



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 20 OCTOBER 2015**, 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 Ordinary Meeting held on 28 July 2015 and the Extraordinary Meetings held on 4 June, 28 July and 12 August 2015.	5 - 20
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 27 July 2015	21 - 26
4 Planning Committee - 7 September 2015	27 - 32
5 Planning Committee - 5 October 2015	33 - 36
6 Licensing Committee - 22 September 2015	37 - 40
7 Scrutiny Committee - Community - 8 September 2015	41 - 48
8 Scrutiny Committee - Economy - 10 September 2015	49 - 58
9 Scrutiny Committee - Resources - 16 September 2015	59 - 66
10 Audit and Governance Committee - 23 September 2015	67 - 70
11 Strata Joint Executive Committee - 1 September 2015	71 - 72
12 Strata Joint Scrutiny Committee - 23 July 2015	73 - 76
13 Executive - 15 September 2015	77 - 80
14 Executive - 6 October 2015	81 - 84

Office of Corporate Manager Democratic & Civic Support

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15 Questions from Members of the Council under Standing Order No. 8

Questions received from Councillor Prowse – attached.

85 - 86

Notice of Motion

16 Notice of Motion by Councillor Hannaford under Standing Order No. 6

That Exeter City Council celebrates the recent centenary of the Women's Institute. We celebrate and recognise the wide ranging and important contribution that this great British institution has made directly to local communities , public life in general through its many campaigns, and individuals with its offer of fellowship.

We acknowledge that these have included promoting equal pay and treatment , better access for women to education and healthcare , universal suffrage , a broad range of activities and crafts encouraging members to acquire new skills and nurturing unique talents., family life in all its broadest and most inclusive forms, and a huge amount of charity fund raising. Over the past hundred years the Women's Institute has continued to stay relevant and forward-thinking.

As the Women's Institute continues to grow and develop we welcome the recent revival that has occurred with many new branches being established to provide the same positive sisterhood that previous generations enjoyed, yet moving with the times to pick up contemporary issues that need addressing , such as saving the honey bee , supporting food banks , and resisting cuts to midwifery services. We are confident that in 2015 it continues to demonstrate that it can make a real difference to the lives of women of all ages and cultural backgrounds, in a spirit of friendship, cooperation and support.

Furthermore that enquiries be made to assess the possibility of a centenary exhibition at the Guildhall in tandem with some craft activities , and that the Lord Mayor of Exeter hosts a special thank you reception and high tea at the Guildhall , on behalf of the City Council for Women's Institute representatives from across the city to mark this significant anniversary.

A plan of seating in the Guildhall is attached as annexe

Date: Monday 12 October 2015

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register

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Agenda Item 1

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 28 July 2015

The Right Worshipful the Lord Mayor (Cllr Foggin)
The Deputy Lord Mayor (Cllr Robson)
Councillors Bialyk, Branston, Brimble, Bull, Buswell, Denham, Edwards, George, Hannaford, Hannan, Harvey, Henson, Holland, Leadbetter, Lyons, Morris, Morse, Owen, Packham, Pearson, Prowse, Raybould, Sheldon, Shiel, Spackman, Sutton, Vizard, Wardle and Williams

27 **APOLOGIES**

Apologies for absence were received from Councillors Baldwin, Brock, Choules, Crew, Laws, and Newby.

28 **MINUTES**

The minutes of the Ordinary and Extraordinary meetings held on 21 April 2015 were taken as read and signed as correct.

29 **HAZEL BALL AND ALDERMAN PAUL SMITH**

The Council observed a minutes' silence as a mark of respect for Hazel Ball, former Director of the Council and Alderman Paul Smith, former Lord Mayor of the City, who had both sadly passed away this month.

The Leader paid tribute to Hazel Ball and referred to the many years of dedicated service she had given to the City in her working life and after her retirement and Alderman Paul Smith who had been a Leader of the Liberal Democrats, a Leader of the Council and who had faithfully served the Council for many years.

30 **OFFICIAL COMMUNICATIONS**

The Lord Mayor referred to the recent successful visit of Dignitaries from Bad Homburg to Exeter which had further strengthened the relationship between the two cities. She also advised that Councillor Sheldon is raising money for the Lord Mayor's charity by having one half of his beard shaved off.

31 **PLANNING COMMITTEE - 27 APRIL 2015**

The minutes of the Planning Committee of 27 April 2015 were presented by the Chair, Councillor Bialyk, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 27 April 2015 be received.

32 **PLANNING COMMITTEE - 1 JUNE 2015**

The minutes of the Planning Committee of 1 June 2015 were presented by the Chair, Councillor Bialyk, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 1 June 2015 be received.

33

PLANNING COMMITTEE - 29 JUNE 2015

The minutes of the Planning Committee of 29 June 2015 were presented by the Chair, Councillor Bialyk, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 29 June 2015 be received.

34

LICENSING COMMITTEE - 2 JUNE 2015

The minutes of the Licensing Committee of 2 June 2015 were presented by the Chair, Councillor Sheldon, and taken as read.

RESOLVED that the minutes of the Licensing Committee held 2 June 2015 be received.

35

SCRUTINY COMMITTEE - COMMUNITY - 16 JUNE 2015

The minutes of the Scrutiny Committee - Community of 16 June 2015 were presented by the Chair, Councillor Morse and, subject to noting the amendment to Minute 29(Portfolio Holder Statements) to read the "Portfolio Holder for Customer Access requested one Task and Finish Group be set up regarding the homelessness strategy and that the local welfare support funding was an area that the Council should monitor and report back to Scrutiny", were taken as read.

In respect of Minute 26 (Questions from the Public under Standing Order 19) and in response to a Member, Councillor Morse clarified that future reports on transport would go to Scrutiny Economy Committee as it was in the remit of the Portfolio Holder for City Development who reported to that Scrutiny Committee.

In respect of Minute 27 (Transport Strategy for Exeter) and in response to a Member, the Portfolio Holder for City Development stated that whilst Devon County Council was the transport authority, the City Council was fully aware of the need for joined up working between the City and County Councils. The Transport Strategy Working Group would meet regularly holding an annual forum to engage with Members and local groups interested in Transport.

RESOLVED that the minutes of the Scrutiny Committee - Community held on 16 June 2015, subject to the amendment, be received.

36

SCRUTINY COMMITTEE - ECONOMY - 18 JUNE 2015

The minutes of the Scrutiny Committee – Economy of 18 June 2015 were presented by the Chair, Councillor Brimble, and taken as read.

In respect of Minute 33 (Portfolio Holders' Statement) and in response to a Member's questions on council own build, the stopping up of Paris Street and recycling rates in the city:-

- the Leader stated that it was anticipated that the council own build schemes would be nearing 100 new Council Houses in the next few years. The Council's policy was for a 30% affordable housing contribution on housing developments and that this was used to provide new social and affordable housing throughout the city;
- the Leader commented that the advice of the County Highways Officers were waited with regards to the stopping up of Paris Street;

- the Portfolio Holder for Health and Place advised that officers were mapping data collected regarding recycling rates within the city and areas with a low recycling rate would be the subject of a targeted campaign.

RESOLVED that the minutes of the Scrutiny Committee - Economy held on 18 June 2015 be received.

37 **SCRUTINY COMMITTEE - RESOURCES - 1 JULY 2015**

The minutes of the Scrutiny Committee - Resources of 1 July 2015 were presented by the Chair Councillor Bull, and subject to including Portfolio Holder for Customer Access as in attendance, taken as read.

RESOLVED that the minutes of the Scrutiny Committee - Resources held on 1 July 2015, subject to the amendment, be received.

38 **AUDIT AND GOVERNANCE COMMITTEE - 24 JUNE 2015**

The minutes of the Audit and Governance Committee of 24 June 2015 were presented by the Chair, Councillor Vizard, and taken as read.

RESOLVED that the minutes of the Audit and Governance Committee held on 24 June 2015 be received and, where appropriate, adopted.

39 **STRATA JOINT EXECUTIVE COMMITTEE - 10 JUNE 2015**

The minutes of the Strata Joint Executive Committee of 10 June 2015 were presented by the Chair, Councillor Edwards, and taken as read.

RESOLVED that the minutes of the Strata Joint Executive Committee held on 10 June 2015 be received.

40 **STRATA JOINT SCRUTINY COMMITTEE - 28 MAY 2015**

The minutes of the Strata Joint Scrutiny Committee of 28 May 2015 were presented by Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Strata Joint Scrutiny Committee held on 28 May 2015 be received.

41 **EXECUTIVE - 23 JUNE 2015**

The minutes of the Executive of 23 June 2015 were presented by the Deputy Leader, Councillor Sutton, and taken as read.

In relation to Minute 65 (Appointment to Outside Bodies):-

RESOLVED that the following appointments be agreed:

Age Concern - Mrs M Clark
Exeter Citizen Advice Bureau – Councillor Bull

RESOLVED that the minutes of the Executive held on 23 June 2015 be received and, where appropriate, adopted.

EXECUTIVE - 14 JULY 2015

The minutes of the Executive of 14 July 2015 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of Minute 77 (Electoral Review of Exeter), the Leader advised of the following proposed amendments which had been sent to the Corporate Manager Democratic and Civic Support prior to the meeting and circulated to Members:-

- Two Councillors supported the draft recommendations of the Local Government Boundary Commission for England (LGBCE);
- Two Councillors supported the Council's previous view that the St James and Duryard wards should continue to be separate wards (rather than combined into a single three member ward) being represented by two and one members respectively;
- One Councillor proposed that the current Priory and Topsham ward boundaries should remain unchanged;
- One Councillor proposed amendments to the St Thomas and Exwick Ward boundaries.

The Leader proposed that the following response be submitted to the LGBCE

- Support the Council's previous submission that the St James and Duryard wards should continue to be separate wards (rather than combined into a single three member ward) being represented by two and one members respectively; and
- the current Priory and Topsham ward boundaries should remain unchanged.

This was seconded by Councillor Sutton.

Members discussed the proposed amendments including the impact that Individual Electoral Registration (IER) had on the number of registered voters in areas of the city such as Duryard and St James that had a high percentage of students.

A Member stated his party did not support the Council's submission and would be submitting their Party's proposals to the LGBCE.

Whilst the majority of Members supported the proposed response, other Members stated that they would be submitting their own response to the Boundary Commission.

RESOLVED that the Council's official submission to the Local Government Boundary Commission for England response to its current consultation on the electoral review of Exeter is:-

- the St James and Duryard wards should continue to be separate wards (rather than combined into a single three member ward) being represented by two and one members respectively; and
- the current Priory and Topsham ward boundaries should remain unchanged.

RESOLVED that the minutes of the Executive held on 14 July 2015 be received and, where appropriate, adopted.

COMMITTEE MEMBERSHIP

RESOLVED that the following appointments be agreed:-

Audit and Governance Committee

Deputy Chair – Councillor Laws
Councillor Raybould to replace Councillor Robson

Scrutiny Committee – Community

Councillor Wardle to replace Councillor Robson

Scrutiny Committee – Resources

Councillor Packham to replace Councillor Robson

Exeter Highways and Traffic Orders Committee (HATOC)

Councillor Buswell

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**QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER
NO 8**

In accordance with Standing Order No. 8, the following questions were put to the Leader.

Question from Councillor Prowse to the Leader.

Question – *“This City is able to boast having the oldest Municipal Park in the entire Country. Last year, it proudly won the best park in the Southwest when it entered after a ten year absence, the South West Britain in Bloom contest. Sadly, the bandstand has been neglected and is no longer serviceable. Would the Leader comment on any future plans and is it possible that any funds could be secured to put this feature back into community use? (CIL, Section 106 or even the new homes bonus are suggested sources).”*

The Leader responded that the replacement of the bandstand would cost approximately £100k and that in light of the current financial pressures on the Council there was no budget for this replacement.

Councillor Prowse asked a supplementary question as to whether the bandstand was on the Listed Buildings at risk register as the Park was a Registered Grade II Historic Park and Garden.

The Leaders stated that he would investigate the matter and respond to Councillor Prowse.

Question from Councillor Shiel to the Leader.

Question – *Mindful that our award winning R.A.M.M. is very much a "Rolls Royce" institution and that the maxim about "the quality remains long after the price is forgotten" applies to it as it does to the classic cars, would the leader nevertheless give members an update on the current situation over the resolution of the budgetary problems relating to its redevelopment, and some indication of when we may finally have closure on this issue?*

The Leader assured Members that this issue had not been forgotten, and that the Council continued to actively pursue it. The last time the Council discussed this matter it did so as a part II item because of the sensitivities of the matter. As a result, and in accordance with the provisions of Standing Order 8(3)(b) a written response to all Councillors would follow shortly.

(The meeting commenced at 6.00 pm and closed at 7.05 pm)

Chair

THE EXTRAORDINARY MEETING OF EXETER CITY COUNCIL

Guildhall
Thursday 4 June 2015

The Right Worshipful the Lord Mayor (Cllr Foggin)
The Deputy Lord Mayor (Cllr Robson)
Councillors Baldwin, Bialyk, Bowkett, Brimble, Brock, Bull, Buswell, Choules, Crew, Denham, Edwards, George, Hannaford, Hannan, Harvey, Henson, Holland, Laws, Leadbetter, Morris, Morse, Newby, Owen, Packham, Pearson, Raybould, Sheldon, Spackman, Sutton, Vizard, Wardle and Williams

5 **APOLOGIES**

Apologies for absence were received from Councillors Branston, Donovan, Lyons and Prowse.

6 **TO REVIEW THE EXETER "CONVENTIONS"**

Minutes of Special Executive held 3 June 2015 were taken as read.

The Leader, seconded by Councillor Sutton, moved the recommendation.

The Leader of the Opposition commented that there had been an excellent debate at last night's Executive and re-iterated his group's opposition to the recommendation.

A Member stated that he had attended the interesting Executive meeting last night and listened to the opposition group speak with passion and insight. He fully supported the Leader and, in fact, it was his Group's backbenchers that had asked the Leader if the Exeter Convention could be changed. He believed the proposal was the right way forward for the Council and that the ruling group could and would scrutinise the Executive effectively. He referred to the South West Charter Plus which highlighted the operation of scrutiny, acknowledging the contribution of all Members sitting on those committees. The Centre for Public Scrutiny's view was that Scrutiny Councillors should not act in a party political manner. He believed that scrutiny worked best if Members of all political parties came together to provide a 'critical friend', the key roles being to evaluate, monitor, consider, advise and review. He felt, however, that the mechanism regarding call-in based around one third of scrutiny committee membership did need some further thought.

RESOLVED that the Minutes of the Special Executive held on 3 June 2015 (as below) be received and adopted:-

- (1) Delete (6) from The Exeter "Conventions";
- (2) Amend Scrutiny Procedure Rules 6.1 to read – Chairs of scrutiny committees will be drawn from amongst the councillors sitting on the committee;
- (3) Amend the Constitution accordingly; and

- (4) That the Corporate Manager Democratic and Civic Support and the Democratic Services Manager (Committees) review the Council's Constitution and Standing Orders to ensure it is fit for purpose. The results of the review to be reported to a Working Group made up of all political parties on the Council and to be implemented from Annual Council 2016.

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

Voting for:

Councillors Bialyk, Bowkett, Brimble, Bull, Buswell, Choules, Crew, Denham, Edwards, George, Hannaford, Hannan, Laws, Morris, Morse, Owen, Packham, Pearson, Raybould, The Deputy Lord Mayor, Sheldon, Spackman, Sutton, Vizard, Wardle and Williams.

(26 Members)

Voting against:

Councillors Baldwin, Brock, Harvey, Henson, Holland, Leadbetter and Newby.

(7 Members)

Abstain:

The Lord Mayor.

(1 Members)

Absent:

Councillors Branston, Donovan, Lyons, Mottram, Prowse and Shiel.

