

PLACE SCRUTINY COMMITTEE

9 June 2016

Present:

Councillor Brimble (Chair)

Councillors Henson, Keen, Prowse, Robson and Wardle

Apologies:

Councillors Lyons, Foggin, Mitchell and Wood

Also present:

Assistant Director Finance, Assistant Director Environment, Environmental Health and Licensing Manager, Museums Manager, Economy and Tourism Manager, Scrutiny Programme Officer and Democratic Services Officer (Committees) (SLS)

In attendance:

Councillor Rachel Sutton	- Portfolio Holder City Development
Councillor Rosie Denham	- Portfolio Holder Economy and Culture
Councillor Rob Hannaford	- Portfolio Holder Place

1 Minutes

The minutes of the meeting held on 3 March 2016 were taken as read and signed by the Chair as correct.

2 Declaration of Interests

No declarations of disclosable interest were made.

3 Questions from the Public under Standing Order 19

A Member of the public Ms N O'Farrell asked a public question in the following terms that in the light of CP2 - Employment - and the loss of '000's msq' of City Centre office space to Permitted Development Rights, why does the Council not use the delegated powers from the Secretary of State to initiate an Article 4 Direction to protect Employment Use in Southernhay. Councillor Sutton as Portfolio Holder for City Development replied and a copy of the reply was appended to the minutes.

4 Terms of Reference

The following Terms of Reference for Place Scrutiny were noted:-

To review the implementation of existing policies and to consider the scope for new policies with regard to all aspects of the Council's functions concerning economic activity and tourism, culture, leisure, waterways, markets, RAMM, planning, sustainable development, transport, the environment, licensing, community safety and the Joint Mitigation Committee.

The Portfolio Holders reporting to this Committee will be those for City Development Place, and Economy and Culture although it was acknowledged that there may be an overlap in some areas of responsibilities.

5 **Portfolio Holders' Statements**

The Portfolio Holders for City Development (Councillor Sutton) Economy and Culture (Councillor Denham) attended to present the achievements for 2015/16. A report was also circulated which set out targets and milestones showing the aims of the Council during the year and what had been achieved by May 2016. The Portfolio Holder Place (Councillor Hannaford) and Councillor Sutton and Denham presented their priorities for 2016/17.

The Portfolio Holder for City Development highlighted the following achievements for 2015/16, and priorities for 2016/17. There significant issues posed by the retail proposals in the Honiton Road corridor and Junction 27 of the M5. A final decision on the outcome of the Moor Exchange proposal was awaited from the Secretary of State.

She also responded as follows to Members' comments:-

- the continuation of the low carbon work including the District Heating Schemes, with a number of key partners having already signed up.
- there had been ongoing discussions with the University to encourage provision of student accommodation on the Streatham campus, but any planning proposals would come forward through the Committee process in the normal way.
- the City's valley parks should continue to be protected along with other parts of the green infrastructure as they offered such a valuable green environment and habitat.
- the delivery of IKEA was still progressing as expected on the identified site and was included in the company's forward plan.

The Portfolio Holder for Economy and Culture highlighted the following achievements for 2015/16 and priorities for 2016/17. The progression of Exeter City Futures with the main themes of Transport, Energy and Health were actively being pursued, as was the Innovation Exeter initiative to address skills development, create more highly skilled and sustainable jobs to raise the profile of the area for inward investment. She also referred to the ongoing future commitment for future investment in the city centre and the wider West Quarter particularly around South Street.

She also responded to Members' comments as follows:-

- the work of Exeter City Futures to form partners with the Met Office, the RD&E and other community businesses in the city was progressing together with the development of pilot Active Transport programmes using new technology, with any individual projects coming back to the City Council.
- a feasibility study would be carried out with local businesses and the wider community to explore ideas for future investment in the environs of South Street, including options for a new city centre performance venue. There was also a separate strand of work with representatives from the cultural sector to consider the attributes of a suitable venue in the city.

