community Budget Monitoring to December 2013**

The Principal Accountant advised Members of any major differences by management unit to the outturn forecast for the first six months of the financial year up to 31 December 2013.

The current forecast suggested that net expenditure for this Committee would increase from the revised budget by a total of £150,910 after transfers from reserves and revenue contributions to capital, as set out in the report. This represented a variation of 1.67% from the revised budget. This included supplementary budgets of £19,950. Capital charges had been deducted from this to provide the total budget for management accounting purposes.

The following responses were given to Members' queries:-

- the redundancy cost relating to the Community Patroller Post had been previously reported to this Committee;
- £12,000 had been allocated for removal of illegal campers;
- recommendations on the £250,000 New Homes Bonus Local Infrastructure Fund (NHB LIF) were submitted to Executive after consideration by the new Major Grants and Homes Bonus Panel. The fund was intended for areas of the City with significant past or future growth. Therefore, applications should be for proposals needed as a result of development to meet existing deficiencies, additional pressures on existing facilities and/or to enhance community infrastructure. In addition, one of the criteria was that the proposal should be consistent with the principle of incentivising communities to accept growth. Applications which had been granted therefore did benefit communities that were under pressure from growth. Members were able to make further representations on the recommendations at Executive; and
- the presence or development of sustainable communities was important for new facilities to flourish.

Scrutiny Committee - Community noted the report.

16 **Re-cycling Plan Annual Review**

The Assistant Director Environment presented the report updating Members on progress with the Recycling Plan since its approval in 2011 and seeking ongoing support for recycling initiatives.

The report set out targets and the key reasons for reduction in kerbside dry re-cycling tonnages over the last few years, together with updates on garden waste collection, compost bin sales, trade recycling, bring banks, work with schools, communication and events.

Responding to the question in respect of re-cycling referred to in Min. No. 11 above, he detailed the performance of other authorities in comparison with Exeter. This is set out in the appendix to these minutes.

The following responses were given to Members' queries:-

- it was the intention to at least maintain the recycling rate as the economic climate continued to affect the purchasing of newspapers, etc. and manufacturers continued to reduce the weight of packaging;
- closer working with Devon County Council colleagues to encourage waste minimisation especially the minimisation of food waste, glass and garden waste. Information was available about what could be re-cycled, but it was planned to improve upon this;
- in respect of the recently circulated recycling leaflet, a response to the Member would be given in relation to the disposal of W.E.E. goods;
- ending the free Saturday bulk collections and encouraging the use of recycling centres will help reduce the huge amount of waste to landfill;
- consideration will be given to the management of slave bins;
- work closely with Housing Services to overcome barriers to recycling in a number of blocks of flats, by reviewing collection and storage points, providing micro bottle-banks, and engaging with tenants to understand their particular issues; and
- in collaboration with Devon County Council, work with the University and Guild to improve recycling with the student population.

Scrutiny Committee Community:-

- (1) noted the progress that the Council had made to date in implementing the Recycling Plan 2011-16; and
- (2) supported the ongoing actions planned for 2014 as set out in the report.

17 **Dog Enforcement Measures at Belmont Park**

The Assistant Director Public Realm presented the report advising Members of the enforcement options available to help deter future dog attacks at Belmont Park.

It was proposed to continue to allow dogs to be exercised off the lead in Belmont Park but to maintain CCTV coverage, in the short term, to compliment the ongoing high visibility patrols by Council staff.

The Portfolio Holder for Environment, Health and Wellbeing reported that he had attended the AGM of the Newtown Community Association as well as a further meeting when dog control had been discussed. Approximately 30% of attendees had been dog owners. At one of these meetings, of the 24 present, only one had requested that dogs be kept on leads. He explained that different regimes operated in different parks with dogs required to be kept on leads in the smaller parks such as Bury Meadow. The larger parks were designated as "Dogs On Leads by Direction" which provided the opportunity to deal with any problems. It was noted that this issue should be considered in the context of the loss of the Dog Warden's post and additional duties being required of the Community Patrollers.

Scrutiny Committee - Community noted the report.

ITEM FOR INFORMATION ONLY

18 Devon and Cornwall Police and Crime Panel

Details of Police and Crime Panel meetings were circulated after each meeting to Members of this Committee to enable them to raise any issues of concern or interest at these Scrutiny meetings. No issues were raised.

19 Sally Reeve - Principal Accountant

The Chair reported that this would be last Scrutiny Committee - Community meeting of Sally Reeve, Principal Accountant, who would be retiring. The Chair and Members thanked Sally for her hard work and service to the Council over the years and wished her well for her retirement.

The meeting commenced at 5.30 pm and closed at 8.50 pm

Chair

SCRUTINY COMMITTEE - COMMUNITY – 4 MARCH 2014

QUESTION FOR PORTFOLIO HOLDER
UNDER STANDING ORDER NO.20

Question from Cllr Morris for the Portfolio Holder – Housing and Customer Access

The majority of changes to Legislation (amendments to the Mobile Homes Act) come into effect from next month, and the Forum has been a beneficial and essential way of keeping residents updated on the changes and also it has been a way of giving residents confidence to address problems within their sites and it has served to ensure that residents within Mobile Home Parks in Exeter no longer feel that they are the forgotten electorate. Could I therefore ask for your reassurance that you will continue to support the Mobile Homes Forum given our responsibility as the Local Authority responsible for issuing the licenses to Park Site Owners and also given that other Local Authorities have since followed our lead are have set up similar Forums within their areas.

Answer

I recognise the success of the Mobile Homes Forum in giving a stronger voice to the many Exeter residents who have made their home in one of Exeter's four licensed residential park home sites, and in linking with other park home associations across the peninsula. I can reassure Councillor Morris that her good work in helping to set up and Chair the Forum will not be lost, but will be continued in the future. The Forum has an important role to play as it is not felt that recent legislation has gone far enough.

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SCRUTINY COMMITTEE - COMMUNITY – 4 MARCH 2014

QUESTION FOR PORTFOLIO HOLDER
UNDERSTANDING ORDER NO.20

Question from Cllr Morris for the Portfolio Holder – Environment, Health and Wellbeing

Whilst this problem is potentially a planning matter, going forward; Do you think there is anything that we as a Council are able to do to ensure that developers inform purchasers that there are plans for Local Authority play areas within the developments

And

Furthermore, is there anything that we can do to get an agreement from developers that ECC be permitted to hold onsite consultations prior to them leaving the site leaving us as a Local Authority to deal with the residents that are now understandably upset

Answer

There are two ways that prospective purchasers usually find out about proposed open space on developments, through developer marketing information and local authority land charge searches.

Developers usually include details of open space on their marketing literature since it is a positive feature of most developments. Taylor Wimpey's Sylvan Heights brochure can still be found on the web (try <http://www.rightmove.co.uk/new-homes-for-sale/property-14519607.html>). It shows the 'communal open space' parkland and within that an area identified as 'LEAP'. That stands for Locally Equipped Area for Play. It might have been more helpful if they had spelled out what LEAP means.

Solicitors for prospective purchasers undertake land charges searches of the Council. These would reveal the existence of a S106 agreement on the site and any competent solicitor could be expected to inspect that document and brief his client on any implications such as open spaces and affordable housing.

There are therefore two avenues by which prospective purchasers can find out about proposed open space and how it will be provided.

Planning law provides that a local planning authority can require developers to make adequate arrangements for the provision and maintenance of open space, we cannot require that open space is offered to the Council for adoption.

Where open space is offered to the Council it tends to be at the end of the development and it can take time for the land to be put in an acceptable condition. The S106 agreement can either require the developer to provide play equipment to a minimum standard or to pay a sum of money to the Council which will then use it to procure the equipment. Sylvan Heights uses this latter model, it has the advantage that the new community can then be consulted by the Council on the detailed design of the open space. The risk of earlier consultation might be raised community expectation of early delivery of open space when their might be difficult issues to sort out before the Council was prepared to accept the open

space. For example we would not wish to accept land with inadequate drainage or remediation of any contamination since we would be accepting the liability.

The Council's role in the design and adoption of open space does have a significant resource implication that can exceed the sums paid by developers. On many more recent developments, such as Redrow at Ibstock brickworks, the developer makes their own arrangements for layout and maintenance of open space. This often involves giving each property a share in a company responsible for long term maintenance. This model may enable open space to be provided earlier and gives residents greater long term control.