(6 Members)

7

TO APPOINT SCRUTINY COMMITTEE CHAIRS AND DEPUTY CHAIRS

RESOLVED that the following be agreed:-

Scrutiny Committee – Community

Chair – Councillor Morse

Deputy Chair – Councillor George

Scrutiny Committee – Economy

Chair – Councillor Brimble

Deputy Chair – Councillor Lyons

Scrutiny Committee – Resources

Chair – Councillor Bull

Deputy Chair –Councillor Buswell

(The meeting commenced at 6.00 pm and closed at 6.15 pm)

Chair

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THE EXTRAORDINARY MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 28 July 2015

The Right Worshipful the Lord Mayor (Cllr Foggin)
The Deputy Lord Mayor (Cllr Robson)
Councillors Bialyk, Branston, Brimble, Bull, Buswell, Denham, Edwards, George, Hannaford, Hannan, Harvey, Henson, Holland, Leadbetter, Lyons, Morris, Morse, Owen, Packham, Pearson, Prowse, Raybould, Sheldon, Shiel, Spackman, Sutton, Vizard, Wardle and Williams

8

APOLOGIES

Apologies for absence were received from Councillors Baldwin, Brock, Choules, Crew, Laws, and Newby.

9

FREEDOM OF THE CITY - MICHAEL CAINES

The Leader moved the recommendation that Mr Michael Caines be awarded the honour of Freedom of the City in recognition of his achievements in the field of cookery which has led to Exeter's name being known around the world as one which supports the culinary arts.

Councillor Leadbetter seconded the recommendation.

RESOLVED that, in pursuance of its powers under Section 249 of the Local Government Act 1972, the Council do confer on Mr Michael Caines Freedom of the City Status in recognition of his outstanding services to cookery which has led to Exeter's name being known around the world as one which supports the culinary arts.

[Section 249 of the Local Government Act 1972 provides that the foregoing honour may be conferred by resolution of the Council passed by not less than two thirds of the Members voting thereon, at a meeting specially convened for the purpose.]

[The foregoing resolution was passed unanimously]

10

HONORARY ALDERMAN - JOHN WINTERBOTTOM

Councillor Leadbetter moved the recommendation that Mr John Winterbottom be conferred the title of Honorary Alderman, in recognition of his outstanding service to the Council over his 15 years of office on the Council, including his time as Lord Mayor in 2009.

The Leader seconded the recommendation.

RESOLVED that, in pursuance of its powers under Section 249(1) of the Local Government Act 1972, the Council do confer on Mr John Winterbottom the title of Honorary Alderman, in recognition of his eminent services to Exeter City Council during the period he was a Member of the Council, including his time as Lord Mayor in 2009.

[Section 249 of the Local Government Act 1972 provides that the foregoing honour may be conferred by resolution of the Council passed by not less than two thirds of the Members voting thereon at a meeting specially convened for the purpose.]

[The foregoing resolution was passed unanimously)

(The meeting commenced at 7.05 pm and closed at 7.07 pm)

Chair

THE EXTRAORDINARY MEETING OF EXETER CITY COUNCIL

Guildhall
Wednesday 12 August 2015

The Right Worshipful the Lord Mayor (Cllr Foggin)

Councillors Baldwin, Bialyk, Branston, Brimble, Bull, Buswell, Choules, Crew, Edwards, Hannan, Harvey, Henson, Holland, Leadbetter, Lyons, Morse, Mottram, Newby, Owen, Packham, Prowse, Raybould, Sutton, Vizard, Wardle and Williams

11 **APOLOGIES**

Apologies for absence were received from Councillors Brock, Denham, George, Hannaford, Laws, Morris, Pearson, The Deputy Lord Mayor, Sheldon and Spackman.

12 **SCRUTINY COMMITTEE - RESOURCES - SPECIAL - 29 JULY 2015**

The minutes of the Scrutiny Committee – Resources - Special of 29 July 2015 were presented by the Chair, Councillor Bull,

RESOLVED that the minutes of the Scrutiny Committee – Resources - Special held on 29 July 2015 be received.

13 **EXECUTIVE - SPECIAL - 11 AUGUST 2015 MINUTE NO.85 (COMMUNITY INFRASTRUCTURE LEVY FUNDING FOR MARSH BARTON RAILWAY STATION)**

Minute 85 of Executive – Special held on 11 August 2015 was presented by the Leader, Councillor Edwards and taken as read.

In response to a Member's question, the Leader stated that the funding for Marsh Barton railway Station would only be available once £8 million of the Community Infrastructure Levy (CIL) had been collected for city centre investment. Therefore Devon County Council would be arranging for forward funding of the city commitment and it was anticipated that sufficient monies would have been collected by 2020.

RESOLVED that Minute 85 of the Executive - Special held on 11 August 2015 (as below) be received and adopted:-

£1.3m Community Infrastructure Levy be available for investment in the new railway station at Marsh Barton on the following basis:-

- (1) that no funds to be made available until adequate Community Infrastructure Levy had been collected and funding for city centre major infrastructure investments has been secured in line with the resolution of Executive on 10 February 2015;
- (2) of the £1.3 million funding:
that £660,000 be committed specifically for Marsh Barton Station; and
the other £640,000 be available for Devon County Council to deliver infrastructure needed to serve development at South West Exeter, which could include Marsh Barton Station;

- (3) City Council CIL funding for the railway station to be conditional on 'claw-back' provisions whereby the Council would be an equal-proportion recipient of any project cost savings, and
- (4) the Assistant Director City Development be given delegated authority to finalise an agreement with Devon County Council that accords with these recommendations.

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

The Leader moved that the following items be taken in part II to exclude the press and public.

This was seconded by Councillor Sutton.

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

15 **EXECUTIVE - SPECIAL - 11 AUGUST 2015 - MINUTE NO.88 (WASTE OPERATIONS:MARKET SUPPLEMENT TO DRIVERS' SALARIES)**

Minute 88 of Executive – Special held on 11 August 2015 was presented by the Leader, Councillor Edwards and taken as read.

In response to a Member's question, the Leader assured Members that all Waste Drivers employed by the City Council had been offered the training to obtain the Certificate of Professional Competence.

RESOLVED that Minute 88 of the Executive – Special held on 11 August 2015 (as below) be received and adopted:-

- (1) approves that a mechanism to introduce a market supplement at short notice if required to retain existing refuse collection vehicle (RCV) drivers and/or successfully recruit to RCV driver vacancies, in order to prevent service disruption to refuse collections;
- (2) approves that this market supplement may be up to £1,500 per annum and paid pro rata on a monthly basis to Waste Operations drivers whose job description requires them to operate a large goods vehicle (LGV), and whose job role it is to operate a refuse collection vehicle in excess of 7.5 tonnes;
- (3) this mechanism to be invoked by the Assistant Director Environment in consultation with the Assistant Director Finance, and agreement of Portfolio Holder for Health and Place if required due to the likelihood of service disruption;
- (4) approves a supplementary budget provision of £16,500 to be ear-marked from the General Fund working balance for the part-year of 2015/16 (sufficient to pay the maximum market supplement from 1 September if necessary); and

- (5) approves a provision of £32,895 to be earmarked from the General Fund for the full year of 2016-17 (sufficient to continue the market supplement at the maximum level, if necessary).

16 **EXECUTIVE - SPECIAL - 11 AUGUST 2015 - MINUTE NO.89 (PROPOSAL FOR ADDITIONAL ENHANCEMENT OF THE LEISURE COMPLEX AND SWIMMING POOL)**

Minute 89 of Executive – Special held on 11 August 2015 was presented by the Leader, Councillor Edwards and taken as read.

The Leader stated that there was a compelling business case to invest in the new leisure complex and swimming pool with the enhanced facilities. This proposal was the next stage in the development of the city centre building on the success of Princesshay and would be at no extra cost to the tax payers.

The Leader moved the recommendation to invest an additional £6 million to provide an enhanced leisure complex and swimming pool.

This was seconded by Councillor Sutton.

A Member stated his party did not support this proposal and would be voting against the recommendation. He thought that the leisure complex and swimming pool project was being rushed through and there were still many unanswered questions regarding the relocation of the Bus Depot to Matford Park and Ride including the future of the Sunday car boot sales; the road layout and the stopping up of Paris Street; and who would be the operator of the Leisure Complex.

RESOLVED that Minute 89 of the Executive – Special held on 11 August 2015 (as below) be received and adopted:-

- (1) that there was a compelling business case to invest an additional £6m to provide an enhanced leisure complex and swimming pool; and also
- (2) following the statement from the Leader of the Council, it was further recommended that the funding for the £26m should not result in an increase in the Council's underlying debt, noting that £8m has already been set aside from New Homes Bonus and that a further £10m will be set aside from New Homes Bonus over the next five years, with the additional £8m coming from Community Infrastructure Levy and capital receipts.

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

Voting for:

Councillors Bialyk, Branston, Brimble, Bull, Buswell, Choules, Crew, Edwards, Hannan, Lyons, Morse, Owen, Packham, Raybould, Sutton, Vizard, Wardle and Williams

(18 Members)

Voting against:

Councillors Baldwin, Harvey, Henson, Holland, Leadbetter, Mottram, Newby,
Prowse

(8 Members)

Abstain:

Councillor The Lord Mayor

(1 Members)

Absent:

Councillors Brock, Denham, Donovan, George, Hannaford, Laws, Morris, Pearson,
the Deputy Lord Mayor, Sheldon, Shiel and Spackman

(12 Members)

Vacancy (1)

(The meeting commenced at 6.00 pm and closed at 6.30 pm)

Chair

PLANNING COMMITTEE

Monday 27 July 2015

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Buswell, Choules, Denham, Edwards, Lyons, Prowse, Sutton and Williams

Apologies:

Councillors Newby and Raybould

Also Present:

Assistant Director City Development and Democratic Services Manager (Committees)

Devon County Council Highway Representative – Mr W Pratt

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DECLARATIONS OF INTEREST

In respect of Minute no. 58 Councillor Choules declared an interest as he knew users of the Countess Wear Village Hall.

No declarations of disclosable pecuniary interest were made.

57

PLANNING APPLICATION NO. 15/038/03 - PARK AND RIDE, MATFORD PARK ROAD, MARSH BARTON TRADING ESTATE, EXETER

The Assistant Director City Development presented the application for a proposed new workshop, offices, bus wash, fuelling and chassis wash facility for the servicing, maintenance and parking of public service vehicles including change of use (B2, Sui Generis) with pick up and drop off of park and ride passengers.

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 and the update sheet.

The majority of Members supported the proposal to relocate the Stagecoach Depot to this Park and Ride site.

RESOLVED that planning permission for a proposed new workshop, offices, bus wash, fuelling and chassis wash facility for the servicing, maintenance and parking of public service vehicles including change of use (B2 Sui Generis) with pick up and drop off of park and ride passengers be **APPROVED** subject to a legal agreement or other arrangement to secure a contribution of £5,000 for the purpose of implementing Road Traffic orders in the vicinity of the site that allow for additional on road parking and subject also 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) 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 2 April 2015 (*drg. nos. 1020/ECC/001, 1020/B/002, 1020/B/003.1, 1020/B/004, 1020/B/010, 1020/B/011, 1020/B/012, 1020/B/012.1 and 1020/B/013*) and 16 July 2015 (*dwg. nos. 1020/B/001 rev H and 1020/B/001.1 rev H*), as modified by other conditions of this consent.

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

- 3) Operations of the bus depot shall not cause any change to the ambient LAFeq (15 minute) that would otherwise be present at any time of the day or night in the absence of the bus depot, as measured at the boundary of any dwelling (or other suitable surrogate location). Measurements shall be made in accordance with BS7445:1 (2003).

Reason: In the interests of residential amenity.

- 4) A Construction Environmental Management Plans (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site 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 and demolition phases, including site traffic, the effects of piling, and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact. The plan shall include details of construction access and provisions for access to the Hussey's site to be maintained during construction.

Reason: In the interest of the environment of the site and residential amenity.

- 5) 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 building(s) 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 building(s) hereby approved.

- 6) No development shall take place within the application site until the means of construction and drainage of the areas of parking and circulation have been agreed in writing by the Local Planning Authority. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that surface water runoff is maintained at the current rate or less.

- 7) The approved development shall only be occupied in accordance with the Travel Plan received on 2 April 2015, or such revised Travel Plan as subsequently approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

- 8) The depot part of the development hereby approved shall not be brought into its intended use until secure cycle parking facilities have been provided in accordance

with the approved plans. Thereafter the said cycle parking facilities shall be retained for that purpose at all times

Reason: To ensure that cycle parking is provided, in accordance with Exeter Local Plan Policy T3.

- 9) A Car Park Management Plan for the Park and Ride site shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of any part of the development. A review of the impacts of this management plan shall be undertaken within 3 months of occupation of the development and the Car Park Management Plan updated on a quarterly basis thereafter, unless otherwise agreed with the Local Planning Authority.
Reason: To ensure that adequate onsite parking provision is provided.
- 10) Before the development hereby approved is first occupied an emergency plan for the event of flooding shall be prepared.
Reason: In the interests of safety.
- 11) A scheme of measures to reduce energy and water use on site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall subsequently be implemented on site before the development hereby approved is first brought into use.
Reason: In accordance with Exeter Core Strategy Policy CP15 and in the interests of sustainable development.
- 12) 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.
- 13) 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.
- 14) Unless otherwise agreed in writing 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 conform with the visual amenity requirements of the area.
- 15) Unless otherwise agreed in writing by the Local Planning Authority external lighting shall only be installed and operated in accordance with the details of the Lighting Assessment Report received 2 April 2015.
Reason: In the interests of visual amenity.

- 16) Before development hereby approved is commenced a programme of works shall be submitted to and agreed in writing by the Local Planning Authority which shall maximise the availability of parking at the site during the construction period. Unless otherwise agreed in writing construction works, including highway works, shall only be carried out in accordance with that agreed programme.
Reason: In the interest of sustainable transport.
- 17) No part of the Depot development hereby approved shall be brought into its intended use until the access, on site vehicular and secure cycle parking facilities, cycle access to the Park and Ride and pedestrian facilities have been provided and maintained in accordance with details to be submitted to and approved in writing with the Local Planning Authority, and retained for that purpose at all times
Reason: To provide a safe and suitable access and adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.
- 18) No part of the development hereby approved shall be brought into its intended use until a strategy for providing secure cycle parking and ancillary facilities at the Park and Ride, including proposals to accommodate further increases, has been approved in writing with the Local Planning Authority, and implemented in accordance with this strategy.
Reason: To provide a safe and suitable access and adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.

58

PLANNING APPLICATION NO. 15/0470/03 - COUNTESS WEAR VILLAGE HALL, 28 SCHOOL LANE, EXETER

Councillor Choules declared an interest as he knows users of the Countess Wear Village Hall.

The Assistant Director City Development presented the application for the demolition of the Countess Wear Village Hall and erection of a new hall with an office and meeting room on the first floor, as replacement for the existing village hall.

The recommendation was for approval subject to the conditions as set out in the report and two additional conditions to cover hours of construction (standard condition) and hours of operation, details be agreed with the Chair of Planning Committee.

Mr Morgan spoke against the application. He raised the following points:-

- the existing hall was low on the horizon and barely noticeable
- this site was not the right location for this large community centre
- the proposed two storey hall was not in keeping with the street scene and would cause overlooking
- would cause parking problems in the surrounding area
- concerns regarding increase in noise emanating from the hall and smells from the use of the kitchen
- the narrow path way to the entrance could cause access issues.

He responded as follows to Members queries:-

- there was presently no noise nuisance in the day but had concerns regarding amplified music and live performances in the evening time, the application should not be determined until the Environmental Assessment has been received.

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

- the building was a valuable community asset for the City but the present building was no longer a suitable facility
- had followed Planning Officers advice
- the layout with the stage near the road was to enable the building to meet Disability Discrimination Act Regulations; the building was also set lower down than the existing building
- the project met the Council's Strategic Policies C.P 10 and 17
- had not received any complaints to date
- asked the Committee to approve the application.

He responded as follows to Members queries:-

- the capacity of the new building would be approximately 100, about the same capacity as the current building
- did not anticipate that there would be more than a few events each year where hot food would be prepared
- the building was already very well used and did not envisage that the expansion of use would be any more than 10%.

Members supported this application for an improved modern community facility

RESOLVED that planning permission for the demolition of the Countess Wear Village Hall and erection of a new hall with an office on first floor, as replacement for the existing village hall be **APPROVED** subject to the following conditions:-

- 1) C05 - Time Limit – Commencement
- 2) C15 - Compliance with Drawings
- 3) The applicant should submit for review details of the proposed kitchen extraction system, including predicted noise levels and odour abatement equipment
Reason: To protect the residential amenities of adjacent occupiers.
The applicant should be advised that further guidance on the required information is available in annex B of the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.
- 4) The applicant shall undertake a noise impact assessment for this application, which shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment as well as noise from deliveries, patrons and events.
Reason: To protect the residential amenities of adjacent occupiers.
- 5) If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity.
Reason: To protect the residential amenities of adjacent occupiers.
- 6) Implement agreed noise and odour control works before using the kitchen.
Reason: To protect the residential amenities of adjacent occupiers.
- 7) hours of construction – standard.

