



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 24 JULY 2018**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

	Pages
1 Minutes	
To approve and sign the minutes of the Annual Meeting held on 17 May 2018. Ordinary Meeting held on 24 April 2018 and of the Extraordinary Meeting held on 13 June 2018.	3 - 22
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee : 23 April 2018	23 - 32
4 Planning Committee - 21 May 2018	33 - 52
5 Planning Committee - 25 June 2018	53 - 70
6 Licensing Committee - 29 May 2018	71 - 74
7 People Scrutiny Committee - 7 June 2018	75 - 82
8 Place Scrutiny Committee - 14 June 2018	83 - 90
9 Corporate Services Scrutiny Committee - 28 June 2018	91 - 102
10 Strata Joint Scrutiny Committee - 31 May 2018	103 - 110
11 Strata Joint Executive Committee - 11 June 2018	111 - 114 Pages
12 Executive - 12 June 2018	
Excluding Minute. Nos. 56, 59 and 61 which were resolved at the meeting of Extraordinary Council on 13 June 2018.	115 - 144
13 Executive - 10 July 2018	145 - 156

Notice of Motion

14 Notice of Motion by Councillor Musgrave under Standing Order No. 6

Exeter City Council notes the varied successes of community land trust (CLTs).
The council therefore resolves to:-

- (1) facilitate the integration of community land trusts with Exeter's existing housing policy;
- (2) conduct an audit for the purpose of allocating a proportion of land to made available to CLTs;
- (3) host a forum for self builders and residents wishing to start a CLT.

15 Questions from Members of the Council under Standing Order No. 8 (If received)

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

Date: Monday 16 July 2018

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register

Office of Corporate Manager Democratic & Civic Support			
Civic Centre, Paris Street, Exeter, EX1 1JN	Tel: 01392 277888	Fax: 01392 265593	www.exeter.gov.uk

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 24 April 2018

The Right Worshipful the Lord Mayor (Cllr Robson)
The Deputy Lord Mayor (Cllr Hannan)
Councillors Baldwin, Bialyk, Branston, Brimble, Edwards, Foale, Foggin, Hannaford, Harvey, D Henson, Mrs Henson, Holland, Keen, Lamb, Leadbetter, Lyons, Mitchell, Morse, Musgrave, Owen, Pearson, Prowse, Sheldon, Sills, Sutton, Vizard M, Vizard N, Wardle, Warwick and Wood

13

APOLOGIES

Apologies for absence were received from Councillors Ashwood, Denham, Gottschalk, Morris, Newby, Packham and Thompson.

14

JOAN MORRISH AND RON CRABB

The Council stood and observed a minute's silence in memory of former City Councillor Joan Morrish and former Mace Sergeant Ron Crabb.

Joan Morris had recently passed away having faithfully served the City of Exeter both as a Devon County Councillor for 10 years and an Exeter City Councillor for 21 years. She was Leader of the Liberal Group on the Council and served on the cross-party group that won unitary status for Exeter in 2010 only to have the decision later reversed.

Ron Crabb sadly passed away yesterday after a short battle with cancer. Ron only retired from being a Mace Sergeant a year ago, after 21 years of loyal service to the City, and at the remarkable age of 86. This was after previous careers as a Royal Marine, Prison Officer, and professional football referee. A few months ago the City Council bestowed the honour of Freedom of the City on Ron a true recognition not only of his varied career but also for the many different city wide organisations he was involved in, from his beloved Royal Marine's Association, to the local Scouts and Air Cadets.

The Leader and Members reflected on the outstanding qualities Joan Morrish had brought to the role of Member and to her total commitment and dedication to Exeter and its citizens.

The Leader and Members acknowledged the great qualities of Ron and what he had given to the Council as a Mace Sergeant and to the City with his work in the community.

Member's thoughts were with the both families at this difficult time.

15

MINUTES

The minutes of the Extraordinary Meeting and the Ordinary Meeting of Council held on 20 February 2018 were moved by the Leader, seconded by Councillor Sutton, taken as read and signed as correct.

OFFICIAL COMMUNICATIONS

The Lord Mayor congratulated staff of the Exeter Corn Exchange who were joint winners in the Arts category of The Exeter Living awards together, with the City Council's Lost Weekend Festival which had won the Event category.

On behalf of the Council, the Lord Mayor recorded her appreciation for the invaluable contribution of Councillors Ashwood, Baldwin, Brimble and Morris who were standing down at the forthcoming Local Elections and wished them the best for their future.

The Lord Mayor congratulated Councillors Denham, Morse and Sutton, with the support of the Heavitree Running Club, on setting the standard for all, in successfully completing the "Couch to 5k" running programme.

The Lord Mayor also congratulated all those involved in the Carnival of Animals arranged to celebrate the 150th birthday of RAMM.

PLANNING COMMITTEE - 12 FEBRUARY 2018

The minutes of the Planning Committee of 12 February 2018 were presented by the Deputy Chair, Councillor Lyons, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 12 February 2018 be received.

PLANNING COMMITTEE - 19 MARCH 2018

The minutes of the Planning Committee of 19 March 2018 were presented by the Chair, Councillor Sutton, and taken as read.

The Chair confirmed that these minutes had been agreed as a true record and signed at the Planning Committee on 23 April 2018.

In respect of Minute 115 (Planning Application No.17/1640/FUL – Exeter Royal Academy for Deaf Education, 50 Topsham Road) and in response to a Member, the Corporate Manager Democratic & Civic Support clarified that the decision had been taken in accordance with the appropriate procedures.

RESOLVED that the minutes of the Planning Committee held on 19 March 2018 be received.

LICENSING COMMITTEE - 27 MARCH 2018

The minutes of the Licensing Committee of 27 March 2018 were presented by the Chair, Councillor Owen, and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 27 March 2018 be received.

20

PEOPLE SCRUTINY COMMITTEE - 12 MARCH 2018

The minutes of the People Scrutiny Committee of 12 March 2018 were presented by the Chair, Councillor Wardle, and taken as read.

RESOLVED that the minutes of the People Scrutiny Committee held on 12 March 2018 be received.

21

PLACE SCRUTINY COMMITTEE - 8 MARCH 2018

The minutes of the Place Scrutiny Committee of 8 March 2018 were presented by the Chair, Councillor Sills, and taken as read.

RESOLVED that the minutes of the Place Scrutiny Committee held on 8 March 2018 be received.

22

CORPORATE SERVICE SCRUTINY COMMITTEE - 22 MARCH 2018

The minutes of the Corporate Services Scrutiny Committee of 22 March 2018 were presented by the Chair, Councillor Sheldon, and taken as read.

In respect of Minute 14 (Overview of Revenue Budget 2017/18) and in response to a Member, the Leader stated that the £100,000 payment made to Stagecoach was for the surrender of the lease to facilitate the re-development of the Bus Station.

RESOLVED that the minutes of the Corporate Services Scrutiny Committee held on 22 March 2018 be received.

23

AUDIT AND GOVERNANCE COMMITTEE - 14 MARCH 2018

The minutes of the Audit and Governance Committee of 14 March 2018 were presented by the Chair, Councillor Vizard, and taken as read.

RESOLVED that the minutes of the Audit and Governance Committee held on 14 March 2018 be received.

24

EXECUTIVE - 13 MARCH 2018

The minutes of the Executive of 13 March 2018 were presented by the Deputy Leader, Councillor Sutton, and taken as read.

In respect of Minute 37 (Community Grants and Community Builders Update) and in response to a Member, the Portfolio Holder for Health and Wellbeing, Communities and Sport clarified that the grants review would ensure that the process was aligned to the Council's priorities and that Members had input into the grants that were awarded.

In respect of Minute 40 (Lord Mayoralty), the Leader stated that Councillor Lyons would be nominated as the Deputy Lord Mayor for 2018/19 Municipal Year.

RESOLVED that the minutes of Executive held on 13 March 2018 be received and, where appropriate, adopted.

The minutes of the Executive of 10 April 2018 were presented by the Leader, Councillor Edwards, and taken as read.

In respect of Minute No.49 (Neighbourhood Portion of Community Infra-Structure Levy/ Grants Roots Grants Recommendations March 2018) the Leader clarified that the grants recommended in principle were conditional to matched funding being achieved.

RESOLVED that the minutes of Executive held on 10 April 2018 be received and, where appropriate, adopted.

NOTICE OF MOTION BY COUNCILLOR MUSGRAVE UNDER STANDING ORDER NO. 6.

Councillor Musgrave moved his motion.

He commented that he was aware there was wide cross party support for the campaign to end the use of single use plastics (SUP) which were polluting the ocean, causing toxins in food and killing marine wildlife. He moved his motion in the following terms confirming the following alteration to the proposed resolution

- 1) *'phase out the use of single use plastics (SUPs) by ECC and its suppliers by the end of 2018, and ensure that any SUPs still in use because of existing contracts or necessity have a definite end date for their use'.*

Exeter City Council notes:-

- 1) *according to recent research, eight million metric tonnes of plastic waste ends up in the world's oceans each year, endangering marine life;*
- 2) *there is also a growing understanding of the risks posed to human health by toxic chemicals present in plastics;*
- 3) *the Ellen MacArthur Foundation estimates that by 2050 the weight of plastic in the oceans will exceed that of fish.*

Exeter City Council resolves to:-

- 1) *phase out the use of single use plastics (SUPs) by ECC and its suppliers by the end of 2018, and ensure that any SUPs still in use because of existing contracts or necessity have a definite end date for their use;*
- 2) *end the sale and provision of SUP products, such as bottles, cups, cutlery and drinking straws, in council buildings;*
- 3) *investigate the possibility of requiring pop-up food and drink vendors at council events to avoid SUPs as a condition of their contract;*
- 4) *work with tenants and operators in commercial properties owned by Exeter City Council to support the phasing out of SUP cups, bottles, cutlery and straws and re-usable and affordable food containers are available for sale in public markets;*

- 5) *work with festivals organisers to create policy in which single-use 'disposable' plastic cups are replaced at all city festivals with reusable or deposit scheme cups. Ensuring this ultimately becomes a condition for obtaining a licence for large scale events.*

Councillor Mitchell seconded the motion as altered.

The Portfolio Holder for Support Services commented that Exeter City Council was already doing a lot towards improving the environment with its renewable energy programme and the work undertaken by the materials reclamation centre (MRF). He welcomed the cross party support for this motion.

The Leader stated that protecting the environment was a key priority for the Council. It had invested in a comprehensive renewable energy programme with solar panels on its buildings and the installation of LED lights in the city council offices and car parks. From 2005 to 2015/16 Exeter had experienced a 44% reduction in CO2 emissions, which was the highest reduction in the Country. He supported the motion.

Members fully supported the motion to phase out the use of SUP's at the council and encouraged the businesses and residents of Exeter to do the same.

The Notice of Motion was put to the vote and carried unanimously.

(The meeting commenced at 6.00 pm and closed at 6.58 pm)

Chair

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ANNUAL COUNCIL

Tuesday 15 May 2018

Present:-

Councillors Begley, Bialyk, Branston, Denham, Edwards, Foale, Foggin, Gottschalk, Hannaford, Hannan, Harvey, D Henson, Mrs Henson, Holland, Lamb, Leadbetter, Lyons, Mitchell, Morse, Owen, Packham, Pattison, Pearson, Pierce, Prowse, Robson, Sheldon, Sills, Sutton, Thompson, Vizard M, Vizard N, Wardle, Warwick, Wood and Wright

Apologies

Councillors Keen, Musgrave and Newby.

1

ELECTION OF THE LORD MAYOR

RESOLVED on the nomination of Councillor Prowse, seconded by Councillor Branston, that Councillor Rob Hannaford be elected Lord Mayor of the City for the ensuing Municipal Year. Councillor Leadbetter endorsed the motion and read out a message from Councillor Newby.

The Lord Mayor was invested with his Robe and Chain of Office, made his Declaration of Acceptance of Office, took the Chair and returned thanks.

2

APPOINTMENT OF THE DEPUTY LORD MAYOR

RESOLVED on the nomination of Councillor Sheldon, seconded by Councillor Mitchell, that Councillor Rachel Lyons be appointed Deputy Lord Mayor of the City for the ensuing Municipal Year.

The Deputy Lord Mayor was invested with her Robe and Chain of Office, made her Declaration of Acceptance of Office and returned thanks.

3

VOTE OF THANKS

RESOLVED that the Council record its appreciation for the able and courteous manner in which Councillor Lesley Robson and Councillor Rachel Lyons have discharged the duties of the Lord Mayor and Lord Mayor's Consort during the past year.

Councillor Sutton, on behalf of the Council, presented a badge to the retiring Lord Mayor.

The retiring Lord Mayor returned thanks.

RESOLVED that the Council record its appreciation for the able and courteous manner in which Councillor Kate Hannan and Mr Andy Hannan have discharged the duties of Deputy Lord Mayor and Deputy Lord Mayor's Consort during the past year.

The retiring Deputy Lord Mayor returned thanks.

4 **CONFIRMATION OF THE LEADER OF THE COUNCIL AND CONFIRMATION OF
THE DEPUTY LEADER OF THE COUNCIL**

Councillor Edwards was confirmed as Leader of the Council. Councillor Edwards confirmed the appointment of Councillor Sutton as Deputy Leader.

RESOLVED that Councillor Edwards be elected as Leader of the Council and Councillor Sutton as Deputy Leader.

5 **APPOINTMENT OF THE EXECUTIVE AND PORTFOLIO HOLDERS**

The Leader of the Council confirmed his nominations for Portfolio Holders and Executive membership as circulated.

RESOLVED that the Council's Executive be appointed as follows for the ensuing Municipal Year:-

Councillor	Portfolio or Group
Edwards, P.W.	Leader, Growth and City Development
Pearson, O.	Support Services
Packham, H.L.	Housing Revenue Account
Harvey, D.J.	Place and Commercialisation
Morse, E.A.	People
Sutton, R.H.	Economy, Culture and Chair of Planning Committee
Denham, R.C.	City Transformation
Bialyk, P.M.	Health and Wellbeing, Communities and Sport
Leadbetter, A.R.	Conservative

6 **APPOINTMENT OF COMMITTEES**

RESOLVED that the membership of Committees etc, Chairs and Deputy Chairs and Independent Persons, as shown at the Appendix to these minutes, be approved.

(The meeting commenced at 7.00 pm and closed at 8.10 pm)

Chair

EXETER CITY COUNCIL

EXECUTIVE, **SCRUTINY AND OTHER COMMITTEES: 2018/19**

EXECUTIVE

Edwards, P.W. (Leader)
Bialyk, P.M.
Denham, R.C.
Harvey, D.J.
Leadbetter A.R.

Morse, E.A.
Packham, H.L.
Pearson, O.
Sutton, R.H.

PORTFOLIO HOLDERS (8)

Edwards, P.W.
Pearson, O.
Packham, H.L.
Harvey, D.J.
Morse, E.A.
Sutton, R.H.

Leader, Growth & City Development
Support Services
Housing Revenue Account
Place & Commercialisation
People
Economy, Culture & Chair of Planning
Committee
City Transformation
Health and Wellbeing, Communities and
Sport

Denham, R.C.
Bialyk, P.M.

MEMBER CHAMPIONS

Sills, L.S.
Sheldon, G.N.
Wood, D.

Champion for Young People
Champion for EX1 (internal transformation)
Champion for Communities

SCRUTINY - CORPORATE SERVICES (10)

Sheldon, G.N. (Chair)
Warwick, S. (Deputy Chair)
Hannan, K.A.
Holland, P.G.
Lamb, R.C.

Musgrave, C.
Thompson, C.
Vizard, M.
Wood, D.
Wright, L.

SCRUTINY - PEOPLE (10)

Wardle, A.J. (Chair)
Foale, B. (Deputy Chair)
Foggin, O.A.
Holland, P.G.
Owen, K.

Pattison, J.
Pierce, C.
Robson, L.
Vizard, N.
Wright, L.

SCRUTINY - PLACE (10)

Sills, L.S. (Chair)
Wood, D. (Deputy Chair)
Begley, J.
Henson, D.J.
Keen, L.P.G.

Lyons, R.C.
Mitchell, K.J.
Pattison, J.
Prowse, G.J.
Robson, L.

PLANNING COMMITTEE (13)

Sutton, R.H. (Chair)
Lyons, R.C. (Deputy Chair)
Bialyk, P.M.
Branston, R.A.
Denham, R.C.
Edwards, P.W.
Foale, B.

Harvey, D.J.
Henson, Mrs Y.A.C.
Morse, E. A.
Prowse, G.J.
Thompson, C.
Vizard, M.

PLANNING MEMBER WORKING GROUP (7)

Chair of Planning Committee
Lyons, R.C. (Chair)
Bialyk, P.M.
Denham, R.C.

Edwards, P.W.
Henson, Mrs Y.A.C.
Prowse, G.J.

MAJOR GRANTS PANEL (4)

Edwards, P.W. (Chair)
Bialyk, P.M.

Leadbetter, A.R.
Sutton, R.H.

LEISURE COMPLEX AND BUS STATION PROGRAMME BOARD (7)

Currently 5 Labour and 2 Conservatives - politically balanced in accordance with the necessary proportionality requirements

Bialyk, P.M. (Chair)
Denham, R.C.
Edwards, P.W.
Henson, Mrs Y.A.C.

Pearson, O.
Prowse, G.J.
Wardle, A.J.

EXETER STRATEGIC BOARD (14)

(5 City Councillors)

Bialyk, P.M.
Denham, R.C.
Edwards, P.W.

Sills, L.S.
Thompson, C.

(9 County Councillors)

Ackland, H.
Asvachin, M.
Atkinson, Y.
Aves, S.
Brennan, E.

Hannaford, R.M.
Leadbetter, A.R.
Prowse, G.R.
Whitton, M.C.

EXETER STRATEGIC BOARD FUNDING SUB GROUP (7)

(3 City Councillors)

Bialyk, P.M.
Denham, R.C.

Edwards, P.W.

(4 County Councillors – to be agreed at the Board)

Aves, S.
Hannaford, R.M.

Leadbetter, A.R.
Prowse, G.R.

LICENSING COMMITTEE (14)

Owen, K. (Chair)
Sheldon, G.N. (Deputy Chair)
Begley, J.
Branston, R.A.
Foale, B.
Hannan, K.A.
Henson, D.J.

Holland, P.G.
Keen, L.P.G.
Mitchell, K.J.
Newby, R.C.
Sills, L.S.
Warwick, S.
Wright, L.