In summary, marketing and land charge searches provide a mechanism whereby purchasers should be aware of proposed open spaces, we are increasingly moving to models whereby developers directly provide open space.

SCRUTINY COMMITTEE - COMMUNITY – 4 MARCH 2014

QUESTION FOR PORTFOLIO HOLDER
UNDER STANDING ORDER NO.20

Question from Cllr Mitchell for the Portfolio Holder – Housing and Customer Access

At the September Scrutiny meeting a forecasted overspend of £254,015 to the HRA budget was reported to this committee.

At the following meeting in November a forecasted overspend of £588,860 was reported to this meeting.

Today a forecasted overspend of £1,037,024 is being reported to this committee under item 9 of the agenda.

In overall terms, the HRA has therefore moved from a budgeted surplus of £879,760 to a forecast deficit of £157,264, which represents a movement in percentage terms of minus 118%.

The recommendation asks us to assure ourselves that satisfactory actions are being taken by Officers to address these overspend.

However, as the Portfolio Holder responsible for this area may I ask what you have done to date to bring this budget under control?

Answer

Wide ranging actions have been encouraged and supported that are now being taken by officers to tackle the underlying issues that are putting pressure on the HRA. However, there are no easy solutions and the fact is that the HRA is having to cope with the combined effects of welfare reform, new ways of working in terms of 'designing against demand', the limitations of an incremental approach to budget setting (which isn't linked to actual demand), an unexpectedly high level of voids, the wettest winter for nearly 250 years and the consequences of a deep recession (and cuts to public services) that has left a number of marginalised and in some cases quite vulnerable people living in our properties who can't or won't look after them.

The Assistant Director Housing has been actively encouraged to look into the causes of the significant budget variations and start to put in place an action plan to tackle these, and that action plan is detailed in the report. The plan signals a fresh approach to the way the Council maintained and managed its council houses that would ultimately save the authority money in the long-run.

More regular visits to properties will be carried out in an attempt to nip problems in the bud. One of the wettest winters on record contributed to more repairs to leaks and damp problems than usual. This, along with a number of other factors such as the Coalition Government's welfare reforms, resulted in the Council's housing revenue account, which is wholly funded by the rents paid, spending £1 million more than anticipated. However, there is more than enough money in the HRA to meet this additional spending.

The action plan sets out 11 ways of better managing its stock and dealing with maintenance issues. These include:

- *Setting up a dedicated team to deal with properties that are becoming empty, keeping a close eye on costs*

- *Inspecting all properties when notice is received and advising the tenant on the work they need to complete at the property before moving. People will not be able to transfer to another Exeter City Council property if their current home is in a poor state of repair*
- *Work has been done to understand the reasons behind the overspend. The results are being used to plan a major restructure of housing, which will take place later in the year*
- *All homes will be visited more frequently and tenants advised what they need to do if they have not looked after their property well. Checks will be made to make sure the work is done and if it hasn't been then tenants run the risk of eviction*
- *Where tenants cause damage and don't put it right, follow up action will be taken to recover the money the Council has to spend. Recently an outgoing tenant received a bill for £2,336 following unauthorised work to their kitchen.*

In addition, it is proposed to set up a task and finish group so that the Members can fully understand all the complex issues and perhaps come up with some new ideas and fresh working practices that will help progress matters.

SCRUTINY COMMITTEE - COMMUNITY – 4 MARCH 2014

QUESTION FOR PORTFOLIO HOLDER
UNDER STANDING ORDER NO.20

Question from Cllr Mitchell for the Portfolio Holder – Environment, Health and Wellbeing

Last year under delegated powers and bypassing an opportunity for effective scrutiny from this Committee, the Community Patrol hours of operation were cut dramatically. Indeed now the service ceases operation every evening at 10pm - this is generally the time that noise becomes an issue.

This is obviously of concern to the residents of the ward we both represent and to the Exeter Population as a whole.

Until recently partner agencies including the University Estate Patrol were unaware of the cut in hours and until only a few weeks ago incorrect hours of operation were still present on the City Council website.

Does he agree that the implementation of this cut in service was not effectively communicated or scrutinised and is he willing to consider extending the hours again in the future?

Answer

The proposed cut in the Community Patrol service was reported to this Scrutiny Committee in the first instance. However, I was not aware of the fact that the University were not advised of the cut in hours and I will therefore contact them about this. I cannot at this stage agree whether the change to the hours was effectively communicated.

I am willing to consider any way for improving the service to residents if this can be achieved within available resources. At present there are severe pressures on the City Council budget.

I am willing to serve on the Task and Finish Group on Community Patrol if asked to do so.

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SCRUTINY COMMITTEE - COMMUNITY – 4 MARCH 2014

QUESTION FOR PORTFOLIO HOLDER
UNDER STANDING ORDER NO.20

Question from Cllr Mitchell for the Portfolio Holder – Environment, Health and Wellbeing

The figures in the table below are a comparison of Exeter's recycling/waste performance against 15 other local authorities listed by CIPFA as having similar population and characteristics to Exeter. Five of those authorities are out-performing us in both the amount sent for recycling and within the amount of waste sent for disposal. Have we made contact with those authorities to learn from their best practice and if not would you be willing to ensure we do so?

Percentage of household waste sent for recycling or composting

Warwick	57%
Cheltenham	45%
Ipswich	45%
Carlisle	45%
Oxford	45%
Taunton	45%
Deane	45%
Lincoln	44%
Cambridge	43%
Watford	40%
Colchester	40%
Gloucester	38%
Worcester	37%
Exeter	35%
Preston	35%
Wyre Forest	32%
Rushmoor	26%

Waste reduction: Non-recycled waste sent for disposal (kg per household)

Warwick	345
Taunton	390
Deane	390
Ipswich	416
Oxford	421
Worcester	432
Exeter	442
Colchester	459
Cheltenham	459
Carlisle	459
Lincoln	482

Gloucester	486
Cambridge	498
Watford	500
Preston	506
Wyre Forest	529
Rushmoor	592

Answer

Of those 12 LA's that have better recycling rates than Exeter's (35%), all but 4 have a food waste collection service, which Exeter does not have – we only collect dry co-mingled recyclates from the front-gate, with glass being taken to recycling bring banks. Of these 4 that out-perform Exeter, have similar collection techniques, but do something different from Exeter which may account for a difference:

- *Lincoln (44%) provides a door-step collection of glass;*
- *Ipswich (45%) limit residual bins to 180 litre, provides a free brown bin composting scheme for garden waste, pet sawdust, kitchen peelings, fruit, tea-bags, as well as a bulky garden waste collection service (this is paid for, and is for bundled and tied prunings, etc);*
- *Carlisle (45%) – free garden waste collection, together with a kerbside collection of glass;*
- *Worcester (37% and most similar in collection method to Exeter) – a policy of 190 litre residual bin per household as opposed to 240 litre bin, and in addition a kerb-side collection.*

The amount of glass in Exeter's residual bins is 4%, which compares favourably with others such as Teignbridge DC that has a kerb-side collection of glass and still has 3% of glass in its residual bin. Garden waste accounts for 11% and food waste 35% in Exeter's grey bins.

What is known to happen with the introduction of any new collection of recyclate (e.g. glass) is that the public responds favourably and there is a knock-on effect with better recycling of other recyclates – i.e. it increases participation in recycling generally. The effect of robustly limiting the size of the residual bin to a size smaller than 240 litre is thought to bring about behavioural change, making people take more care in the amount of residual waste they produced and recycling more (conversely 240 litre was the de facto standard when wheelie bins were first introduced, resulting in a big increase in volumes of waste being generated as people filled the bin). In Exeter we have recently introduced 180 litre bins as the 'standard' for 3-4 person households, which is the biggest category of household size in Exeter. The proportion of 180 litre bins in Exeter is relatively small at present, as 240 litre bins are being replaced incrementally when a bin is replaced, or a new home is occupied.

There are learning points to glean from our comparator LA's and officers will be examining how good practice elsewhere can be transposed to Exeter.

SCRUTINY COMMITTEE - ECONOMY

6 March 2014

Present:

Councillor Leadbetter (Chair)

Councillors Brock, Bialyk, Bowkett, Branston, Bull, Crew, Crow, Robson and Wardle

Apologies:

Councillors Martin and Prowse

Also present:

Chief Executive & Growth Director, Assistant Director Economy, Principal Accountant Service (PM), Economy and Tourism Manager, City Centre Manager, Events, Facilities and Markets Manager, Parking and Waterways Manager and Democratic Services Officer (Committees) (SLS)

In attendance:

Councillor Denham – Portfolio Holder for Economy and Culture

Councillor Sutton – Portfolio Holder for City Development

Hilary Stevens – Exeter University

17 **Minutes**

The minutes of the meeting held on 16 January 2014 were taken as read and signed by the Chair as correct.