8) hours of use details to be agreed with the Chair of Planning Committee.

59

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

60

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

61

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party be held on Tuesday 25 August 2015 at 9.30 a.m., the Councillors attending will be Lyons, Raybould and Williams.

Additional Information Circulated after Agenda Dispatched - circulated as an appendix

(The meeting commenced at 5.30 pm and closed at 6.32 pm)

Chair

PLANNING COMMITTEE

Monday 7 September 2015

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Buswell, Choules, Denham, Edwards, Lyons, Prowse, Raybould, Sutton and Williams

Apologies:

Councillor Newby

Also Present:

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

62

MINUTES

The minutes of the meetings held on 27 April, 1 June and 29 June were taken as read and signed by the Chair as correct.

63

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

64

PLANNING APPLICATION NO. 15/0792/16 - RENNES HOUSE AND LAND ADJOINING VAUGHAN ROAD, EXETER

The Principal Project Manager (Development) presented the application for the demolition of two storey car park, relocation of western power substation, relocation of O2 substation and erection of new residential development containing 26 flats including new adjacent car parking facilities and landscaped areas.

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

Mr Bolton spoke against the application. He raised the following points:-

- the design and colouring scheme are alien to the area;
- the proposed car park is inadequate for the existing number of residents;
- adequate parking spaces and garages are required to ensure that there is no parking congestion in the area;
- the Police have reported anti social behaviour in the area which is continuing and, consequently, a gated area is required to improve security;
- the proposed garden area is in the wrong location and will suffer from excess shading and is likely to be windy;
- refusal of the application on the previous occasion was because of the loss of open space and this remains a problem with the new plans; and
- is the £1.9 million allocated for the upgrade of Rennes House dependent on the new build?.

He responded as follows to Members' queries:-

- there were no disabled parking spaces currently marked on site;

- parking is likely to be a growing problem as, although the flats are designated for over 55's, many of the occupants will possess cars. It is likely that there will be increased parking in Whipton Village.

Ms Osmundsen spoke in support of the application. She raised the following points:-

- a new high quality development of 26 flats for the over 55's was proposed to be rented to households in housing need in Exeter;
- the scheme would deliver new healthy design for older people using building biology principles, a modern landmark design offering long term savings in maintenance and repair costs, it would meet the Lifetime Homes standard and exceed minimum national space standards and it would possess low energy Passivhaus design aiding fuel poverty by reducing heating bills significantly;
- following the approval of the 2010 scheme, there has been a need to drive down costs and get better value for the public purse, hence the removal of the undercroft car parking. The number of new homes had been increased from 19 to 26 by increasing the proportion of one bedroom houses. This, along with other design changes, had reduced build costs by 40% between the old scheme and this current scheme;
- would possess 24 parking spaces to be shared between the new build and Rennes House retaining the same number of parking spaces used by Rennes House residents with 9 spaces for the new development;
- a new high quality, landscape architect designed scheme for the residents of Rennes House, with design input from the tenants;
- improved security of the entire site with the introduction of boundary treatments to prevent pedestrians from crossing the site and gaining access to the upgraded private amenity space;
- after the February Planning Committee, further consultation had been undertaken with local residents particularly focussing on the car parking arrangements, communal landscaping and site security, on site car parking had been reduced, a high quality landscaped area wrapping around the north and east of Rennes House, for the use of the Rennes House residents had been introduced and the private balcony sizes on the new build had been increased to allow for greater amenity space; and
- the upgraded communal garden for Rennes House will get morning sun until noon, even in winter and will benefit from evening sun in late spring, through the summer and in early autumn.

She responded as follows to Members' queries:-

- £1.9 million remains set aside for the upgrade of Rennes House;
- the Police Architecture Liaison Officer was consulted on design and further consultation could take place with residents to improve lighting/security levels;
- disabled parking spaces will be marked out;
- there is a significant demand for one bed properties partly as a result of the allocation policy and downsizing;
- the parking area will be monitored by the community patrol service as with other Council developments to ensure parking permits are shown;
- the new amenity space will be landscaped although tree provision would be limited because of the effects of shading and root growth

The recommendation was for approval subject to the conditions as set out in the report and the additional condition on the update sheet.

RESOLVED that, subject to prior consultation with the Chair and Ward Councillors on:-

- the potential location of a drop off point;
- design of parking area;
- security and lighting issues; and
- design of the amenity space;

and subject also to the completion of a legal agreement (in the form of a Unilateral Undertaking) to secure provision of 35% of the units as affordable in perpetuity, and limitation on occupation to age 55 and over, the Assistant Director City Development be authorised to **APPROVE** planning permission for the demolition of two storey car park, relocation of western power substation, relocation of O2 substation and erection of new residential development containing 26 flats including new adjacent car parking facilities and landscaped areas subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 21st August and 13th November 2014 (dwg. nos. AL(0)500 Rev P4, AL(0)100 Rev P3, AL(0)110 Rev P3, AL(0)120 Rev P3, AL(0)130 Rev P3, AL(0)151 Rev P8 and AL(0)150 Rev P8), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) The existing accesses onto Hill Lane and Vaughan Road shall be permanently closed and footway reinstated in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority as soon as the new access is capable of use.
Reason: To minimise the number of redundant accesses on to the public highway, in the interest of public safety.
- 7) 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 the details specified on drawing no. AL(0)100 Rev P3. Thereafter the said cycle parking 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.
- 8) No part of the development hereby approved shall be occupied until the access and on-site parking facilities have been provided surfaced and marked out in accordance with the requirements of this permission. Thereafter they shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 9) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of local amenity.

- 10) No development shall take place on site until a full survey of the site has taken place to determine the extent of contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) 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 the site is in such a condition as to be suitable for the proposed use.
Reason: In the interests of the amenity of the occupants of the building hereby approved.
- 11) Details of all building services plant, including sound power levels and predicted pressure levels at a specified location outside the building envelope, are 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.
- 12) 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 by the Local Planning Authority. 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.
- 13) No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in accordance with the agreed details.
Reason: In the interests of local amenity.
- 14) Prior to the development hereby approved being brought into use a scheme of allocation for the parking spaces shall be submitted to and approved by the Local Planning Authority. Thereafter the use of the parking spaces shall accord with the approved scheme unless otherwise agreed by the Local Planning Authority.
Reason: To minimise on street parking in the area.
- 15) Notwithstanding condition 2, unless otherwise agreed on writing by the Local Planning Authority no development shall take place until revised drawings showing the details agreed with the Police Architectural Liaison Officer have been formally submitted to and agreed in writing by the Local Planning Authority.
Reason: In the interests of ensuring that the potential for crime and the fear of crime is minimised.
- 16) Prior to the commencement of the development hereby approved a construction method statement relating to the proposed parking spaces located to the north of Rennes House, as shown on drawing no AL(0)510 Rev P4, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented strictly in accordance with the approved details.
Reason: - To ensure that the provision of the parking spaces is implemented in a manner that minimises the potential for damage to the trees, and thereby facilitates their retention in the interests of the character and visual amenity of the locality.

In the event that the Section 106 agreement is not completed within a reasonable period, authority be delegated to the Assistant Director City Development to **REFUSE** permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the section 106 agreement.

65

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

66

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

67

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 22 September 2015 at 9.30 a.m. The Councillors attending will be Denham, Lyons and Newby.

Additional Information Circulated after Agenda Dispatched - circulated as an appendix

(The meeting commenced at 5.30 pm and closed at 6.26 pm)

Chair

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PLANNING COMMITTEE

Monday 5 October 2015

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Buswell, Denham, Edwards, Lyons, Mottram, Newby, Prowse,
Raybould, Sutton and Williams

Apologies:

Councillor Choules

Also Present:

City Development Manager, Project Manager (Planning) and Democratic Services Manager
(Committees)

68

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

69

PLANNING APPLICATION NO. 15/0661/03 - 16 BARNARDO ROAD, EXETER

The City Development Manager presented the application for the construction of two semi-detached dwellings at land adjacent to 16 Barnardo Road, Exeter.

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

The recommendation was for approval subject to the conditions as set out on the update sheet.

Councillor Shiel, having given notice under Standing Order no.44, spoke on the item. He raised the following points:-

- representing local residents and speaking with the support of the other Local Ward Councillor
- was considerable and unanimous local opposition to this proposal
- had been no such objection to the previous approved application on this site
- accepted that this site would be developed but it was the impact of the sheer bulk of the proposal on the area and local residents that was the issue
- the massing of the houses could not be justified and it was to maximise the profit from the site
- one of the rear gardens did not meet the space standards in the Residential Design SPD
- the Civic Society objected as no case could be made to support that the application enhanced or made a neutral contribution to the Conservation Area
- would block out the light and view of the neighbouring properties
- balconies to the rear had the potential to cause a noise nuisance and loss of privacy
- asked the Committee to refuse the application because the scale and massing of the building was not in keeping with the Conservation Area.

In response to a Member's question, Councillor Shiel stated that the local residents accepted that the site would be built on and the applicant should come forward with a less bulky design.

Mr Clarke spoke against the application. He raised the following points:-

- the design of the proposed development did not preserve or enhance the St Leonard's Conservation Area
- it interrupted the rhythm of the street scene and did not integrate into the area
- the proposal was too high and would over look bedrooms on the opposite side of the road
- one of the rear gardens did not meet the Council's space standards
- the balconies would overlook existing dwellings and the private play area to the rear causing loss of privacy
- was not against contemporary design but this proposal was overdevelopment of the site and did not fit in with the Conservation Area.

In response to a Member's question, Mr Clarke responded that he did not object to the previous approved application in 2013 as it was more suitable for the site being two storeys.

Mrs Beresford spoke in support of the application. She raised the following points:-

- in a Conservation Area properties should enhance or preserve the area and not be pastiche
- consulted with the Council to bring this proposal forward
- had purchased the site with outline planning permission
- would use red brick in keeping with the area
- proposal would provide for two off-street parking places for each dwelling
- the balconies and terraces would be to the rear as the previous approved application; no terraces to the front of the properties
- would be lower than the properties on the opposite side of the road; the ridge height would be lower to than the properties to the left and higher than the property to the right.

She responded as follows to Members queries:-

- had reduced the height on the gable ends to lessen the impact
- did not own the site in 2013 when the previously application was approved.

In response to Members, the City Development Manager clarified the position with regards to the symmetry of the street scene when considering extensions on the adjacent 1960's properties.

The majority of Members felt that the scale and massing was inappropriate for the street scene; the lack of symmetry was not in keeping with the locality; the garden space was inadequate; and the design was not reflective of the character of the area.

RESOLVED that planning permission for the construction of two semi-detached dwellings be **REFUSED** for the following reasons:-

- (1) The proposed development by reason of its scale and massing and lack of symmetry, which is a characteristic of properties on Barnado Road, would create a discordant feature within the streetscene to the detriment of the character and appearance of the St.Leonard's Conservation Area".
- (2) The proposed is contrary to Policy DG4 of the Exeter Local Plan First Review and the provisions of the Council's adopted Residential Design Guide in that insufficient amenity space is provided for the occupiers of the proposed dwellings.

70

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

71

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

72

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 20 October 2015 at 9.30 a.m. The Councillors attending will be Choules, Lyons and Mottram.

Additional Information Circulated after Agenda Dispatched - circulated as an appendix

(The meeting commenced at 5.30 pm and closed at 6.45 pm)

Chair

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LICENSING COMMITTEE

22 September 2015

Present:

Councillor Greg Sheldon (Chair)

Councillors Laws, Brimble, George, Hannan, Harvey, Holland, Pearson, Shiel and Spackman

Apologies:

Councillors Choules, Crew and Henson

Also present:

Assistant Director Environment, Corporate Manager - Legal, Environmental Health and Licensing Manager and Democratic Services Officer (Committees) (HB)

15 **Minutes**

The minutes of the meetings held on 2 June and 21 July 2015 were taken as read and signed by the Chair as correct records.

16 **Declarations of Interest**

The following Member declared a disclosable interest for item 17 and left the meeting during consideration of the item.

COUNCILLOR	MINUTE
Councillor George	17 (knew the applicant)

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

17 **Application for Consent to Street Trade in Castle Street**

The Environmental Health and Licensing Manager presented an application for consent to street trade for a period of twelve months in Castle Street (adjacent to High Street), Exeter, which was a designated Consent Street under the provisions of the Local Government Act 1982.

Mr D was seeking to trade from Monday to Sunday between 09.00hrs until 19.00hrs. He proposed to sell Tibetan Food, which would be cooked to order on site using a gas fuelled ring system. He was proposing two types of potential stall. The first proposal was for an 8ft mobile catering unit or, alternatively, he wished for consideration to be given to a market stall.

The Environment Health and Licensing Manager referred to the need to ensure public safety in this area in light of changes to street furniture layout, outdoor café seating and existing consents that had been issued as well as access/egress for emergency service within this locality. He advised that the larger unit would be inappropriate.

Mr D attended and spoke in support of his application. He advised that although he had applied to trade Monday to Sunday he would decide once he had started to trade whether there was a need to trade for the full seven days, subject to the number of customers.

The Committee retired to make its decision in the presence of the Corporate Manager – Legal, the Assistant Director Environment and the Democratic Services Officer only.

Members of the committee **RESOLVED**:

1. To approve the applications for consent to trade for a limited period up to and including 2 February 2016. The Consent to trade shall be subject to the following conditions:-
 - (a) that the stall must not be more than 2.2m long by 1.8m deep; that the stall shall be located to the side of Castle Street, leaving sufficient space for vehicular access should it be required. The exact location of this stall shall be delegated to the Assistant Director Environment to agree and that all of the conditions contained within Appendix A of the Street Trading Policy dated June 2015 shall apply to this consent to trade.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

TOWN POLICE CLAUSES ACT 1847

18 Updated compilation of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators.

The Environmental Health and Licensing Manager presented the report which proposed to the amalgamation of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators into one document.

Since the revision of the last document in 2009, policy had developed and altered and following the change to Hackney Carriage vehicle policy in March 2015, the document had been further updated. The document also sought to simplify the presentation of requirements for CCTV within vehicles in order to make it easier for the trade and CCTV installers to understand the Council's minimum specification.

It had also become apparent that a clerical error had been made in the report to the Licensing Committee on 16 March 2015 regarding the quality standards for Hackney Carriages, specifically the colour of the livery. The report had incorrectly stated in Appendix C that 'No vehicle shall be licensed as a Hackney carriage vehicle unless its exterior paintwork/bodywork below the window line and across the bonnet and boot are painted to Pantone Red 032C or the area identified is "wrapped" in 3M Scotchcal Vinyl or equivalent vinyl to the same colour specification.' The colour quoted was wrong and therefore Members are requested to replace the stipulated colour to "RAL 3001 Signal Red".

Responding to a Member, who referred to a recent presentation by the Immigration Officer at the Devon and Cornwall Immigration Office in Plymouth to Scrutiny Committee - Community, the Environmental Health and Licensing Manager advised that he arranged joint licensing multi-agency meetings to ensure a co-ordinated approach on licensing matters including issues around illegal working. Many of the

issues related to ambiguities in background information and required referrals to the Home Office or Embassies.

RESOLVED that:-

- (1) that the Hackney Carriage livery standard should read 'No vehicle shall be licensed as a Hackney carriage vehicle unless its exterior paintwork/bodywork below the window line and across the bonnet and boot are painted to RAL 3001 Signal Red or the area identified is "wrapped" in 3M Scotchcal Vinyl or equivalent vinyl to the same colour specification; and
- (2) the updated compilation of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators 2015 be adopted and that:-
 - (a) the Assistant Director Environment be authorised under the scheme of delegations to make changes if or when necessary; the changes to be reported to the next Licensing Committee.

19 Urgent Business

The Chair agreed to take the following matters as urgent business in order to update Members on two issues which were of high public interest and, in the case of the Fanzone, expeditious steps were being taken to address the reported problems.