The Portfolio Holder for Place highlighted a number of priorities for 2016/17:-

- working proactively with Devon and Cornwall Police, local PCSO's and Devon County Council to help address individuals with more complex needs. He hoped to continue to look at how new technology could be used to benefit the valued Neighbourhood Watch schemes.
- work to improve recycling rates with spot checks of areas around the city's residential areas including working more positively with the university. He was keen to look at new ways to recycle and develop the work with the school community.
- they hoped to improve cleansing in the city centre and work with frontline operators to ensure a review for the city centre.
- to resolve the responsibilities for the management of the Exe Estuary Harbour, Canal and waterways.
- he was also keen to work with the Exeter Allotments Forum, and consider more sustainable ways of maintaining playing areas around the city.

He also responded as follows to Members' comments:-

- the effort made by cleansing staff who worked hard to keep Exeter attractive and tidy. He noted the comment made over the inclusion of bins in the High Street and management of bins in areas such as around the Cathedral.
- the relationship with the University over recycling with a variety of approaches made by students and to ongoing engagement over the range of opportunities to recycle.
- he would contact the Parks and Greenspace Manager over the state of the grass on the community space in Digby.

The respective reports of the Portfolio Holders for City Development (Councillor Sutton), Economy and Culture (Councillor Denham), and Place (Councillor Hannaford) and priorities for 2016/17 were noted.

PRESENTATION

6 Annual Scrutiny Report 2015/16

The Scrutiny Programme Officer presented the report providing an annual update as to the Scrutiny work achieved during the Municipal Year 2015/16. The report included a synopsis of the Task and Finish Group investigations, and a review of the proposals for the Scrutiny system. She also reminded Members that the annual meeting of the Scrutiny Review Working Party would be held on 13 July and she encouraged Members to contact her and consider potential topics for review.

Members thanked the Scrutiny Programme Officer for her time and effort in coordinating the various task and finish groups as well as the external speakers who had offered valuable advice.

Place Scrutiny Committee noted and approved the Annual Scrutiny report.

7 Petition - Smythen Street Anti-Social Behaviour

The Assistant Director Environment provided an update in relation to a petition which had been presented to Council on 19 April 2016, from the business owners in Smythen Street, Exeter regarding the significant loss of trade and financial income due to the presence of Gabriel House in Smythen Street and the levels of anti-social behaviour associated with it. He confirmed that a response had been sent to the petitioner, which had outlined the actions and approach taken by the City Council and

the Exeter Community Safety Partnership to engage with individuals who often had very complex needs. There was no easy solution to the issues raised in the petition, but every effort was made to consider how best to use the available resources. It was noted that a copy of the petition would be made available to Members to ensure that they were fully aware of the issues raised.

Members noted the update.

ITEMS FOR EXECUTIVE

8 Exeter Science Park Strategic Plan 2016/17

The Economy and Tourism Manager presented the report which requested Members' consideration of the adoption of a revised Strategic Plan 2016/17 in the light of recent funding and business opportunities made available to Exeter Science Park. This would help to ensure the ongoing development of the vision for the Exeter Science Park, to be the destination of choice of knowledge-based business in South West England as well as a key driver for economic growth. The revised Plan was approved by the Science Park's shareholders at their Board Meeting in March 2016. A copy of the revised Strategic Plan was also circulated with the report.

As Exeter City Council continued to hold a seat on the Board of the Exeter Science Park, Members were advised of the following changes in external factors which had necessitated the changes to the Strategy, which would ensure the ongoing development of the Exeter Science Park:-

- the falling land values accompanying the recession;
- the opportunity to bring forward Phase 2 developments following the decision of the Met Office to site its high performance computer on the Science Park; and
- the construction of the High Performance Computer which would provide an opportunity to develop a collective Global Environment Futures Campus and could attract a significant number of businesses working within the weather and climate change data field.

Members welcomed the ongoing success of the Exeter Science Park which was helping to contribute to the city's continuing growth.

Place Scrutiny Committee noted the report and recommended Executive support the proposed change in strategy set out in the Strategic Plan for Exeter Science Park for the period 2016/17.

9 Recycling Plan 2016 - 2021

The Assistant Director Environment referred to the Council's Recycling Plan for the period 2016-2021 and provided Members with an update on the progress made since adoption of the 2011-2016 plan, and an action plan for the year ahead. The measures outlined in the plan would reduce the environmental impact of Exeter's waste and put the City Council in a stronger position to contribute towards the UK's 2020 recycling target, with the remaining principle of the provision of a high quality, easy to use recycling service.