18 **Declarations of Interest**

No declarations of discloseable pecuniary interests were made.

19 **Cost of Living Forum - Interim Report**

Councillor Branston declared an interest as he was employed by a company which carried out market research.

Councillor Denham, in her capacity as Chair of the Cost of Living Forum presented an interim report on their findings and also sought Members' views and support for funding to conduct and requisition specific research to further this work. Concerns in relation to the cost of living had originally been raised at Scrutiny Committee – Economy, and resulted in the Cost of Living Forum being established, together with two further sub-groups on wages and the affordability of housing. Despite the availability of data and partnership influence, the Forum considered there was a need for more meaningful local data pertaining to Exeter. Researchers from the Marchmount Observatory at Exeter University had offered the opportunity to conduct some individual research including document review, data analysis and consultation. Hilary Stevens, from Exeter University attended the meeting to present more detail of the draft proposal. Members' views were sought on whether the research should be pursued, and how best it could be used for maximum impact.

Hilary Stevens referred to the scoping document and the varying stages of research which included gathering evidence to establish a baseline for wages and cost of

living in Exeter. This would include exploring in partnership with a broad range of stakeholders, a number of strategies and solutions to problems that had been identified following the evidence gathering exercise. The research would also be informed by consideration of the following including -

- providing a clear understanding of what the terms 'cost of living', 'low income' and 'affordability' meant and how these concepts would be measured at the local level.
- looking at the affordability of housing in Exeter and compare to a benchmarked level of analysis.
- consideration of the consequences of low housing affordability for individuals and households, on businesses and the community as a whole using existing research and personal contact for the local view.
- exploring the options for local action by engaging with local stakeholders and local authorities in other areas to consider the main challenges, and
- consideration of the demand for student housing and the effect on private sector renting as well as the costs and benefits of adopting the living wage on household incomes and the wider economy.

Members made the following comments –

- that this funding request for the study should be supported as low pay was an issue in Exeter. Some employers might consider they did not have ability to pay a higher level of wages, but the concerns raised have been gathering momentum and should be addressed.
- that the work of the members of the Forum including Councillor Denham and the Scrutiny Programme Officer should be recognised. The Forum are a significant group who were working hard to raise the profile of a very pertinent issue in the city, and a joint approach relating to issues surrounding housing and wages would be very helpful.
- whether a shared view of a number of issues such as rents could be considered through a benchmarking exercise with similar local authorities.
- there should not be a duplication of the evidence gathering work.
- there was a need for Exeter focused data to inform and programme future study.
- a policy based on sound evidence using a consistent methodology and benchmarking would be important.

Councillor Denham responded to a Member's comment and clarified that the research would be in accordance with the City Council's policy for commissioning external work. She felt that the Exeter specific nature of the work would help inform dealing with issues in the local economy and provide a lever for change. The research was not just about data gathering, but should provide a set of Exeter centric statistics to show what was actually happening on the ground.

Scrutiny Committee – Economy noted the report and agreed that the Research Proposal and Costing provided by Exeter University be submitted to the Executive with a request for approval for funding either in whole or part.

20 **Budget Monitoring Report to 31 December 2013 (3rd Quarter)**

The Chair welcomed the new reporting style and acknowledged the combined efforts of the Financial Reporting Task and Finish Group. He invited Members to contact the Scrutiny Programme Officer, Anne-Marie Annal, if they had any more suggestions for further improvements to the report format.

The Principal Accountant Service presented the latest budget monitoring report for the third quarter which advised Members of the material differences by management unit. The current forecast suggested that the net expenditure would increase from the revised budget by a total of £57,390, resulting in a variation of 3.22% from the revised budget. The main deviations from the budget were set out in the report. He updated Members on the improved position of car parking income from last quarter which, it is anticipated would now meet or exceed the budget. He also provided an update on the reduced Economy and Development Capital Programme from £2,591,660 to £2,073,340.

Scrutiny Committee – Economy noted the report.

21 **Social Enterprise Support**

Councillor Bowkett declared an interest as an employee of Exeter Council for Voluntary Services.

The Economy and Tourism Manager presented the report, which provided Members with an overview of the support given to social enterprises through Exeter Business Support, other providers and the contribution they make to the local economy. The report detailed support for social enterprises delivered through Exeter Business Support which provided free professional advice and guidance to new start up and fledgling businesses. The original aim of supporting and developing the sector had been achieved, but it was felt some structure should continue for the short term. It was therefore proposed that the contract with Fruit Tree for Business should be extended until the 30 June 2014. This would enable time to consider alternative options to be able to map the existing local, regional and national support and also discuss with neighbouring councils the possibility of a joint approach.

A Member referred to the changing landscape of public sector services and the expectation that the community sector would fill the void, however this would not happen without some effort to ensure the necessary infrastructure was in place. He was anxious that such support was not cut off until other support or funding opportunities were identified.

Scrutiny Committee – Economy endorsed the following:-

- (1) that the City Council would continue to fund business support for social enterprises up to 30 June 2014 and that officers be authorised to negotiate a service level agreement for this period of time with Fruit Tree for Business; and
- (2) that officers consult with neighbouring local authorities on the provision of support for social enterprises and that work continues to determine how best to support the sector going forward.

22 **Exeter Business Against Crime**

The City Centre Manager presented a report of the Exeter Business Against Crime initiative (EBAC). He provided a brief overview of EBAC including the membership as well as details of the types of reported incidents or crime. Since EBAC was launched in 2006, Anthony Couch, the Business Crime Manager, has been tasked with overseeing a reduction in business crime and specifically focused on deterring shoplifting and anti-social behaviour. More recently, there have been new challenges in relation to begging and more of a presence of 'professional gangs' operating in the

city. A Member referred to the sanctions imposed on those individuals breaking the law, but there should be some consideration over the level of support offered to those individuals. He hoped there might be an opportunity to carry out some wider scrutiny work in this area. The City Centre Manager confirmed that regular case conferences were held to discuss individuals committing anti-social behaviour which affected the enjoyment of the city centre. He agreed it was frustrating that so often the necessary support service was not there. A Member also compared EBAC's reducing crime figures between 2006 and 2013. The City Centre Manager stated that 70% of incidents have been dealt with by EBAC and the individual retail staff without recourse to the police.

The Chair wished to do more than note the report and requested that the Exeter Vision Partnership take up the mantle of the prevention agenda. The Chief Executive & Growth Director agreed that it was more appropriate for the Community Safety Partnership to discuss and take a collaborative view with their partners as a way of looking at the prevention agenda work differently. He would request a meeting with the Exeter, East & Mid Devon Local Policing Area Commander to discuss this further.

Scrutiny Committee – Economy noted and supported the: -

- (1) on-going work of EBAC and the significant contribution they have made to reducing levels of both business crime and anti-social behaviour; and
- (2) to request that the Exeter Community Safety Partnership look at ways to develop the prevention agenda.

23 **Christmas Market 2013**

The City Centre Manager presented the report which set out key issues arising from the 2013 Christmas Market and reviewed its impact. The Christmas Market, together with a number of other marketing initiatives, had contributed towards a successful Christmas period. He also identified some key issues to take forward for 2014, including working harder to ensure that more benefits would be felt by the independent traders, particularly in Gandy Street and Fore Street, as well as encouraging greater dwell time in the city. A Member also welcomed the more diverse range of products offered at the Market this year. The City Centre Manager agreed to look into the possibility of developing an Exeter Trail leaflet to encourage people to move around the city centre specifically for the Christmas period working with tourism colleagues.

Scrutiny Committee noted and commented on the positive contribution made by the 2013 Exeter Cathedral Christmas Market and would seek to support the development of the Christmas Market in 2014, with:

- further expansion of the Christmas Market – within the areas for which planning consent was given in 2013;
- a focus on ensuring a stall 'mix' that complements the offer provided by the City's independent businesses – particularly within the areas of Fore Street, South Street and Gandy Street;
- examination of opportunities for ensuring day and overnight visitors dwell-time in the City Centre is maximised, with encouragement to visit the key independent trading areas of the City Centre; and
- examination of the market layout to ensure visitors have as enjoyable a visit to the Market as possible.