20 Eden Lounge, 162-163 Fore Street, Exeter (Min No. 13 refers)

The Corporate Manager Legal advised that, following the decision of this Committee on 21 July 2015 to refuse the renewal application for a sex entertainment venue licence, the applicant had appealed to the Magistrates Court. However, this appeal had been refused by the Magistrates for want of jurisdiction. The applicant has now filed an application for leave to appeal by way of Judicial review in the High Court. The application is being defended on behalf of the council.

RESOLVED that the position be noted.

21 Exeter Fanzone - Rugby World Cup 2015

A number of complaints had been received following a concert by Basement Jaxx on Saturday 19 September at Northenhay Gardens. A Councillor referred to a number of complaints both he and a fellow Councillor had received and asked what steps were being taken to address the issues.

The Assistant Director Environment reported that the event had been organised and promoted by a local events' company and was not part of the City Council's World Cup 2015 programme. The organiser was a member of the Exeter Safety Advisory Group and a noise management plan had been in place with the noise consultant having circulated letters to 2,500 addresses within 250 metres of the venue.

The event control had responded to the complaints they had received and the noise levels had been reduced after 11pm, with the event finishing at 11.30pm. Noise levels were affected by topography and wind direction; Northenhay Gardens was in a prominent position, the noise having been directed largely northwards and upwards towards the Stoke Hill, Pennsylvania and adjoining areas of the City. Although the band itself would not have been to everyone's taste and therefore annoying to some, there had been no evidence to suggest a statutory nuisance. It was considered that a

key issue was to ensure that the finish time for remaining events did not exceed 11pm which was the generally accepted threshold for such events and that satisfactory control measures were in place for the remainder of the Rugby World Cup. The opening night itself, on 18 September, had been a great success with the 3,000 in attendance creating a good atmosphere.

Remedial measures would also be undertaken for the grounds at Northernhay Gardens to revert to a satisfactory condition in time for the Remembrance Day commemorations.

The meeting commenced at 5.30 pm and closed at 6.30 pm

Chair

SCRUTINY COMMITTEE - COMMUNITY

8 September 2015

Present:

Councillor Emma Morse (Chair)

Councillors George, Brimble, Buswell, Hannan, Holland, Packham, Raybould, Shiel and Vizard

Apologies:

Councillors Bull, Newby and Wardle

Also present:

Chief Executive & Growth Director, Assistant Director Environment, Assistant Director Customer Access, Community Involvement and Inclusion Officer, Service Lead Housing Customers, Housing Options Manager, Principal Accountant Service (PM), Technical Accounting Manager and Democratic Services Officer (Committees) (HB)

In attendance:

- | | |
|--------------------------|---|
| Councillor Keith Owen | - Exeter City Council (as Portfolio Holder for Health and Place) |
| Councillor Rob Hannaford | - Exeter City Council (as Portfolio Holder for the Housing Revenue Account) |

38 **Minutes**

The minutes of the meeting held on 16 June 2015, as amended by Council on 28 July 2015 in respect of Min. No. 29, - Portfolio Holders' Statements - were taken as read and signed by the Chair as correct.

39 **Declaration of Interests**

No declarations of interest were made.

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

In accordance with Standing Order No 20, a question was put by Councillor Holland on data provided in respect of community grants made by the Council. A copy of the question had previously been circulated to Members. He requested that all future spread sheets showing ward grants, New Homes Bonus Local Infrastructure Spend and City Wide Grants, include two further columns which would capture impact and outcome. The reason for his request had arisen following an earlier query made by him in respect of funding awarded jointly to the 2nd Exeter Scout Group and Park Life Heavitree to work up proposals for a community building in Heavitree Park. His question had been fully answered by officers but he was concerned that, because of the excessive cost, it was unlikely that the building would be built and that there had been insufficient feedback on the position and background.

The Community Involvement and Inclusion Officer advised that evaluation forms were sent to grant recipients and returned to the Council and that associated

information would be shared with the relevant Ward Members. Because of limited officer resources however, it would not be possible for comprehensive feedback to be provided.

The Chair remarked that individual Ward Councillors also had responsibility for tracking the results of grant awarded.

PRESENTATIONS TO COMMITTEE

41 UK Border Patrol - Presentation by Steve Paine of the Home Office

The Chair welcomed Steve Paine, Immigration Officer at the Devon and Cornwall Immigration Office in Plymouth. He had been seconded to work at Torbay Council, two days a week, and had been re-engaged for a further 12 months. He enlarged on recent key changes involving the development of relationships with key stakeholders, protecting funds and services, dealing with exploitation and community engagement. Only five Officers were currently engaged covering the whole of Devon and Cornwall and parts of Somerset and Wiltshire, dealing with all nationalities.

Housing

Although his initial role at Torbay was part of a rogue landlord project, his role had widened considerably and he was now involved in every aspect of this work. Many of those illegally in the UK were vulnerable and at risk of exploitation, as were those who possessed valid visas working, for example, in the care and fishing sector. The Modern Day Slavery Act was an increasing area of work with close liaison with the Police to deal with those involved in trafficking and exploitation as well as procedures to deal with those identified as victims rather than “illegal’s” who needed to be removed. The Plymouth office was one of two piloting procedures for dealing with suspected victims.

Fire Service

There was also close working with the fire service with many joint visits following fires, reports of unsafe working environments, non-approved staff accommodation in lofts etc.

Licensing

He attended monthly meetings arranged by the City Council’s Environment and Licensing Manager and provided information on businesses found to be employing illegal workers to assist with the review of their licenses.

Business Support

Landlords retaining passports, not keeping records, paying below the minimum wage supplying sub standard accommodation etc. were liable for criminal prosecution. Fines for illegal employment had risen to £20,000 per person and failure to checks the status of tenants risked fines of £3,000.

Community Engagement

Information events on the work were being held across Devon and free training offered on employing people etc.

The following issues were also covered:-

- work undertaken by the office at the RD&E Hospital and the relevance of others, such as GP’s, obtaining identification, if relevant;
- cross referencing of records with other agencies such as the DVLA;

- requirement of EU nationals living in the UK to actively seek employment for up to five years;
- the potential for exploitation and the physical and psychological hardships experienced by those living illegally;
- role of Exeter and Plymouth as longstanding dispersal centres; and
- procedures for assisting spouses who had suffered from domestic violence to legally obtain visas which then opened up avenues for instigating other lawful applications.

42 **Damp Walls Spotlight Review**

In the absence of Councillor Bull, the Chair of a Damp Walls Spotlight Review suggested at the Annual Scrutiny Work Programme meeting, the Scrutiny Programme Officer reported that the main questions considered by the review had been:-

1. how many properties were affected and how many were dealt with under emergency provisions?; and
2. was the process too long winded?

The main factors for the time frame had been found to be:-

- a significant spend required which officers did not have the authority to spend without seeking Committee approval first. Therefore, the Water Ingress to Council Housing Stock report had been submitted to this Committee on 9 September and Executive on 16 September 2014;
- the process had to go out to tender because of the potential value of the contracts. This ensured compliance with the Law, Financial Regulations and the City Council policy;
- the work had to be carried out at the best time so success and speed was weather dependant; and
- there was great demand for contractors and scaffolding at the time because others were also having the same problem.

The facts found were:-

- 330 properties were affected and 49 were dealt with under the emergency provisions;
- the anticipated completion date for the work was still Autumn this year; and
- a press release would be arranged upon completion of the work.

The Group found that the City Council had been reliable with the cost figures and the projected time frame and was well within the authorised spend.

Members did not have any comments and noted the report.

43 **Portfolio Holders Report**

Councillors Owen and Hannaford presented their respective work programmes within the Health and Place Portfolio and the Housing Revenue Account Portfolio. Councillor Morris, Portfolio Holder for Customer Access, had submitted her apologies for the meeting but had circulated in advance to Members her comments on the points set out in her part of the report. A response would be provided on whether there were good examples of private sector landlords that could be referred to as part of the approach on improving standards in private rented sector.

Health and Place

The Portfolio Holder highlighted the following:-

- the proposed implementation of the Public Spaces Protection Order;
- budget savings and re-structuring relating to Public Realm; and
- renewal of the Gambling Policy.

Responding to a Member, he agreed that whilst an increase in re-cycling of 1% to 35% appeared modest it was quite challenging within the context of the current operational arrangements and infrastructure. However, he felt that this increase was achievable. A number of measures were being instigated to improve the rates including the introduction of mini bring-bank sites to expand the network of bring-banks, improved arrangements at communal bin sites such as those found with social housing flats and further information promoting re-cycling to University students. He also advised that a media release would be issued to explain the background to the relatively low rate compared with other local authorities with a food waste collection and added that Exeter, in fact, performed well in the relatively low amount of waste generated by each household.

A Member praised the work of the Council's Materials Reclamation Facility (MRF) at Oakwood House and recommended that fellow Members visit the MRF to better understand the operation in sorting re-cycled materials.

Housing Revenue Account

The Portfolio Holder highlighted:-

- finalisation of a new Housing Strategy in light of the results of the Housing Needs Survey;
- improvement of standards in the social housing stock;
- further improvement to management of the housing stock including approaching tenants' needs in proactive and appropriate ways;
- improved engagement with housing tenants, including the establishment of a Housing Performance Panel to replace the former Tenants' and Landlords' Committee; and
- look to balance the City's economic growth with equal emphasis on addressing social inequalities.

Scrutiny Committee - Community noted the reports.

ITEMS FOR DISCUSSION

44 Housing Revenue Account - Budget Monitoring to June 2015

The Technical Accounting Manager advised Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 30 June 2015 in respect of the Housing Revenue Account and the Council's new build schemes. An outturn update in respect of the HRA Capital Programme was also incorporated in the report in order to help provide a comprehensive financial update in respect of the Housing Revenue Account.

During this period, the total budget variances indicated that there would be a net deficit of £2,333,791 in 2015-16. This represented a decrease of £625,391 compared to the revised budgeted deficit of £2,959,182 for 2015-16.

The total amount of HRA capital expenditure for 2014/15 showed a total forecast spend of £10,706,690 compared to the £13,910,754 approved programme, a decrease of £3,204,064.

The Service Lead Housing (Customers) explained that the budget under-spend of £50,000 was the result of:-

- quotes received being lower than initial costs;
- a number of properties had dried out during benign spring conditions; and
- the anticipated additional properties requiring treatment did not materialise.

Scrutiny Committee - Community noted the report.

45 **Community - Budget Monitoring to June 2015**

The Principal Accountant advised Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2015 in respect of Community Services. An outturn update in respect of the Community Capital Programme was also incorporated in the report in order to help provide a comprehensive financial update in respect of the Scrutiny Committee - Community budgets.

The current forecast suggested that net expenditure would increase from the approved budget by a total of £62,080 after transfers from reserves and revenue contributions to capital. This represented a variation of 0.67% from the revised budget and included supplementary budgets of £116,500.

The 2015/16 Capital Programme, included commitments brought forward from 2014/15, was £2,076,700, as set out in the report.

The Scrutiny Committee - Community noted the report.

ITEMS FOR EXECUTIVE

46 **Review into the Council's Policy for Allocating Social Housing**

The Assistant Director Customer Access presented the report on the findings and recommendations of the Task and Finish Group convened in 2014 to review the Council's allocation of social housing and the subsequent public consultation. The Task and Finish Group and the consultation had highlighted a desire for the allocation system to be clearer for those in housing need and to cut out waste within the system. The consultation had run for seven weeks with 240 responses received.

In the absence of the Portfolio Holder for Customer Access, the Portfolio Holder for the Housing Revenue Account remarked that, in the absence of the ability to build additional Council houses, it was important to work to meeting the needs of those in actual Housing Need and the Task and Finish Group had drawn on examples of good practice elsewhere. Where tenants had particular needs such as disability, language barriers and employment, the officer capacity was needed to assess these circumstances which, it was hoped, would be better achieved with the proposed removal of Band E which would allow greater officer capacity to work with individuals and families on their circumstances.

The following responses were given to Members' queries:-

- the implementation of the recommendations would allow the officers involved in managing the applications more time to provide advice and assistance to those in housing need and clarity in housing options for those deemed not to be in housing need;
- Band E included those with a housing need but who had an income or savings above a certain level, or, in some cases, did not have a housing need but were on the list as security;
- only a very small proportion of homes in Exeter had been let to applicants in Band E;
- although administrative officers inputted data independently of advising applicants for housing, there was no conflict in advice from housing officers in terms of the Devon Home Choice system which governed the allocation of social housing in Exeter; and
- the Government had introduced the "Right to Move" which allows tenants in social housing additional priority to move to the area if they have secured a settled job here. As this is a mandatory change, the Devon Home Choice policy has already been amended.

Scrutiny Committee - Community noted and supported the report and requested Executive to amend the allocation policy for Exeter City Council in the following ways:-

- (a) to restrict eligibility for housing to those with an evidenced housing need within the policy and thereby removing Band E;
- (b) to remove applications where people do not bid for 12 months or refuse three properties deemed suitable for their needs; and
- (c) to give additional priority for working households to bid for properties in areas where there are high levels of unemployment.

To not implement the following recommendations of the Task and Finish Group:-

- (a) to give additional priority to those who contribute to the local community; and
- (b) to implement a specific local connection criteria to Devon/Exeter.

47 **Proposals for the Implementation of a Public Spaces Protection Order**

The Assistant Director Environment presented the report advising Members on the process and consideration towards the implementation of a Public Spaces Protection Order in the City Centre area of Exeter. The report sought agreement to enter into consultation with the public and relevant stakeholders on the draft proposals for a Public Spaces Protection Order (PSPO) and for a report to be brought back to this Committee, Executive and Council at the end of this year, with recommendations as to the implementation, or otherwise, of a Public Spaces Protection Order.

The justification for the identified area was based on intelligence from the Devon and Cornwall Police and the Council's Control Room, together with views canvassed from the public. It was considered that, within the City Centre, the prevalence of anti-social behaviour was relatively high in comparison with other parts of the city, and at a level where the mechanisms offered by the proposed PSPO would enable, either a control

method, where one does not exist at present or an alternative control measure more easily used by agencies and one that does not necessarily criminalise a perpetrator in breach of the PSPO.

He explained that the proposed boundaries of the PSPO detailed in the report may change in light of representations, for example, some Members had already asked for the inclusion of Belmont Park and the open space in Bonhay Road. He outlined the following procedures and actions contained within the proposed PSPO and gave examples of what they sought to control and what they did not intend to intervene over:-

- surrender of any intoxicants (alcohol, legal highs and other stimulants);
- urinating in the street;
- begging;
- removing encampments, bedding and associated paraphernalia in public spaces; and
- dispersing groups or individuals causing anti-social behaviour;

He advised that guidance would be developed alongside the PSPO to inform agencies and the public and responded as follows to Members' queries:-

- because of the draconian nature of the new powers there was a need for clear justification to be shown when introducing an Order, therefore it was not appropriate for the whole of the City to be covered, as there were many parts where such anti-social behaviour problems did not exist to the same extent. It's application should be surgical in nature rather than the wholesale, but this did not mean that there were not other specific areas of the City where a PSPO would be justified in the future;
- Home Office guidance for the implementation of a PSPO identified the requirement for public consultation;
- In terms of exercising the tools of the PSPO, the Police and Police Community Support Officer would be the main agents of intervention. The expectation was that interventions/incidents would be recorded by the Police, together with incidents recorded by the City Council's CCTV Control Room. Incidents of anti social behaviour outside the PSPO area would be reviewed to identify potential dispersal;
- the University would be one of the consultees;
- close liaison with Customer Access Housing Needs would continue because of the relationship between anti social behaviour and rough sleeping, begging etc. A new outreach provider 'Julian House', was starting in October to engage rough sleepers and assist them to access support and accommodation services. It was recognised that a minority were difficult to engage and often resisted offers of accommodation. It was noted that encouraging their engagement was the adopted approach but that a line was drawn when behaviour became intolerable. It would be at this point that enforcement action would be used. It was also highlighted that a recent review had shown only around 20% of those begging were homeless, and therefore the issue needed to be addressed in a wider arena than the outreach team; and
- it would not be practicable to store confiscated encampment paraphernalia for potential reclaiming by rough sleepers because of difficulties in storage, identification with owner, and administration of such a facility.