A number of key areas of recycling were highlighted including the development of a business case for a food waste collection scheme in the year ahead. Food waste typically made up a third of black bin waste and its removal would substantially increase the recycling rate. A further aspiration was to continue to develop greater

support and guidance in the community particularly for students and tenants in the social rented sector. A Member suggested that a food waste scheme would require a significant investment as well as encouragement of those households who did not currently recycle. The Assistant Director Environment agreed that such an investment would be required with a major change in the collection infrastructure as well as ensuring that there was good engagement by households. The design of any scheme was particularly important. A feasibility study would be conducted along with a business case to provide Members with the appropriate detail, options and costs.

A Member cited examples of recycling practices in other countries including Canada and Austria which offered some immediate and longer term financial incentives for the consumer with money back for returned bottles and cans. He also referred to issues of litter collection and separation in some bins in the city centre, and also if the street cleaners were able to separate recyclables from rubbish. The Assistant Director Environment confirmed that street cleaners did separate the waste where possible, and litter bins for recyclates could work. He agreed that many countries had a far more sophisticated recycling system in place than the UK, and that schemes such as the Member had experienced abroad would require a major national investment.

Place Scrutiny Committee noted the report and recommended Executive approval of the 2016-2021 Recycling Plan, attached as an appendix to the report.

10 Review of Environmental Health and Licensing Statutory Service Plan 2016/17

The Assistant Director Environment sought approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2016/17, which was attached as Appendix 1 to the report. The Statutory Service Plan sets out the Council's regulatory function in respect of food safety, health and safety, licensing, Environmental Permitting and other statutory functions over the forthcoming year. A draft copy of the Service Plan attached to the report, was available in the Members' Room, or on request and published on the Council's website. A number of notable key achievements in 2015/16 were highlighted in the report, together with the proposed key activities for 2016/17, which were included as Appendix 2 to the report.

The Assistant Director Environment responded to a Member's enquiry relating to the timescale for the report on the Public Sector Protection Order (PSPO) confirming that the results were being analysed, and a report was expected to be presented to the September meeting of this Scrutiny Committee.

Place Scrutiny Committee supports the Statutory Service Plan 2016/17 and the work being conducted by the service in co-ordinating Anti-Social Behaviour and Community Safety; and requested Executive of 12 July 2016 to support the Statutory Service Plan 2016/17 and recommend to Council the approval of the :-

- (1) Statutory Service Plan 2016/17; and
- (2) gives the authority to the Assistant Director Environment to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

11 Safeguarding Policy

The Corporate Manager Policy, Communications and Community Engagement sought the approval and endorsement of an updated and joint Devon District Councils' Safeguarding Policy, as a result of recent changes in legislation. Although

the City Council has had its own Safeguarding, Children and Vulnerable Adults Policy since 2006, a joint policy had now been developed for all District Councils in Devon to work to and benefit from. Through the Policy, the City Council would be able to continue to fulfil important legal requirements to safeguard adults and children, as well as cover increasingly important and complex areas such as modern slavery, child exploitation, and violent extremism. The joint policy would provide a framework of understanding about what safeguarding was and the appropriate response across the county. The benefits of a Devon wide policy would enable the continuing support of Exeter's many communities. The report also outlined the various strands of work including the formation of a group of officers with key responsibility for safeguarding in order to develop clarity around the procedures and share learning and good practice.

A Member referred to the Policy and the approach regarding the individual roles of Devon County Council and the District Councils. The Corporate Manager agreed to write to the Member to outline the further scope of the Policy.

Place Scrutiny Committee endorsed the Safeguarding Policy and requested Executive support for the adoption by Council of the updated joint Devon Districts Safeguarding Policy.