24 **Update on the Exeter Visitor Strategy 2012 - 2016**

The Economy and Tourism Manager presented the report which updated Members on the progress of the implementation of the Exeter Visitor Strategy 2012-2016. The target remained creating and sustaining quality jobs within the tourism sector and to increase Exeter's national profile. An appendix to the report provided an overview of work undertaken within the previous 12 months.

A Member enquired if the recent flooding and poor weather had an adverse effect on advance visitor numbers for the Easter break. The Economy and Tourism Manager advised that she had spoken to colleagues at Visit Devon and advance bookings for the Easter break were down by £12.7million. Every effort was being made to encourage people to book now, and Visit England were about to run a national advertising campaign. She also responded to a comment about using new technology to promote the area and confirmed that she was in the process of developing a new fully responsive website for the Heart of Devon region. An issue raised by Members over the availability of booking seats with local train providers would also be picked up.

Scrutiny Committee – Economy noted the report and:-

- (1) supported the actions proposed to be undertaken during 2014 – 2015; and
- (2) recommended that the Tourism Partnership be requested to change its name to Exeter and the Heart of Devon in order to give due prominence to the city in promotional activity and with Exeter being a Host City for the Rugby World Cup 2015.

25 **Report of the Topsham Parking Member Working Group**

Councillor Baldwin, presented an update, as the Chair of the Topsham Parking Member Working Group, on their findings. This had been formed after a 2,000 signature petition had raised a number of car parking issues in the town. The Working Group had looked at ways to improve the existing car parking offered against a background of physical and financial constraints. She provided an update on a number of proposals, by both the City and County Councils which were either being progressed or at varying stages of implementation. The work included increasing enforcement in Fore Street, Topsham to help maximise turnover rates of parking and easing congestion around Topsham School and the library.

One of the main concerns had also been the poor level of directional signage to the car parks leading to unnecessary traffic movement in the town. Devon County Council were pursuing these works in the 2014/15 financial year. Exeter City Council were also due to undertake a Parking Review during 2014 to consider future off street car parking capacity across the city. The results were expected to be reported early in 2015.

Scrutiny Committee – Economy noted the report.

26 **Corn Exchange Update**

The Facilities and Markets Manager presented the report updating Members on the performance of the Corn Exchange. He referred to the good performance of the Corn Exchange despite a relatively small team and the many varied events including music, comedy, dances, conferences, exhibitions and examinations. The venue's financial performance was improving year-on-year and compared favourably with

other venues in the city and further afield. Staff were continually striving to find out who their customer was and improve event marketing. The Corn Exchange What's On page is now one of the most frequently visited on the ECC website and the mailing list and emailing list have grown considerably in the last few years. The events programme had been very successful financially and continues to improve. There is an identified need to improve the venue's box office facility, particularly for online bookings. He welcomed Members' comments on the quality of the events. A Member referred to the potential for development in that quarter in the next 15 to 20 years. The Events and Facilities Manager acknowledged that development in the future was a possibility but the restricted capacity was a barrier to this. The Chief Executive & Growth Director stated that, as soon as the upper part of the city centre around the bus and coach station is developed, then attention would turn to this area. The Facilities and Markets Manager said that every effort would be made to identify any opportunity to increase the venue capacity.

Members and the Chief Executive wished to thank the staff at the Corn Exchange for their all their hard work and dedication, as the staff certainly went over and above their duties to provide an excellent customer experience. The Facilities and Markets Manager thanked Members and would pass on their kind comments to staff.

Scrutiny Committee – Economy noted the report.

27 **Matford Centre/Livestock Centre Update**

The Facilities and Markets Manager presented the report updating Members on the performance of the Matford Centre. He confirmed that the overall financial performance of the centre had improved considerably and well above the forecast made when the new contract for the centre was approved by Members. The animal throughput has improved under the new auctioneers and other business levels at the centre are also improving. He responded to comments on the success of the market regarding increased throughput and good prices being achieved for livestock.

Members also wished their comments on the hard work and dedication by the staff at the Market and Livestock Centre to be recorded.

Scrutiny Committee – Economy noted the report.

28 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

RESOLVED that, under section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3, of Part 1, of Schedule 12A of the Act.

29 **Minutes of the Exeter and Heart of Devon Growth Board**

The minutes of the Exeter and Heart of Devon Growth Board held on 16 January 2014 were circulated for Members' information, and referred to a number of issues that the City Council may need to consider and take forward as appropriate.

Scrutiny Committee – Economy noted the content of the Exeter and Heart of Devon Growth Board Minutes.

The meeting commenced at 5.30 pm and closed at 7.50 pm

Chair

SCRUTINY COMMITTEE - RESOURCES

19 March 2014

Present:

Councillor Baldwin (Chair)

Councillors Ruffle, Brock, Bull, Dawson, Macdonald, Morris, Newby, Sheldon and Robson

Apologies:

Councillor Bowkett

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Finance, Corporate Manager Property, ICT Desktop Analyst (SR) and Democratic Services Officer (Committees) (SLS)

In attendance:

Councillor Rachel Sutton - Deputy Leader
Councillor Ollie Pearson - Portfolio Holder Enabling Services

11 **Minutes**

The minutes of the meeting held on 22 January 2014 were taken as read and signed by the Chair as correct.

12 **Declarations of Interest**

No declarations of discloseable pecuniary interests were made.

13 **Budget Monitoring (3rd Quarter)**

The Chair welcomed the new reporting style and acknowledged the combined efforts of the Financial Reporting Task and Finish Group. She also thanked the Assistant Director Finance and the Scrutiny Programme Officer, for their support and suggested contacting Anne-Marie if they had any more suggestions for further improvements to the report format.

The Assistant Director Finance presented the budget monitoring report, which advised Members of the material differences by management unit to the revised revenue budget. The current forecast suggested that the net expenditure for this Scrutiny Committee would increase from the revised budget by a total of £100,500, before transfers to and from reserves. The main deviations from the budget were set out in the report. It was agreed that more detail on the pension fund contribution process would be circulated. The Assistant Director Finance also updated Members on two areas of budgetary risk within the Scrutiny Resources revenue budget.

A Member complimented the Council's proactive response to recent changes in welfare reform, including the one view of debt initiative, which was now paying dividends in terms of improvements to the recovery rate and a lower rate of error. The Assistant Director Finance agreed there had been a significantly reduced overspend and the reduction in caseload was a testament to the efforts made by the Housing Benefit team. He also responded to a Member's comment on the inclusion of income from a commercial letting under the civic ceremonials budget confirming

that the cost centre detail would in future be included in the Commercial Property budget. The Corporate Manager Property would also circulate a response to a Member's request for details of the additional income gained from the feed-in tariff costs associated with the installation of solar panels at the Civic Centre.

Scrutiny Committee – Resources noted the report.

14 **Overview of Revenue Budget**

The Assistant Director Finance presented the report to advise Members of the overall projected financial position of the General Fund Revenue Budget and Housing Revenue Account after nine months, for the 2013/14 financial year. Members were advised of the main variances within the Scrutiny Committee's budgets, which showed a forecast overspend of £388,370 (3.2%) against a revised Service Committee net expenditure of £12,248,020, the Housing Revenue Account budget, outstanding sundry debt, debt write-offs and Creditor Payments performance. The Housing Revenue Account was likely to have an overspend relating to voids, reactive repairs and maintenance. They would continue to monitor the challenging area of homeless prevention, and a number of initiatives had attracted additional expenditure. A number of areas identified as a budgetary risk were listed in an appendix attached to the report.

The Assistant Director Finance responded to the following questions:–

- when the City Council took on a property through EXtralet, the Council's property management service, agreement was reached with the landlord to ensure that there was the appropriate standard at the beginning and end of the tenancy. If the property was returned in an unacceptable state, the City Council would intervene. Every effort was made to recover such costs wherever possible.
- that outstanding sundry debt was now being reviewed to ensure more cohesive management in the future.
- he would clarify the timeframe for reoccupation of void and abandoned properties.

The Scrutiny Committee - Resources supported the report and recommended approval by Council of the:-

- (1) General Fund forecast financial position for the 2013/14 financial year;
- (2) HRA forecast financial position for the 2013/14 financial year;
- (3) outstanding Sundry Debt position as at December 2013; and
- (4) creditors' payments performance.