Scrutiny Committee Community noted and supported the report and asked Executive to:-

- (1) agree the contents of the draft Public Space Protection Orders, in the area defined by the map in the report (Appendix I), together with the prohibitions and actions contained in Appendix II of the report;
- (2) instruct officers to seek the views of the public and other stakeholders through public consultation, with a view to reporting back to Scrutiny Committee - Community, Executive and Council at the end of 2015; and
- (3) recommendations to be made in that report on the adoption or otherwise of a Public Spaces Protection Order for approval by Council.

The meeting commenced at 5.30 pm and closed at 7.26 pm

Chair

SCRUTINY COMMITTEE - ECONOMY

10 September 2015

Present:

Councillor Brimble (Chair)

Councillors Lyons, Branston, Brock, Crew, Harvey, Henson, Prowse, Robson and Vizard

Apologies:

Councillors Bull, Wardle and Williams

Also present:

Chief Executive & Growth Director, Assistant Director Public Realm, Economy and Tourism Manager, Principal Accountant Service (PM), Visitor Facilities Officer and Democratic Services Officer (Committees) (SLS)

In attendance:

Councillor Sutton - Portfolio Holder City Development
Councillor Denham - Portfolio Holder Economy and Culture

Glen Woodcock - Andromeda
Laurence Oakes-Ash - Andromeda
Paul Wilson - Devon County Council Highways Department
Spencer Dicks - Devon County Council Highways Department
Aiden Hugo-Johnson - River and Canal Trust
Graham Holland - River and Canal Trust

44 Minutes

To receive the minutes of the meeting held on 18 June 2015.

45 Declarations of Interest

No declarations of discloseable pecuniary interest were made.

46 Questions from Members of the Council Under Standing Order 20

In accordance with Standing Order No 20, a question was put by Councillor Prowse on the future of the Exeter Car Boot Sale on its current site at Marsh Barton, and also whether the proposed maintenance depot and ancillary buildings and works on the Park and Ride site at Marsh Barton had been considered at a Members' Delegation Briefing prior to Planning Committee on 27th July 2015. A copy of both questions had previously been circulated to Members, and these, together with the replies were appended to the minutes.

47 Request Made Under Standing Order 18 - Highways Coordination

Councillor Shiel had requested that an item be placed on the agenda under Standing Order 18 to address his concern about the coordination and management of roadworks taking place in the city. He felt that there was an element of disengagement and was concerned about the impact on the road network in the city.

Paul Wilson (Highways Coordination and Special Events Manager) and Spencer Dicks (Senior Highways Coordination Officer) from Devon County Council attended to respond.

Spencer Dicks advised that the County Council coordinated work with the utility companies, but did face different engineering challenges. He assured Members that both the County and the utility companies had to adhere to strict budgets and did not wish to occupy the highway any longer than was necessary. Collectively, the utilities had a statutory right to work on the County Council network to access apparatus, and served timely notice apart from when there was an emergency or unplanned works to safeguard against danger to person or property. Direction was offered on the most suitable timing to ensure the flow of traffic, avoiding traffic sensitive streets, movements around schools, businesses, residential areas, and bus routes and to be mindful to minimise noise pollution.

Spencer Dicks responded to a Member's question if a lack of manpower might be a factor, stating that the planned duration of works reflected the actual time needed, and that the request for work could be challenged. Paul Wilson responded to an enquiry about inked markings left on the pavement on Magdalen Road following recent roadworks, advising that they had been made to help identify the different utilities and he would take this up with the utility company. He also noted a Member's suggestion that the more traditional methods of communicating prospective road works were no longer as effective and that social media and, particularly, twitter would be more helpful to commuters to give them an opportunity to consider alternative routes.

Members thanked Paul Wilson and Spencer Dicks for attending the meeting.

48 **Canal and River Trust Presentation**

The Assistant Director Public Realm referred to the aspiration to develop a strategic approach to the development of Exeter's waterways, including the river and canal, through the retention of an Exeter Waterways partnership. She introduced Aiden Johnson-Hugill and Graham Holland from the Canal and River Trust organisation who made a presentation. They discussed how the waterways could add value to an area and also outlined what the Canal and River Trust could offer Exeter Canal. The Canal and River Trust looked after a variety of infrastructure on the canal network including locks, bridges, docks and reservoirs and provided many examples of their local contribution by preserving history and sites of scientific and environmental interest, as well as creating more leisure and employment opportunities. Aiden Johnson-Hugill responded to a comment on the possibility of alleviating transport issues by using the waterway, stating that there were no practical opportunities for carrying freight and no link through to other canal waterways.

Graham Holland provided a status report on the existing condition of the Exeter Canal, which was deemed to be in a good condition, with the two key lock gates being well maintained. Further survey work on both the embankment and also the navigation depth and profile would be required. The condition of the canal basin, cycle pathway and towpath was acceptable.

A brief outline of the income generation possibilities was made including:-

- Community engagement and volunteering
- Availability of expertise
- More investment in facilities

- Provision of a long term managed vision and strategy to offer some security for the Canal
- Ecological safeguarding

The Assistant Director Public Realm referred to the need to develop a strategic vision for the river and canal in Exeter and consider ways to take this forward. It was noted that a further report to develop this work would be presented to the Scrutiny Committee - Economy in November.

Members thanked Aiden and Graham for their informative presentation.

Scrutiny Committee - Economy requested that the Portfolio Holder for Economy and Culture in consultation with the Leader write to the Canal and River Trust to commence dialogue and extend a formal invitation to explore the potential for future joint working to develop a strategic vision for the river and canal in Exeter.

49 **Portfolio Holder Statements 2015/16**

Councillors Sutton and Denham presented progress reports on priorities within the City Development and the Economy and Culture Portfolios respectively.

City Development

Councillor Prowse declared a personal interest as a Member of Devon County Council.

Councillor Sutton as Portfolio Holder corrected one of the priorities relating to the concept of Exeter as a City Lab, pioneering technology and innovative use of data which should be removed from the City Development portfolio and included within the Economy and Culture Portfolio.

- adequate infrastructure in south west Exeter was key to the whole city and should be in place in advance of any planned housing. She welcomed any opportunity to press for its delivery through robust engagement with Devon County Council and Teignbridge District Council. She envisaged that groups such as Alphington Forum and others would make practical representations to Devon County Council over the proposed site of the footpath and cycle path on Loram Way.
- there was planning consent for IKEA, but no start date had been advised.
- she would speak to the Principal Project Manager Infrastructure Delivery about any funding possibilities to improve the surface of the cycle path at Duckes Marsh.
- the broader issues of how the city and university could work together in partnership particularly in relation student accommodation had been discussed. The University had an accommodation policy, and the Council's Article 4 Directive had started to redress the imbalance in the community, but in certain areas it remained a challenge. However, more accommodation was coming back into private ownership through the freeing up of HMO's and family houses.

The Chair welcomed the opportunity to set up a University Task and Finish Group to further foster good relations.

Economy and Culture

Councillor Denham as Portfolio Holder highlighted the following:-

She confirmed that work to progress Exeter City Futures work with Andromeda and key partners would be added as a priority within her portfolio.

- there was genuine consensus that the authority was working in a more joined up way with East Devon, Mid Devon and Teignbridge District Councils to progress the knowledge economy. They were also looking to develop a working relationship with Amdromeda Capital.
- further work with the Exe Estuary Management Board was reassuring to utilise its expertise and she was pleased there had been an initial contact with the Canal and River Trust to consider a strategic vision for the river and canal.
- the pay on foot ticket system had freed up staff to better enforce and manage car parks.
- Members' views over future meetings of the Cost of Living Forum were sought and it was agreed that further debate on cost of living topics could always be brought forward through other task and finish groups. It was considered that the planned January meeting was not required.

She made the following responses to Members:-

- a number of Exeter businesses now paid the living wage, but were reticent in sharing their experience. It was good to see examples from the hospitality sector and it was hoped that other businesses could be persuaded to face the challenge.
- work continued with the organisers of events celebrating the Rugby World Cup 2015 at Exeter Castle particularly in respect of access and licensing issues. Success as a Host City for Rugby World Cup 2015 meant the event running smoothly, an increase in the number of visitors and support for local rugby, including the burgeoning woman's rugby teams as part of identifiable legacy work. The Rugby Empowering Employment Programme (REEP) targeted young people between 16 and 24, with a successful pilot and transition to Business Empowering Employment Partnership (BEEP) as part of a sustainable plan to foster and support this activity.
- as a member of the Exeter BID Board she would ask her colleagues for the consideration of later trading hours and also revisit the City Centre Strategy.
- there had been a greater uptake of shops on South Street, due, in part, to initiatives such as the pop-up shops and some businesses had gone on to trade elsewhere in the city. In the longer term, there will be a report on the future of this part of the city. She welcomed the suggestion to survey visitor activity, including coach arrivals, particularly in the South Street area.

Scrutiny Committee – Economy noted the achievements and priorities presented for both City Development and the Economy and Culture Portfolios.

50 **Exeter City Futures Transforming Exeter Through Data**

The Chief Executive & Growth Director introduced a report which provided an overview of initial plans and direction of travel, as part of a joint endeavour with Andromeda Capital and Devon County Council, entitled 'Exeter City Futures', which will use pioneering technology to solve many of the issues facing the city. The report also outlined details of the Exeter bid for the Innovate UK 'Internet of Things'

demonstrator city competition with details how this would link with the overall Exeter City Futures vision.

Glen Woodcock and Laurence Oakes-Ash from Andromeda Capital were welcomed to the meeting and referred to the use of pioneering technology and data analytics to address transportation, energy and health related challenges facing the city, which would also ensure the economic and environmental sustainability of Exeter. The presentation also considered the opportunity for Exeter to become recognised as a model for others and enhance its reputation as a leader in this field. The programme should contribute to the broad-based Innovation Exeter economic development programme promoting business growth, increased investment and creating higher paid employment.

A Member welcomed the opportunity that the initiative would bring to address transport issues in and around the city, and hoped that better integration of the public transport system would include innovations such as smart ticketing and real time bus and train timetables being developed. Glen Woodcock explained that a public consultation exercise and the inclusion of specialist agencies would help to frame the overall project. Andromeda had been talking to a range of companies and representatives, as part of the 'Internet of Things' bid, which includes both public and private sector. They hoped that a key measurable benefit would be to solve real problems more efficiently and cheaply.

Scrutiny Committee – Economy supported the report and requested that Executive endorse:-

- (1) Exeter City Futures as the vehicle for better understanding and addressing the transportation, energy and health challenges and opportunities facing the city;
- (2) Exeter's bid for the 'Internet of Things' demonstrator city competition; and
- (3) the communications framework outlined in the circulated report to begin engagement with the Exeter population about the overarching ambition of Exeter City Futures. This framework would also include an initial public engagement programme.

51 **Budget Monitoring (First Quarter)**

The Principal Accountant submitted the report advising Members of any material differences to the revised budget in respect of the Economy Services revenue and capital budgets. The net expenditure for this Committee would decrease from the revised budget by a total of £103,040, after transfer from reserves and revenue contributions to capital. This represented a variation of 13.1% for the revised budget and included supplementary budget of £637,460 already agreed by Council. The current Economy Capital Programme was detailed in an appendix to the report with a total spend of £139,687 with £101,879 of the programme potentially accelerated from 2016/17. Potential areas of budgetary risk were also highlighted in the report.

The Principal Accountant responded to a Member's advance questions relating to the apprentices employed by the City Council. It was noted that seven apprentices had completed their training, three had moved to other positions outside of the City Council, one had decided to travel and one other had not completed their training. Two apprentices had gained positions in business administration at the Civic Centre. Clarification on the grants in respect of Countess Wear Hall was also provided, there had been approval of £120,000 as part of an original joint bid with Wear United and Countess Wear Community Hall. A Member also sought information on the number

and any associated legal costs of planning appeals won or lost by City Development. The Member was advised that this information would be made available to him. He also provided a breakdown of the Section 106 monies used for the Swift Tower, and confirmed that the sums related to both the current and previous financial years.

Scrutiny Committee – Economy noted the report.

52 **Exeter Business Improvement District Update**

The Economy and Tourism Manager presented the report updating Members on the Exeter Business Improvement District (BID) and developments with the company since the previous committee report in January 2015. The BID had now been established with Board members drawn from a wide range of sectors. Councillor Denham had been appointed from Exeter City Council.

A Member welcomed this exciting venture, but he hoped that every effort would be made to support and encourage the independent sector as well as using the empty shop units. He also referred to the efforts made to ask traders to extend their trading day, and if another approach might be made through the BID. A coordinated approach was required and there may be an opportunity to pursue this aim on the back of the Guildhall redevelopment when the restaurant quarter opens next year. The Economy and Tourism Manager responded to the plans for the Christmas lights as this was the last year for the current contract to be delivered. The BID then had responsibility to deliver Christmas lights in Exeter city centre.

Scrutiny Committee - Economy noted the report and the programme of activity within the Exeter BID Company Business Plan as detailed in Section 10 of the circulated report.

53 **Rugby World Cup Update 2015**

The Economy and Tourism Manager provided an update on the forthcoming Rugby World Cup 2015 event. More detail was available on exeter.gov.uk/rwc2015fanzone

The Fanzone, has a capacity of 5,000, was due to open in Northernhay Gardens for 13 days from 18 September to 31 October showing 25 matches across England and Wales (including the three matches at Sandy Park). There will be dedicated members of staff in the Fanzone to assist the 96 trained volunteers. Entry would be free and there would be a full programme of music and entertainment including pre/post match live entertainment, on site rugby/sports activity, with bars and local food available to purchase. The Event management plan has been signed off by England 2015, there had been close cooperation between the City Council's City Development, licensing and waste management services to ensure the smooth running of the event. There will be a celebratory welcome to the five teams from Tonga, Georgia, Namibia, Romania and Italy with a parade on Saturday 10 October and the RWC final in the Fanzone on 31 October with a musical finale and pyrotechnics. It was anticipated that there will be £3.5 million additional spend in the city during RWC with 165,000 additional visitors, but the figure would ultimately generate £39 million of additional economic activity in Exeter, with investment in capital projects such as the redevelopment at Sandy Park.

Plans were already in place to maximise the legacy potential including the following:-

- the launch of BEEP on 1 October at the Innovation Centre. It should be noted that 12 of the 13 young people that took part in the two programmes were now in employment or training.

- the My First Rugby Ball initiative has been picked up nationally and had received funding from the Literacy Board.
- Cash for communities projects were starting to be delivered.
- two full teams of Topsham Ladies rugby were up and running and will be going into the league structure.
- grants had been received directly from the RFU for Crediton and Sidmouth Rugby Clubs to improve their club houses.
- progressing with the development a Rugby 7's league in Exeter in partnership with the RFU, Active Devon, Chiefs Community, Exeter College and The University of Exeter.

Marketing activity included the development of a press pack around legacy activity and for the Fanzone. The Express & Echo will be producing a RWC supplement. Further information is also available on www.visitexeter.com and www.heartofdevon.com website / social media / e-newsletter. Every effort will be made to collect email addresses and postcodes from people attending the Fanzone and the three matches at Sandy Park. Every effort will be made to encourage ticket holders to use public transport. The Economy and Tourism Manager responded to a Member's comment on the parking arrangements and referred to the inclusion of a Park and Ride at Westpoint. The city was dressed with flags etc and additional signage planned for the approach road to Sandy Park. She provided a response to a Member's comment about the level of dressing outside of the city and in relation to two bridges on the approach into the city centre.

Scrutiny Committee – Economy welcomed the report.

54 **Exeter Commercial Property Register**

The Economy and Tourism Manager presented a report which detailed Exeter City Council's handling of investment and relocation enquiries during the previous 12 months. She also updated Members on the enhancements being made to the Exeter Commercial Property Register. The report provided an opportunity to update Members on progress made in improving the toolkit available to attract and respond to business relocation and inward investment enquiries. An expansion of the service to help deliver a one stop shop covering East Devon, Mid Devon and Teignbridge (Exeter & the Heart of Devon) local authority areas was currently being explored, with financial and staffing contributions from each local authority. If the Register was expanded to cover the Exeter & Heart of Devon geographical area it would include approximately 900 properties on the website, ensuring an even higher profile online.

The Economy and Tourism Manager responded to a Member's comment on the encouraging number of enquiries and subsequent relocations. She would pass on a Member's thanks to the Senior Economy and Tourism Officer for her hard work and involvement in the Growth and Marketing Task and Finish Group.