12 **Budget Monitoring (Final Accounts)**

The Assistant Director Finance presented a report which advised Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2016 in respect of Place Scrutiny Committee. An outturn update in respect of the Place Capital Programme was also included to provide a comprehensive financial update in respect of the Place Scrutiny Committee budgets. The report also included significant variations by management. He set out the schemes which had been completed in the final quarter of 2015/16 which included improved lighting at Exton Road, the replacement of air conditioning units at Exeter Phoenix, compliant electrical distribution boards at Exeter Livestock Market and the replacement of the roof at the Livestock Centre allowing the installation of photo voltaic panels to be added.

The Assistant Director Finance responded to a Member's comments on the occupancy of the City Council's Exton Road offices, and the reduced patronage of the Sunday Charity Car Boot Sale stating that the accommodation was used as a vital part of Strata's back office facility, and a review of the Car Boot Sales site at the Livestock Centre at Marsh Barton by the Events, Facilities and Markets Manager in September. He also responded to the Member's comment on the apparent lack of staff resources which was cited as the inability to deliver a number of projects. He referred to a report to the former Resources Scrutiny Committee which had considered the collective resources and use of agency staff.

Place Scrutiny Committee noted the report.

13 **University Task and Finish Group - Final Report**

Councillor Brimble, as Chair of the University Task and Finish Group and the Scrutiny Programme Officer presented the report on the findings and recommendations of the Group for approval by Place Scrutiny Committee. The report and recommendations had also been presented for comment by the Members of People Scrutiny Committee. The Group had explored the impact by Exeter University on the city with the aim to continue to develop and improve the positive relationship.

Councillor Brimble referred to the commitment by the Task and Finish Group to identify key issues for discussion and put forward solutions to some of the issues raised as part of the student's inclusion in the community and life of the city. He responded to a comment over the level of purpose built accommodation, and advised that it was encouraging to have an expansion plan to achieve more accommodation for students on campus. Members were aware that student accommodation was being considered by the Planning Member Working Group and they looked forward to an update in due course. A Member also referred to the recent approach to parking enforcement in residential areas close to Exeter University which saw high levels of parking by students and staff. He hoped that every effort would be made to encourage both students and staff to make best use of all forms of transport.

Councillor Brimble thanked the Scrutiny Programme Officer for her valuable assistance with the Group's work.

Place Scrutiny Committee supported the following recommendations:-

Topic 1: Retention of Graduates

The Council:-

- (1) facilitates a meeting between the Federation of Small Businesses, the Chamber of Commerce, Exeter University and the Council's Economy Department to encourage a joint approach to retaining graduates in the City.
- (2) shares the list of companies (particularly tech companies) with Exeter University to develop the aim mentioned in Recommendation 1.
- (3) facilitates a networking event to encourage and support a good relationship between key organisations, businesses and Exeter University and Colleges.
- (4) explores the opportunities available to support the Innovation Centre in increasing the number of start-up weekends held and developing them into a regional network that involves Exeter residents.

Topic 2: Anti-Social Behaviour

The Council:-

- (5) encourages the Students' Guild to expand the "big street party" event to cover different areas across the City.

Topic 3: Waste, Recycling and Littering

The Council:-

- (6) explores the opportunities for sponsorship and provision of cardboard bottle carriers to student households which also advertise where recycling facilities are located.
- (7) explores the possibility of a pilot scheme where temporary recycling facilities are situated in highly populated student areas at the end of term.
- (8) enquire whether student wardens are able to support the educational work of the Council's Recycling Team in visiting student houses identified as a priority.
- (9) encourage the students, with the support of the Students' Guild, to make a promotional, educational video on effective waste and recycling which other students can easily access on line.

Topic 4: Volunteering

The Council:-

- (10) sponsors a student volunteering award to be presented at the Guildhall and publicised via the Exeter Citizen and Exepose publications.
- (11) liaise with the Student Opportunities Manager (Students' Guild) to explore buddying community groups with student volunteers.
- (12) encourages key organisations to highlight and publicise the good work that student volunteers already do for their organisations across Exeter.