15 **Capital Monitoring Statement to 31 December 2013**

The Assistant Director Finance presented the report to update 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 Members' approval to amend the annual capital programme in order to reflect the reported variations. The revised capital programme for the current financial year was £16.265 million. He responded to a number of comments including the enhancement programme of the Central Station forecourt. The Portfolio Holder for City Development referred to the cooperation between Devon County Council, Network Rail and the City Council and as the enhancement project had

finished slightly under budget it was now possible to complete the restoration of the Station building frontage.

Scrutiny Committee – Resources noted the current position in respect of the annual Capital Programme and recommended approval by Council.

16 **An Energy Neutral Council - A Renewables and Energy Efficiency Programme**

The Corporate Manager Property presented the report, which detailed the ongoing programme of renewable and energy saving initiatives. The programme would assist in the delivery of corporate priorities around improving the environment and maintaining the assets of the city, as well as providing essential income and long term savings to the Council. A number of energy saving initiatives had already taken place including solar photovoltaics or PV panels on the roof of the Civic Centre which had already exceeded anticipated energy savings by 32%. The report contained a financial summary of the Phase 1 programme, which was underway. Any projects not completed before April 2014 would be rolled forward and added to the programme for Phase II. Capital investment had been secured through borrowing and would provide significant long term savings and ultimately an income for the Council.

A Member referred to the increasing energy costs against a backdrop of a reducing workforce and whether the vacated office space should also be rationalised as a way of reducing consumption. The Corporate Manager Property advised that he had been tasked together with the Deputy Chief Executive and Assistant Director Finance to look at the rationalisation of the operational estate as the establishment was reduced. A Member sought more information on electricity charging points for vehicles and PV schemes in car parks. The Corporate Manager Property confirmed that a programme of new park and plug sites were being installed across Exeter, with the added incentive that the charging points were free to use.

Members congratulated staff on the innovative work achieved to date and wished the strength of their support to be recorded.

Scrutiny Committee – Resources noted the report and endorsed the proposed new initiatives and progress made to date to deliver renewable and energy efficient initiatives included in Phase 1 and Phase II of the pilot and recommended approval by the Executive of the following:-

- (1) authority to be given to the Corporate Manager Property, subject to prior consultation with the Portfolio Holder Enabling Services, Deputy Chief Executive and Assistant Director Finance, to approve delivery of further energy saving projects within the Capital Programme funding allocation, and
- (2) the outcomes of the programme be reported to Scrutiny Committee Resources on a regular basis.

17 **ICT Provision for Members**

The report of the Deputy Chief Executive was submitted, providing information and feedback from the recent pilot of the Leader and Portfolio Holders using iPad devices to access council emails, agendas and reports. The report also sought approval to proceed with the provision of iPads to all Members following the Local Elections on 22 May 2014. Training would be tailored to meet the needs of individual councillors, but at the very least would include the necessary compliance and security clearance. Steve Roach, the ICT Services Desktop Analyst attended the meeting and gave a

demonstration of the connectivity and uses of the iPad, as well as the City Council's Committee retrieval system ModGov which would enable Members to view and annotate Committee agendas and reports on the screen. Councillor Sutton spoke of her positive experience as part of the pilot project and thanked Steve Roach for his support.

A Member enquired whether there would still be an option to gain connectivity via Broadband as 3G access could be variable in parts of the city. The Deputy Chief Executive explained that Members would not be fixed to a particular provider. A Member welcomed the proposals and passed on this gratitude for the support given to him by the Council's ICT Services to him in recent weeks.

Scrutiny Committee – Resources supported the report and recommended to Council that:-

- (1) the current PC/Laptop solution be replaced with an iPad for all elected Members following the local elections on 22 May 2014;
- (2) all Council ICT equipment currently used by Members to be returned to ICT Services;
- (3) removal of the Members' current broadband allowance of £7.50pm, in favour of a 3G connection;
- (4) BlackBerry devices provided to the Leader and Portfolio Holders be replaced with a standard phone;
- (5) training for use of the iPads be provided to all Members;
- (6) the publishing of paper copies of meetings cease (only copies of the agendas will be provided at each meeting), subject to the appropriate legislation being in place;
- (7) existing PC and printing facilities located in the Members' Room in the Civic Centre be maintained; and
- (8) additional capital funding of £17,460 and an additional revenue budget of £2,225 to cover the additional costs be approved.

The meeting commenced at 5.30 pm and closed at 6.55 pm

Chair

AUDIT AND GOVERNANCE COMMITTEE

Wednesday 12 March 2014

Present:-

Councillor Bowkett (Chair)

Councillors Baldwin, Branston, D J Henson, Laws, Morris, Payne, Ruffle and Spackman

Apologies

Councillors Choules and Leadbetter

Also Present

Assistant Director Finance, Audit Manager (HK), Policy Officer (LB) and Democratic Services Officer (Committees) (SLS)

David Bray, Senior Audit Manager, Grant Thornton, Chartered Accountants

34

MINUTES

The minutes of the meeting held on 27 November 2013 were taken as read and signed by the Chair as correct.

35

DECLARATION OF INTEREST

No declarations of discloseable pecuniary interests were made.

36

AUDIT AND GOVERNANCE COMMITTEE UPDATE

David Bray, the Senior Audit Manager, from the Council's external auditors Grant Thornton circulated a paper which provided Members with details of the progress made by them to deliver their responsibility as the City Council's auditor. He also referred to the Grant Thornton web site www.grant-thornton.co.uk where there was a section dedicated to their work in the public sector. He anticipated a report on the interim accounts audit being completed by early April, before producing the Accounts Audit Plan for 2013/14. The detail would be reported to the meeting of this Committee on 25 June.

The Chair welcomed the report and highlighted a number of key issues that the Audit and Governance Committee might wish to consider in the future. He referred to the challenges of public sector budget reductions and the propensity to reach the 'tipping point', when financial pressures were deemed to be a real risk. He referred to Grant Thornton's national report, an exercise to assess whether English local authorities had the necessary arrangements in place to ensure their sustainable financial future. The report also included a good practice checklist designed to provide senior management and Members with an overview of key tipping point risks. It was noted that the Strategic Management Team had worked towards a transformation plan to achieve savings and, where possible, ensure services were maintained. The Audit Manager (HK) confirmed that the Internal Audit team would be working with the Assistant Director Finance and the Policy Officer to concentrate on the City Council's response to the checklist with a view to reporting back to Members.

The Audit and Governance Committee noted the report.

CERTIFICATION REPORT 2012/13

David Bray, presented details of the certification work for 2012/13. He outlined the certification arrangements, and provided the detail of three claims and returns certified in respect of the Housing and Council Tax Benefit Scheme, National Non-Domestic rates return and the pooling of Housing Capital receipts. As there were no returns required for the Housing Revenue Account subsidy during 2012/13, the fee had been reduced by £500 to that of the previous year.

The Audit and Governance Committee noted the report.

ANNUAL INTERNAL AUDIT PLAN 2014/15

The report of the Audit Managers was submitted, seeking the Committee's approval of the 2014/15 Internal Audit Plan, which was linked to the Council's Corporate Risk Register. The three main areas of risk highlighted, included Creditors, Housing and Housing Benefits which was a particularly high area of risk and a comprehensive audit of Housing Benefits had already commenced. A review of the outcome of the Housing Voids process would also be included in the next quarterly report.

The Assistant Director Finance advised a report had been taken to the Strategic Management Team setting out a full review of the Council's sundry debt, had an outstanding debt to debt raised ratio of 7.5% which compared unfavourably to Council tax and Business rates which had much lower ratios. A full review would be conducted to ensure that there was a more coordinated approach, and any proposals would be presented to the Audit and Governance Committee.

RESOLVED that the Audit and Governance Committee approve the 2014/15 Internal Audit Plan.

INTERNAL AUDIT PROGRESS REPORT

The Audit Manager (HK) submitted a progress report on the internal audit work carried out during the period 1 October to 31 December 2013. A summary of the progress made against the annual Audit Plan, together with detail of those that had been completed were included in appendices to the report. She was able to confirm that two recommendations made in respect of the ICT operation management had now been agreed. The Audit Manager also responded to a Member's question relating to the audit check process in respect of the payroll procedure stating that a larger sample had been required. A copy of the full report was available to Members on request. She welcomed the overview of Audit and Governance Committee which had helped to ensure an improved response to the process.