LICENSING SUB-COMMITTEE (3)

Licensing Sub-Committee membership to be drawn from Licensing Committee Members above.

AUDIT AND GOVERNANCE COMMITTEE (11)

Vizard, N.J. (Chair)
Wood, D. (Deputy Chair)
Begley, J.
Foggin, O.
Henson Mrs, Y.A.C.
Lamb, R.

Musgrave C.
Pattison, J.
Sheldon, G.N.
Thompson, C.
Warwick, S.

INDEPENDENT PERSONS

Mr I Brooking and Professor B. Kirby appointed as Independent Persons to assist the Council in promoting and maintaining high standards of conduct amongst its Elected Members.

STRATA JOINT EXECUTIVE COMMITTEE (3 - 1 FROM ECC)

Edwards, P.W. (Leader)

STRATA JOINT SCRUTINY COMMITTEE (9 - 3 FROM ECC)

Lyons, R.C.
Foale, B.

Pierce, C.

EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE (13)

(4 City Councillors)

Denham, R.C.
Newby, R.C.

Pearson, O.
Wardle, A.J.

(9 County Councillors)

Ackland, H.
Asvachin, M.
Atkinson, Y.
Aves, S.
Brennan, E.

Hannaford, R.M.
Leadbetter, A.R.
Prowse, G.R.
Whitton, M.C.

EXTRAORDINARY MEETING OF THE COUNCIL

Wednesday 13 June 2018

Present:-

The Right Worshipful the Lord Mayor (Cllr Hannaford) (Lord Mayor)
Councillor Rachel Lyons (Deputy Lord Mayor)
Councillors Begley, Bialyk, Branston, Denham, Edwards, Foale, Hannan, Harvey,
Mrs Henson, Holland, Lamb, Leadbetter, Mitchell, Owen, Packham, Pattison, Pierce,
Prowse, Robson, Sheldon, Sills, Sutton, Thompson, Vizard M, Vizard N, Wardle, Warwick,
Wood and Wright

4

APOLOGIES

Apologies for absence were received from Councillors Foggin, D Henson, Morse, Musgrave, Newby and Pearson.

5

THE BUILT SPORT AND LEISURE FACILITIES

Minute 56 (The Built Sport and Leisure Facilities) of the meeting of Executive held on 12 June 2018 were taken as read.

The Leader stated that the decision before Members was for the closure of Clifton Hill Sports Centre and for the investment in the future of the other existing sports facilities in the city. The vote would be taken in two parts, one for the closure and the second for the future investment in the Council's sports facilities.

The Leader of the Council moved and the Portfolio Holder for Health and Wellbeing, Communities and Sport seconded the recommendation from Executive 12 June 2018 in respect of the Built Sport and Leisure Facilities.

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

Question – How has this not been considered a key decision bearing in mind the levels of financial expenditure which appear to exceed £1m?

The Leader responded that, in accordance with the Council's procedure rules, Council had to consider any requests for approval of funding which was not included in the budget - this was the case here. As such, Executive did not take a decision on this matter but made a series of recommendations to the Council. This meant that this was not a key decision, as the Council would be taking the decision not the Executive.

Question - How does the Council propose to mitigate the loss of these community facilities i.e. golf range, ski slope, rifle club etc.?

The Leader responded that should the Council, as landlord decide to terminate these lease agreements, officers would assist the tenants where it was possible to do so to find alternative premises where possible.

Councillor Thompson asked a supplementary question to explain the consequences of where the tenants would go?

The Leader clarified that officers would investigate suitable alternative premises for any displaced tenants.

Question - What are the business rates which will be avoided as a reason to demolish the building with a given budget to demolish of £150,000?

The Leader responded that they were £30,000 per annum.

Question - How will the Compensation payment be calculated?

The Leader responded that the compensation payment would be calculated in line with the contract terms.

Councillor Thompson asked a supplementary question with regards to the final compensation amount.

The Leader clarified that this would be negotiated with the contractor within the terms of the contract.

Question - Has an estimate of a capital receipt been assessed taking into account the facility is built on a former landfill site, which could affect the ease/cost of building residential development - has the Risk Register evidenced gas landfill emissions?

The Leader replied that no formal assessment of land value/capital receipt had yet taken place. Officers would only do this once the authority to do so had been delegated to them. The golf driving range was the site of an old Victorian rubbish tip and could therefore not be built on for many years.

Question - Should the usage/demand/desirability of some or all of these functions (driving range, ski slope, rifle club) be assessed for the impact on the Citizens of Exeter before agreeing Delegation to the City Surveyor?

The Leader replied that all these facilities were privately run and the Council as landlord would assist the tenants where it was possible to do so to find alternative premises.

Question - How does the City Council propose to ensure the land (if sold) will be used for residential accommodation and not student accommodation by a future owner, who is at liberty to submit a subsequent, revised planning application at a later date?

The Leader replied that there was no intention to build student accommodation on the land and a report from officers would come forward in due course with possible options.

Councillor Thompson asked a supplementary question that if Exeter City Council sell the land will a parcel of land be retained for a dominant and servient tenement arrangement to ensure a covenant could stand up in a court of law.

The Leader stated that he would circulate to all Members information regarding covenants that could be put on the sale of the land.

Question - *For what period is the £100,000 quoted in the report for receipts from the facility?*

The Leader clarified it would be for 12 months.

Question - *On what basis has the assessment been made to suggest the building designed by Sir Nicholas Grimshaw and insitu for 34 years is 10 years past its expected life span?*

The Leader stated that it was based on Professional valuations and that only two leisure centres of this design remained in the country, with this being one of them.

Question - *If this gym is making such a loss, does this throw a question mark over the project for a gym as part of the new leisure centre on the Bus Station site- is this closure to enhance the interest of the proposal for the Bus Station redevelopment?*

The Leader replied no because the new centre at St Sidwell's Point would be an integrated centre offering a range of wet and dry facilities which would attract multi-use memberships, being a first class facility.

The Local Ward Members raised the following points:-

- the proposals for the additional funding towards the development of a Community Building were welcomed;
- it was regrettable that Clifton Hill Sports Centre could not be repaired;
- it was important that the local community was consulted on any development of the site and local green spaces and wildlife protected;
- there was a need for affordable and social housing in the area;
- that local residents should be kept updated on any proposals;
- the building of St Sidwell's Point which would be a great family facility was supported;
- that the Council was under financial pressure due to the decreasing Central Government funding;
- the offer from officers to work with the local community to find alternative venues to hold groups and classes be welcomed.

In response to a Local Ward Member's question, the Leader clarified that the City Surveyor would not be able to make decisions to sell all or part of the site without further Member involvement through the appropriate democratic process. Should the Council agree the recommendation, the City Surveyor would undertake a feasibility assessment and report his findings and recommendations to Members. The whole site, excluding the allotments, would be included in the initial feasibility assessment.

Some Members spoke against the recommendation raising concerns that:-

- Clifton Hill Sports Centre maintenance had, in their opinion, been neglected over the past few years and questioned when such a decision had been taken?;
- the position regarding the Council's and contractors insurance;
- officers should look at refurbishing the centre;
- the proposal should be paused to look at alternative options;
- part of the site was on a landfill site;
- there had been no formal consultation;
- the centre was a community hub and the closure would have a negative impact on an area with high deprivation;

- if funds could be found for the new Community building why not invest in the centre?;
- the report stated that the buildings could be repaired for £750,000, in their opinion, they felt the decision was being pushed through with undue haste.

Members who supported the recommendations stated that:-

- the Council would be investing in its other sporting facilities;
- repairs had previously been undertaken on the centre's roof;
- by 2020 the Council would not receive any Government funding so difficult decisions need to be taken;
- if the centre did not close it could put the contract with the leisure provider at risk;
- any consultation needs to be meaningful;
- there would be consultation on any development of the site; the centre had already lasted 10 years longer than it was designed to;
- St Sidwell's Point would be built within two years providing an excellent sports facility for the city;
- the recommendations included providing funding towards a new Community building in Newtown as well as the enhancement of the facilities in Belmont Park;
- work was being undertaken with partners to access other sport facilities in the city.

The Portfolio Holder for Health and Wellbeing, Communities and Sport in seconding the recommendation stated that the Council had difficult decisions to take in light of cuts in Government Grants. Despite this, the Council was investing in the sports facilities in the city, with St Sidwell's Point providing additional gym stations, a soft play area and a 25 metre swimming pool for use by all. The Council and Contractor had worked with the majority of groups using the centre to help them find alternative facilities. The long term plan was to improve all other Council sports facilities in the city. The Council had been chosen as a Sport England Pilot area and was committed to improving physical activity of residents and it was important to encourage community based physical activity and would work with partners to do so.

The Leader, in summing up stated that the Council would continue to work with the local community. The Council had to make more savings in the next few years and once St Sidwell's Point was open, it together with the other proposed works to existing leisure facilities, would offer better facilities for all.

Councillor Leadbetter proposed an amendment:-

'to call upon the Council to pause to reconsider its decision to close Clifton Hill Sports Centre and ascertain the costs for the repair of Clifton Hill Sports Centre, or to build a replacement new facility'

Councillor Mrs Henson, in seconding the amendment stated that she had concerns regarding the maintenance of Council Buildings and, when St Sidwell's Point would be completed.

The amendment was put to the vote and lost.

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

Voting for:

Councillors Mrs Henson, Holland, Leadbetter, Mitchell, Pierce, Prowse and Thompson.

(7 Members)

Voting against:

Councillors Begley, Bialyk, Branston, Denham, Edwards, Foale, Hannan, Harvey, Lamb, the Deputy Lord Mayor, Owen, Packham, Pattison, Robson, Sheldon, Sills, Sutton, Vizard M, Vizard N, Wardle, Warwick, Wood and Wright.

(23 Members)

Abstain:

The Right Worshipful the Lord Mayor.

(1 Member)

Absent:

Councillors Foggin, Gottschalk, D Henson, Keen, Morse, Musgrave, Newby and Pearson

(8 Members)

The recommendations of the Executive were voted on in two parts and carried.

RESOLVED that Minute 56 of the Executive held on 12 June (as below) be received and adopted:-

- (1) Clifton Hill Sports Centre be permanently closed on cost /best value grounds;
- (2) Clifton Hill Sport Centre be sold to generate a capital receipt to offset compensation costs and provide investment for other Council priorities including the development and improvement of other leisure sites;
- (3) Delegated authority be given to the City Surveyor to include the sale of the adjacent driving range, ski slope and Exeter Small Bore Rifle Club areas of the Clifton Hill site as a single development site if this offers the best value to the Council.
- (4) Delegated authority be given to the City Surveyor to take necessary steps to ensure the land is used for residential accommodation and not used for purpose built student accommodation.
- (5) an estimated budgeted loss of revenue income and VAT £100,000 be noted;
- (6) the operator be supported with its proposal to repackage and reframe the city wide leisure offer reducing the price for a cross city offer which provides access to all facilities built at a proposed monthly membership fee of £25.00. (Currently at £35.65 per month); and
- (7) the development of Physical Activity and Built Facilities strategies be agreed setting out the longer term sustainability and development plans for Riverside

Swimming Pool and Leisure Centre, Wonford Sports Centre; Exeter Arena and ISCA Centre; Northbrook Swimming Pool and Northbrook Golf Course.

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

Voting for:

Councillors Begley, Bialyk, Denham, Edwards, Foale, Hannan, Harvey, Lamb, the Deputy Lord Mayor, Owen, Packham, Pattison, Robson, Sheldon, Sills, Sutton, Wardle, Warwick, Wood and Wright.

(20 Members)

Voting against:

Councillors Mrs Henson, Holland, Leadbetter, Mitchell, Pierce, Prowse and Thompson.

(7 Members)

Abstain:

Branston, the Right Worshipful the Lord Mayor, Vizard M and Vizard N.

(4 Members)

Absent:

Councillors Foggin, Gottschalk, D Henson, Keen, Morse, Musgrave, Newby and Pearson

(8 Members)

RESOLVED that;

- (8) A budget of up to £2,000,000 for essential enhancements to the fabric of the buildings and replacement of essential plant and mechanical systems at Exeter Arena, Wonford Sports Centre and Riverside Swimming Pool and Leisure Centre be approved;
- (9) A budget of £880,000 for additional enhancements to the interiors and facilities at Exeter Arena, Wonford Sports Centre and Riverside Swimming Pool and Leisure Centre to improve the customer experience and mitigate against the loss of facilities at Clifton Hill Sports Centre be approved;
- (10) A budget of up to £150,000 to demolish Clifton Hill Sports Centre to secure the site and avoid incurring Business Rates and other unbudgeted revenue costs be approved;
- (11) Delegated authority be given to the relevant Director to negotiate and agree the contractual compensation payment to be paid to the Leisure Operator as a result of the closure of Clifton Hill Sports Centre, to be funded from a Leisure earmarked reserve; and

- (12) a budget of up to £150,000 be allocated to Newtown Community Association for the new Community Building being planned in Belmont Park with a further £50,000 being provided to enhance facilities in Belmont Park.

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

Voting for:

Councillors Begley, Bialyk, Branston, Denham, Edwards, Foale, Hannan, Harvey, Lamb, the Deputy Lord Mayor, Mitchell, Owen, Packham, Pattison, Robson, Sheldon, Sills, Sutton, Vizard M, Vizard N, Wardle, Warwick, Wood and Wright.

(24 Members)

Abstain:

Councillors Mrs Henson, the Right Worshipful the Lord Mayor, Holland, Leadbetter, Pierce, Prowse and Thompson.

(7 Members)

Absent:

Councillors Foggin, Gottschalk, D Henson, Keen, Morse, Musgrave, Newby and Pearson

(8 Members)

6

TRANSFORMATIONAL BUDGET - FIRST TRANCHE OF PROPOSED PROJECTS

Minute 59 (Transformational Budget - First tranche of Proposed Projects) of the meeting of Executive held on 12 June 2018 were taken as read.

The Leader stated that the proposal was the way forward to help address the impact of the Central Government Grants cuts that the Council would need to address in the coming years.

The Leader moved, and the Portfolio Holder for Portfolio Holder for City Transformation, Energy and Transport seconded the recommendation from Executive 12 June 2018 in respect of the Transformational Budget - First tranche of Proposed Projects.

In response to a question, the Leader clarified that a notification mechanism to advice Members of potential decisions to be taken would be put in place.

In seconding the recommendation the Portfolio Holder for City Transformation, Energy and Transport stated that it was important that the Council was in a position to act quickly should investment opportunities arise.

RESOLVED that Minute 59 of the Executive held on 12 June (as below) be received and adopted:-

- (1) that the allocation of funding from the Transformation Reserve be approved;
- (2) that delegated authority be given to the Chief Executive & Growth Director, in consultation with the Chief Finance Officer and Leader of the Council, to allocate resources up to £1.5 million funded by an Earmarked Reserve, to support transformation and other projects that will support the Council in delivering £2.75 million in savings over the next two years;
- (3) that a Capital Budget of up to £10 million be approved to enable commercial opportunities to be progressed; and
- (4) that delegated authority to given to the Chief Finance Officer in consultation with the appropriate Director, the Leader of the Council and the Portfolio Holder for Place and Commercialisation to award funds against the Commercialisation Capital budget of £10 million.

(The meeting commenced at 6.00 pm and closed at 8.10 pm)

Chair

PLANNING COMMITTEE

Monday 23 April 2018

Present:

Councillor Sutton (Chair)
Councillors Lyons, Bialyk, Denham, Edwards, Harvey, Mrs Henson, Morse, Prowse and Vizard M

Apologies:

Councillors Foale, Gottschalk and Newby

Also Present:

Chief Executive & Growth Director, Assistant City Development Manager, Project Manager (Planning) and Democratic Services Officer

122

MINUTES

Subject to the amendment of Min. Nos. 113, 115 and 117 to refer to Councillor Denham declaring personal rather than disclosable pecuniary interests, the minutes of the meeting held on 19 March 2018 were approved and signed by the Chair as correct.

123

DECLARATIONS OF INTEREST

Councillor Harvey declared a personal interest in respect of Min. No. 126 and left the meeting during consideration of the issue.

124

PLANNING APPLICATION NO. 17/1191/FUL - SOUTHBROOK SCHOOL, BISHOP WESTALL ROAD, EXETER

The Project Manager (Planning) (GM) presented the application for the construction of a building and associated landscaping for three classrooms and staff area.

Sport England had objected to the application as it was considered that it would lead to the loss of or prejudice the use of part of the playing field. Members noted that the playing field would be able to accommodate the same activities and that the development would not result in the loss of, or inability to make use of any playing pitch. Officers would discuss the issues with Sport England and Members supported consultation with the school on whether use could be made of the playing field, for example, by one of the local football clubs. It was noted that the additional capacity sought was not related to increased pupil numbers and that such numbers would fluctuate over time.

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

RESOLVED that, subject to the withdrawal of the current holding objection by Sport England or, consultation with the Secretary of State, and receipt of confirmation that the Secretary of State raises no objection to approval of the application, the City Development Manager be granted delegated authority to **APPROVE** planning permission for the construction of a building and associated landscaping for three classrooms and staff area subject to:-

- (a) demonstration to the satisfaction of the Local Planning Authority that the development can achieve BREEAM Excellent as required by Exeter Core Strategy policy CP15, or an equivalent level of sustainable design; and
- (b) the imposition of appropriate conditions, including conditions relating to the submission of a Green Travel Plan and a Construction Method Statement.

125

PLANNING APPLICATION NO. 18/0128/FUL - 16-18 WREFORDS CLOSE, EXETER

The Assistant City Development Manager presented the application for the change of use from dwelling to supported living accommodation for six residents and staff facilities (sui generis use).

Members were circulated with an update sheet.

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

- representing a large number of residents of Wrefords Close objecting to the application;
- application is in conflict with Policy H5 of the Local Plan which requires adequate community and service facilities for occupants with special needs with housing to be located close to local shops and services;
- application also conflicts with Policy CP5 of the Core Strategy which requires a facility of this nature to be easily accessible and close to local facilities;
- the proposal therefore conflicts with both policies;
- the only local shop is a farm shop which is some distance away and is a steep walk up Wrefords Lane;
- Stagecoach have recently reduced the H service in this area;
- the lower part of Wrefords Close is a cul-de-sac and the windows of this development will look directly into the bedroom window of a lower ground floor flat opposite;
- this is an inappropriate location on the edge of Exeter which lacks community facilities, limited shops and a reduced public transport link; and
- the proposal would be a disservice to both the future occupants and the residents of Wrefords Close.