Scrutiny Committee - Economy noted the report.

55 **Tourism Facilities Services (Performance Monitoring)**

The Visitor Facilities Officer presented a brief overview on the performance of the tourism facilities – and Exeter Visitor Information & Tickets (EVIT), the Underground Passages, Custom House Visitor Centre and the Red Coat Guided Tours have all had a very busy year. EVIT's focus had evolved from simply providing tourist information and face to face content to offering Box Office facility, and supporting the growing trend of web enquiries, emails and phone contact. Although EVIT primarily

remains as an information function for residents and visitors, it was always exploring new ways to generate additional income, and the report detailed a number of new initiatives. Other particular successes over the last year had been the Underground Passages awarded a Certificate of Excellent from Trip Advisor and the growing popularity of a number of seasonal events, including the renowned ghost walks on 31 October. The Red Coat Guides too, had a notable year of success and have always been highly valued by the public, attracting over 15,000 visitors on their tours.

The move of the Quay House Visitor Centre to the Custom House, through a partnership with the Exeter Canal and Quay Trust has had a positive impact and although the building was not fully occupied, it had already generated an increased income stream. It was anticipated that future funding could be obtained from English Heritage to develop the facility further into a more encompassing visitor attraction in its own right.

Scrutiny Committee - Economy noted the report.

56 Legacy Leisure Minutes

The minutes of the Legacy Leisure Working Group held on 23 June were received and noted.

57 Exeter Highways and Traffic Orders Committee Minutes

The minutes of Devon County Council's Exeter Highways and Traffic Order Committee held on 28th July 2015, which had been circulated for information were noted.

The meeting commenced at 5.30 pm and closed at 9.10 pm

Chair

SCRUTINY COMMITTEE – ECONOMY
10 SEPTEMBER 2015

QUESTION FROM COUNCILLOR PROWSE UNDER STANDING ORDER 20 to
PORTFOLIO HOLDER FOR ECONOMY AND CULTURE

Councillor Prowse submitted the following question:-

Would the Portfolio Holder please detail all discussions prior to the Planning Committee meeting of 27th July regarding the future of the Exeter boot sale in the event of the application being approved that may have taken place with Officers of this Council and Councillors likely to have had an input. Pursuant to the application being approved can the Portfolio Holder detail any current plans regarding the future of the boot sale at its current site and with whom those discussions are taking place?

Councillor Denham replied in the following terms:-

The Markets & Halls team were made fully aware of the planned development. The Events, Facilities and Markets Manager met with the Leader of the Council, and the Chief Executive and subsequently with the Portfolio Holder to discuss the effect on the market of the possible relocation of the bus depot.

It was agreed that, should planning permission be granted, we would look at how best we could assure continued delivery of the market. The Events, Facilities and Markets Manager discussed the market with staff at The Matford Centre with a view to identifying an alternative location for the market or the best way to deliver the market on the current site with less space available.

Consideration was given to moving the market to Sowton Park & Ride but this was discounted because of several factors:

- the extent of the area available at Sowton varies little, if at all, to the area which would be available at the Matford Centre post bus depot development.
- the Sowton site is not a secure site and it is essential for the market to be organised on a secure site. The management of the market would be made far more difficult with an open site.
- the infrastructure for the market is all in place at The Matford Centre (such as the boundary fence, toilets, catering service, and refuse collection). The Matford Centre is a City Council site and the infrastructure is utilised throughout the week in the operation of the centre.
- The roads around the Sowton site are already very busy on a Sunday. The increasing number of Exeter Chiefs games being played on Sundays and the expected opening of Ikea will only add to congestion.

No other alternative suitable site was identified and it was agreed to look at how the market could continue to be organised on the present site.

The Events, Facilities and Market Manager together with the staff members involved with the organisation of the market have been carrying out consultation with the following groups:

- Public attending the market to buy items from car boot sellers and market traders.

- Market traders attending the market.
- Charity groups who assist with the organisation of the market.

This consultation was carried out to ascertain the best way to organise the event with reduced space available. A survey of the buyers and traders was undertaken at the market and an email survey was carried out for the charity/community organisations.

The objective was to find out:-

- how buyers travelled to the market.
- where those who drove parked their vehicles.
- whether they would be likely to attend the market if car parking space was reduced.
- why buyers attended the market – was it for the car boot sale, the market traders or both?
- what products people regularly purchased at the event.
- whether traders would be interested in attending a smaller market
- whether charities/community groups would still value the market as a fund raiser if fewer helpers were needed and the charity donation was reduced to reflect this.

This consultation was nearly complete and an analysis of the responses will be made with a view to deciding on how best the market can be delivered when the bus depot development commences. A written update would be provided to ensure Members were kept advised. Officers continue to speak to Devon County Council to see if there can be a relaxation of the parking restrictions on one side of Matford Park Road on Sundays. Officers were able to coordinate a site visit. Councillor Prowse advised that he would like to take up the site visit invitation.

QUESTION FROM COUNCILLOR PROWSE UNDER STANDING ORDER 20 to PORTFOLIO HOLDER FOR CITY DEVELOPMENT

Councillor Prowse submitted the following question

In connection with planning Application No 15/0387/03, proposed maintenance depot and ancillary buildings and works at the Park and Ride Site Exeter (Marsh Barton) can the Portfolio Holder confirm that this application appeared on a delegation briefing prior to the application being dealt with at Planning Committee held on 27th July 2015.

Councillor Sutton replied in the following terms:-

There was no requirement to have reported to Delegation Briefing, and the application was not presented. The purpose of Delegation Briefings is to brief on applications that officers are minded to approve under delegated powers, specifically applications ward members request be brought to a meeting, City Council applications not subject to objections and proposed officer approvals of applications subject to objections.

The application was presented to Planning Committee. It was advertised by press notice and site notices and by letter. No objections on the grounds of loss of space for the Car Boot Sale were received.

SCRUTINY COMMITTEE - RESOURCES

16 September 2015

Present:

Councillor Bull (Chair)

Councillors Baldwin, Bialyk, Brock, George, Harvey, Lyons, Sheldon, Packham and Thompson

Apologies:

Councillors Buswell, Wardle and Edwards

Also present:

Assistant Director Finance, Corporate Energy Manager and Democratic Services Officer (Committees) (SLS)

In attendance:

Councillor Morris	- Portfolio Holder, Customer Access
Councillor Hannaford	- Portfolio Holder, Housing Revenue Account
Councillor Pearson	- Portfolio Holder Enabling Services

42 **Welcome**

Councillor Bull welcomed Councillors Packham and Thompson as Members of the Committee.

43 **Minutes**

The minutes of the meetings held on 1 and 29 July 2015 were taken as read and signed by the Chair as correct, subject to the inclusion of Councillor Morris being listed as having attended the meeting on 1 July in her capacity as Portfolio Holder, Customer Access.

44 **Declarations of Interest**

No declarations of discloseable pecuniary interest were made.

45 **Questions from Members of the Council Under Standing Order 20**

In accordance with Standing Order No 20, a question was put by Councillor Harvey to the Portfolio Holder for Enabling Services. A copy of the question had previously been circulated to Members. The responses are appended to the minutes.

46 **Portfolio Holder Statements 2015/16**

Councillors Morris, Hannaford and Pearson presented their respective work programmes within the Customer Access, Housing Revenue Account and Enabling Services portfolios respectively.

Customer Access

Councillor Thompson declared an interest as a landlord.

Councillor Morris, as Portfolio Holder, highlighted the following:-

- it was intended that the Homelessness Strategy would be updated every six months to ensure that it best served the community. The Homelessness Task and Finish Group was also making a positive contribution to the process.
- she wished to pay tribute to the pioneering work of the Move On Officer and his team in developing Integrated Care Exeter (ICE).
- the newly formed Landlord's Forum would contribute towards the effort to drive up standards in the private rented sector and encourage best practice.
- she encouraged Members to attend a forthcoming visit to the Job Centre.
- it was anticipated that an initiative offering money management and debt advice as well as facilitating a Credit Union would be based in the Customer Service Centre by next spring.
- she was confident that they would be able to make real progress to tackle rough sleeping by the end of the year.

Councillor Morris responded to Members' questions and confirmed that a guidance note for landlords was available on the web site and regularly updated to include the latest legislation. The production of a similar publication for tenants was currently being pursued. A Member made a plea to encourage landlords to be empathic with the cultural needs of their tenants and consider the duty of care. The implementation of a Public Spaces Protection Order for the city centre area should be seen as a positive control measure and work was ongoing with a range of partners including the Police.

Housing Revenue Account

Councillor Hannaford, as Portfolio Holder, highlighted the following:-

- the new annual inspection of Council houses was part of a more rigorous approach of housing management and was already reaping many benefits for the tenants, with staff working through any issues in a systematic way.
- the proposed 1% rent cut imposed on the City Council will have an impact on the Housing Revenue Account, in relation to repairs and the new build programme.
- staff were working with Exeter University in relation to housing needs across the city.

He responded to a Member's question on ensuring value for money and the general specification for replacement kitchens and bathrooms which were functional and durable and liaison was undertaken with tenants to ensure their needs were met. Legal advice was being sought to address the impact of the rent cuts and there would be the opportunity to lobby the local MP's.

Enabling Services

Councillor Pearson, as Portfolio Holder, highlighted the following:-

- it was anticipated that the procurement officer, when appointed would possess the risk skills set to manage the process to increase efficiency on the future procurement process.
- the Channel Shift Programme would dovetail with the web site programme update.
- the Corporate Manager Property and the team formed as part of the corporate property initiative would be able to facilitate the vision for the city to

deliver high quality development, as well as manage existing property for the benefit of Exeter people.

- the forthcoming changes in the Feed In Tariff has been a challenge in relation to investment for the future, and the Council will have to look at new and innovative ways for carbon and energy reduction for the city.
- the Equalities agenda should be added as a priority with work planned to produce a coherent policy. He referred to a meeting of the Social Equalities and Diversity Task and Finish Group taking place on 1 October.

He responded to comments in respect of the development of the Bus and Coach Station and leisure complex site, and confirmed that issues such as emergency access would be considered. Any solution over traffic flow was likely to be controversial, but he welcomed the opportunity for a wide reaching consultation process. The aspiration remained to deliver a cohesive development, supporting all businesses, including the independent sector in and around the site, and he would ensure that colleagues were made aware of the comments. He would address the access issue in respect of Oakwood House.

Members congratulated all those involved at the Council on an excellent programme of events as part of the Rugby World Cup 2015.

Scrutiny Committee – Resources noted the reports.

47 **Overview of Revenue Budget 2015/16**

The Assistant Director Finance presented a report which advised Members of the overall projected financial position of the General Fund Revenue Budgets and Housing Revenue Account after three months, for the 2015/16 financial year. The report also sought approval for a number of supplementary budgets totalling £89,000. The report contained details of the three Scrutiny Committees and the Housing Revenue Account, together with details of a budget variance after the first financial quarter of the year. The Service Committee budgets showed a forecast underspend of £588,890 against a revised service net expenditure budget of £13,397,320. It was projected that there would be an overall net contribution to the General Fund balance of £165,955.

The Assistant Director Finance responded to a Member's comment on the opportunity to use the BID to gauge interest for a later or evening trade waste collection from the city centre. He also referred to the positive efforts to actively market South Street with genuine and significant interest in a number of vacant properties. A report exploring the medium to long term view and potential for the development of the Corn Exchange and South Street area would be made to a future meeting of the Scrutiny Committee - Economy. He would ensure that other areas of outstanding sundry debt were detailed in the accompanying graph, rather than trade waste, which was now under control.

Scrutiny Committee - Resources noted the report and requested that Council approve the:-

- (1) General Fund forecast financial position for the 2015/16 financial year;
- (2) Housing Revenue Account forecast financial position for 2015/16 financial year;
- (3) additional supplementary budgets listed in Appendix C of the circulated report;
- (4) outstanding Sundry Debt position as at June 2015;
- (5) creditors' payments performance; and
- (6) Council Tax and Business Rates collection performance.

48 **Capital Monitoring Statement**

The Assistant Director Finance presented the report, advising the current position in respect of the Council's revised annual capital programme and of the anticipated level of deferred expenditure into future years. The report also sought approval to amend the annual capital programme in order to reflect the reported variations which were set out in paragraph 8.4. He also outlined the schemes which were completed during the first quarter of 2015/16.

Scrutiny Committee – Resources noted the current position and recommended approval by Council of the revised annual Capital Programme as detailed in paragraph 8.1 and the revision of the annual capital programme to reflect the reported variations detailed in paragraphs 8.4 and 8.5.

49 **Budget Monitoring**

The Assistant Director Finance presented a report which advised Members of any major differences by management unit to the revised budget for the first three months of the financial year up until June 2015. The current forecast suggested that the net expenditure for this Committee would decrease from the revised budget by a total of £612,640 after transfers from reserves and revenue contributions to capital as detailed in Appendix 1. This represented a variation of 9.94% from the revised budget and included supplementary budgets of £116,650, already previously agreed.

Scrutiny Committee - Resources noted the report.

50 **Income Generating Measures: An Energy Neutral Council- A Renewables and Energy Efficiency Programme Update**

The Corporate Energy Manager provided an update on the Renewable and Energy Efficiency Programme work that has been undertaken following year one of the programme, and since the previous report to Scrutiny Committee - Resources on 18 March 2015.

A presentation was made on what had been achieved, work in progress and projects planned, demonstrating the successful delivery of the renewable and energy efficiency programme. They are in year two of the programme and, despite the challenges over the last 12 – 18 months; there has been the opportunity to deliver real and lasting results for the Council. She outlined the early projects and more recent ones delivered and the financial benefits of the programme, including the new savings that will be secured at the end of this financial year (March 2016). Work was nearly complete on the pioneering car park Canopy Solar PV Scheme at Mary Arches and John Lewis car parks to provide zero carbon car parks during the summer months as well as delivering an income of £50,000 per annum. Engineering problems had delayed this project, but it was nationally the first of its kind. It is hoped that the covered top decks will create a more attractive parking option. The Corporate Energy Manager was happy to arrange a site visit.

A 3D image of the planned 1.5MW PV array on the Livestock Centre was shared. This had received a lot of interest and was the Council's largest PV scheme to date. After a robust tendering exercise, this was awarded to Sungift Energy. However, the project is time critical, so as to guarantee the current Feed-In Tariff before this is reduced on 1 January 2016. The installation follows the re-roofing project which was brought forward to ensure the Western Power Distribution (WPD) offer of connection was not lost. It was anticipated that, at the end of 2015, the following energy

reduction would result in energy savings of 15% and 37% by 2016/17, with a new programme and robust strategy for the future years.

The projects have resulted in the following:–

- energy and Carbon savings
- reduced energy bills and long term income streams
- renewable energy delivered by Solar PV
- water saving scheme
- energy savings and improved lighting from LED
- the promotion of use of electric vehicles and EV charge points

The solar field proposal cannot be progressed due to the restriction imposed by WPD, and a review of the FIT would significantly impact the viability of large solar projects, but it was hoped that, in time, there may be other incentives. The Energy Manager responded to a Member's enquiry and stated that innovative PV schemes will work by offsetting the electricity generation against use or by developing a private supply arrangement. It was noted the changes were still under consultation and that future lobbying would be appropriate. The Corporate Energy Manager responded to a Member's enquiry stating that Wat Tyler House was unsuitable for PV panels as it was partially shaded by trees.

Members congratulated the Council's Energy Team on the excellent work they had achieved so far.

Scrutiny Committee - Resources noted the progress made to date and delivery of year two of the Renewables and Energy Efficiency Programme and feasibility work planned for year three.

51 **Financial Reporting Review Update**

The Assistant Director Finance updated Members on the success of the trialled changes and improvements to the overall style and presentation of Financial Reports.

The Chair thanked Councillor Baldwin for influencing the Financial Review Task and Finish Group, which had resulted in Members being far more informed. Councillor Baldwin responded and thanked the Assistant Director Finance for his support. She asked if A3 sized reports could be broken down, so that they were more manageable to view on the iPad.

Scrutiny Committee - Resources supported the changes and improvements to the style and presentation of Financial Reports, which had now been adopted on a permanent basis.