The Assistant Director Finance confirmed that the Chief Executive and Growth Director had responded to the Audit Commission confirming that the appropriate checks will be made in respect of data from 2012.

RESOLVED that:

- (1) the Internal Progress Report for the third quarter of the year 2013/14 be noted; and
- (2) the Audit and Governance Committee noted that the audit report's recommendations as detailed in section 4 of the report had been accepted by management as an acceptable risk to the Council.

CORPORATE GOVERNANCE RISK REGISTER ANNUAL REVIEW

The report of the Corporate Manager Policy, Communications and Community Engagement was submitted, presenting the updated Corporate Risk Register and advising the Committee of the Council's Risk Management progress. The Policy Officer responded to comments regarding the legal responsibility in relation to drainage, including public and private sewers and with colleagues would provide an update for Members. She would also liaise with the City Council's Environmental Health team in respect of any required intervention on contaminated land at sites throughout the city.

The Chair reminded Members that a robust risk assurance process existed and was monitored through both internal and external audit processes as well as being reported to the Audit and Governance Committee. Any issues would be reported to the respective Scrutiny Committees but, although individual services would already be responding to any issues, there was the option to call respective managers to account. The Audit Manager (HK) advised that, as part of role of audit, the City Council's Audit Plan was also linked to the Risk Register and presented to the Audit and Governance Committee as part of that process. She agreed that the Committee had resulted in a step change in the organisation's approach with a more positive effect of how the Internal Audit service was perceived throughout the City Council.

The Audit and Governance Committee noted the updated Corporate Risk Register.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, under section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3, of Part 1 of Schedule 12A of the Act.

CORPORATE GOVERNANCE RISK REGISTER ANNUAL REVIEW (APPENDIX B)

The Policy Officer presented the report of the Corporate Manager Policy, Communications and Community Engagement which advised the Committee of the changes introduced to the Council's Risk Management policy and procedures. This included an appendix to the report (Appendix B).

The Audit and Governance Committee noted the report including the details contained in Appendix B.

(The meeting commenced at 5.30 pm and closed at 6.55 pm)

Chair

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EXECUTIVE

Tuesday 18 March 2014

Present:

Councillor
Councillors Denham, Fullam, Hannaford, Mrs Henson, Owen, Pearson and Sutton

Apologies:

Councillor Edwards

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Economy, Assistant Director City Development, Assistant Director Public Realm, Housing Enabling Manager, Scrutiny Programme Officer, Projects and Business Manager and Democratic Services Officer (Committees) (HB)

28

MINUTES

The minutes of the meetings held on 21 January and 4 February 2014 were taken as read and signed by the Chair as correct.

29

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

30

MAJOR GRANTS AND NEW HOMES BONUS PANEL MINUTES

The minutes of the meeting of the Major Grants and New Homes Bonus Panel held on 27 February 2014 were submitted.

The Projects and Business Manager updated Members on the recommendations of the Panel.

In relation to the proposed rent grant to the Citizens Advice Bureau in order to meet the rental cost of new accommodation at the Civic Centre at no additional cost to the CAB, the grant would be increased by £6,180 to £36,790. It would cover the cost of both Wat Tyler House until the day of departure from these premises and that of the Civic Centre for the remainder of the financial year.

In relation to New Homes Bonus Local Infrastructure Fund, the Projects and Business Manager advised that some £40,000 remained in the budget for the 2014/15 financial year.

Executive Members welcomed the significant investment in community initiatives enabled by the use of the New Homes Bonus Local Infrastructure Fund and noted the quality and range of projects coming forward. The support given through the grants process helped pump prime valuable community initiatives. To ensure a fair and realistic distribution of the funds throughout Exeter, it was noted that a mapping exercise of community facilities in the City would be undertaken

RESOLVED that, subject to the amended amount of grant for CAB of £36,790, the minutes of the Major Grants and New Homes Bonus Panel held on 27 February 2014 be received and, where appropriate, adopted.

31

RUGBY WORLD CUP 2015

The Assistant Director Economy reported that £50,000 of the agreed budget to ensure Exeter met the host city responsibilities for the Rugby World Cup would be allocated towards legacy work, the five main themes of which were:-

- promotion of strong and sustainable communities
- maximising economic benefits to Exeter
- increasing participation in sport and physical activity
- increased involvement of women and children in rugby
- increased participation in rugby for all

An outline plan for arrangements for the Fan Zone would be in place by the end of this month in consultation with the Police, Health and Safety etc. to ensure the delivery of an enjoyable and quality event. A Production Manager had been appointed and a Catering/Trading manager was to be recruited, tasked with generating income from the Fan Zone to help offset the overall costs of hosting the event. The following details were provided of the games Exeter would be hosting:-

- Tuesday 29 September 2015 : Tonga v Africa I (to be confirmed)
- Wednesday 7 October 2015 : Africa I (to be confirmed) v Georgia
- Sunday 11 October 2015 : Italy v Romania

With Italy, a 6 Nations competitor, Georgia and Romania possessing sizable communities in the UK and an agent engaged to market tourist packages abroad, it was hoped that the impact on the City would be significant. City Dressing activity would include erection and display of banners throughout the City which was being co-ordinated by Devon County Council and the City Council's Unexpected Festivals in both 2014 and 2015 would reflect and complement the event. The City Council would be involved in the recruitment of some of the 300 volunteers to be engaged by England Rugby to support organisation and delivery of the event.

In response to Members, he advised that security arrangements for the Fan Zone covered 24 hour protection of equipment and crowd control management on the day of the games. Police and local authority officers would liaise in respect of illegal trading of tickets to prevent this occurring as far as possible. A Member referred to a move to introduce legislation to address the activity of "ticket touts".

The Chair remarked that a recent Express and Echo front page headline had highlighted the overall economic benefit the event would bring to the City at £5 million.

RESOLVED that the position be noted.

32

COST OF LIVING WAGE FORUM - INTERIM REPORT

Councillor Denham presented the report to establish whether Council funding would be available to conduct and requisition specific research to further work being undertaken by the Cost of Living Forum and whether the extent of any available Council funding would be sufficient to cover the full cost of the proposed research.

The Forum had requested the University of Exeter to present a Research Proposal with costs for consideration. The University's costs proposed had been set out in the sum of £12,400 and she reported that the University had now adjusted that figure to £9,950, exclusive of VAT, following further negotiation.

Responding to Members Councillor Denham explained that Exeter possessed a high proportion of jobs in the lower paid sector and that greater encouragement of jobs in the knowledge based economy would help attract higher paid opportunities. It was also hoped that employers could be encouraged to understand the overall benefit of increasing low wages to both the economy as well as their own companies. She advised that data at a local authority level was not sufficiently robust and that research was therefore necessary to gather evidence to establish an accurate and reliable baseline for wages and cost of living in Exeter. The University involvement was from a social policy perspective and would not simply act as a data collection body.

The report had been considered at the Scrutiny Committee - Economy on 6 March 2014 and the support and comments were noted.

Members broadly welcomed this initiative, one Member stating that it would be helpful for the Forum to dovetail its deliberations with the Council's "One View of Debt" policy and another Member referred to the importance of individuals prioritising their spending.

RESOLVED that Executive approve funding of up to £9,950 exclusive of VAT, as set out in the report, and with consideration to the University's revised costing.

33

MID DEVON LOCAL PLAN

The report of the Assistant Director City Development was submitted, informing Members of the strategic options for development contained in the emerging review of the Mid Devon Local Plan, being prepared by Mid Devon District Council, and to agree the basis of a proposed response.

The report had been considered at the Planning Member Working Group on 4 March 2014 when the proposed representations to Mid Devon District Council had been supported.

The Assistant Director City Development informed Members of the strategic options for development contained in the emerging review of the Mid Devon Local Plan including options seeking to deliver approximately 8,400 dwellings and 154,000 square metres of commercial floor space between 2013 and 2033, one option incorporating a suggested new community. The City Council considered a study identifying the development needs of the sub region should be undertaken by the Autumn which would inform decisions on the spatial strategy for the sub region and the next version of the Plan.

Members considered that the Plan could have benefited from a wider and more robust consultation process. They had significant reservations in respect of the proposed retail development at Junction 27/M5 which would have potentially major adverse effects on existing town centres in adjoining Districts as well as Exeter itself. It was felt that such a proposal should be informed by a full retail assessment and one Member proposed that the wider business community should be appraised of the likely impact such a commercial development would have.