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

- speaking on behalf of Wrefords Close residents;
- the Close is a narrow cul-de-sac and when cars are parked it effectively becomes a one way street;
- the extra traffic generated by the proposal will compromise pedestrian safety and the safety of children using the nearby childrens' play area;
- the proposal will generate additional parking and clarification is required on the exact number of parking spaces being generated;
- the proposal is contrary to Policy H5 of the Local Plan as there is a lack of community facilities in the area, the Policy requiring such a facility to be close to local shops and services;
- a location on the edge of Exeter is unsuitable for social integration and will not be close to the thriving deaf community referred to;

- a further supporting letter refers to full use being made of local facilities but it is unclear what these are;
- Cowley Bridge Road is dangerous to cyclists which will discourage staff from using this mode of transport;
- the farm shop, accessed by a footpath, is some 320 yards away up a steep hill;
- the Local H bus service has been reduced; and
- the windows of 34 Wrefords Close, where children live, will be overlooked and the distance from the proposed development will be 18.5 metres which is below the minimum recommendation of 22 metres. The development does not meet the residential design guidance within Supplementary Planning Guidance.

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

- have valid and substantial reasons why this development should not go ahead in this particular area;
- photo provided of the development is out of date as a side extension has been built;
- the Farm Shop has limited provisions;
- policy H5 was brought in to safeguard vulnerable people. This is a group of adults with complex care needs. The policy clearly states that they need the highest level of accessibility to local amenities, facilities and services. It also states that it must not change the character of the neighbourhood and this development is in clear breach of those principles;
- having a bus route meets policy criteria. However the H bus has been cut and the only buses that run are from Tiverton and Crediton to the bus station, which is now moving. The residents, who have complex needs, might need to get multiple buses?. They could be completely isolated;
- proposal might not be sustainable in the long run;
- the property has already been extended, is larger than any other in the Close making it even bigger by converting the lower ground into yet more living space and would have an overbearing nature to the surrounding properties. The lower ground conversion would look directly into the bedrooms of two houses. This would be a direct breach of their privacy;
- traffic to the area would increase. Six individuals being taken out and having deliveries would generate more traffic. Online shopping would mean six or possibly more deliveries weekly. Six independent people are not the same as two families;
- six adults in one property would increase noise and disturbance to an otherwise quiet neighbourhood;
- it is a narrow cul-de-sac where children play out quite safely with bikes scooter and footballs;
- it is an unsustainable location for the proposed use due to lack of public transport and poor connectivity to services and facilities, which is highlighted by the inability of the proposal to meet Policy H5 criteria and is contrary to this policy and therefore should be refused;
- the quiet residential character of the area would be undermined by the proposed use and associated parking and vehicle movements are above and beyond those required for the existing residential use of the building;
- the proposed physical alterations will result in unneighbourly development, reducing current levels of privacy enjoyed by neighbouring residents. There are just 18.5 metres between the proposed basement accommodation and existing habitable rooms in properties opposite; and

- the alleged benefits of meeting an identified housing need do not outweigh the negative impacts the proposal will have upon the amenities of neighbouring residents or justification to ignore sustainability.

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

- representative of Sense and the views of the six vulnerable people who are hoping to move to the property. Sense supports adults, children and families of people with disabilities live ordinary lives alongside and within their communities;
- the proposal will help to enhance the surrounding environment as the proposed works will ensure that the property, which is currently empty and has undergone a number of ad hoc changes, will be developed to an excellent level of build with the outward features enhanced and the works remain within the current foot print of the existing building;
- the current parking is for four cars and this will remain. Staff are aware of the need to only park in these spaces and will be encouraged to seek alternatives to parking, for example, public transport;
- the six people have all lived in more short term accommodation and wish to make Wrefords Close their longer term home. Currently they live in small shared homes, this means that they don't have their own front doors and have to share a communal bathroom and kitchen. The flats will enable them to live with others they know but have more independence to live their life as they wish. Having lived in shared accommodation with all its limits they now want to have some small space that is their own and by living in a small residential area they will be able to contribute and support the local area;
- with the proximity to the City Centre they can also continue to build on their local social networks, for example, there is a thriving vibrant deaf community in Exeter that is well established;
- other services such as a care home in Exeter do not cause issues for neighbours with their parking, staff and visitors making use of public transport, car share and use pay and display parking;
- aware of concerns not least parking which will not be an issue;
- staff training and other meetings will be carried out in another office in Exeter and so this will not impact on the parking within the local area of Wrefords Close.

She responded to Members' queries:-

- of the six residents two will be deaf and blind and, as with the other residents, will require the help of the support staff. The staff use British Sign Language and work across seven days a week. There will be one person staying in the property overnight in case of emergencies. At other times staff work in ways that support the individuals to have access to work like opportunities, educational classes and attend medical appointments. However; staff are not constantly coming and going but usually would work a full day with an individual;
- the thriving deaf community in the City Centre includes the Deaf Academy;
- the residents will not use mobility scooters and, although staff will provide some help with transport and the residents will also be using public transport. There is no intention to transport the residents by minibus; and
- Sense support independent living and the residents, who will be between 25 and 35 years of age, will have their own front door as opposed to living in shared accommodation. This will help develop their independence together with mutual support between the residents. They will be good neighbours and will not be

noisy with late night parties etc. Wider social interaction will be with the thriving deaf community in the City Centre.

The Assistant City Development Manager advised that Council policy required a distance of 22 metres between the windows of back to back properties but this did not apply to front to front. Regarding parking provision, he confirmed that the three parking spaces at the front and the drop off space to the rear were regarded as four parking spaces in total. He confirmed that planning permission had been granted in 2013 for a side extension but that this had not been shown on the displayed photograph.

Members were supportive of the application and felt that the proposed use of the building would be of mutual benefit to the residents themselves, who possessed varying needs, and the wider community. The occupants would benefit from the independent living offered and it was considered that the concerns raised regarding the number of new residents, parking and privacy issues had been addressed.

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

RESOLVED that, planning permission for the change of use from dwelling to supported living accommodation for six residents and staff facilities (sui generis use) be **APPROVED**, subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91 and 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 20 February 2018 (including dwg. nos FP1385-002 PL1) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) The development hereby approved shall not be occupied until details of secure cycle parking provision have been submitted to and agreed in writing by the Local Planning Authority, and the cycle parking has been provided in accordance with the submitted details.
Reason: To provide adequate facilities for sustainable transport and to reduce reliance on the private car.

126

PLANNING APPLICATION NO. 17/1972/FUL - 6 APPLE LANE, EXETER

Councillor Harvey declared a personal interest and left the meeting during consideration of this item.

The Assistant City Development Manager presented the application for the change of use from commercial building (Use Class B1/B2/B8) to Trampoline Academy (D2).

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

- Exeter Trampoline Academy (ETA), a British Gymnastics affiliated club, had been running for 18 months. A mobile club was not sustainable, due to the

one hour set up and pack down time, the size and amount of equipment required and price and availability of hall hire. A permanent base was required to develop;

- the project was in a position to move into a full time facility and offer Exeter an extraordinary facility to provide a service that was in demand to better the mental and physical health of the community whether pre-school tots and mums, disabilities to access rebound therapy or home education groups to have P.E lessons. ETA is inclusive to all;
- a suitable height (minimum of 8m) was required with enough parking, an easily accessed location and suitable price. Unit 6 Apple Lane ticked all boxes. The unit had been empty for two years, Haarer Goss having actively marketed it and it had attracted enquiries from many D2 users but not for B uses. The location of the unit meant that the use of public transport could be promoted as the unit was close to bus, rail and cycle networks. It was not a trampoline park but a safe, educational sporting environment for over 300 ETA members;
- the recommendation of refusal had been based on the retention of employment premises. The club employed 11 part-time coaches, apprentices and administrators. Full-time jobs would automatically be available and a coaching team of 15-20, full-time administration team, cleaners and more apprentices would be required which would only increase employment of the business, the building and Exeter. This was greater than most B employment uses could generate. There were other examples in the other 'employment protected areas' that had been allowed a change of use due to exceptional circumstances;
- there were exceptional circumstances for this sport previously not available in Exeter at this capacity;
- to demonstrate long term protection, a temporary change of use would be acceptable in case the market changed in the future and the demand for B uses returned. A five year lease and change of use was a fair short term period of time to develop as a club and to work with the City Council to find a permanent facility; and
- there would be a huge benefit to people's lives and for the city and community of Exeter. It would be an inclusive sport and help promote health and wellbeing with specialist training in trampolining.

Responding to Members, she stated that she had been searching for a suitable premises for some three years and that, although the Riverside area would have been a suitable location, there were no available buildings of sufficient height. A height of eight metres was the minimum requirement which was met by the proposed unit. She confirmed that a letter of support had been obtained from British Gymnastics who were affiliated to Sport England.

Members, whilst recognising the importance of retaining Class B employment uses and encouraging the establishment of long-term businesses, noted that this unit had remained vacant partly as a result of cheaper units outside Exeter and that businesses seeking premises to occupy were frequently price sensitive and sought lower rents. They felt that the proposed use was suitable and noted the additional employment opportunities the occupation by a trampolining academy as cited by the applicant would bring. They felt that the specific circumstances in this case made approval acceptable but that it should not set a precedent when similar circumstances were being looked at in respect of the same Class Use. In respect of the offer of a five year lease, Members did not feel that a time restriction was appropriate.

The recommendation was for refusal for the reasons as set out in the report.

RESOLVED that the City Development Manager, subject to prior consultation with Chair of this Committee, be granted delegated authority to **APPROVE** planning permission for the change of use from commercial building (Use Class B1/B2/B8) to Trampoline Academy (D2), subject to its use being specific to the trampoline academy and not for any other use within Use Class D2 and the following conditions:-

- (1) the permission not being time limited; and
- (2) the imposition of appropriate conditions, including conditions relating to the standard hours of occupation and appropriate parking.

127

PLANNING APPLICATION NO. 18/0137/FUL - 15-16 RICHMOND ROAD, EXETER

The Assistant City Development Manager presented the application for the demolition of an existing garage building to be replaced with two residential units.

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

- the scheme has been developed over the past six months with collaboration from the Council's Planning Officer, the result being a scheme which complied with all planning policies and provided new quality family homes for the city.;
- the Bendene Hotel has been in operation for many years and the current owners were looking to invest in the facilities to ensure that the listed building was well maintained and the hotel could continue to operate. Developing the land at the rear of the site provided income for the hotel and an opportunity for investment;
- the new houses were designed to be built on the same footprint of the existing garage building. The ground floor was the same area as the existing building with the angle squared off at the front to make it slightly smaller, there was no increase in the built footprint. It replaced a post-war building that the planning and conservation team agreed had no historic or Architectural merit. The argument that the approval of this scheme would set a precedent for future development to the rear of Richmond Road was not valid as the other sites did not have existing buildings to be replaced;
- there were some objections by local residents mostly relating to maintaining access to the rear car parks during the construction period. The suggested condition would involve the submission of a construction methodology statement to show how the works would be carried out whilst maintaining access to the other car parks;
- wealth of experience and a track record in designing in sensitive conservation areas, and on difficult urban sites such as this. Have successfully managed and delivered projects in far more difficult city centre locations than this and are very confident that the construction work involved when building this site would not impact the neighbours ability to use this access road;
- the applicant had met with the neighbours on site since the objections were raised. The issue of access was explained and it was also requested by a number of the neighbours that the side windows from the proposed building were removed. This has been done at their request;

- proposing a car free development which is supported by the Highways Officer and the Planning Officer. This approach is perfect for locations such as this, there would be no option for the residents to apply for parking permits and the central location would not create a need for them to own a car. By removing a garage and replacing it with houses which do not have parking the traffic situation on this road has been removed; and
- no planning reasons to refuse this application.

Responding to Members, he stated that there was limited outdoor space of approximately 15 square metres and that, accordingly, every effort had been made to ensure that the design respected the setting of the hotel which was a Listed Building and its curtilage, the listed terrace as a whole and the Conservation Area.

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

RESOLVED that planning permission for the demolition of an existing garage building to be replaced with two residential units be **APPROVED**, subject to the following conditions;-

- (1) The development to which this permission relates must be begun before 3 years from the date of this consent.
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 24 January 2018 (dwg no. 2184(11) 000 and 23 March 2018 (dwg nos 2184 (21) 000 rev C, 2184 (21) 001 rev C & 2184 (31) 002 rev A) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- (4) No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.
- (5) No development shall take place, including any works of demolition, until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
 - a) the parking of vehicles of site operative and visitors

- b) loading and unloading of plant and material;
- c) storage of plant and materials used in the constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works
- h) construction 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 the occupants of nearby buildings.

- (6) Prior to occupation of any dwelling hereby approved, details of provision for nesting swifts shall be submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

Reason: In the interests of preservation and enhancement of biodiversity in the locality.

128 LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the City Development Manager submitted.

RESOLVED that the report be noted.

129 APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

130 SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 8 May 2018 at 9.30 a.m.

(The meeting commenced at 5.30 pm and closed at 7.30 pm)

Chair

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PLANNING COMMITTEE

Monday 21 May 2018

Present:-

Councillor Rachel Sutton (Chair)
Councillors Lyons, Branston, Bialyk, Denham, Harvey, Mrs Henson, Morse, Prowse,
Thompson and Vizard M

Also Present

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

131

MINUTES

The minutes of the meeting held on 23 April 2018 were approved and signed by the
Chair as correct.

132

DECLARATION OF INTEREST

Councillor Denham declared a personal interest in respect of Min. No. 135 and left the
meeting during consideration of this matter.

133

PLANNING APPLICATION NO. 17/1198/FUL - GLENTHORNE ROAD, EXETER

The Project Manager (Planning) (GM) presented the application for the construction
of student accommodation including the creation of access and associated
infrastructure.

Members were circulated with an update sheet.

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

- not many Members attended the site inspection on 21 November;
- will focus on highway issues, Councillor Mitchell to address other matters of concern;
- unlike other applications for purpose built student accommodation, road safety for both the general public and students is a major feature and a highway officer should ideally be in attendance;
- Glenthorne Road is the only, rather than the major, access point to the site;
- because of the potential for clashes between vehicles and vehicles and pedestrians, the applicant in the early stages of the application proposed the provision of an adjustable bollard at the entrance to the road but this was rejected by residents;
- no confidence in the figures provided in the report as many of the statistics provided are contradictory. The validity of the transport data is therefore questioned;

- it is a narrow road with a bend at the narrowest point with great risks of collision between vehicles and between pedestrians and vehicles;
- Glenthorne Road is a pedestrian route and its use by students will increase by some 500 on the completion of both this development and that of the Moberley block;
- students may not bring cars but their lifestyle through ordering takeaways, use of supermarket deliveries and hiring taxis to and from the city centre will greatly increase traffic flow. Taxi use in particular will be significant in light of the reduction of the H bus service. All these elements will increase traffic congestion in the city and increase air pollution;
- students will also use Glenthorne Road to access the supermarket and go to bus stop on Cowley Bridge Road;
- Glenthorne Road is a private road and not the responsibility of the County Council as Highway Authority;
- vehicles often meet on Glenthorne Road leading to the lower vehicle reversing back onto Lower Argyll Road which is a dangerous manoeuvre;
- the report makes no reference to previous planning applications which were refused. In 1989, the County Highways officer commented that an application for a ten dwelling development was unsuitable because of the increased use of the turning point and the Cowley Bridge Road and Glenthorne Road junction. In 2004, in respect of a single dwelling, the highways officer commented that the carriageway was too narrow with no pedestrian footway and that any additional vehicular use was a cause for concern;
- the Duryard Trust letter refers to the absence of any reference to road ownership in the report nor to the problems of vehicles reversing back down the road;
- on 7 March an ambulance was hindered from reaching a critically ill resident of the Dennyshill Care Home because its path was blocked by an oncoming car and was unable to reach the individual in time;
- this is the first time that the University has objected in 17 years to an application which reflects the degree of concern over this application, the University referring to health and safety issues and transport movement which endangers its students for whom it has a duty of care;
- the proposed passing bay will impinge on Glenthorne Road and disrupt traffic flow to the residences and the turning head should be restricted to within the development;
- the narrowness of the road will cause problems for larger construction vehicles, cars dropping off and collecting students at the beginning and end of terms and delivery vehicles;
- problems during construction will be exacerbated with works to the Moberley block which will overlap;
- parking in the area is limited; and
- urge rejection or deferral on highway and traffic safety grounds.

He responded as follows to Members' queries:-

- the application lacks consistent highway data and the lack of clarity on road ownership is also a concern with the management committee of the Duryard Trust possibly be able to assist in respect of this issue;
- the over intensification of the site is a legitimate reason for refusal particularly in respect of the height of the upper block as evidenced by photos from a neighbouring garden;
- further information is needed from the highways officer in relation to the Glenthorne Road/Lower Argyll Road junction; and

- the Duryard Trust should be able to advise on the impact of extra vehicles and construction vehicles on Glenthorne Road

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

- support views of Councillor Owen and add additional reasons for refusal or deferral which are scale of development, difficulty of access for fire and emergency vehicles and lack of information on level and need for student accommodation in the City;
- although the report recommends approval it refers to concerns regarding the impact on the character of the area and the setting of the Dennyshill Care Home, potential for future conversion of properties into houses in multiple occupation (HMO's), poor access for emergency vehicles and conflict between pedestrian and vehicular use of Glenthorne Road;
- report also states that excessive noise will not be a new phenomena for the area, therefore suggesting that it should be acceptable;
- the University objects on grounds of additional traffic movements and creation of additional noise and movement along Glenthorne Road;
- negative impact on neighbouring properties including 3 Cowley View which is only seven metres from part of the development which is well below Supplementary Planning Guidance;
- incident on 7 March emphasises the difficulty of access for fire and emergency vehicles. The Fire Service have advised that access is not ideal and that whilst access to Block C is acceptable, access to Blocks A, B and D will be compromised. Further clarification, including direct advise. if possible, from the Fire Service is required;
- further information is required on student accommodation numbers in Exeter without which the need for this development cannot be properly assessed. Detailed figures are required on the number of HMO's occupied by students, the number of purpose built student accommodation (PBSA) units both constructed and in the pipeline, the percentage occupation by students of those existing PBSA's and the level of student HMO's in different areas of the City;
- the 2007 Supplementary Planning Guidance for the University is out of date and over a decade old but is still being used to judge planning applications for student accommodation on the grounds that such provision frees up HMO's for use by the wider population. The City Council 2016/17 update on student numbers etc. is also out of date. The University report on student numbers being prepared by the University of Loughborough is still awaited;
- a large quantum of PBSA had recently been granted permission including 1,200 bed spaces at East Park, 108 at the King Billy and 107 at the Honiton Inn bringing the total of such future provision to some 4,000;
- the Habitats Regulation Assessment on PBSA concluded that there was no evidence of HMO's reverting back to family accommodation;
- the number of HMO's remains constant which suggests that there is no evidence that purpose built student accommodation has resulted in the release of conventional housing back to non-student use. The current policies are therefore not working and the application should be refused or deferred until accurate information on student accommodation needs are provided; and
- the application should be refused on grounds of severe transport and access difficulties, unacceptable over development, poor access for fire and emergency vehicles and insufficient information on future demand for student accommodation in the City.