The meeting commenced at 5.30 pm and closed at 7.20 pm

Chair

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SCRUTINY COMMITTEE – RESOURCES
16 SEPTEMBER 2015

QUESTION FROM COUNCILLOR HARVEY UNDER STANDING ORDER 20 to
COUNCILLOR PEARSON - PORTFOLIO HOLDER FOR ENABLING SERVICES

Enabling Services:-

Can the Portfolio Holder please give an update on work being undertaken to update the City Council's website and, specifically, can he provide an update on the following issues:

- (a) Is the key thrust of the review work to deliver a, long-overdue, streamlined website which is easier for those wishing to access Council services and information on Council services?
- (b) Has an exercise been undertaken to review time currently spent on updating/managing Council web pages across Council departments and, in turn, identify efficiencies that could be delivered as a result of a streamlined City Council website?

Councillor Pearson replied in the following terms -

- a) The new web site would be more streamlined. Staff have been working to reduce the number of pages on the site by more than 60%, and the published information and processes would also be streamlined so that they were simpler and quicker for customers to use. The site would be more responsive, and also accessible from other mobile devices such as phones and tablets.

Earlier this year, the responsibility for the content of the web site transferred to the Communications Team, and they have been reviewing the entire content. The team have also been working with Strata to design a new web site, and government advisers on content design and that work is now largely complete. Detailed work was now underway with council services to build the site for release at the end of the year.

- b) The first task of the Communications Team has been to review the entire content of the web site and identify the irreducible core. They have worked with senior managers to identify a restricted number of content owners across the Council. When the streamlined content and format is finalised, and the demands on new content owners are known, all managers will be in a position to review resource requirements and adjust these as appropriate.

They hoped to encourage people to use the Council's web site as a primary means of contact and this work will tie in with the channel shift and procurement work.

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AUDIT AND GOVERNANCE COMMITTEE

Wednesday 23 September 2015

Present:-

Councillor Vizard (Chair)
Councillors Laws, Buswell, Harvey, Henson, Lyons, Sheldon, Williams, Raybould and Thompson

Apologies:-

Councillor Baldwin

Also Present

Deputy Chief Executive, Assistant Director Finance, Technical Accounting Manager, Audit Manager (HP) and Democratic Services Officer (Committees) (SLS)

David Bray - Grant Thornton
Geraldine Daly - Grant Thornton

28

MINUTES

To receive the minutes of the meeting held on 24 June 2015.

29

DECLARATION OF INTEREST

Councillor Thompson declared an interest in relation to a number of risks identified in the report as she confirmed she had a benefit from a restrictive land covenant.

30

INTERNAL AUDIT PROGRESS REPORT 1ST QUARTER 1ST APRIL TO 30TH JUNE 2015

The Audit Manager (HP) presented the progress report on the areas of work carried out by the Internal Audit Team during the period April to June 2015. The report also included the overall progress made against the 2015/16 Audit Plan, including the active monitoring of audit processes and actions. Progress against the Annual Audit Plan was on target and the detail was included in an appendix to the report. All of the recommendations made by Audit were accepted by management.

The Audit Manager responded to a comment on the level of risks relating to the housing benefits subsidy 2014/15. It was noted that additional staff training had been provided and the level of checks increased. The emphasis of One View of Debt (OVOD) had moved to provide more of an individual approach for customers, which had helped to improve the service received by customers, however, at the time of this audit it was found that it had resulted in a reduction in debts being collected and increased the length of time to collect debts. Following the implementation of a number of audit recommendations, improvements have been made. The Assistant Director Finance stated that over £5 million had been collected in the last financial year and council tax collections were now ahead of the financial target. He addressed a Member's comment and confirmed that Internal Audit would make a follow up investigation in three months to make sure that all issues had been addressed, and would report back to Committee if any work remained outstanding. He reminded Members that the Audit and Governance Committee had the power to call in any area of work where it was felt that officers

were not fulfilling their duty. It was noted that staff were also regularly reminded of their duty and the consequences of any instances or suspicion of fraud, which included both reporting to the Police as well as keeping senior Council staff and Members informed. A Member suggested staff could be made aware at the staff Exchange Briefings and asked if whistle blowing workshops were held. The Audit Manager advised that web based workshops were held and she also agreed to make a short briefing to a future Exchange session. The Assistant Director Finance responded to a Member's comment on the timetable for the Partnership Working Protocol and stated that a policy had been drafted and was currently out for comment. He also confirmed that he would address a query raised by a Member in respect of the appropriate pay and contact details provided on an invoice for a one off payment.

The Audit and Governance Committee noted the Internal Audit Progress Report for the first quarter of the year 2015/16.

31 **AUDIT AND GOVERNANCE EXTERNAL AUDITORS COMMITTEE UPDATE**

The External Auditors, Grant Thornton did not submit a separate report, as the detail was included in the Audit Findings item, which was on the agenda.

32 **REPORT TO THOSE CHARGED WITH GOVERNANCE 2014/15 (ISA 260)/AUDIT FINDINGS FOR EXETER CITY COUNCIL**

Geraldine Daly from Grant Thornton presented the Audit Findings report for the Council's financial statements for the year ended 31 March 2015. She referred to the Executive Summary and provided a further update on the report, which had been prepared, whilst the City Council's Audit was still in progress. It was anticipated that, subject to the approval of the final management representation letter and updating of the post balance sheets events review, an unqualified opinion on the financial statement would be issued.

Geraldine Daly confirmed that they anticipated providing an unqualified opinion in respect of the financial statements. It was noted that the 'amber' rating in respect of the strategic financial planning, and the overall assessment would be moved to 'green'. She referred to an unadjusted error relating to all three Councils in respect of the treatment of the pension liability for Strata. Representatives from Exeter City Council, East Devon and Teignbridge District Councils were due to meet to discuss the treatment of Strata's pension liability in 2015/16. The Assistant Director Finance stated that the three owners were considering whether an additional guarantee would resolve the pension liability issue, which would need to receive formal approval at Council. She also referred to the ongoing need to address the policy in respect of authorisation of journal entry policy and procedure. The Assistant Director of Finance advised that the Council's financial system, Efinancials, does not currently have the ability to implement journal authorisation controls and an alternative solution would be sought with our new external auditors, KPMG.

A Member enquired about the employment status and also membership of the Local Government Pension Scheme. The Assistant Director Finance stated that Members were not legally allowed to join the Local Government Pension Scheme following a review of the long term affordability and sustainability of taxpayer-funded pension schemes, legislation having been passed to withdraw access by Councillors to the scheme.

The Audit and Governance Committee noted the report.

33 **MANAGEMENT LETTER TO THE EXTERNAL AUDITOR IN RESPECT OF THE 2014/15 STATEMENT OF ACCOUNTS**

The Assistant Director Finance submitted the letter to the current External Auditor, Grant Thornton in respect of the 2014/15 Statement of Accounts. It was an audit requirement to produce the letter.

RESOLVED that the Audit and Governance Committee approve the letter, and request that it be signed by the Assistant Director Finance and the Chair of the Audit and Governance Committee for forwarding to the current External Auditor, Grant Thornton.

34 **FINAL STATEMENT OF ACCOUNTS 2014/15**

The Assistant Director Finance presented the Technical Accounting Manager's report with the Council's final Statement of Accounts for 2014/15, which was a statutory requirement for approval and publication by 30 September 2015. The report also included the Annual Governance Statement for 2014/15. The audit of Exeter City Council's accounts for the year ending 31 March 2015 had been concluded, and the Council's external auditor, Grant Thornton intended to provide an unqualified opinion on the accounts, and would issue the Audit Certificate on Friday.

Members thanked the Assistant Director Finance and his team for the production of the Final Accounts.

RESOLVED that the Audit and Governance Committee approved the Final Statement of Accounts for 2014/15 for the City Council.

35 **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.

36 **REVIEW OF THE CORPORATE GOVERNANCE RISK REGISTER**

Councillor Thompson declared an interest in relation to a number of risks identified in the report as she confirmed she had a benefit from a restrictive land covenant.

The Deputy Chief Executive presented the report which advised the Committee of the Council's risk management progress, and included details of the updated Corporate Risk Register, as part of the Council's corporate governance arrangements. The report also advised the Committee of the changes introduced to the Council's Risk Management policy and procedures which was included, as an appendix to the report.

A Member sought clarification on the claw back arrangement in relation to the Section 106 agreements and infrastructure delivery in respect of the Pinhoe Quarry and Redrow developments. She also enquired about the position in relation to the Village Green application at Eastern Fields and also sought information on the District Heating Scheme. The Deputy Chief Executive confirmed he would obtain a reply as appropriate.

The Deputy Chief Executive provided the following responses to Members' comments:-

- the arrangements and provision of debt advice from CAB and other partners, as well as the support and advice from the Exeter Money Advisory Partnership was delivered from the Civic Centre.
- support and advice had been sought from the Local Government Association and Devon County Council in relation to the status of some surface water sewers.
- it was noted that the Assistant Director City Development had contributed to the risk evaluation score in relation to the pursuance of any out of town shopping development.
- the risk classification of car park income fluctuated in part due to the impact of the local economy and any out of town retail development.

The Audit and Governance Committee noted the report.

(The meeting commenced at 5.30 pm and closed at 6.50 pm)

Chair

STRATA - JOINT EXECUTIVE COMMITTEE

Tuesday 1 September 2015

Present:-

Councillor Christophers, Diviani and Edwards (Chair)

Non-Voting Members – N Bulbeck, K Hassan and M Williams

Also Present

The Chief Operating Officer Director (DH), Document Processing Manager, Programme & Resources Manager, Compliance and Security Manager, Business Systems Manager, Support & Infrastructure Manager and Democratic Services Manager (Committees)

14

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

15

MINUTES

The minutes of the meeting held on 10 June 2015 were taken as read and signed by the Chair as correct.

In response to queries raised on the minutes, Strata Officers clarified the following:-

- Teignbridge District Council are keen to move from their current Blackberry to the i Phone; the licence for the security products have been secured and implementation of the products is being planned with the supplier; a meeting was due to take place on Friday 4 September with the providers
- There would be an update on the five year systems convergence plan at the November meeting
- The HR/Systems shared project had been delayed because of difficulty getting the relevant people together; it was hoped that a meeting would take place in September and an IT Business case would be presented to the next meeting; this review whilst being 'light touch' would need to ensure that the right system was in place to meet the requirements of the 3 Authorities.
-

16

PROGRESS REPORT ON STRATA IMPLEMENTATION PLAN

The report and presentation of the Chief Operating Officer was submitted to inform Members of the progress of the implementation of Strata.

Presentation - attached to minutes.

Members were updated on the IDOX Business case and integration of the 'uniform' software across the three Councils. The savings were anticipated to be approximately £600k there would also be the benefit of unlimited licences and would provide a common platform which could enable more partnership working.

The Director (DH) updated Members on the Annual Report and Financial Statements from 15 May 2014 to 31 March 2015. He advised that the Auditors had determined that the capital invested by the three authorities of £1.7m should be treated as a capital grant in advance and only released to the Profit & Loss Account in line with the depreciation on the purchased assets over the next five years. He advised of the position with regards to the net pension liability and the impact this had on the balance sheet. The Board was investigating a proposal to request a fuller guarantee from the Councils which would remove the pension deficit from the Company's accounts.

In response to the Chief Operating Officers update and the tabling of the accounts the East Devon District Council Chief Executive Officer sought reassurance that the Board was fully aware of the financial implications of the proposed new terms and conditions for employees and their potential implications in relation to the Strata Business Case. It was important that Human Resources advice was followed and the implications of Job Evaluation were fully assessed.

The Chief Operating Officer clarified that any contracts would be new contracts and that he was not anticipating any back pay liability. The financial implications of any new contracts would be fully costed and brought back to the Board before implementation. It was noted that the Board would need to keep the Joint Executive Committee fully apprised of this issue.

RESOLVED that the report be noted.

17

INTERNET SPEED DELAY

The Chief Executive Teignbridge District Council raised concerns regarding the delay in the installation of the internet connection to Teignbridge and asked when this matter would be resolved.

The Chief Operating Officer clarified that there had been three week delay that had been caused by some issues with Virgin these had now been resolved. Strata officers were now working on the connectivity with installation by mid September.

It was **noted** that Strata would endeavour to install the new broadband connection to Teignbridge District Council Offices by 11 September 2015.

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

Chair

STRATA JOINT SCRUTINY COMMITTEE

Thursday 23 July 2015

Present:-

Councillors Bialyk, Raybould, Dewhirst, Prowse and Dent

Also Present

The Chief Operating Officer, Assistant Director Finance and Democratic Services Officer (Committees) (HB), Simon Davey, Strategic Lead Finance East Devon District Council.

16

APOLOGIES

These were received from Councillors Chapman and Haines.

17

MINUTES

The minutes of the meeting held on 28 May 2015 were taken as read and signed by the Chair as correct.

18

DECLARATIONS OF INTEREST

No declarations of interest were made.

19

QUESTIONS FROM MEMBERS

The Chair referred to a request from a Member at a recent joint Scrutiny Training session for all Members to be encouraged to submit questions on the operation of Strata to this Joint Scrutiny Committee. It was agreed that this would be of benefit, given that many could be unfamiliar with the operation of Strata.

An Exeter City Councillor remarked that this was common practice at Exeter City Council Scrutiny Committees and emphasised that, wherever possible, advance notice should be provided so that officers were sufficiently prepared to respond on the night. As the next meeting was not until October, Members should also feel free to approach officers in the interim.

Strata Joint Scrutiny Committee supported the proposal that an item be placed on future agenda for all Members to ask questions.

20

PROGRESS REPORT ON STRATA IMPLEMENTATION PLAN

The Chief Operating Officer presented the report providing an update on the progress with the Implementation Plan.

- Overall Plan close to original timetable meeting quality targets and on budget. A six week delay in installation of new Wide Area Network (WAN) and internet had been reduced from four and to two weeks and would be operational by September. Savings of £2.2 million achieved in staff costs (third of total costs to be saved). Single telephony supplier selected. Internet upgrade for Exeter from 10 MB to 400 MB due in the next few weeks;
- Organisational progress – interviews are being conducted for three apprentices, one to be located at each main site; and Ex Head of South Hams ICT appointed as Strata Manager Security and Compliance in February;
- Contract novation was a priority, with suppliers given the opportunity to supply three rather than two or one authority(ies) and Strata would be looking for a subsequent reduction in overall costs;
- Engagement working well with all authorities. A report on a proposal to reduce the number of Executive and Scrutiny meetings from four to three a year, both meetings to be held close to one another, would be submitted to the next Joint meeting;
- Risks identified and being managed included the level of change that users would experience when the new Strata infrastructure is fully deployed, especially for Skype and MS Office update;
- Some recent examples of success in securing savings from some suppliers were presented;
- Teignbridge experiencing greater number of incidents with their IT infrastructure – this is being managed keeping in mind that the majority of the main infrastructure will be replaced in a year's time;
- A number of opportunities from the project were presented. These included consolidating website design, introduction of iphones, in-cab technology being used by Exeter City Council to be rolled out at Teignbridge;
- Channel Shift Infrastructure under development – Netcall - new voice recognition system implemented at Exeter. Channel shift allowed shifting the requests of service to the council to the cheapest option for dealing with the query – in most cases by taking the request online;
- Opportunities for combining systems such as planning, building control, environmental health etc. of all authorities were under consideration;
- Faster internet connection being introduced with Exeter users to see impact from August.

He responded as follows to Members' queries:-

- East Devon would meet the IT costs relating to its relocation of offices – this includes the requirement for new data lines into the two offices at Honiton and Exmouth;
- The Lync system was explained to the Committee as a similar system to Skype, both provided by Microsoft, and to be re-branded Skype for Business;
- With regard to contract novation, the three authorities will continue to receive and pay invoices until all relevant contracts are novated to Strata. These costs are then charged across to Strata;
- The potential for extending mapping facilities within each Council to attempt to secure overlap with each other would be examined. This would be of value where searches were instigated in respect of an area where neighbouring authorities' boundaries overlapped.

Strata Joint Scrutiny Committee noted the progress of the implementation plan.

STRATA DRAFT ACCOUNTS 2014/15

The Assistant Director Finance presented the draft end of year 2014/15 financial accounts, noting that it was likely that the final accounts only and not the draft would be reported to the Joint Strata Executive Committee at its September meeting. Referring to both the profit and loss and balance sheet statements, he highlighted the £857,620 loss and net assets respectively. The former figure was in respect of the pension liability transferred from the three authorities.