Topic 5: Planning and Student Accommodation

The Council:-

- (13) encourages and supports the Students' Guild to explore the possibility of Co-operative Housing.
- (14) reviews the level of developers' contributions to infrastructure in respect of student accommodation, should an overall review of the Community Infrastructure Levy charging schedule be undertaken in future.
- (15) positively highlight, through a timely press release, the management requirements that accompany planning approvals on Purpose Built Student Accommodation blocks (PBSA's); the Central Government funding that PBSA's bring to the City and the effect of students moving from Houses in Multiple Occupation (HMO's) to PBSA's.
- (16) arrange for a Scrutiny Task and Finish Group to investigate the possibility of an HMO/landlord accreditation scheme, engaging with key partners to explore the possibilities and how the Council could support work which may already be underway.

Topic 6: Parking

The Council:-

- (17) supports the University in developing their updated Sustainable Transport Strategy, ensuring, in so far as is possible, the involvement of both Exeter City Councillors and Officers.

14 Empty Commercial Properties Initiative Task and Finish Group

Councillor Brimble presented the findings and recommendations of the Empty Commercial Properties Task and Finish Group. He referred to the key objectives which included identifying privately owned empty commercial premises across the city which could be suitable for residential use. The Group met on four occasions between January and April 2016 in an effort to explore the opportunities for creating more housing across the city.

Place Scrutiny Committee noted the following:-

- (1) owners of privately owned empty commercial properties should be encouraged to consider discussing the potential to change the use of their premises to residential with Exeter City Council's Planning Team;
- (2) the list of empty commercial properties identified by this Task and Finish Group is refreshed and reviewed on a six monthly basis;
- (3) an annual update is provided to the Place Scrutiny Committee detailing usage outcomes in respect of those properties identified through Recommendation (2), and

- (4) a new Task and Finish Group is formed specifically to investigate ways in which the usage of empty commercial properties may be increased across the City.

ITEMS FOR DISCUSSION

15 Exeter Cultural Strategy 2016 - 2018 - Progress Report

The Museums Manager presented the report which provided a progress update on the Exeter Cultural Action Plan, which was originally presented to Members of the Scrutiny Committee - Economy in November 2014. The Exeter Cultural Partnership was an umbrella organisation which represented the city's cultural organisations and the Steering Group included City Council Members. There had been significant advances in ECP's own development and delivery against the Action Plan. The breadth of activity was summarised in an appendix to the report.

Place Scrutiny Committee noted the progress made in taking forward the Cultural Action Plan, and endorsed the approach adopted by the Exeter Cultural Partnership and its ongoing collaboration with the City Council.

16 Update on Support for Small Businesses

The Economy and Tourism Manager presented a report which detailed the progress made to procure a new contractor to provide business support for embryonic, new and existing businesses, covering Exeter, East Devon, Mid Devon and Teignbridge - Exeter & the Heart of Devon (EHOD). It was also noted that the decision to award the one year contract was made to BIP and Cosmic for the delivery of Exeter & the Heart of Devon Business Support & Advice, and that meetings would be held with the successful bid contractor.

Place Scrutiny Committee noted the report.

ITEMS FOR INFORMATION

17 Filming in Exeter

The Economy and Tourism Manager presented a report which informed Members about progress on promoting Filming in Exeter during the period 2015/16. The Officer within Economy who responds to film enquiries would continue largely as before with the handling of film enquiries, taking advantage of changes in circumstances and opportunities as and when they arise and proactively promote the city as film friendly, through working with Creative England. She responded to a Member's comment on the popularity of the work of the author Rosamunde Pilcher and the number of visitors coming to the city by bus. He had previously suggested that such visitor numbers could easily be gathered from the main coach parking spots of South Street. The Economy and Tourism Manager advised that such figures could be obtained from the Bus Station but that she would speak to Exeter College or the Bid to see if it was possible to carry out a simple survey in South Street and Haven Banks of where they have come from and average spend. She also keep Members informed of any major interest to use Exeter as a filming location.

Place Scrutiny Committee noted the report and progress made by the Economy team in handling film enquiries and promoting the area as 'film friendly'.

18 **Appointment of Legacy Leisure Working Group**

Following the creation of the Portfolio for Sport, and Health and Wellbeing, it was considered more appropriate for that Member to be appointed to the Legacy Leisure Working Group in place of the Portfolio Holder for Economy and Culture.

It was agreed that the Members for the forthcoming year would be Councillors Bialyk, Brimble, D Henson and Robson.