He responded as follows to Members' queries:-

- the Duryard Trust can advise on any agreements to be negotiated with the developer on the use of the road and contributions towards its future maintenance;
- the view that the current level of PBSA provision in the City has in fact reduced the pressure on HMO's thus explaining the static level of student occupation of the latter, cannot be substantiated because of the need for up to date data on student numbers etc.

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

- Hines submitted an initial offer to acquire this site three years ago. Unlike many applicants for student housing in Exeter, Hines manages its own accommodation meaning that the application is informed by real world operating experience. Currently have eight operating sites and a pipeline of more than a dozen developments, with a particular focus on top tier institutions;
- for this site, a methodical and diligent process has been adopted. It has included six pre-application meetings with officers prior to submission, a meeting with the Planning Member Working Group, public and private consultations with residents and with the university and two sessions with the South West Design Review panel. Further revisions and improvements to the scheme followed submission. There has been extensive email correspondence with local residents throughout. The proposal is reaching committee some 10 months after the original submission;
- the site is located in a highly sustainable location with the only pedestrian entrance fronting directly on the campus. Looking across Exeter as a whole, the proximity of this site to campus must make it one of the most appropriate for student use in the city;
- vehicular traffic flows and road safety have been closely examined with two specialist engineers, including one chosen by the Duryard Trust. In spite of some residents' concerns, the conclusion of both firms, along with that of the County Council, was of a limited overall impact;
- have met the South West Design Review Panel twice. They concluded that the proposals represented - "very well considered, high quality architecture". In addition to the building exteriors, the proposal contains innovative thinking in terms of unit design and layout to facilitate community building among the students. The secure perimeter of the site will ensure a respectful interface with the local residents;
- unlike the university residences in the immediate area, the site will be fully staffed which will facilitate student experience while, in parallel, enabling control over student behaviour; and
- noting the special provisions of the Exeter University Supplementary Planning Guidance, it is believed that the proposal will help Exeter address the university's rapid growth and reduce the burden on the local housing stock;

He responded to Members' queries:-

- will work with the Duryard Trust to agree on access rights and maintenance issues. Have obtained clear legal advice regarding right of access and to build on the site;

- the University objection is based largely on desire to satisfy local residents and possibly its own future plans for development including provision of student accommodation which will generate income;
- road strength will be assessed as part of the construction brief. The risk of excessive use by heavier lorries will be addressed through the provision of an off-site delivery area for collection of materials by smaller vehicles to deliver to the site;
- an operational management plan will be put in place to help control, as far as possible, the level of deliveries by supermarkets and takeaway establishments;
- there will be regular dialogue with residents to address any areas of concern;
- vehicle access via the lower part of the site will be controlled by staff at the main access at the higher part of the site and monitored via CCTV – two staff will be on site at all times;
- the turning circle will be large enough to accommodate the larger vehicles but not articulated lorries and these vehicles will be able to turn around within the site. Staff will be on hand night and day during the construction period to oversee these operations;
- prepared to sign up to a Traffic Management Plan and to liaise with the City Council to monitor;
- Exeter has the characteristics of undersupply of student housing. These are evidenced in the private accommodation, high rents, rents increasing year on year, long lease terms, and early sell-out of blocks. Exeter also has a higher percentage of students living in HMO's - 42% - compared to the national average of 32%;
- in Exeter, supply reflects the market and occupation of purpose built student occupation is some 97%, well above the national average; and
- at Russell Group universities across the UK, changes in supply of student housing is resulting in falling rents rather than vacancies in PBSA's and there is no clear saturation point. This is particularly true for a university that has managed to grow and maintain a high ranking over many years. With the financial incentives so clear and with the number of UK 18 years olds set to start growing from 2020, the University is likely to continue on this path over the medium term.

Members were advised that, in respect of earlier planning applications, the National Planning Policy Framework, which had been published subsequently, set out that planning applications should not be refused unless there was a severe impact on the neighbourhood and it was noted that the site had been vacant for 20 years. The City Development Manager advised that, in respect of student housing, student HMO levels in Exeter were currently 2,082 and that the figure had fluctuated around 2,000 over the past seven years and that the existing provision of PBSA was 7,677 with 1,216 under construction and another 2,430 consented, although not all of these would be built.

The Assistant City Development Manager advised that, in respect of 3 Cowley Bridge Road, the closest part of the building was 8.4 metres from part of the proposed development rather than 7 metres and that it faced a blank wall. In respect of access for appliances etc., the Devon and Somerset Fire and Rescue Service, whilst stating that access was not ideal, sought appropriate use of materials and were suggesting mitigation measures such as sprinklers. He reiterated that the highway authority was comfortable with traffic management in the area.

Members felt that the design was of a good standard noting that it had been considered by the Design Review Panel and that a number of Members had attended the site inspection. One Member referred to the evident and continued

demand for student accommodation of this nature in the city, another remarking that a location next to the University campus was a logical solution and was consistent with Core Strategy policy seeking such proximity.

In respect of transport matters, residential accommodation as opposed to provision for students would lead to additional car usage in the area. In light of recent scrutiny Task and Finish Groups on Green Travel including a group assessing Ikea's Green Travel Plan it was suggested that the Traffic Management Plan for this development should be signed off at the Council's Delegation Briefing.

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

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 securing a Student Management Plan, a Traffic Management Plan and a financial contribution towards pedestrian/cycling improvements along Cowley Bridge Road, details of the Traffic Management Plan to be delegated to the City Development Manager after prior consultation at a City Council Delegation Briefing, planning permission for the construction of student accommodation including the creation of access and associated infrastructure be **APPROVED**, 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 and 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 28 July 2017 (including dwg. nos 01001 Rev PL04, 01004 Rev PL04, 01005 Rev PL04, 01006 Rev PL04, 01050 Rev PL04, 01051 Rev PL04, 01052 Rev PL04, 01053 Rev PL04, 01056 Rev PL04, 01057 Rev PL04, 01058 Rev PL04, 01059 Rev PL04, 02004 Rev PL04, 02006 Rev PL04, 02007 Rev PL04, 02008 Rev PL04, 02009 Rev PL04, 02011 Rev PL04, 02012 Rev PL04, 03001 Rev PL04, 03002 Rev PL04, 03003 Rev PL04), on 25 October 2017 (including dwg. nos 02001 Rev PL05, 02002 Rev PL05, 02003 Rev PL05, 02005 Rev PL05, 02013 Rev PL05, 01002 Rev PL05, 01003 Rev PL05, 01070 Rev PL05, 01054 Rev PL05, 01055 Rev PL05, RF17-392-D01 Rev B, RF17-392-D02), on 30 November 2017 (including dwg. nos 0403-PHL-1101, 00004 Rev PL07, 02010 Rev PL05, RF17-392-L02 Rev F, RF17-392-L03 Rev F), on 5 December 2017 (including dwg. nos 00005 Rev PL07 02013 Rev PL06, RF17-392-L01 Rev G, RF16-892-DB3 Rev B) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) **Pre-commencement condition:** If not otherwise agreed with Local Planning Authority in writing samples of the materials that are 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 for pre-commencement condition: To ensure that the materials conform with the visual amenity requirements of the area.

- (4) **Pre-commencement condition:** A Construction Environmental Management Plan 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.

The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials used in constructing the development.
- d) The erection and maintenance of securing hoarding, if appropriate, which shall be kept clear of graffiti and fly-posting.
- e) Wheel washing facilities.
- f) Measures to control the emission of dust and dirt during construction.
- g) A scheme for recycling/disposing of waste resulting from construction works, with priority given to reuse of building materials on site wherever practicable.
- h) No burning on site during construction or site preparation works
- i) Measures to minimise noise nuisance to neighbours from plant and machinery.
- j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

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.

Reason for pre-commencement condition: In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

- (5) **Pre-commencement condition:** No development (including ground works) or vegetation clearance works shall take place until a Waste Audit Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall cover construction and operational stages.

Reason for pre-commencement condition: To ensure that the proposal complies with DCC Policy W4, W10 and W21 of Devon Waste Plan and Waste Management and Infrastructure SPD, in the interests of delivering sustainable development.

- (6) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until part (a) has been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part (b) has been complied with in relation to that contamination.

(a) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two

weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(b) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved updated remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part (a). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- (7) **Pre-commencement condition:** Before the commencement of any development here by approved, an updated Habitat Survey (under The Conservation of Habitats and Species Regulations) shall have been submitted to the Local Planning Authority, to establish the absence of reptiles, badgers and other protected species.

Reason for pre-commencement condition: In the interest of conservation of habitats and species.

- (8) **Pre-commencement condition:** Unless otherwise agreed in writing by the Local Planning Authority the specify building hereby approved shall achieve a BREEAM excellent standard as a minimum. Prior to commencement of development of such a building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be written by a licensed BREEAM assessor which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required by this consent the developer shall provide prior to the commencement of development of the building details of what changes will be made to the building to achieve the minimum standard, for the approval of the Local Planning Authority to be given in writing. The building must be completed fully in accordance with any approval given. A BREEAM post completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

Reason for pre commencement condition: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development. The design stage

assessment must be completed prior to commencement of development because the findings may influence the design for all stages of construction.

- (9) **Pre-commencement condition:** A detailed scheme for landscaping in accordance with dwg. no RF17-392-L02 Rev F, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted prior to commencement of the development to the Local Planning Authority and no building shall be occupied 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 for pre-commencement condition: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- (10) **Pre-commencement condition:** The development shall not commence until an Arboricultural Method Statements have been submitted to, and approved by, the Local Planning Authority. The Arboricultural Method Statements shall comply with the Tree Protection Plan (dwg. no 04498 TPP RevC), the Arboricultural Impact Assessment Report - received 24 July 2017 and with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The development shall thereafter be carried out in accordance with the Tree Protection Plan and the approved Arboricultural Method Statements.
Reason for pre-commencement condition: To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.
- (11) **Pre-commencement condition:** No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with the Tree Protection Plan (dwg. no 04498 TPP RevC). The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.
Reason for pre-commencement condition: To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.
- (12) **Pre-commencement condition:** No part of the development hereby approved shall be occupied until provision for nesting swifts and roosting bats in accordance with details that shall have been submitted prior to commencement of the development to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason for pre-commencement condition: In the interests of preservation and enhancement of biodiversity in the locality.

- (13) **Pre-commencement condition:** No building hereby permitted shall be occupied until sustainable surface water drainage works (SuDS) have been implemented in accordance with details that have been submitted prior to commencement of the development to, and approved in writing by, the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, National Planning Policy Guidance and the Department for Environment, Food and Rural Affairs Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems, and the results of the assessment provided to the local planning authority.

The submitted details for the sustainable drainage scheme shall:

- i. show how the rainwater falling on roofs and other surfaces are managed to restrict both the flow rate and the volume surface runoff;
- ii. show how the SuDS scheme is achieving a flow rate and a volume surface runoff approximate to the site greenfield response;
- iii. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- iv. show how the SuDS scheme is integrated in the landscape scheme and contributes to biodiversity;
- iii. include a timetable for its implementation; and
- iv. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason for pre-commencement condition: To ensure the satisfactory sustainable drainage of the development.

- (14) **Pre-commencement condition:** Prior to commencement of the development hereby approved a Wildlife Plan which demonstrates how the proposed development has been designed to preserve and enhance the ecological interest of the site, and how it 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 and managed strictly in accordance with the approved measures and provisions of the Wildlife Plan.

Reason for pre-commencement condition: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.

- (15) **Pre-commencement condition:** No part of the development hereby approved shall be occupied until pedestrian access to the main entrance, including works on Grafton Road and Clydesdale Road, have been provided and maintained in accordance with details, in compliance with dwg. nos RF17-392-L02 Rev F and RF16-392-D03 Rev A, that shall have been submitted prior to commencement of the development to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

Reason for pre-commencement condition: To ensure that adequate facilities are available for the traffic attracted to the site

- (16) **Pre-commencement condition:** No part of the development hereby approved shall be occupied until vehicle access to the development, including turning head and passing place on Glenthorne Road and improvements on Grafton Road and Clydesdale Road, have been provided and maintained in accordance with details, in compliance with dwg. nos RF17-392-L02 Rev F, that shall have been submitted prior to commencement of the development to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason for pre-commencement condition: To ensure that adequate facilities are available for the traffic attracted to the site
- (17) 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.
- (18) A detailed scheme for lighting including fixtures and time of use shall be submitted to the Local Planning Authority and work shall not be carried out on this lighting scheme until the Local Planning Authority have approved the lighting scheme. The lighting scheme shall thereafter be implemented in accordance with the approved scheme if not otherwise been agreed with 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.
- (19) No part of the development hereby approved shall be occupied until the on-site cycle and vehicular parking facilities (as indicated in the proposed site block plan) have been provided surfaced and marked out in accordance with details that shall be approved in writing by the Local Planning Authority and retained for that purpose at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- (20) Prior to occupation of the development hereby permitted, a travel pack shall be provided informing all residents of walking and cycling routes and facilities, and public transport routes and timetables, car sharing schemes, and the location of local and central shopping and leisure facilities, the form and content of which shall have previously been approved in writing by the Local Planning Authority.
Reason: To ensure that all occupants of the development are aware of the available sustainable travel options
- (21) Each unit of the development hereby permitted shall be occupied only by a person engaging in a university.
Reason: The scheme is designed for a specific age group and is not suitable for unrestricted occupation.
- (22) Prior to the occupation of each unit hereby approved, ducting or equivalent service routes should be installed capable of accommodating at least 6 separate fibre-optic cables that enable electronic communications services network suppliers to freely connect between the boundary of the site and the

inside of each dwelling for the purposes electronic communications. If not otherwise agreed in writing by the Local Planning Authority.

Reason: To contribute to the development of high speed broadband communication networks and to ensure that adequate provision is made to meet the needs of future occupants of the dwellings for high speed internet access in line with paragraph 42 of the National Planning Policy Framework.

- (23) No part of the development hereby approved shall be occupied until parking spaces have been provided and maintained in accordance with dwg. RF17-392-L02 Rev F and details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site

- (24) Prior to the installation of any new plant on the site, details of the plant shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, design (including any compound) and noise specification. The plant shall not exceed 5dB below the existing background noise level at the site boundary. If the plant exceeds this level, mitigation measures shall be provided to achieve this in accordance with details to be submitted to and approved in writing by the Local Planning Authority. (All measurements shall be made in accordance with BS 4142:2014).

Reason: In the interests of the amenity of the area, especially nearby residential uses. These details are required pre-commencement as specified to ensure that the plant will not give rise to significant adverse impacts on the amenity of neighbouring receptors.

134 **PLANNING APPLICATION NO. 17/1914/FUL - ELIZABETH HOUSE, EMPEROR WAY, EXETER**

The Principal Project Manager (Development) (MD) presented the application for the change of use of premises from office (Use Class B1) to NHS Depression and Anxiety Service (DAS) (Use Class D1).

The Chair read out the comments of Mr Ridgers, an objector who had to leave the meeting before this item was considered.

- note that seven parking spaces have been allocated for patients to service seven treatment surgeries. At any one time there would be two patients for every one parking spot. A patient who is in treatment and another one arriving for their appointment looking to park. This would result in an additional seven drivers looking to park. Finding a parking space on this Office Park is highly stressful, as there is no free parking spaces within a ½ - 1 mile radius. This would place un-necessary stress on individuals with mental health and anxiety issues;
- adjacent to the site is the Clare Milne Centre for children with learning difficulties who use the roadways for exercising, as the children and their carers go on their regular daily walks around the centre. There are no footpaths and the children walk in the middle of the roads. Due to the severe nature of the mental and physical disabilities of the children drivers have to regularly stop to a halt for the children to be moved to the side of the road. Regular users can be prepared but there is a likely accident potential with drivers who are un-aware of the children and their issues; and

- the original plan for the site was an office park – the infrastructure was not designed for continual daily traffic looking to access and park for short periods. Urge Members to conduct a site tour and assess the issues.

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

- the Depression and Anxiety Service in Devon was established in 2009. Thousands of clinicians were trained as part of a national programme. In Devon, it is delivered within the local communities and it contributes to the overall wellbeing of the population;
- offers a completely free NHS service, staffed by highly trained and accredited clinicians. It will be one of the few self-referral mental health services around that will be easy to access, negating the need for people to see a GP;
- have received over 130,000 referrals since inception in 2009 and currently receive well over 20,000 referrals a year. It is believed that only between 15% and 19% of the population struggling with these conditions are being helped and over 80% of people do not get help;
- the NHS has a five year plan to significantly increase the number of people able to access such services, with Devon aiming to treat a further 10,000 people a year by 2021;
- a move to Elizabeth House for the East and Mid Devon team is a critical to enable expansion. A clinical base at Elizabeth House will be highly accessible for people in East Exeter and East and Mid Devon. It will treat not only the resident population, but people who commute in and out of Exeter for work as well as students;
- Tiverton does not adequately serve patients' needs and Exeter, as a growing city and regional capital, needs this service;
- if unable to relocate to suitable premises in the East of Exeter, it will be very difficult to offer treatment to more people, and will likely result in longer waiting times, more people going without help and poorer community wellbeing; and
- a move to Elizabeth House will enable expansion of the free NHS therapy service, reduce distress and improve community wellbeing.