He confirmed that all authorities were underwriting the pension liability and it was noted, in response to a Member, that there had been a smooth transfer of staff pension arrangements.

It was noted that Neil Aggett had replaced Steve Hodder as a Director representing Teignbridge District Council and that Companies House had been informed of the status of Karen Jenkins of East Devon as a Director.

Strata Joint Scrutiny Committee noted the draft 2014/15 accounts.

STRATA PERFORMANCE INDICATORS - JUNE

The Chief Operating Officer presented the updated suite of performance indicators that Strata was using to manage its business and to show stakeholders how Strata is performing. It was the June report showing the figures to the end of May. He reported that the format was a work in progress and would be further refined in the coming months to ensure the statistics were as meaningful as possible. He explained that incidents, especially with system downtime, were all examined with a view to future prevention. It was noted that Teignbridge were troubled by more system downtime than the other two sites.

The Chief Operating Officer stated that a complete review of the transfer of the IT functions of the three authorities to Strata would be appropriate at a future date.

Strata Joint Scrutiny Committee:-

- (1) approved the report; and
- (2) agreed to the submission of a comprehensive review of the operation of Strata to a future meeting of this Joint Committee.

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

Chair

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EXECUTIVE

Tuesday 15 September 2015

Present:

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

Apologies:

Councillor Morris

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Customer Access, Assistant Director Environment, Corporate Manager Property, Systems Lead Housing and Democratic Services Manager (Committees)

90

MINUTES

The minutes of the meetings held on 26 June, 14 July and 11 August 2015 were taken as read and signed by the Chair as correct.

91

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

92

PRESENTATION OF PETITION - 'REFUGEES WELCOME IN EXETER'

A petition 'Refugees Welcome in Exeter' with over 1,300 signatories was presented to Executive by Councillor Packham who had been handed the petition at the rally held in support of helping refugees on the Cathedral Green on Saturday 12 September 2015. The petition urged the Council to respond to the current Refugee crisis.

Councillor Packham commented that all Local Authorities had a part to play in housing the refugees and raised concerns regarding the grants from Central Government which was only for one year.

The Leader acknowledged receipt of the petition and moved that the petition be sent to the Prime Minister and the Leader of the Opposition to make them aware of the concerns of residents of Exeter regarding the Refugee crisis.

This was unanimously agreed by Members.

A Member raised concerns regarding the funding available from Central Government to support Refugees, which is for one year only.

RESOLVED the Exeter City Council forward the petition to the Prime Minister and the Leader of the Opposition to make them aware of Exeter residents concerns regarding the Refugee crisis and seeking the appropriate funding for Local Authorities to meet the Government's commitment to accepting more Refugees.

REVIEW INTO THE COUNCIL'S POLICY FOR ALLOCATING SOCIAL HOUSING

The report of the Assistant Director Customer Access was submitted advising Members of the findings and recommendations of the Task and Finish Group convened to review the Council's allocation of social housing in 2014 and the subsequent public consultation. The Task and Finish Group had highlighted a desire for the allocation system to be clearer for those in housing need and to cut out waste within the system. The consultation had run for seven weeks with 240 responses received. As a result of the public consultation and discussions with officers, three of the five recommendations from the Task and Finish Group were proposed.

The Assistant Director Customer Access clarified that in the report 'B and E' should read 'Band E' and further clarified that the proposal was to remove Band E only and not Bands B and E.

In response to a Member, the Systems Lead Housing clarified that the Devon Home Choice policy had been amended to take into account the legislation regarding the housing of Armed Forces families.

The Portfolio Holder for the Housing Revenue Account clarified that while there would be additional priority for working households, they would need to meet the criteria.

Members supported the proposed amendments.

Scrutiny Committee – Community considered the report at its meeting on 8 September 2015 and its comments were reported.

RECOMMENDED to Council that the allocation policy be amended:-

- (1) to remove Band E to restrict eligibility for housing to those with an evidenced housing need within the policy;
- (2) to remove applications where people do not bid for 12 months or refuse three properties deemed suitable for their needs; and
- (3) to give additional priority for working households to bid for properties in areas where there are high levels of unemployment.

PROPOSALS FOR THE IMPLEMENTATION OF A PUBLIC SPACES PROTECTION ORDER

The report of the Assistant Director Environment was submitted advising Members on the process and consideration to the implementation of a Public Spaces Protection Order in the City Centre area of Exeter. The report sought agreement to enter into consultation with the public and relevant stakeholders on the draft proposals for a Public Spaces Protection Order (PSPO) with the findings to be brought back at the end of this year, with recommendations as to the implementation, or otherwise, of a Public Spaces Protection Order.

Members were circulated with a revised appendix two and an updated plan outlining the areas to be consulted on for a proposed PSPO. The additional areas proposed to be consulted as a result of feedback from Members and officers were Belmont

Park, the river side and open space from the Quay and along Bonhay Road, Black Aller Island, St Thomas Church and Prospect Place.

In response to Members, the Assistant Director Environment clarified that because of the draconian nature of the new powers there was a need for clear justification to be shown when introducing an Order. Its application should not be wholesale although this did not mean that other specific areas of the City could not be considered for a PSPO were it justified in the future. The PSPO would not apply to permitted areas outside of licensed premises.

Members supported the consultation with the public and relevant stakeholders on the draft proposals for a PSPO.

Scrutiny Committee – Community considered the report at its meeting on 8 September 2015 and its comments were reported.

RESOLVED that:-

- (1) the content of the draft Public Space Protection Orders, in the area defined by the circulated map and to also include Belmont Park, the river side and open space from the Quay and along Bonhay Road, Black Aller Island, St Thomas Church and Prospect Place, with the prohibitions and actions (contained in the circulated Appendix II), be approved;
- (2) the views of the public and other stakeholders be sought through public consultation, and the findings be brought back to Scrutiny Committee – Community, Executive and Council at the end of 2015; and
- (3) as a result of the public consultation recommendations on the adoption or otherwise of a Public Spaces Protection Order be submitted to Council for approval.

95

EXETER CITY FUTURES TRANSFORMING EXETER THROUGH DATA

The report of the Chief Executive & Growth Director was submitted providing Members with an overview of initial plans and direction of travel for Exeter City Futures. This was an ambitious, long-term vision of how to transform Exeter into a sustainable city of the future through the use of pioneering technology and data analytics. The Scrutiny Committee – Economy had received a presentation by Andromeda Capital and supported the project.

The Portfolio Holder for Economy and Culture commented that this programme would contribute to the broad-based Innovation Exeter economic development programme promoting business growth and increased investment. The project was a joint endeavour by Andromeda Capital, Exeter City Council and Devon County Council.

Members welcomed the way forward and supported the programme.

Scrutiny Committee – Economy considered the report at its meeting on 10 September 2015 and its comments were reported.

RESOLVED to endorse:-

- (1) Exeter City Futures as a vehicle for better understanding and addressing the transportation, energy and health challenges and opportunities facing the city;
- (2) the Exeter bid for the 'Internet of Things' demonstrator city competition; and
- (3) the communications framework outlined in the report to begin engagement with the Exeter population about the overarching ambition of Exeter City Futures. This framework includes an initial public engagement programme.

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

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1,2 and 3 of Part 1, Schedule 12A of the Act.

97 **CORPORATE PROPERTY ASSETS RESTRUCTURE**

The report of the Corporate Manager Property was submitted advising Members of the findings of a business case which examined the outcomes of the service review conducted by the Corporate Property Assets Manager in relation to the Corporate Property Assets unit. The restructure proposals looked to ensure that the Corporate Property Maintenance Strategy could be delivered in the most effective and efficient method.

Members welcomed this proposed restructure and supported the consultation.

RESOLVED that:-

- (1) the business case for the Corporate Property Assets unit restructure, as set out in the report, be agreed; and
- (2) the Corporate Property Assets Manager be authorised to proceed to the first consultation stage, in accordance with the Council's Organisational Change Policy.

(The meeting commenced at 5.30 pm and closed at 6.00 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 20 October 2015.

EXECUTIVE

Tuesday 6 October 2015

Present:

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

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Customer Access, Assistant Director Finance, System Lead - Finance and Democratic Services Manager (Committees)

98

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

99

CORPORATE PLAN UPDATE 2015

The report of the Corporate Manager Policy, Communications and Community Engagement was submitted seeking Members' approval of the Council's 2015 Corporate Plan.

The Leader stated that the Corporate Plan captured the achievements of the Council the positive work proposed for the next year and reflected the valuable work of the Council's staff.

RECOMMENDED that Council notes and approves the 2015 Corporate Plan update.

(In accordance with Standing Order no.43, Councillor Leadbetter requested that his abstention from voting be recorded)

100

OVERVIEW OF THE GENERAL FUND BUDGET 2015/16

The report of the Assistant Director Finance was submitted to advise Members of the overall projected financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2015/16 financial year after three months and sought approval for a number of supplementary budgets totalling £89,000. There was a forecast underspend on the General Fund of £653,600 and on the Housing Revenue Account (HRA) of £625,391.

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

RECOMMENDED that Council approve the:-

- (1) General Fund forecast financial position for the 2015/16 financial year;

- (2) HRA forecast financial position for 2015/16 financial year;
- (3) additional supplementary budgets listed in Appendix C;
- (4) outstanding Sundry Debt position as at June 2015;
- (5) creditors' payments performance; and
- (6) Council Tax and Business Rates collection performance.

101

CAPITAL MONITORING STATEMENT TO 30 JUNE 2015

The report of the Assistant Director Finance was submitted to update Members on the current position in respect of the Council's revised annual capital programme and the anticipated level of deferred expenditure into future years. During the first three years of the year the Council spend £1.534 million which equated to 6.6% of the revised programme.

Members were advised that the capital spend of £1,600,000 on the Leisure Complex Build Project had been brought forward from 2016/17 into this financial year and of the achievements completed during the first quarter of 2015/16.

The Portfolio Holder of Housing Revenue Account outlined the problems with the LAINGS properties and the requirement to appoint consultants to manage the refurbishment.

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

RECOMMENDED that the Council notes and approves the:-

- (1) revisions to the capital programme detailed in section 8.1 of the circulated report; and
- (2) revision of the annual capital programme to reflect the reported variations detailed in 8.4 and 8.5 of the circulated report.

102

PARTNERSHIP DELIVERY OFFICER

The report of the Assistant Director Customer Access was submitted to inform Members of the Council's work as part of the first phase of the Troubled Families Programme and to seek support for increasing the Council's engagement in Phase Two of the programme, now called Early Help For Families. The report also outlined the emerging agenda in co design and co delivery with partners and proposed that the Council increased its engagement with this agenda to recognise the benefits.

The Portfolio Holder for Customer Access supported the proposal for this temporary post.

The Assistant Director Customer Access clarified that an analysis would be done using the Home Office's cost calculator to assess if savings and/or other benefits merit a case being developed for a permanent post towards the end of the 18 months. Devon County would not be contributing any funding to this post at this present time as their funding had gone into the Local Coordinators posts as well as individual budgets for families.

RESOLVED that:-

- (1) the areas of the Council's work impacted by the Early Help approach and benefits of working with other agencies to support families and vulnerable individuals, be noted;

RECOMMENDED that Council approves:-

- (2) the creation of a temporary post for 18 months to support this work on an invest to save basis and agrees to receive a monitoring report on its success in reducing the costs to the Council, using the Home Office's Cost Calculator; and
- (3) the sum of up to £38,000 to fund the proposed post; to be met from the Housing Revenue Account working balance and General Fund balances.

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

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1,2 and 3 of Part 1, Schedule 12A of the Act.

104 **HELP ME WITH MY FINANCIAL/HOUSING PROBLEM SYSTEM - AMENDED FINANCIAL RESTRUCTURE REPORT**

The report of the Assistant Director Customer Access was submitted to seek Members' approval on the draft business case in respect of the proposed amended financial re-structure within the Customer Access Directorate. The proposed structure had taken longer than expected because of the changing agenda around welfare reform alongside a complex systems review process. The new structure provided clarity on roles which would help to address staff uncertainty which has had an impact on morale. However, with the further changes to welfare reform to come, there may be a need to review the structure again within the next two years.

The Systems Lead – Finance advised of the reasons for the recommendation.

Members supported the way forward and congratulated the officers involved for their work in putting together a comprehensive proposed re-structure. Members also noted that the work done in this System had been pioneering and encouraged officers to share it with other authorities. Members further thanked the staff for their willingness to engage with the new ways of working.

RESOLVED that:-

- (1) the proposed amended re-structure be approved, so that formal consultation with staff and unions could commence; and
- (2) Members recognise that this proposal captured immediate and short term need. With further welfare reforms to come, there was a need to remain as agile as possible to reflect the changes in the way the Council resource the service. Therefore this structure may need to be reviewed again in two years.

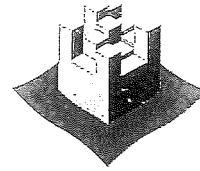
(The meeting commenced at 5.30 pm and closed at 5.50 pm)

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 20 October 2015.



Councillor Percy Prowse Councillor for Duryard Ward



Exeter
City Council

Civic Centre, Paris Street, Exeter, EX1 1JN
www.exeter.gov.uk

Please ask for:

Direct Dial: 01392 209024

Email:

Our ref:

Your ref:

Date: 12th October 2015

Questions to the Council.

20th October 2015

1. Rugby World cup 2015

Given the level of investment by this Council for this prestigious event can the Leader sum up his overall impression of how it went and at the same time explain how the circumstances arose whereby a music group/band performed at the Fanzone venue with what appears to be little or no involvement by the Council insofar as the Environmental impact of the noise that was made to the detriment of the City's residents?

2. Disciplinary action and enforcement, Hackney Carriage drivers and licensing.

Can the Leader or his portfolio holder explain and comment on the following:
Delegation to Officers policy document was amended in June 2015. Prior to this the relevant document was 2012. The Licensing Dept. relies on Section 5 of its policies for dealing with breaches, which include suspensions and revocations. During the Christmas period, 2014 a Duryard resident and holder of a current Hackney Licence was stopped by the Police

and a number of allegations were made against him in respect of the vehicle, manner of driving and his ability to drive. This included his arrest and subsequent provision of a blood sample. By delegated powers he received a letter revoking his licence. Over a period of months the Police dropped ALL charges and allegations.

Paragraph 5.7 of Section 5 of the Licensing policy states states:

A licensing sub-committee may exercise its discretion to revoke a driver's licence because he/she has been convicted of a serious criminal offence, or other serious matter referred to them by the Assistant Director Environment. Such action shall only be taken after a hearing before a licensing Sub-committee.

(a Licensing sub-committee comprises of at least two Councillors).

Given the content of the revised delegated powers which probably mirrors the old one can the Leader or his Portfolio holder explain how given the outcome of this case the delegated powers of Officer(s) has totally bypassed the provisions of the current Licensing policy. Does the Leader or his P.H. agree that the Licensing policy should be reviewed and at the same time also explain given the outcome of the case what part elected Councillors should take.

Kind Regards

Dey' Pau

Agenda Annex

SEATING IN THE GUILDHALL

		Deputy Lord Mayor Councillor Robson (L)	Chief Executive & Growth Director	Lord Mayor Councillor Foggin (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
George (L)	Bull (L)	Edwards (L)	TABLE	Leadbetter (C)	Mrs Brock (LD)
Crew (L)	Sheldon (L)	Sutton (L)		Mottram (C)	Donovan (C)
Branston (L)	Spackman (L)	Hannaforde (L)		Baldwin (C)	Prowse (C)
Williams (L)	Raybould (L)	Pearson (L)		Shiel (C)	Newby (C)
Packham (L)	Lyons (L)	Owen (L)		Henson (C)	Holland (C)
Laws (L)	Choules (L)	Denham (L)		Harvey (C)	

Cllr Vizard (L)	Cllr Buswell (L)	Cllr Hannan (L)	Cllr Morris (L)	Cllr Morse (L)	Cllr Brimble (L)	Cllr Wardle (L)	Cllr Bialyk (L)
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L: Labour : 29
 C: Conservative : 10
 LD: Liberal Democrat : 1

Portfolio Holders

Edwards: Leader
 Sutton : Deputy Leader and City Development
 Denham: Economy and Culture
 Hannaforde : Housing Revenue Account
 Owen: Health and Place
 Pearson: Enabling Services
 Morris: Customer Access

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