Place Scrutiny Committee noted the revised Terms of Reference and appointments.

19 **Devon County Council's Highways and Traffic Order Committee (Exeter) Minutes**

The minutes of Devon County Council's Exeter Highways and Traffic Order Committee held on April 2016 were circulated for information.

Place Scrutiny Committee noted the minutes.

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

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

21 **Exeter & Heart of Devon Growth Board Minutes**

The minutes of the Exeter and Heart of Devon Growth Board held on 23 March 2016 were circulated for Members' information, and referred to a number of issues that the City Council may need to consider and take forward as appropriate.

Place Scrutiny Committee noted the content of the Exeter and Heart of Devon Growth Board minutes.

The meeting commenced at 5.30 pm and closed at 7.50 pm

Chair

PUBLIC QUESTION RECEIVED for Place Scrutiny Committee – 9 June 2016 by Ms Nuala O'Farrell

Question: In light of CP2 - Employment - and the loss of '000s msq City Centre office space to Permitted Development Rights, why does the Council not use the delegated powers from the Secretary of State to initiate an Article 4 Direction to protect Employment Use in Southernhay? (*Government has issued guidance on when and how to make an Article 4 direction. It says that local authorities should consider making article 4 directions only in those exceptional circumstances where the exercise of permitted development rights would harm local amenity, the historic environment or the proper planning of the area.*)

Councillor Sutton as Portfolio Holder for City Development responded to the question. She referred to Policy CP2 of the Council's Core Strategy which does seek to encourage further office development in the city centre and to retain the Southernhay area in employment use, except where there would be no harm to businesses or employment. There have been five office buildings in the Southernhay area (Trinity, Pembroke, Lanwith and Darwin Houses and Southernhay Court), lost to residential use through permitted development rights since the right was introduced in 2013, and those buildings were mainly in one ownership. About 5,700 sq m of gross office floorspace had been lost and 85 flats created. It was important to put this in context, as figures from 2012 for Exeter showed there were about 7,600 jobs in the Southernhay office area postcode and about 1,300 office premises with 360,000 sq. m of office floor space.

The permitted development right was originally introduced for a temporary three year period to 30 May 2016, and the Government allowed local planning authorities to apply for an exemption if they could demonstrate substantial adverse economic consequences at the local authority level that would not be offset by the positive benefits. Following consideration by Planning Member Working Group, Exeter City Council was one of 165 authorities that applied for an exemption, for Southernhay, Exeter Business Park, Pynes Hill and Woodwater Park, but were unsuccessful. Early in 2016, the Government decided to make the temporary permitted development right permanent but without exemptions, so those authorities previously granted exemption status were encouraged to make Article 4 Directions removing the right. The process for making an Article 4 Direction removing this right normally involved provision of a 12 month notice period to reduce any compensation liability and submission to the Secretary of State who has powers to intervene. National Planning Practice Guidance states that a particularly strong justification was necessary for this form of Article 4 Direction.

It was important to protect Southernhay as the City's primary office quarter and the following facts should be considered as to whether it may be appropriate to seek an Article 4 Direction. Some element of mixed use in Southernhay such as ancillary facilities and residential may create a more vibrant area, particularly in the evenings and at weekends. A 12 month notice period before a new restriction may create new demand. A Direction would merely bring conversion to residential use within planning control. If permission was then refused, the appeal inspector would be likely to have regard to the fact that the Secretary of State previously considered a restriction on residential use unnecessary.

Ms O'Farrell advised that she had wanted to raise the topic because a number of planning applications had come through in the Southernhay locality. She appreciated the office targets, but hoped that businesses would not just be seeking office

accommodation in the outlying districts of the city. The opportunity for employees to contribute to the local economy outside of the office day was important. She hoped that the City Council as planning authority would continue to monitor the situation.

The Chair of Place Scrutiny Committee agreed that this was an important issue and advised that this would continue to be discussed through the Committee process including at Planning Member Working Group.

Councillor Sutton thanked Ms O'Farrell for bring this matter to her attention, and she confirmed that she would continue to closely monitor this issue in consultation with the Portfolio Holder for Economy and Culture.