He responded as follows to Members' queries:-

- there will be no weekend working, weekday hours of operation to be 8:00am to 8:00pm for appointments to be offered before and after the 9:00am to 5:00pm hours of working;
- information to patients will include reference to the adjacent Clare Milne Centre and use of the roads by the children using the centre;
- the unit offers both improved accessibility and an improved operational centre. The Service employs 200 staff and clinicians who serve the whole of Devon visiting hospitals and some 100 GP surgeries which is more central and easier to access than the Tiverton base. A City presence will also make it more accessible to patients than a rural base as many live and work in Exeter. The goal is to treat 10,000 individuals by 2021;
- will encourage and promote sustainable transport. Many staff currently travel by car to Tiverton and, as many live in Exeter will, in future, have the option to use public transport or cycle to work. The Centre's Magdalen Road base has limited parking and staff there are used to a parking rota; and
- with seven staff parking spaces and seven patient spaces, staggered appointment times will ensure that overflowing will not occur.

Members supported the proposal that planning permission be granted, subject to the completion of a Green Travel Plan for monitoring by the City Council.

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

RESOLVED that, subject to the completion of a Green Travel Plan for consideration and approval at a City Council Delegation Briefing, planning permission for the change of use of premises from office (Use Class B1) to NHS Depression and Anxiety Service (DAS) (Use Class D1) be **APPROVED**, subject to the following conditions:-

(1) Standard Time Limit – Full Planning Permission

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 comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

(2) Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:

- Site Location Plan (Dwg No: 17062.01.01)
- Proposed Floor Plans (Dwg No: 17079.P02.11 Rev A)

Reason: In order to ensure compliance with the approved plans and for the avoidance of doubt.

(3) Travel Plan

No part of the development shall be occupied until a travel plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the recommendations of the travel plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.

Reason: To encourage travel by sustainable means in accordance with Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

(4) Staff Cycle Parking

Prior to the occupation of the development hereby permitted, cycle parking for staff and access thereto shall be provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle parking and access thereto shall be maintained for the lifetime of the development.

Reason: To provide suitable cycle parking for staff in accordance with the Sustainable Transport SPD (Table 2 and Paragraph 5.3.1).

(5) Visitor Cycle Parking

Prior to the occupation of the development hereby permitted, cycle parking for visitors and access thereto shall be provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle parking and access thereto shall be maintained for the lifetime of the development.

Reason: To provide suitable cycle parking for visitors in accordance with the Sustainable Transport SPD (Table 2 and Paragraph 5.4.1).

(6) Disabled Parking Space

Prior to the occupation of the development hereby permitted, one disabled parking space shall be provided in the car park in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The disabled parking space shall be maintained for the lifetime of the development.

Reason: To provide suitable car parking for disabled users in accordance with the minimum standards set out in Table 4 of the Sustainable Transport SPD.

(7) Restrict Use Classes Order

The premises shall be used for mental health consultation rooms and offices (to provide an NHS Depression and Anxiety Service) only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To control the use in the interests of the amenity of the area and development plan policies.

(8) Restrict GPDO

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission: Part 4, Class D – shops, financial, cafes, takeaways etc to temporary flexible use

Reason: To control the use in the interests of the amenity of the area and development plan policies.

135

**PLANNING APPLICATION NO. 18/0519/FUL - LAND AT HEAVITREE
PLEASURE GROUNDS, WHIPTON LANE**

Councillor Denham declared a personal interest and left the meeting during consideration of this item.

The City Development Manager presented the application for the construction of single-storey cafe and community hub building; replacement of BMX track in alternative location in park.

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

- speaking as the Chair of Trustees for Park Life Heavitree, a grass roots, community led charity working in and around Heavitree Pleasure Grounds since 2011 with over 40 active volunteers helping to reduce social isolation, improve community cohesion, provide opportunities for people to get active and to create a more socially, economically and environmentally sustainable community;
- long term aim is to expand the services and activities through a facility in the park. This will be a café with indoor and outdoor seating and a community hall space for hire;
- the building will help to reduce loneliness in the area. A recent report states that in Heavitree there is a high risk of being lonely. Having a place to gather, meet and take part in social events will bring people out of their homes and into a warm, dry, friendly place in a green space. It will improve health and wellbeing and provide a well-designed space that can be hired to encourage people to get active all year round. At the moment activities like Heavitree Fit Club are seasonal as classes move indoors in winter but out of Heavitree;
- it will create a community led not for profit business offering employment, training, volunteer and work experience opportunities;
- a fully costed business plan shows that the facility will work and put money back into the park and the community;
- it will be be a focus and a 'shop-front' for Park Life's activities/engagement and act as a community hub for other groups;
- people will be encouraged to use sustainable transport, particularly walking and cycling;
- the current BMX mud humps will be relocated to a site near the skate park;
- the operational management plan, to be submitted as a pre commencement condition, will ensure that there is no detriment to immediate neighbours in terms of opening times, noise and lighting.

He responded as follows to Members' queries:-

- the provision of solar panels and rainwater harvesting are not included in the plans at this stage but their potential will be investigated;
- support for sustainable transport is acknowledged and secure cycle parking will be provided;
- as an alcohol licence is not being sought at this stage for the cafe, anyone consuming alcohol either within or immediately outside the premises, will be asked to leave; and
- it was considered that concerns expressed regarding the loss of open space were addressed through enhancing the overall provision, the BMX facility being very basic and no more than mud overlaying a former play area which had a concrete base.

Members noted that, whilst the hall would be open from 8:00am to 10:00pm, the opening times for the café also extended on some evenings to 10:00pm which some felt was too late for a café and it was suggested that the suitability of these hours should be monitored. Members welcomed the initiative which was community led and for the benefit of the community.

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

RESOLVED that, subject to the opening hours of the café with the 10:00pm closing time being supported for the time being, being monitored over the first 12 months of operation and reviewed after this period at a City Council Delegation Briefing, planning permission for the construction of single-storey cafe and community hub building; replacement of BMX track in alternative location in park be **APPROVED**, subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91 and 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 27 March 2018 (including dwg. nos 000.010 Rev A; 000.011; 000.020; 100.001 Rev A; 100.002 Rev A; 200.001; 300.001 Rev A; 300.002 Rev A) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) No development should take place until a report has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the development is resilient to climate change and optimises energy and water efficiency through appropriate design, insulation, layout, orientation, landscaping and materials, and by using technologies that reduce carbon emissions. The report will be expected to demonstrate BREEAM 'Excellent' standards wherever possible and where it is not possible, to explain the reasons why the standards cannot be met. The development should take place in accordance with the agreed details.
Reason: In the interests of promoting sustainable design and construction methods. It is necessary for this information to be submitted prior to the commencement of the development to ensure that sustainable construction methods are incorporated into the design.
- (4) Prior to the commencement of the use, the applicant shall submit for approval an operational management plan for the development. This should describe the steps that will be taken to ensure that the use and operation of the development does not have an adverse effect on local amenity. It should include, but not be limited to, the hours of use of the development, maintenance of kitchen extraction, control of noise and audible music, types of activities and external lighting. The approved plan shall be implemented whenever the development is in use and shall be reviewed as required on request of the LPA.
- (5) Prior to the commencement of the use hereby permitted, the kitchen ventilation system for the unit shall be installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The details shall include drawings of the location and design of the system, and information on how odour emissions shall be controlled, including abatement if necessary, and how the system shall be maintained to ensure it does not adversely affect the amenity of surrounding uses.
- (6) Details of all building services plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope, 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.

- (7) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
- a) There shall be no burning on site during demolition, construction or site preparation works;
 - b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;
 - c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.
 - d) Site hoarding shall be kept clear of graffiti and fly-posting.
- The approved CEMP shall be adhered to throughout the construction period.
- (8) If, during demolition/ development, contamination not previously identified is found to be present at the site then the Local Authority shall be notified as soon as practicable and no further development (unless otherwise agreed in writing with the Local Planning Authority), shall be carried out until the developer has submitted an investigation and risk assessment, and where necessary a remediation strategy and verification plan, detailing how this unsuspected contamination shall be dealt with. Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy, shall be submitted to and approved by the Local Planning Authority.
- (9) Prior to commencement of the development, details shall be submitted to the Local Planning Authority of secure cycle parking provision for the development. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.
Reason: To provide adequate facilities for sustainable transport.
- (10) No part of the development hereby approved shall be brought into its intended use until the pedestrian access to the site from Whipton Lane as indicated on *Drawing number 000,010 Rev A* has been provided in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that a safe and suitable access is achieved in accordance with paragraphs 32 and 41 of the National Planning Policy Framework.
- (11) The use of the cafe hereby approved shall not be carried out other than between the hours of throughout March to October 0700 to 1900 Monday to Wednesday, 0700 to 2200 Thursday to Saturday and 0800 to 1700 on Sundays and Bank Holidays. November to February hours of use are 0800 to 1600 Monday to Wednesday, 0800 to 2200 Thursday to Saturday and 0800 to 1600 Sundays and Bank Holidays. The use of the community hall hereby approved shall not be carried out other than between the hours of 0800 to 2200.
Reason: So as not to detract from the amenities of the nearby residential property.

- (12) Prior to the commencement of the construction of the community hub building, the construction of the BMX track must be completed and available for use.

Reason: To ensure the continued use of the BMX track.

136

PLANNING APPLICATION NO. 16/0313/FUL - 2 OAK ROAD, EXETER

The Project Manager (Planning) (GM) presented the application for the reconstruction of a dwelling along with a two storey rear extension and front porch.

Members were circulated with an update sheet.

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

RESOLVED that planning permission for the reconstruction of a dwelling along with a two storey rear extension and front porch be **APPROVED**, subject to the following conditions:-

- (1) C05 - Time Limit – Commencement
- (2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 25 April 2016 (dwg. no(s). AP(0)51 Rev.A) and on 1 July 2016 (dwg. no. AP(0)49 Rev.A), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) C75 - Construction/demolition hours
- (4) Pre-commencement condition: A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development 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 and traffic routing, the effects of piling, and emissions of noise and dust. The CEMP should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.
Reason for pre-commencement condition: In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

137

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

138

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

139

SITE INSPECTIONS - ROTA FOR VISITS

The report of the Corporate Manager Democratic & Civic Support was submitted.

RESOLVED that the circulated rota of site inspection be approved, subject to any changes during the course of the year.

140

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 12 June at 9.30 a.m. The Councillors attending are Edwards, Mrs Henson and Prowse.

(The meeting commenced at 5.30 pm and closed at 8.28 pm)

Chair

PLANNING COMMITTEE

Monday 25 June 2018

Present:-

Councillor Rachel Sutton (Chair)
Councillors Lyons, Bialyk, Branston, Denham, Edwards, Harvey, Mrs Henson, Morse, Prowse, Thompson and Vizard M

Also Present

City Development Manager, Principal Project Manager (Development), Principal Project Manager (Development) (MH), Principal Project Manager (Development) (HS), Assistant Highways Development Management Officer (Exeter) and Democratic Services Officer (Committees) (HB)

141

MINUTES

The minutes of the meeting held on 21 May 2018 were taken as read and signed by the Chair as correct.

142

DECLARATIONS OF INTEREST

Councillor Thompson declared a disclosable pecuniary interest and left the meeting during consideration of Min. No. 145.

143

PLANNING APPLICATION NO. 18/0534/FUL - LAND WEST OF RINGSWELL AVENUE

The Principal Project Manager (Development) (MH) presented the application for the construction of 48 dwellings (use class C3), means of access, public open space and associated infrastructure.

The Project Manager reported that environmental health had no objections to the proposal and added that an additional condition would be required to provide charging points for electric vehicles.

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

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

- speaking on behalf of the residents of St Loyes who do not object in principle to this development but note that the proposal is one of many developments in the locality adding significant further traffic to already congested roads;
- endorse use of brownfield site for development;
- developer seemed to be selective in the delivery of consultation letters;
- another development is to come forward for a care home and both applications should be considered simultaneously;
- Ringswell Avenue is a narrow, poorly surfaced cul-de-sac and experiences difficulties of access for emergency vehicles. Moreover, it suffers from traffic

problems during school drop off and pick up periods and these will be exacerbated as the number of properties increases three-fold;

- traffic counts during school hours confirm the problems which leads to road parking violations, dangerous driving on the pavements by buses and cars, parking across drives and gridlock;
- proposal includes disruption to an existing wildlife corridor and loss of wildlife habitat which could instead be improved by developing a copse;
- junction with Honiton Road already congested, compounded at school drop-off/ pick-up times and Hill Barton Road can also be affected;
- alternative access should be identified; and
- impact of construction traffic associated with the development is a concern and enforcement of construction traffic necessary.

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

- speaking on behalf of the Residents' Association of Ringswell Avenue whose principal objection is not the development of 48 new houses, but the proposed vehicle access through Ringswell Avenue, a 16-foot wide cul de sac road on which there are 20 houses, and since 2007 is the only vehicle access to St Nicholas Primary School. An addition of 48 new houses triples the number of properties accessed by Ringswell Avenue;
- many new properties may have more than one vehicle and there is already severe daily congestion. In previous applications, it was determined that vehicle access would be through Bramley Avenue, not through Ringswell Avenue. The developer had only proposed the one access route via Ringswell Avenue and the County Council Highways consultation response only addressed the developer's single access proposal without evaluating any alternative options;
- the Headmistress of the school had objected;
- emergency vehicles will not be able to enter Ringswell Avenue when congested; and
- serious flaws in the vehicle access for the site and alternative access arrangements should be investigated.

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

- acting for Liverty, a Registered Provider of affordable homes operating across the South West providing a range of homes including for market sale and re-investing profits to build more affordable homes;
- brownfield site will deliver 48 homes, 17 of which are affordable to help address the significant need in Exeter. A range of one to five bed homes are provided, including a wheelchair accessible home. One bed houses are provided instead of flats with the benefit of individual front doors and private gardens for residents;
- have considered neighbours and the Council's Design Guide as well as National Space standards;
- the separation distances to existing neighbours are generally more than required by the Design Supplementary Planning Document and landscaping and ecology have been incorporated with high-quality public open space provided and existing trees retained where possible; and
- design ethos reflects the high-quality architecture of existing homes on Ringswell Avenue. The new homes mirror this style, using quality materials and key design features.

He responded as follows to Members' queries:-

- the proposal includes 17 affordable dwellings which equates to 35% of the total number of dwellings to be provided on site, 12 (70%) for social rent and 5 for shared ownership. The mix of house types includes one wheelchair accessible bungalow; and
- an access to the site had been negotiated for construction purposes but an alternative access off Ribston Avenue was not possible as the developer did not control the land and it was understood that there were at least two other parties.

Members noted that previous proposals for development involved accesses via Bramley Avenue/Ribston Avenue as Ringswell Avenue had not been considered appropriate. Notwithstanding the absence of an objection from the Highway Authority, because of the anticipated additional traffic on Ringswell Avenue, Members queried whether an alternative vehicular access via Ribston Avenue might alleviate the issues raised. They therefore felt that clarification of land ownership issues were required. Members also discussed the merits of facilitating a pedestrian/cycle link to Warwick Road in relation to the vegetation referred to by Councillor Holland.

The City Development Manager advised Members of the position in respect of land ownership and the requirement to determine the proposal before them as submitted and the Assistant Highways Development Management Officer (Exeter) advised that pockets of congestion were common in the vicinity of most of Exeter's schools.

The recommendation was for approval, subject to the conditions as set out in the report and amended in the update sheet, plus the additional condition relating to electric car charging provision.

RESOLVED that the planning application for the construction of 48 dwellings (use class C3), means of access, public open space and associated infrastructure be **DEFERRED**, for further discussions with the applicant on access and land ownership issues.

144

PLANNING APPLICATION NO. 17/1980/FUL - CITY ARCADE, FORE STREET

The City Development Manager presented the application for the demolition of existing single storey arcade and construction of a four storey building for 64 student bedspaces incorporating ground retail unit with associated bike and bin stores.

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

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

- the shell unit at the Fore Street frontage could be configured to accommodate two units and would incorporate a glazed "wrap around" corner to enliven the entrance to John Street which would improve permeability and be more welcoming;
- the accommodation provided for students was typical of the area and mirrored those nearby in size and configuration;
- the adjacent Smythen Street car park was ideal for dropping off and picking up students at the beginning and end of term;
- there was no direct line of sight into student windows from the pub opposite; and
- Historic England were now supportive of the application.

Responding to a Member, the City Development Manager referred to the consultation undertaken and confirmed that appropriate management measures would be put in place for the occupation of students. Members noted that the principle of student use in this city centre location was appropriate and welcomed the proposal which would retain the retail frontage to Fore Street and therefore maintain a commercial presence and it was hoped that it would be more attractive to smaller independent operators, which are characteristic of this street. Whilst one Member referred to the ethos and heritage of the West Quarter, Members recognised that the scheme would retain the retail element and ensure that the vitality and viability of the area was maintained.

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

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 to secure a student management plan and a financial contribution of £3,000 towards a traffic regulation order planning permission for the demolition of existing single storey arcade and the construction of a four storey building for 64 student bedspaces incorporating ground retail unit with associated bike and bin stores be **APPROVED**, 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 27 April 2019 (dwg no. 13388/PL105A; PL110A; PL111A; PL112A; PL113A; PL114; PL115D; PL116A & PL117A) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- (4) Pre-commencement condition. No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.

- (5) No part of the development hereby approved shall be brought into its intended use until the improvements on John Street and the provision loading bay arrangements on Smythen Street as indicated on the proposed site plan (*drawing number 1338/PL105 A*) have been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.
Reason: To provide suitable facilities for the traffic attracted to the site .
- (6) No part of the development hereby approved shall be brought into its intended use until details have been submitted to the Local Planning Authority of secure cycle parking provision for the development and provided in accordance with the submitted details.
Reason: To provide adequate facilities for sustainable transport.
- (7) Travel Plan measures including the provision of sustainable transport welcome packs and details of the arrangements of how student pick up/drop off will be managed, shall be provided in accordance with details agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development.
Reason: To promote the use of sustainable transport modes and in the interests of highway safety, in accordance with paragraphs 32 and 36 of the NPPF.
- (8) Pre-commencement condition. No development shall take place, including any works of demolition, until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
- a) the parking of vehicles of site operative and visitors
 - b) loading and unloading of plant and material;
 - c) storage of plant and materials used in the constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - h) construction 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 the occupants of nearby buildings.
- (9) Pre-commencement condition. No development shall commence until a noise assessment report, including noise from the any plant machinery has been submitted to and approved in writing by the Local Planning Authority providing details of any sound insulation measures and mitigation measures required and shall thereafter be provided in accordance with such details:
Reason: Insufficient information has been submitted with the application and in the interests of future residential amenity.
- (10) Unless otherwise agreed in writing by the Local Planning Authority the building hereby approved shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon if commenced on or after 1st January 2019. Prior to commencement of development of such a building

the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be written by a licensed BREEAM assessor which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required by this consent the developer shall provide prior to the commencement of development of the building details of what changes will be made to the building to achieve the minimum standard, for the approval of the Local Planning Authority to be given in writing. The building must be completed fully in accordance with any approval given. A BREEAM post-completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

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

The design stage assessment must be completed prior to commencement of development because the findings may influence the design for all stages of construction.