A Member stated that the priority should be the delivery of more homes and not focus on additional commercial provision. It was noted that the sub region is a single housing market area. Councils had commissioned a revised housing market assessment to update the last one agreed in 2010 which was to be published shortly, however, the Local Plan had been published without the evidence base.

It was also suggested that it would be appropriate for Mid Devon and the Environment Agency to consider identifying a flood storage consultation area in the new plan to allow consideration of whether planning approvals might prejudice the long term creation of any flood storage area. A Member felt that the identification of flood relief solutions up stream of Exeter should also be considered.

RESOLVED that:-

- 1) the following representations be made to Mid Devon District Council:-
 - (a) the next "submitted" version of the Plan be informed by a sub regional study of longer term development needs and options for the Exeter area and an updated housing market assessment;
 - (b) in the absence of this evidence base, the City Council is unable to comment on the appropriateness of the proposed level of housing and employment development or the two distribution options;
 - (c) the Council expresses strong concern that the development proposed involving major retail and leisure development at Junction 27 of the M5 motorway, has been put forward for consultation without a full retail assessment being available and is concerned that this scale of development is likely to have major impacts on the vitality and viability of existing towns and city centres in the sub region and represents an unsustainable, car dominated development strategy; and
- (2) Mid Devon District Council and the Environment Agency be asked to consider identifying a flood storage consultation area in the new plan to allow consideration of whether planning approvals might prejudice the long term creation of any flood storage area; and
- (3) the Assistant Director City Development, subject to prior approval by the Portfolio Holder for City Development be authorised to add any other issues as appropriate to the above response.

34

LORD MAYORALTY

Councillor Prowse was nominated as Lord Mayor Elect and Councillor Newby as Deputy Lord Mayor Elect for the 2014/15 Municipal Year.

RECOMMENDED to Council that Councillor Prowse be nominated as Lord Mayor Elect and Councillor Newby as Deputy Lord Mayor Elect for the 2014/15 Municipal Year.

35

URGENT ITEM

The Chair agreed to take the following item as urgent business in order to note and confirm the emergency release of funds for the necessary works to repair flooding damage in Topsham.

36

BOWLING GREEN ROAD, TOPSHAM - DAMAGED FLOOD DEFENCES

The Assistant Director Public Realm presented the report seeking approval for emergency works to repair flood damage to coastal defences affecting City Council owned land at Bowling Green Marshes, Topsham.

Responding to Members, she confirmed that the bid met the Bellwin scheme criteria and that, having explored the matter with Government officials, a full repayment of the costs to the Council could be expected. Although it was not possible to predict future weather patterns, the works undertaken would be sufficient to withstand weather challenges in the foreseeable future.

RESOLVED that:-

- (1) emergency works to repair flood damage to coastal defences affecting land at Bowling Green Marshes, Topsham be approved; and
- (2) the cost of these works be reclaimed from the Government's Bellwin Scheme for emergency financial assistance to local authorities

37

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 of 12A of the Act.

38

ST LOYES EXTRA CARE SCHEME

The report of the Assistant Director Housing was submitted, seeking approval to enter into a funding agreement with the Homes and Communities Agency (HCA) following the successful allocation of £1.41 million under the Care and Support Specialised Fund 2013-18 programme towards the capital costs of developing an Extra Care scheme, and seeking Members' approval to allocate up to £2.7 million from the Housing Revenue Account (HRA) to enable the construction of the St. Loyes Extra Care Scheme.

RESOLVED that:-

- (1) a funding agreement be entered into with the Homes and Communities Agency (HCA) for £1.41 million; and
- (2) up to £2.7 million pounds be allocated from the HRA Capital Programme to enable the construction of the St Loyes Extra Care Scheme.

39

MINUTES OF EXETER AND HEART OF DEVON GROWTH BOARD - 16 JANUARY 2014

The Chief Executive & Growth Director reported that, following an unsuccessful bid in Round 1 to the Department of Energy and Climate Change Heat Network Development Fund for support to establish an Energy Services Company a further bid had been made in Round 2 in January. This had been successful and it was understood that a grant of £250,000 had been agreed. The funding would help undertake the feasibility work to set up the Energy Services Company and would combine the role of a commercial partner with the public sector to help roll out the central district heating network.

RESOLVED that the minutes of the Exeter and Heart of Devon Growth Board meeting held on 16 January 2014 be noted.

(The meeting commenced at 5.30 pm and closed at 7.05 am)

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

EXECUTIVE

Tuesday 1 April 2014

Present:

Councillor Sutton (Chair)
Councillors Denham, Fullam, Hannaford, Mrs Henson, Owen and Pearson

Apologies:

Councillor Edwards

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Finance, Assistant Director City Development, Assistant Director Economy, Corporate Manager Property and Democratic Services Manager (Committees)

40

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

41

STANDING ORDERS - RECORDING VOTES FOR BUDGET MEETINGS

The report of the Corporate Manager Democratic and Civic Support was submitted, informing Members of the new Standing Orders Regulations and the resulting requirement to amend the Council's Constitution in line with the Government's expectation that all authorities would take recorded votes at their budget meetings.

RECOMMENDED to Council that the:-

- (1) Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 be noted; and
- (2) the Constitution be updated in accordance with the new legislative requirements.

42

OVERVIEW OF REVENUE BUDGET

The report of the Assistant Director Finance was submitted, advising Members of the overall projected financial position of the General Fund Revenue Account after nine months, for the 2013/14 financial year.

The Assistant Director Finance advised of the revenue position with regards to the General Fund, the Housing Revenue Account (HRA) and Council Own Build. Members were advised that the Service Committees showed a forecast overspend of £388,370 and that the variances included a forecast overspend in the SHS – Advisory Services, Planning Services and Unapportionable Overheads and a underspend in Housing Benefits.

The Assistant Director Finance commented that:-

- a full review of sundry debt was to be undertaken

- it was anticipated that there would be an increase in the car park revenue to that originally budgeted
- the unapportionable overheads overspend was due to the strain payments into the pension fund due to staff accessing their pensions early and that the employers past service contributions had been under recovered. From 2014/15 the Council would pay 14.1% for future benefits and £1.2 million fixed amount relating to the past service deficit.

The Portfolio Holder for Housing and Customer Access clarified in relation to the kitchen replacement programme that each kitchen was assessed on its condition and its need for part or whole replacement. Two inspections per year would now be undertaken of all the housing stock and he suggested that the maintenance of the stock could be reviewed by a joint working group comprising of Members from Scrutiny Committees - Community and Resources.

Scrutiny Committee – Resources considered the report at its meeting on 19 March 2014 and the support and comments of the Members were noted.

RECOMMENDED that Council approve the:-

- (1) General Fund forecast financial position for the 2013/14 financial year;
- (2) HRA forecast financial position for 2013/14 financial year;
- (3) outstanding Sundry Debt position as at December 2013; and
- (4) creditors' payments performance.

43

CAPITAL MONITORING STATEMENT TO 31 DECEMBER 2013

The report of the Assistant Director Finance was submitted, reporting 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, and seeking Member approval to amend the annual capital programme in order to reflect the reported variations.

Members were advised that the revised capital programme for the current financial year was £16.265 million. During the first nine months of the year the Council spent £8.190 million on the programme, which equated to 50.4% of the revised programme. This compared with £11.119 million (55.3%) being spent in the first nine months of 2012/13.

The Assistant Director Finance commented on the expenditure variances of the underspend on Housing Revenue Account (HRA) Electrical Rewiring and Boiler Replacement Programme and the achievements which included the Central Station Environmental Works.

The Deputy Chief Executive advised that a report would be presented to Scrutiny Committee – Resources detailing the sums and to whom the New Homes Bonus funds had been awarded to.

The Portfolio Holder for City Development referred to the joint working between Devon County Council, Network Rail and the City Council on the Central Station Enhancements. As the project had come in slightly under budget the remaining funds would be spent on the restoration of the station building canopy.

Scrutiny Committee – Resources considered the report at its meeting on 19 March 2014 and the support and comments of the Members were noted.

RECOMMENDED that the Council notes and approves the current position in respect of the annual capital programme.