- (11) Prior to occupation of the development hereby approved details of provision for nesting birds and swifts shall be submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

Reason: In the interests of preservation and enhancement of biodiversity in the locality.

- (12) Pre-commencement condition. 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.

- (13) Pre-commencement condition: No development shall take place on site until an investigation has taken place to determine the risk posed by Unexploded Ordinance and the results, together with any further works necessary, have been agreed in writing by the Local Planning Authority. The approved works shall be implemented in full and a completion report shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development.

Reason: In the interests of public safety.

- (14) Pre-commencement condition. The demolition hereby approved shall not be carried out until a building contract has been entered into for the erection of the replacement building permitted by this planning permission and satisfactory evidence to that effect has been produced to the Local Planning Authority.

Reason: In the interests of the appearance of the Conservation Area.

- (15) No café use shall be operational until details of any kitchen extract equipment, to include design, siting, noise levels odour levels and a programme for future maintenance has been submitted and approved in writing by the Local Planning Authority and thereafter maintained in accordance with the agreed details at all times.

Reason: In the interests of residential amenity

145

PLANNING APPLICATION NO 17/1320/FUL : LAND AT SANDROCK, GIPSY HILL LANE

Councillor Thompson declared a disclosable pecuniary interest and left the meeting during consideration of this item.

The Principal Project Manager (Development) (MD) presented the application for the construction of 62 dwellings with associated public open space, infrastructure and landscaping. He explained that a pedestrian/cycle path would be provided through the site in order to segregate pedestrians and cyclists from vehicles accessing on to Pinn Lane. This would be a significant improvement compared to the existing situation where pedestrians and cyclists have to share Gipsy Hill Lane with vehicles accessing the Gipsy Hill Hotel and adjacent residential properties. He detailed the improved layout to the Pinn Lane and Gipsy Hill Lane junction and Gipsy Hill Lane would be widened to 4.8m allowing two vehicles to pass, thereby improving access to the Hotel and existing dwellings. Beyond the access point, traffic up to the Hotel would remain single-lane but there would be a passing point.

He reported additional comments/objections from the staff and owner of the Gipsy Hill Hotel. These referred to concerns of accessing the hotel during the construction works. The owner had also objected to the proposed access believing it to be flawed and stating that independent consideration should be given to all possible alternatives. She also stated that if approval was granted, a condition should be added to maintain access to the existing properties at all times.

He reported that, following further discussions with the applicant, an improved offer of 14 affordable units had been made, being the same number as that proposed as part of the lapsed consent, although it represented a slight shortfall in percentage terms to that secured on the earlier consent because the number of units had increased slightly. It was accompanied by an agreement to commence work on site within two years.

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

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

- Pinhoe residents are not generally resistant to development in principle, however, the development will exacerbate already serious traffic problems along Pinn Lane, Gipsy Hill Lane and the wider area. Pinn Lane is already dangerous with no lighting or footway and overgrown vegetation and the increased traffic on Pinn Lane poses a danger to pedestrians and cyclists;
- offer of affordable housing is too low;
- a simple solution would be to remove a restrictive covenant which prevents access onto Tithebarn Lane and the applicant should therefore negotiate with the owner of the covenant to facilitate access onto the Tithebarn Link Road;

- the failure to provide sustainable transport measures is a major concern and the increased vehicle flow will lead to direct conflict with increased pedestrian/cycle flow on Gipsy Hill Lane to the east of site and with residents of the Lane;
- there will be an adverse impact on the E3 and E4 cycle lanes which are part of the strategic cycle network;
- proposals do not include any improvements to Pinn Lane or any improvements to the frontage to Gipsy Hill Lane which is east of the site access;
- the absence of street lighting is a significant hazard to road safety during the dark and poor weather;
- limited access for emergency services and the Devon and Somerset Fire and Rescue Authority expressed concerns regarding access to the area in respect of two previous planning applications and access by blue light services will therefore be difficult especially during busy periods;
- the Grenadier Road roundabout and the Business Park area are notably busy during rush hour and many employees from the Park return home to Pinhoe etc via this area;
- the access scheme supported by the Local Highway Authority is not acceptable and the overall design is fudged; and
- application should be deferred

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

- the circulated technical assessment from a transportation planning consultant sets out flaws in the mitigating measures and highway conditions proposed and the proposals with the current development do not provide any improvements to the previous applications;
- highway conditions are inadequate to accommodate this development;
- Pinn Lane is only traffic free route out of city. It is also very narrow and unlit, so it would be very dangerous to allow access to cars without proper pavements, cycle lanes and lighting. Similarly Gipsy Hill lane is unsafe;
- Inaccurate traffic flow statistics on provided by the Highway Authority;
- inappropriate use of both the developer contribution of £100,000 to provide a segregated pedestrian/cycle path to Pinn Lane and CIL monies for a new 3.5m wide cycle path through the site;
- opportunities for sustainable transport have not been taken up with an absence of facilities on both sides of the site, Gipsy Hill Lane to the east of the site access and Pinn lane south of its junction with Gipsy Hill Lane; and
- a safe access route for all road users is not provided as part of this development and the existing deficiencies along Pinn Lane will be exacerbated.

In response to the comments that there would be no improvements to Pinn Lane, the Principal Project Manager confirmed that the developer would pay a contribution of £100,000 to fund a segregated pedestrian/cycle path to Pinn Lane, in addition to CIL.

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

- principle of developing this site was previously established through outline permission for 62 dwellings with subsequent reserved matters, both of which were approved by this Committee. Unfortunately, these permissions lapsed due to viability problems;

- the 62-dwelling proposal comprises a site re-plan which seeks to overcome significant issues. This is a difficult site and the applicant has worked closely with officers for 10 months;
- Exeter currently has a serious shortfall in housing supply which this proposal can help address. Other benefits will be 14 affordable dwellings, 5,000 square metres of public open space, 42 new trees and hedge planting, a new 3.5 metre wide shared pedestrian/cycle path parallel to Gipsy Hill Lane, the widening of Gipsy Hill Lane to 4.8 metres between the access and Pinn Lane;
- a £100,000 contribution for a pedestrian/cycle path to Pinn Lane and CIL revenue of over £900,000 with New Homes Bonus paid in addition;
- Pinn Lane will be closed to vehicles north of Gipsy Hill Lane to prevent vehicle conflict with pedestrians and cyclists;
- worked closely with County to ensure that flood risk will not increase; and
- aspirations of the Council's Design Guide are met. Built forms are simple and unpretentious, with an appropriate scale and use of materials.

A Member stated that many residents of Pinhoe were opposed to the over development of Monkerton and in the Station Road area with some 2,000 more properties set to be delivered and reiterated the concerns relating to the exacerbation of existing highway problems. He believed that the wrong highway solution was being proposed.

Other Members recognised that the highway issues and associated access to the site were not ideal but that, given the site history and previous approvals, it would be appropriate to support the application. Of concern also was the limited offer of affordable housing with Members also referring to the frustration they felt that an agreement could not be reached with a landowner over a small area of land the release of which would offer a better solution to access and highway issues generally in this area.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 requiring the provision of 14 affordable units and the other planning obligations in the report as well as appropriate conditions, the details to be delegated to the City Development Manager, following prior consultation with Chair of this Committee, including a condition requiring commencement of the development within two years, planning permission for the construction of 62 dwellings with associated public open space, infrastructure and landscaping be approved, subject also to the following conditions:-

146

PLANNING APPLICATION NO. 18/0221/FUL - LAND WEST OF CUMBERLAND WAY, HOLLOW LANE

The Principal Project Manager (Development) (MD) presented the application for construction of care facility (66 beds) with associated means of access, access road, car parking, landscaping and associated infrastructure. He stated that the access to Cumberland Way would cross a shared pedestrian/cycle path and necessitate the relocation of a bus shelter.

Since the drafting of the report, comments on the conditions had been received from the applicant. The requests to amend conditions 3, 5 and 6 slightly were supported by officers, but the requests to amend conditions 8, 10, 13 and 14 including changing BREEAM excellent to very good were not supported.

The recommendation was for approval, subject to the conditions as set out in the report with the amendments to conditions 3, 5 and 6 requested by the developer.

RESOLVED that planning permission for construction of care facility (66 beds) with associated means of access, access road, car parking, landscaping and associated infrastructure be **APPROVED**, subject to the following conditions:-

- (1) **Standard Time Limit – Full Planning Permission**
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 comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).
- (2) **Approved Plans**
The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:
 - Location Plan 1:1250
 - Draft Site Plan (05/08/2017 01)
 - Proposed Plans (05/08/2017 02)
 - Elevations Sheet 1 (05/08/2017 03)
 - Elevations Sheet 1 (05/08/2017 04)
 - Landscape Scheme (314.1 Rev 0)
 - Preliminary Access Design Option 1 (162471_PHL_01 Rev F)**Reason:** To ensure the development is constructed in accordance with the approved plans.
Pre-Commencement Details
- (3) **Cycle Parking 1**
Notwithstanding the approved plans in condition 2, prior to the commencement of the development hereby permitted, other than preliminary groundworks and drainage works, details of the location and design of cycle parking for staff as well as showers, lockers and space to dry clothes for staff shall be submitted to and approved in writing by the Local Planning Authority. These details shall be provided in the development as approved.
Reason: To accord with paragraph 5.3.1 of the Sustainable Transport SPD in the interests of sustainable transport. These details are required pre-commencement as specified to ensure that these facilities are provided in the building.
- (4) **Surface Water Drainage Management System (Construction)**
No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to and approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site. The approved surface water drainage management system shall be implemented and maintained throughout the construction period.
Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area. (Advice: Refer to Devon County

Council's Sustainable Drainage Guidance.) These details are required pre-commencement as specified to ensure that an appropriate drainage system is provided for the construction stage.

- (5) **Detailed Permanent Surface Water Drainage Scheme**
Prior to the commencement of the development hereby permitted, other than preliminary groundworks, a detailed permanent surface water drainage scheme for the development shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The scheme shall accord with the proposed drainage strategy in the submitted Floor Risk Assessment & Drainage Strategy Rev A (Clancy Consulting, 29.01.2018) (Ref. 8/1683), subject to the submission of further details to address the matters raised in the Lead Local Flood Authority consultation response (14.03.2018), unless an alternative sustainable drainage system is agreed with the Local Planning Authority in consultation with Devon County Council as the Lead Local Flood Authority. The scheme shall include a detailed plan showing the size and location of all parts of the surface water drainage system, and confirm the make and specification of any attenuation features (including the outfall and discharge rate). It shall also include the arrangements for ongoing maintenance and the management responsibilities for all parts of the site's surface water drainage system. The development shall not be occupied until the surface water drainage scheme has been completed as approved and it shall be continually maintained thereafter in accordance with the approved details. (Any soakaways shall be designed in accordance Building Research Establishment Digest 365, and evidence that trial holes and infiltration tests have been carried out in the same location as the soakaways must be provided.)
Reason: To manage water and flood risk in accordance with Policy CP12 of the Core Strategy, Policy EN4 of the Exeter Local Plan First Review and paragraph 103 of the NPPF. These details are required pre-commencement as specified to ensure that an appropriate drainage system is provided for the development and there will be no increased risk of flooding to surrounding buildings, roads and land.
- (6) **Ambient noise levels from transport sources**
Prior to the commencement of the development hereby permitted, other than preliminary groundworks and drainage works, an Acoustic Design Statement shall be submitted to and approved in writing by the Local Planning Authority. Any necessary mitigation measures required shall be implemented in full prior to occupation of the development, and maintained thereafter. (Advice: The Professional Practice Guidance Note (ProPG): Planning and Noise for New Residential Development May 2017 (ANC, IoA and CIEH) describes the expected content and approach of an Acoustic Design Statement.)
Reason: In the interests of residential amenity. These details are required pre-commencement as specified to ensure that any mitigation measures are incorporated into the construction of the building.
- (7) **District Heating Network**
Unless it is demonstrated in writing prior to commencement that it is not viable or feasible to do so, the building comprised in the development hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that its internal systems for space and water heating are capable of being connected to the proposed decentralised energy (district heating) network. Prior to occupation of the development, the

necessary on-site infrastructure, including appropriate space for plant and machinery, shall be put in place for connection of those systems to the network at points at the application site boundary agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposal complies with Policy CP13 of the Core Strategy and paragraph 96 of the NPPF, and in the interests of delivering sustainable development. If it is demonstrated that it is not viable or feasible to construct the building in accordance with the CIBSE Heat Networks Code of Practice, this information must be provided to the Council prior to commencement of the development because it will affect the construction of the building.

(8) BREEAM

Unless otherwise agreed in writing by the Local Planning Authority the building hereby approved shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if commenced on or after 1st January 2019. Prior to commencement of development of the building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be written by a licensed BREEAM assessor which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required by this consent the developer shall provide prior to the commencement of development of the building details of what changes will be made to the building to achieve the minimum standard, for the approval of the Local Planning Authority to be given in writing. The building must be completed fully in accordance with any approval given. A BREEAM post-completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

Reason: To ensure that the proposal complies with Policy CP15 of the Core Strategy and in the interests of delivering sustainable development. The design stage assessment must be completed prior to commencement of development because the findings may influence the design for all stages of construction.

(9) Construction Method Statement

No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- (a) The site access point(s) of all vehicles to the site during the construction phase.
- (b) The parking of vehicles of site operatives and visitors.
- (c) The areas for loading and unloading plant and materials.
- (d) Storage areas of plant and materials used in constructing the development.
- (e) The erection and maintenance of securing hoarding, if appropriate.
- (f) Wheel washing facilities.
- (g) Measures to control the emission of dust and dirt during construction.
- (h) No burning on site during construction or site preparation works.
- (i) Measures to minimise noise nuisance to neighbours from plant and machinery.

- (j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason: To ensure that the construction works are carried out in an appropriate manner to minimise the impact on the amenity of neighbouring uses and in the interests of the safety and convenience of highway users. These details are required pre-commencement as specified to ensure that building operations are carried out in an appropriate manner.

(10) Waste Audit Statement

Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document.

(11) Tree/Hedgerow Protection Measures

No development (including ground works) or vegetation clearance works shall take place until fences have been erected and any other protection measures put in place for the protection of trees and/or hedgerows to be retained around the site boundary in accordance with a Scheme which has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall be prepared in accordance with British Standard BS 5837:2012 (or any superseding British Standard). The fences and any other protection measures required in the approved Scheme shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by the fences.

Reason: To protect the trees and hedgerows to be retained around the site boundary, particularly fronting Cumberland Way, in the interests of the amenities of the area and biodiversity, in accordance with Policy LS4 of the Exeter Local Plan First Review and the Trees in Relation to Development SPD (September 2009). These details are required pre-commencement as specified to ensure that trees and hedgerows to be retained are not damaged by building operations or vegetation removal, including their biodiversity interests.

During Construction

(12) Unsuspected Contamination

If, during development, contamination not previously identified is found to be present at the site then the Local Authority shall be notified as soon as practicable and no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted an investigation and risk assessment, and where necessary a remediation strategy and verification plan, detailing how this unsuspected contamination shall be dealt with. Thereafter and prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved

remediation strategy, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise contamination risks to future users of the site and surrounding land, including controlled waters, and to ensure the development can be carried out safely.

Pre-Specific Works

(13) Materials

Prior to the construction of the external walls of the building hereby permitted, samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

Reason: In the interests of design and the character of the area, in accordance with Policy CP17 of the Core Strategy, Policy DG1 of the Exeter Local Plan First Review and paragraph 58 of the NPPF.

(14) Building Details

Prior to the construction of the external walls of the building hereby permitted, details of the following, including confirmation of colour, shall be submitted to and approved in writing by the Local Planning Authority:

- (1) External doors
- (2) Windows, including depth of reveals
- (4) Rain water goods
- (5) Fascia, soffit and barge boards

The building shall be constructed in accordance with the approved materials/details.

Reason: In the interests of design and the character of the area, in accordance with Policy CP17 of the Core Strategy, Policy DG1 of the Exeter Local Plan First Review and paragraph 58 of the NPPF.

(15) Bird Boxes

Prior to the construction of the external walls of the building hereby permitted, details of the provision for nesting birds (e.g. swifts, sparrows and/or house martins) shall be submitted to and approved in writing by the Local Planning Authority. The details shall be fully implemented as part of the development and retained thereafter.

Reason: To enhance biodiversity (taking into account the recommendations of the submitted Ecological Assessment).

(16) External Lighting

No external lighting shall be installed on the site or on the building hereby permitted unless details of the lighting have previously been submitted to and approved in writing by the Local Planning Authority (including location, type and specification). The details shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details.

Reason: To ensure lighting is well designed to protect the amenities of the area and wildlife.

Pre-occupation

(17) Detailed Landscaping Scheme

Prior to the first occupation or use of the development hereby permitted, a Detailed Landscaping Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of hard and soft landscaping, including all boundary treatments. Where applicable, it shall specify tree and plant species and methods of planting. The hard landscaping shall be constructed as approved prior to the occupation/use of the development. The soft landscaping shall be planted in the first planting season following the occupation/use of the development or completion of the development, whichever is the sooner, or in earlier planting seasons wherever practicable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of good design in accordance with Policy DG1 of the Exeter Local Plan First Review and paragraph 58 of the NPPF.

(18) Landscape and Ecological Management Plan (LEMP)

Prior to the first occupation or use of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be prepared in accordance with the specifications in clause 11.1 of BS 42020:2013 (or any superseding British Standard) and shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) On-going monitoring and remedial measures for biodiversity features included in the LEMP.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery.

All post-construction site management shall be undertaken in accordance with the LEMP.

Reason: In the interests of biodiversity and good design in accordance with Policy CP16 of the Core Strategy, Policies LS4 and DG1 of the Local Plan First Review and paragraphs 58, 109 and 118 of the NPPF.

(19) Travel Plan

No part of the development shall be occupied until a Travel Plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. Thereafter the recommendations of the Travel Plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.

Reason: To encourage travel by sustainable means, in accordance with Policy T3 of the Local Plan First Review and the Sustainable Transport SPD.

(20) S278 Agreement

The development shall not be occupied or brought into use until a Section 278 Highways Agreement has been entered into in order to secure the necessary works to the public highway. The s278 works shall include, but not be limited to: further details of the proposed vehicle access/raised crossing on Cumberland Way and further details of the relocated bus stop/shelter on Cumberland Way. The works shall be implemented prior to the occupation/use of the development.

Reason: To ensure safe and suitable access is achieved for all users, and to protect the function of the cycle route along Cumberland Way.

(21) Car Parking Provision

No part of the development shall be occupied until all of the car parking spaces and access thereto shown on the approved plans have been provided and made available for use. The car parking spaces shall be kept permanently available for parking and access purposes thereafter.

Reason: To ensure that adequate off-street parking and access thereto is provided and kept permanently available for use in the interests of highway safety and to protect the amenities of the neighbourhood.

(22) Cycle Parking 2

The development shall not be occupied or brought into use until the four cycle loops shown adjacent to the disabled parking spaces on the approved Draft Site Plan have been provided.

Reason: To accord with the Sustainable Transport SPD in the interests of sustainable transport.

INFORMATIVES:

(1) Although not matters contained within the scope of this application, the applicant should be advised to contact the Commercial Section of Environmental Health Services (01392 265148) in order to ensure that the following items will comply with all relevant British Standards, Regulations and guidance:

- Food safety issues - design and layout of the kitchens including fixtures, fittings, storage and ventilation.
- Adequate provision of WCs.

(2) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

147

PLANNING APPLICATION NO. 18/0729/RES - EXETER BUS AND COACH STATION, PARIS STREET

The Principal Project Manager (Development) (HS) presented the application for pedestrian access ramp linking Bampfylde Street to 'Street C', temporary gates and bin store for use by the bus station (Parcel B). The ramp would provide access to the leisure centre without going through the bus station concourse and was necessary during the period when the Leisure Centre and Bus Station had been

completed but the remainder of the site was not. Responding to a Member, he described the precise location of the gates that would be locked when both bus station and leisure centre were both closed to prevent antisocial behaviour.

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

RESOLVED that planning permission for pedestrian access ramp linking Bampfylde Street to 'Street C', temporary gates and bin store for use by the bus station (Parcel B) be **APPROVED**, subject to the following conditions:-

- (1) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 4 May 2018 (dwg. nos. (08)021, (08)022, (08)023, and (08)024) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.

- (2) The gates hereby approved shall only be secured closed if the Bus Station (parcel B) and leisure Centre (parcel L) are both closed to users.

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

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

149 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

150 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party will be held on Tuesday 10 July at 9.30 a.m. The Councillors attending will be Bialyk, Denham and Lyons.

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

Chair

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LICENSING COMMITTEE

29 May 2018

Present:

Councillor Keith Owen (Chair)

Councillors Sheldon, Foale, Hannan, Holland, Mitchell, Sills, Warwick and Wright

Also present:

Environmental Health and Licensing Manager, Litigation Solicitor, Principal Licensing Officer and Democratic Services Officer

10 **Minutes**

The minutes of the meeting held on 27 March 2017 were taken as read and signed by the Chair as a correct record.

11 **Declarations of Interest**

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

12 **Proposal to introduce an updated Gambling Act 2005 Statement of Licensing Policy**

The Principal Licensing Officer presented the report that sought to review the current gambling statement of Licensing Policy, with a legal requirement for it to be reviewed every three years. The existing policy had been brought into effect in January 2016 and been well received. The review is to be undertaken before January 2019. The draft policy attached to the report would form the basis of the consultation in order to ensure that the Council carried out its responsibilities in relation to the legislation in a consistent manner and provided detail on how the Council would approach its enforcement duties.

In response to questions from Members, the Principal Licensing Officer responded:-

- It was anticipated that there would be additional amendments from Central Government after the consultation period in relation to fixed odds betting terminals;
- Although, there were minimal changes to the policy, there would be a focus on addressing the issue of Licensed betting shops in deprived areas;
- There were more than 20 licensed betting outlets in Exeter, which included betting shops and bingo halls.

RESOLVED that the Committee supported the recommendation to consult on the Gambling Act 2005 Policy Review and authorised the consultation process.

13 **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 1 of Part I, Schedule 12A of the Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

14 **Application for Consent to Street Trade in Heavitree Park**

The Chair introduced the Committee and set out the procedure. The Litigation Solicitor set out the Council's policy and the requirements under the Local Government (Miscellaneous Provisions) Act 1982.

The Principal Licensing Officer, presented the report advising the Committee that Mr B was seeking approval to engage in street trading in Heavitree Park for a 12 month period, operating from 9am and 5pm, seven days per week from Monday to Sunday. The applicant would be selling hot and cold drinks, cakes and biscuits, ice cream and bacon rolls from a catering van. The seating area would cover a total area of approximately 4.5m x 6m with a gazebo cover. No representations had been received and the Council's Environmental Health department had issued the applicant with a 5 star rating at its last inspection of the catering van on 29 March 2016.

The Principal Licensing Officer referred to the recommended conditions, also requesting that Members give approval for licensing officers to undertake a site visit in order to select an appropriate location for the van to operate from. Additional recommendations had been requested from the Council's Public and Greenspace Manager, which had been forwarded to the Members. The proposed additional conditions were explained.

Mr B was attendance with Mr H, a representative from Heavitree Park Life, and spoke in support of the application. The van would be in place until the proposed Park Life café was constructed and opened. Planning permission had recently been granted. Mr B stated that the tarmac area by the tennis courts would be a suitable area for the van to operate from, unless it was designated as a pathway. Mr H explained that Park Life was creating community events in the area and the van would support community events and the café business plan. Mr B explained that he would not operate the business during the winter months and requested the licence be granted for 8 months rather than 12 months as specified in the application.

The Environmental Health and Licensing Manager recommended a larger space be agreed and that the proposed opening hours commence at 0800 hours. The Committee gave approval to the proposal that the Licensing officers and Health and Safety Manager visit the site in order to agree a suitable location for the van.

The applicant requested that the fee payable for the street trading consent be reduced or waived. The Litigation Solicitor explained that the Licensing Committee did not have power to agree to a reduction or waiver of the fee as the fees were set by full Council. The applicant could consider making an application to the Council for a grant to cover the cost of the fee.

In response to questions from Members, Mr B and Mr H responded:-

- The volume of customers was expected to remain steady throughout the day, and they would aim to ensure that queues were kept to a minimum;
- There would be additional pastries provided for vegetarian customers and the bacon sandwiches would be removed from the proposed menu;
- There would be bins on site. However they would undertake litter collection;
- The generator would run at 54 decibels, which would make less noise than the standard 90 decibel generators and would not impact the nearby residents.

RESOLVED that the application be approved with the following conditions:

- a. That the consent should not exceed 4.5 meters by 6 meters;
- b. That the pitch should be located to allow sufficient space for vehicular access should it be required. The exact location would be agreed by the Environmental Health and Licensing Manager;
- c. In the event that issues do arise from this consent, then they should be referred back to the Licensing Committee at the first available opportunity;
- d. That all of the conditions contained within Appendix A of the Street Trading Policy dated June 2015 should be included on the consent;
- e. That the consent holder will provide a bin for customer use and that the consent holder will ensure that any rubbish in the vicinity (within 100m of the business), emanating from the business is cleared away at regular intervals;
- f. The use of A boards and flags is prohibited;
- g. The consent holder will not conduct fly posting;
- h. Any cutlery, food/ drink containers, and drinking straws used should not be made from single use plastics;
- i. That the Consent run annually from 1st March to 31st October between the hours of 0800 hours and 2000 hours;
- j. A Risk Assessment in relation to the use of the vehicle within the park be carried out in conjunction with the Council's Environmental Health and Licensing Manager;
- k. That provision be made to provide adequate measures in order to prevent the leakage of oils, lubricants and any other substance from the vehicle and generator during the periods when it is within the park;
- l. That the vehicle be parked off the paths at all times;
- m. No damage to be caused by the van, generator or gazebo to the grassed areas. All damage to be repaired and/or reinstated by the Operator.

The meeting commenced at 5.40 pm and closed at 6.50 pm

Chair

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PEOPLE SCRUTINY COMMITTEE

Thursday 7 June 2018

Present:

Councillor Wardle (Chair)
Councillors Foale, Holland, Owen, Pattison, Pierce, Robson, Vizard N and Wright

Apologies:

Councillor Foggin

Also present:

Director (BA), Environmental Health and Licensing Manager, Planned Repairs Lead, Housing Solutions Lead, Principal Accountant Corporate, Technical Accounting Manager and Democratic Services Officer

In attendance:

Councillor Emma Morse	- Portfolio Holder for People
Councillor Hannah Packham	- Portfolio Holder for the Housing Revenue Account
Councillor Phil Bialyk	- Portfolio Holder for Health and Wellbeing, Communities and Sport

19

MINUTES

The minutes of the meeting of People Scrutiny Committee held on 12 March 2018 were approved and signed by the Chair as correct.

20

TASK AND FINISH GROUPS

The Chair requested Members to advise the Scrutiny Programme Officer of any potential topics for consideration by a Task and Finish Group.

21

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

22

WHAT IS CITIZENSHIP - ACCESSIBILITY AND INCLUSION

The Chair welcomed Sally O'Donnell, Sophie Holmes and Robert Hawken to the meeting.

Robert Hawken, Engagement Officer and Co-Chair of the Devon Learning Disability Partnership Board and Sophie Holmes, the Senior Commissioning Officer and Co-Chair of the Devon Learning Disability Partnership Board made a joint presentation on citizenship. They spoke about the work of the Board in partnership with stakeholders and its support of the challenges faced by adults with a learning disability to lead fulfilling and rewarding lives with the same opportunities as everyone else. The presentation included details of the seven key themes around citizenship as well as details of a web site for more general information on welfare reform:-

www.centreforwelfarereform.org a free on-line resource from The Centre of Welfare Reform Limited

Robert Hawken referred to the importance of understanding the challenges that people with learning and other disabilities had. He detailed the numbers of people with a Learning Disability in Devon, which was estimated to be 14,720. Of that number, approximately 3,238 people with a learning disability were known to services, although that did not mean they were all receiving services from Devon County Council. He added that, of the overall number, 11,482 people with a learning disability living in Devon relied on being able to access Universal Services in their communities to live their life, but that being able to access community life was important to their long term independence and wellbeing reducing the need for a call on the statutory services.

Mr Hawken explained that following changes to the Disability Living Allowance he had been offered a position by Devon County Council as an engagement officer, as well as holding a position as a Co-Chair of the Devon Learning Disability Partnership Board. He explained that the job had enabled him to earn his own money, gain new skills, make new friends and have a sense of purpose. He finished the presentation by stating that Citizenship was for everyone, it was about celebrating differences, being a member of the community and enabling all to fulfil their potential in life.

Responding to Members he felt that improvements could be made to improve accessing information for the disabled such as easier to read literature and he undertook to feed back to the City Council any improvements he could identify in its services from the point of view of the disabled.

Sophie Holmes referred to a Ready When You Are Campaign to be shortly launched focussing on employers across Devon as part of a five year Strategy including consideration of apprenticeships for individuals with learning disabilities with ongoing dialogue with other large employers as well as regular engagement with Job Centre Plus, all with a view to assist individuals with disabilities gain experience in the workforce. It was important to encourage as many businesses to get on board.

The Chairman thanked Robert Hawken and Sophie Holmes for their informative presentation and hoped that the City Council would assist with their ongoing work.

ITEMS FOR DISCUSSION

23

HOUSING REVENUE ACCOUNT - 2017/18 BUDGET MONITORING REPORT - OUTTURN

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 31 March 2018 in respect of the Housing Revenue Account (HRA) 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.

The 2017/18 financial year had ended with an overall net surplus of £1,644,790. This represented a movement of 4,132,405 compared to the budgeted deficit of £2,487,615 with, most notably, £2,700,000 attributable to delays with the St Loyes Extra Care Scheme.

A projected under-spend of £3,667,716 had previously been reported to Scrutiny Committee - People as part of the quarterly budget monitoring updates. The

variances in the final quarter of the financial year had therefore resulted in further savings of £464,689, of which Executive approval to carry forward £335,000 into 2018/19 would be sought.

The total amount of HRA capital expenditure for 2017/18 was £6,264,876, which equated to 84.5% of the revised approved capital programme.

In respect of a Committee Member's questions submitted in advance of the meeting, the Planned Repairs Lead reported a total budget variance of over £200,000 in the out-turn compared with the expectation three months earlier and that this reflected a lower than expected number of empty properties such as at Rennes House and Laings properties and delays in the rollout of the Universal Credit Full Service. Rental income from dwellings was monitored by officers on a fortnightly basis, but the total for the year was not fully known until the accounts were closed due to the impact of delays in planned capital works and the fortnight free periods late in the financial year - one at Christmas and one at the end of March. For this reason, the rental income from dwellings was reported to committee as a budgetary risk throughout the year, as a minor percentage budget variance resulted in a significant amount of money against a £19 million budget. Regarding the forecast variance of £20,000 at quarter three, the Technical Accounting Manager advised that this figure related to rent from garages rather than rental income from dwellings, as this could be quantified with reasonable certainty.

The Planned Repairs Lead provided updated statistics on the backlog of repairs. The contract had 18 months to run and he and the Director (BA) confirmed that officers were in regular contact with representatives of Mears in monitoring the work and that a meeting had recently been held with the Regional Director of Mears. There was a shortage of relevant skilled workers in Exeter and Mears had recently sent one of their teams based in Milton Keynes to assist in reducing the backlog.

In respect of the sheltered housing at Nelson Close, Topsham, the Local Member stated that residents had been concerned about maintenance issues and the Planned Repairs Lead undertook to investigate this further as well as assess conditions generally on site. He also confirmed that a focus group meeting had been held at the Nelson Close community room in April when residents had raised a number of issues in relation to repairs and maintenance, an increased presence on site of the Police Community Support Officers etc. As a result, an 18 point action plan had been drawn up and repairs etc. were now being instigated.

The Director (BA) advised Members that savings identified in housing assets and training in respect of the housing management system were due to post vacancies and staff recruited who had yet to start. Responding to a Member, she undertook to ensure that timetable details were provided on the four HRA estates within the estate regeneration programme.

The Technical Accounting Manager advised that the report design was to be revised following on from a recent meeting of the Financial Reporting Task and Finish Working Group.

People - Scrutiny Committee noted the report.

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 2018 in respect of People - Scrutiny Committee. An outturn

update in respect of the People Capital Programme was also incorporated in the report in order to help provide a comprehensive financial update in respect of the People - Scrutiny Committee budgets.

It was noted that the final outturn had been calculated and the report highlighted the major differences by management unit from the approved annual budget after adjusting for supplementary budgets. The total variance for the year showed a deficit of £449,548 after transfers from reserves. This represented a variation of 15.36% from the revised budget.

The People Capital Programme showed a total spend of £959,437 in 2017/18 with £408,823 of the programme deferred until 2018/19.

Responding to a Member, the Environmental Health and Licensing Manager stated that the change in the operation of the Disabilities Facilities Grant through the introduction of the Better Care Fund had resulted in funding increasing from £350,000 per annum to £680,000 in 2017/18 and was likely to increase further to some £800,000. This was allowing the Council to be more innovative in its approach to grant spending of the Council's Better Care Fund Allocation.

The People - Scrutiny Committee noted the report.

ITEM FOR CONSIDERATION BY THE EXECUTIVE

25

FINANCIAL ASSISTANCE POLICY FOR THE BETTER CARE FUND

The Environmental Health and Licensing Manager presented the report setting out a revised Financial Assistance Policy under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to ensure policies were in place to maximise grant spending of the Council's Better Care Fund Allocation. It was noted that the policy had been developed by both the County and District Councils to ensure a consistent approach across Devon.

The report set out the impact of increased Government Funding for Disabled Facilities Grants, administered through the Better Care Fund. The Council was now able to broaden its ability to support those disabled persons who fell out of the mandatory Disabled Facilities Grant system by providing financial assistance to undertake preventive measures to reduce hospital admissions and reduce delayed hospital discharges and by working in collaboration with health services to provide funding to remove housing related obstacles preventing discharge.

Better Care Fund money could be used to assist disabled residents to remain in their own homes through supporting the provision of adaptations, safeguard the health and well-being of vulnerable residents by removing unnecessary hazards in the home, provide adaptations and assist vulnerable people to afford to heat their homes through appropriate energy efficiency and heating measures.

The Environmental Health and Licensing Manager responded as follows to Members' queries:-

- the Government had changed the funding mechanisms in an attempt to bring health and social care together in an integrated way with a key aspect being to ensure, as far as possible, that vulnerable individuals could remain safe and healthy in their homes thus reducing the burden on social services and the NHS;
- the funding was primarily for Disabled Facilities Grants but could be used flexibly to meet the Better Care Fund objectives. The 2017/18 allocation for the

City Council was £660,128 with the 2018/19 allocation likely to be around £800,000 which included the underspend money from the previous year;

- the Accessible Homes Grant enabled an enhanced offer in addition to the Mandatory Disabled Facilities Grant. For example, topping up a mandatory grant where the cost of the work exceeded £30,000 - possibly up to £50,000 and funding works beyond the scope of a Disabled Facilities Grant to make a property safe for the disabled occupant; and
- individuals were largely identified from home visits by adult and children social care staff. The City Council also identified those requiring assistance, for example, many mobile homes were of a poor standard and 25% had received grants for insulation and boiler replacement. Contributions were also being made in respect of properties found to be in a poor/squalid condition.

People - Scrutiny Committee noted and supported the report and recommended Executive to:-

- (1) approve the proposed Financial Assistance Policy in order to ensure increased funding provided via the Better Care Fund would be delivered to those who had not previously been able to obtain financial assistance;
- (2) recommend Council to approve the proposed Financial Assistance Policy in order to ensure increased funding provided via the Better Care Fund would be delivered to those who had not previously been able to obtain financial assistance; and
- (3) request Executive to recommend that Council adopt the Financial Assistance Policy.