44

AN ENERGY NEUTRAL COUNCIL - A RENEWABLES AND ENERGY EFFICIENCY PROGRAMME

Councillor Bialyk, Member Champion for Commercialisation of the Council, presented the report to support a programme of renewable and energy saving initiatives that would assist in the delivery of corporate priorities around improving the environment and maintaining the assets of the city as well as providing essential income and long term savings to the Council. One of the key benefits was to reduce consumption and energy costs. Members were updated on the phased programme, the implementation and the financial and resource implications.

Members paid tribute to the staff on the innovative work achieved. They supported the programme of renewable and energy saving initiatives which would provide significant long term savings and, ultimately, an income for the Council.

The Corporate Manager Property commented that, in general, the pay-back period was between five to seven years on the majority of projects.

Scrutiny Committee – Resources considered the report at its meeting on 19 March 2014 and the support and comments of the Members were noted.

RESOLVED that:-

- (1) progress made to date in delivering renewable and energy efficient initiatives be noted;
- (2) proposed new initiatives, included in Phase I and II as set out in the report be endorsed;
- (3) the Corporate Manager Property, in consultation with the Portfolio Holder Enabling Services, Deputy Chief Executive and Assistant Director Finance be authorised to approve delivery of further energy saving projects within the Capital Programme funding allocation; and
- (4) progress and outcomes of the programme be reported to Scrutiny Committee – Resources on a regular basis.

45

MEMBERS IT PROVISION

The report of the Deputy Chief Executive was submitted, providing information and feedback from the recent pilot with Leader and Portfolio Holders using iPad devices to access council emails, agendas and reports, and seeking approval to proceed with the provision of iPads to all Members following the Local Elections on 22 May 2014.

Members welcomed the way forward and those Members that had taken part in the pilot spoke of their positive experience and thanked the Council's ICT Services for their support.

Scrutiny Committee – Resources considered the report at its meeting on 19 March 2014 and the support and comments of the Members were noted.

RECOMMENDED to Council that:-

- (1) the current PC/Laptop solution be replaced with an iPad for all elected Members following the elections on 22 May 2014;
- (2) all Council ICT equipment currently used by Members to be returned to ICT Services;
- (3) Members' current broadband allowance of £7.50pm be removed, in favour of a 3G connection;
- (4) BlackBerry devices provided to the Leader and Portfolio holders be replaced with a standard phone;
- (5) training for the use of the iPads be provided to all Members;
- (6) the publishing paper copies of meetings cease (only copies of the agendas will be provided at each meeting), subject to the appropriate legislation being in place;
- (7) existing PC and printing facilities located in the Members' Room in the Civic Centre be maintained; and
- (8) additional capital funding of £17,460 and an additional revenue budget of £2,225 to cover the additional costs be approved.

46

CITY DEVELOPMENT REDESIGN MEMBER ENGAGEMENT ISSUES

The report of the Assistant Director City Development was submitted, looking to identify and consider proposals for amendments to Member engagement in the planning process as a result of the redesign of the service and to recommend to Council resulting amendments to the Constitution.

The Assistant Director City Development advised that the amendments included the replacement of the Area Working Parties with fortnightly delegated briefings and four weekly Planning Member Working Group meetings.

Members welcomed the proposed changes and the introduction of delegated briefing meetings although there was discussion regarding the timings of the meetings.

In response to Members, the Assistant Director City Development confirmed that the delegated lists would be produced by Wards and that the timing of the delegated briefings would be reviewed at the end of the three month trial.

RECOMMENDED to Council that the proposed amended roles for Planning Committee, Planning Member Working Group and the replacement of Area Working Parties with Delegation Briefings be approved and, with effect from 4 June 2014, the Constitution be amended as set out in Appendix two.

**REVISED AFFORDABLE HOUSING AND PLANNING OBLIGATIONS
SUPPLEMENTARY PLANNING DOCUMENT**

The report of the Assistant Director City Development was submitted, seeking Members' approval of the revised Affordable Housing Supplementary Planning Guidance (SPD) and Planning Obligations SPD at (Appendices A and C of the report) for adoption. Main revisions to the existing, adopted documents responded to planning system changes and introduction of Exeter's Community Infrastructure Levy (CIL). Both documents had been approved by Executive for public consultation in 2013.

The Assistant Director City Development advised that the Affordable Housing SPD had been amended principally in response to the comments of the CIL Examiner that 'policies in SPD must not conflict with the adopted development plan' and 'there was nothing in the Core Strategy to say that 25% affordable housing would be generally acceptable'. The SPD had been redrafted to reflect the Core Strategy and provide for 35% affordable housing on development sites of three or more dwellings.

The Portfolio Holder for Housing and Customer Access commented that the change from 35% to 25% had been in response to the recession to help ensure that development came forward and now, given the economic upturn, it was considered that 35% Affordable Housing was viable.

Members welcomed the 35% Affordable Housing contribution which would provide for a robust Affordable Housing Policy and further support the development of the city.

RESOLVED that the:-

- (1) revised Planning Obligations and Affordable Housing Supplementary Planning Documents at Appendices A and C be approved and adopted; and
- (2) the Assistant Director City Development be authorised to make any minor modifications as may be necessary.

APPOINTMENT TO OUTSIDE BODIES

The schedule of appointments to outside bodies was circulated.

RESOLVED that:-

- (1) the following appointment be agreed:-

St Sidwell's Parish Lands and Other Charities – Councillor Spackman; and

RECOMMENDED that the appointments to the Exeter Dispensary and in Sickness Fund School and Exeter Municipal Charities be agreed by Council.

**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 3 and 6 of Part 1, Schedule 12A of the Act.

BUS AND COACH STATION SITE

The joint report of the Chief Executive & Growth Director and Corporate Manager Property was submitted, updating Members on the current position regarding the redevelopment project for the Bus and Coach Station site.

The Corporate Manager Property updated Members on the background, the Leisure Centre and Stagecoach Bus facilities, Leisure Complex Project Management and the resource implications.

Members supported the way forward to progress the relocation of the Stagecoach Bus facilities and to move forward the Leisure Centre Complex.

RESOLVED that the: -

- (1) current position as regards the redevelopment of the Exeter Bus and Coach Station site, be noted;
- (2) the Corporate Manager Property, in consultation with the Chief Executive & Growth Director, be authorised to negotiate terms for an Exclusivity Agreement with Stagecoach permitting them to bring forward a Development Scheme for a new depot and bus park;
- (3) the Corporate Manager Property be authorised to negotiate the termination of leases and other property agreements in order to facilitate the depot and bus park;
- (4) the Corporate Manager Property be authorised to arrange service of the necessary break notices to secure vacant possession of the Leisure Complex site; and

RECOMMENDED that Council approve:-

- (5) additional funding of £370,000 to undertake preparatory work for the new leisure complex including to determine the most appropriate way to procure the construction and operation of the facility, and its capital cost, funding options to be brought back to Members for final approval.

(The meeting commenced at 5.30 pm and closed at 7.15 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 8 April 2014.

Agenda Annex

SEATING IN THE GUILDHALL

		Deputy Lord Mayor Councillor Hannafor (L)	Chief Executive & Growth Director	Lord Mayor Councillor Lyons (L)	Corporate Manager Democratic/Civic Support	Corporate Manager Legal	
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Democratic Services Manager (Committees)				Deputy Chief Executive	Assistant Director Finance	
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Councillors	Councillors	Councillors		Councillors	Councillors
Tippins (L)	Bowkett (L)	Edwards (L)	TABLE	Mrs Henson (C)	D J Henson (C)
Crew (L)	Robson (L)	Sutton (L)		Baldwin (C)	Donovan (C)
Branston (L)	Spackman (L)				
Laws (L)	Bull (L)	Pearson (L)		Shiel (C)	Mottram (C)
Choules (L)	Dawson (L)	Owen (L)		Crow (C)	Prowse (C)
Bialyk (L)	Sheldon (L)				
Macdonald (L)	Clark (L)	Denham (L)		Leadbetter (C)	Winterbottom (C)
Martin (L)					Newby (C)

Cllr Morris (L)	Cllr Wardle (L)	Cllr Ruffle (LD)	Cllr Mitchell (LD)	Cllr Mrs Brock (LD)	Cllr Payne (LD)	Cllr Fullam (LD)
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L: Labour : 24
 C: Conservative : 11
 LD: Liberal Democrat : 5

Portfolio Holders

Edwards: Leader
 Sutton : Deputy Leader and City Development
 Hannafor : Housing and Customer Access
 Denham: Economy and Culture
 Owen: Environment, Health and Wellbeing
 Pearson: Enabling Services

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