ITEMS FOR INFORMATION ONLY

26

IMPLEMENTATION PLAN AND IMPACT OF THE HOMELESSNESS REDUCTION ACT

The Interim System Lead - Housing Needs presented the report summarizing the main changes and measures being introduced as part of the Homelessness Reduction Act 2017 (which had come into effect on 3 April 2018) and updated on the implementation of measures, challenges and impact for the Council in meeting the legal requirements of the Act (HRA 2017) to date.

The Act placed more emphasis on homelessness prevention activities by placing new legal duties on local authorities to provide meaningful support to everyone who was homeless or at risk of homelessness. A more robust approach was required and, once a local authority was satisfied that someone was eligible for assistance and homeless or threatened with homelessness, an assessment would be carried out including the circumstances that had caused homelessness/potential homelessness, the housing and other support needs of the applicant and their household and a personalized plan (PHP) setting out steps for the applicant and the Council to take to ensure accommodation is secured and/or retained.

He responded as follows to Members' queries:-

- the additional staff being recruited to the team comprised of approximately six full time and three part time staff across advice and prevention, temporary accommodation and resettlement;
- direct enquiries regarding homelessness could be made at the Civic Centre with the relevant duty officer and/or an appointment made for an interview and

advice was also available over the phone - 265726 or by email housing.advice@exeter.gov.uk;

- the Government had made £70 million available to help address homelessness nationwide, much being taken up by the London authorities. The City Council had adopted a preventative approach to service delivery over recent years and had provided additional resources to assist with the transition to the new requirements;
- the Act gave applicants the right to request a review of decisions made by the local authority. It was anticipated that the greatest number of requests would be in respect of initial decisions that the applicant was intentionally homeless which would enable housing to be provided during a review and on the content of the Personal Housing Plan. Other reviews could be in respect of the steps set out in assessment plans, giving notice to withdraw prevention or relief duties and the suitability of accommodation offered; and
- in respect of severe weather conditions, additional support was being given to Gabriel House to provide emergency bedding during the winter. A bid had also been submitted to the Government for revenue support towards a Night Shelter for the six month period, October to March, which would have a similar or improved capacity than the Safe Sleep initiative.

People Scrutiny Committee noted the progress and actions undertaken to date and further plans to develop the service in accordance with the Act.

27

PERFORMANCE SCRUTINY PARTNERSHIP - MINUTES OF THE MEETING HELD ON 19 FEBRUARY AND 12 MARCH 2018

In respect of a Committee Member's questions submitted in advance of the meeting relating to an advertising leaflet to be used in helping recruit new members and in respect of the number of Performance Scrutiny Partnership (PSP) members etc. the Portfolio Holder for the HRA providing the following information:-

- there were currently four members of the PSP with the possibility of one more joining in the near future. The quorum was three;
- the leaflet had been produced with the involvement of the PSP themselves in both the design and content and was handed out to all new tenants when they sign their tenancy agreements with Lettings Officers. Housing Officers also distributed them during their regular tenancy audit visits,
- a recruitment video had been produced that could be accessed via Facebook and Facebook was regularly used to advertise the PSP,
- a recruitment letter was sent to all tenants with annual rent statements;
- regular articles included in issues of Insight, the tenant and leaseholder quarterly newsletter; and
- the first information/training sessions for all new Exeter City Council tenants would be held in September giving officers the opportunity to explain exactly what being a tenant means in terms of the benefits and responsibilities on both sides and to explain services offered. The work of the PSP would also be raised.

Further methods would be looked into on how the Council could become more accessible and relevant. A review was to be undertaken of the approach to resident involvement and community development and the resources needed to deliver a modern approach and this was to be undertaken through the Housing Tenant Involvement Task and Finish Group.

People - Scrutiny Committee noted the minutes of the meetings of the Performance Scrutiny Partnership of 19 February and 12 March 2018.

**EXETER COMMUNITY, HEALTH AND WELLBEING BOARD - MINUTES OF THE
MEETING HELD ON 26 FEBRUARY 2018**

People - Scrutiny Committee noted the minutes of the meeting of the Exeter Health and Wellbeing Board of 26 February 2018.

(The meeting commenced at 5.30 pm and closed at 7.17 pm)

Chair

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PLACE SCRUTINY COMMITTEE

Thursday 14 June 2018

Present:

Councillor Sills (Chair)
Councillors Wood, Begley, Lyons, Mitchell, Pattison, Prowse and Robson

Apologies:

Councillor Keen

Also present:

Director (DB), Chief Finance Officer, Environmental Health and Licensing Manager, Service Manager, Community Safety & Enforcement, Skills Officer, Growth and Enterprise Project Officer, Scrutiny Programme Officer and Democratic Services Officer (SLS)

In Attendance:

Councillor Philip Bialyk	- Portfolio Holder Health and Wellbeing, Communities and Sport
Councillor David Harvey	- Portfolio Holder Place and Commercialisation
Councillor Rachel Sutton	- Portfolio Holder Economy and Culture
Councillor Keith Owen	- Member attending Under Standing Order 44, and as Chair of the Green Travel (IKEA) Task and Finish Group
Councillor Greg Sheldon	- Chair of the Green Travel (Policy) Task and Finish Group

20

MINUTES

The minutes of the meeting of Place Scrutiny Committee held on 8 March 2018 were approved and signed by the Chair as correct.

21

TASK AND FINISH GROUPS

The Chair requested Members to advise the Scrutiny Programme Officer of any potential topics for consideration by a Task and Finish Group.

22

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

23

PRESENTATION GIGABIT BROADBAND VOUCHER SCHEME

The Growth and Enterprise Project Officer set out the detail of the Government's Gigabit Broadband Voucher Scheme, with £67 million available from the Productivity Fund for small to medium sized businesses to apply for up to £3,000 of funding. Residents were also able to apply for funding of up to £500 as long as they were linked to a business application. Details of the scheme were available via

Twitter, Facebook, LinkedIn, promotional literature as well as a number of promotion and marketing events taking place. He urged Members to share details of the scheme wherever possible.

A Member sought clarification over the criteria of a small to medium sized business. The Growth and Enterprise Project Officer advised that the definition of a small or medium sized business (SME), included up to 250 employees, along with turnover not exceeding £40 million. Businesses based in residential premises could also apply. He responded to a number of Members' questions which included a maximum of a three year life cycle of funding. He also addressed a specific query relating to a Member who had intended to use his own County Council Locality funding to match fund residents' contribution to boost their broadband in his ward and reiterated that both an existing small business or resident were eligible to apply for funding, thereby reducing the overall contribution.

The Chair thanked the Growth and Enterprise Project Officer for the presentation.

24

REVIEW OF ENVIRONMENTAL HEALTH AND LICENSING STATUTORY SERVICE PLAN 2018/19

The Environmental Health and Licensing Manager presented a report and sought approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2018/19, which 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.

The Environmental Health and Licensing Manager highlighted some of the challenges his team had faced during 2017/18:-

- 534 food inspections with 96% targeted for inspection 96% achieved despite the corporate restrictions and changes of personnel within the team.
- a high number of sampling was undertaken with 52% of the 147 food samples taken being found to be unsatisfactory or borderline.
- 4,465 requests for the service including food safety, health and safety regulation, infectious disease control, air quality, environmental permitting, contaminated land, licensing and antisocial behaviours, statutory nuisance as well as staff supporting health promotion and training activities.
- 342 antisocial behaviour cases, with a further 59 more complex cases which were all very time consuming for the service.
- good levels of compliance of CCTV coverage which became mandatory in all Exeter Hackney Carriage vehicles.

He also highlighted several of the priorities for 2018/19.

In response to Members' questions, the Environmental Health and Licensing Manager stated that:-

- the government has changed the requirements for mandatory licensing for properties in Multiple Occupation (HMO) from 1 October 2018. The change removes the three floors requirement which means that all properties that are rented have five or more occupants from two or more households will be licensable.
- the recent Air Quality consultation exercise had been one of the most successful engagement exercises in terms of responses received. Once the responses had been assimilated it was also anticipated that the results of

the consultation on the Air Quality Action Plan would come back to this Scrutiny Committee in November 2018.

- a report presenting the annual monitoring report on air quality with data covering a number of years will be presented to the Scrutiny Committee meeting in September. This report (as in previous years) details the monitoring locations and additional monitoring locations that have been added.

Place Scrutiny Committee supported and requested Executive to recommend approval by Council of the Statutory Service Plan 2018/19, and the Environmental Health and Licensing Manager be authorised to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

25

CLEAR STREETS CHARTER

Councillor Owen attended the meeting Under Standing Order 44.

The Director (DB) presented a report and proposed the introduction of a Clear Streets Charter for Exeter. The Charter would demonstrate the commitment of Exeter City Council and Devon County Council to work together to ensure that the built environment of the City, was as safe as possible for everyone but in particular those affected by sight loss or mobility problems.

Councillor Owen welcomed the ethos and aims of the Charter and referred to his past involvement as a Portfolio Holder. He commented on his experiences with representatives from the Royal National Institute for the Blind, which had included a 'blind tour', when he became acutely aware of the potential hazards on the city's footpaths. Exeter City Council had a responsibility to consider such issues during all planning, decision making and operational tasks including licensing, and refuse collection. However the management of ensuring that the streets remained free of temporary obstacles and obstructions fell to the Highway Authority. He had also accompanied a Local Highway Officer visiting local businesses to offer advice or seek the removal from any obstruction and there were occasions when there was a level of challenge. He hoped that the Charter would offer the necessary support.

The Director responded to a number of Members' comments including:-

- noting the suggestion that street bollards could emit an alarm on approach or be individually decorated to improve their visibility as part of a sponsorship with local businesses. The Director advised that he would look into the suggestions.
- parking on footways was difficult to enforce under existing legislation but following new legislation in Scotland, where enforcement is proposed for any motorist parking on pavements, it may be only a matter of time before this was taken up in the rest of the UK. He thanked a Member for some background information on Section 30 of the Exeter City Council Act 1987, prohibiting parking vehicles on verges, central reservations and footways in a number of Exeter's streets.
- the Charter set out the need to proactively encourage residents to consider how they presented their bins and the responsibility for the bins to be replaced back on the property where possible. He did refer to enforcement action and education which could be used for individuals who repeatedly left their bins out on the city's pavements.
- the Charter had to progress through Devon County Council's Committee cycle, before it could be signed and enacted.

The Director requested a Member to forward the details of an issue of overgrown vegetation in a back alley so that ownership and responsibility for maintenance could be established.

Place Scrutiny Committee requested that Executive fully support the Clear Streets Charter and its aims.

26

PARKING BACK OFFICE AGENCY AGREEMENT

The Service Manager Community Safety & Enforcement presented a report which sought approval from Executive for Devon County Council to provide a Parking Back Office function to the Authority under an agency agreement. He advised that in return for providing this service, Devon County Council would take up operational occupation of empty office space at the John Lewis car park. He responded to a number of questions relating to the Department for Transport Statutory Guidance and would ensure that an audit trail was in place. He would clarify the arrangements to ensure that the change to the Agency Agreement which commenced in 2014 were also included in the Council's Constitution.

Place Scrutiny Committee requested Executive approval for Exeter City Council to enter into a five year agency agreement with Devon County Council to provide a Parking Back Office function.

27

MANAGING HARBOUR AUTHORITY RESPONSIBILITIES

The Service Manager Community Safety & Enforcement presented a report which set out the options for discharging the Council's Harbour Authority duties to an appropriate standard as soon as was practically possible. He confirmed that the area of responsibility spanned from the Blackaller Weir to the 'Safe Water Mark', one mile out to sea off Exmouth Beach. This also included a duty of care to users of the Estuary, ensuring preventative and reactive maintenance of buoys and navigational aids for safe navigation as well as working with other bodies such as Natural England and the Environment Agency to support their activities in respect of conservation and the environment. The proposed appointments for Harbour Master and two Harbour Patrollers would help to raise the Harbour Authority's profile in the Estuary as well as offering an education and enforcement role in response to an increased level of anti-social behaviour of a minority of water users. He also welcomed the opportunity to explore the future role of the Authority with a range of stakeholders, including the Port User Group.

He responded to a Members' comment and stated that, historically the Port of Exeter had been able to collect a levy from commercial vessels, but current use was almost wholly recreational and leisure use. There was currently no opportunity to levy Harbour dues from any non-commercial vessel or receive any contribution from neighbouring District authorities. It was noted that the buoy-store at Exmouth Marina provided a valued on-site presence for the Estuary.

The Chief Finance Officer also responded to a Member and stated that although substantial savings had to be found by Exeter City Council, there was a strategic responsibility to ensure safe navigational passage for vessels. The Director (DB) advised that the anticipated experience of the proposed appointments would also seek to strengthen the overall Waterways team.

Following discussion, the Service Manager Community Safety & Enforcement agreed to arrange a site visit of the area covered for Members.

Place Scrutiny Committee supported approval by the Executive of the following:--

- (1) the creation of a new Harbourmaster post within the Waterways establishment and recruit a suitably experienced and qualified candidate to the role;
- (2) the creation of two new Harbour Patroller posts within the Waterways establishment and recruit suitably experienced and qualified candidates to the roles;
- (3) to ensure compliance with the Port Marine Safety Code the Harbourmaster be designated as the 'Duty Holder' in respect of the Port of Exeter and the Constitution be amended accordingly; and
- (4) options for a Harbour Revision Order are explored with the Port User Group.

28

BUDGET MONITORING 2017/18 (OUTTURN)

The Chief Finance Officer presented the report which advised Members of any material differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2018 in respect of Place Scrutiny Committee. An outturn update in respect of the Place Capital Programme was also incorporated into this report in order to help provide a comprehensive financial update in respect of the Place Scrutiny Committee Budgets. It was noted that the final outturn had been calculated and the report highlighted the major differences by management unit from the approved annual budget after adjusting for supplementary budgets. The total variance for the year showed a surplus of £1,110,199 after transfers from reserves. This represented a variation of 16.36% from the revised budget, which included supplementary budgets of £632,000 already agreed by Council. A brief description of the variations including the delay in the transfer of the Countryside Recreation Service to Devon Wildlife Trust was given.

The Director (DB) provided the following information seeking further clarification on individual budgets:-

- the Refuse Collection Team had to play catch up following the unforeseen and exceptional snowfalls earlier in the year, and additional staff involved had resulted in an additional £11,000 expenditure.
- a volatile recycling market had meant a lower than anticipated income had been disappointing. However, there had been some success with working in cooperation with the neighbouring local authorities of Teignbridge and Mid Devon to process their mixed recycling with a share of the income.

Members were impressed by the dedication and commitment of the staff at Exton Road.

The Chief Finance Officer advised that the Place Capital Programme showed a total spend of £2,784,623 in 2017/18 with £312,730 of the programme deferred until 2018/19. He also responded to a Member's query and stated that money identified for deferred schemes would remain in the Council's reserves until required, and requests for a supplementary budget would be presented to Members as and when they were required. He added that a Section 106 contribution was included as part of the Salmon Pool play areas and Arena Skate Park schemes.

Place Scrutiny Committee noted the report.

BUILDING EXETER

The Skills Officer presented a report which set out the detail of the Building Exeter initiative to help connect local people with employers in the construction and built environment sector, including the engagement of training providers and education. This will support the reduction of the growing skills gap by ensuring there are enough skilled people across the whole of the construction sector in Exeter, and benefit local employment from the development growth that was already taking place or was planned.

It was anticipated that, as part of the initiative, the Construction Industry Training Board (CITB) Client Based approach could be rolled out for all developments over the value of £1m, within the geographical boundaries of Building Exeter. Informal discussions had already taken place with construction companies located in and around Exeter, training providers and the CITB, with a number already expressing an interest to be part of this initiative in Exeter.

Building Exeter has three key objectives and area of work including:-

- Inspiring the future workforce through an effective engagement programme with schools and young people;
- Support for employers by facilitating recruitment to existing vacancies through upskilling and reskilling; and
- Support the adoption of the National Skills Academy for a Construction Model through the Client Based approach.

The Chair referred to his role as the Member Champion for Young People and welcomed this initiative to retain and upskill talent in the city.

Place Scrutiny Committee supported the following:-

- (1) development of a framework to launch Building Exeter within Exeter, which improves skills within the construction sector in Exeter and provides opportunities for those wishing to enter the sector;
- (2) that existing financial resources of £15,000 per year for two years (£30,000 in total) from the Growth & Enterprise budget be earmarked, which subsequently funds a 2 year fixed term temporary post and a programme of activity. The remainder of the costs of the post (salary and on-costs) and programme of activity to be secured from other organisations and businesses;
- (3) adoption of the (CITB) Client Based Approach for all developments over the value of £1m within the geographical boundaries of the project; and
- (4) provide support, advice and guidance to the team managing the procurement of the new bus station and St Sidwell's Point in ensuring a Client Based Approach is included in contracts.

**UPDATE ON THE EXETER AND HEART OF DEVON (EHOD) SHARED
ECONOMIC STRATEGY 2017-2020**

The report of the Inward Investment Manager was presented which updated Members on the progress made with regard to the first year of the Exeter and Heart of Devon (EHOD) Shared Economic Strategy and a way forward for the next 12 months. It was noted that the Inward Investment Manager would also continue to work collaboratively with the neighbouring local authorities of East Devon, Mid Devon and Teignbridge on the shared objectives within the Strategy. The focus of work would be on supporting the growth of the Exeter economy, due to expanse of the Exeter Travel to Work Area.

Place Scrutiny Committee noted the report.

GREEN TRAVEL (POLICY) TASK AND FINISH GROUP

Councillor Sheldon, as the Chair, presented the findings and recommendations of the Green Travel (Policy) Task and Finish Group to the Place Scrutiny Committee. He referred to the Group's objective specifically in relation to the City Council's policy relating to transport and the environment and also in connection with planning applications. He stated that a main aim had been to highlight the importance of travel plans being in place as part of any prospective or impending planning applications. The Group had established the importance of working more closely with site developers during the determination period to ensure a culture of green travel was encouraged in their travel plans.

The Scrutiny Programme Officer and facilitator for the Task and Finish Group confirmed the process to identify the membership of the constituted group.

Place Scrutiny Committee noted the following:-

- (1) the principle of a best practice guidance note to accompany the Sustainable Transport Supplementary Planning Document be supported;
- (2) the re-launch of the Sustainable Transport Supplementary Planning Document in conjunction with a best practice guidance note subject to further Committee approval; and
- (3) acknowledge and support the suggestions contained within this report aimed to enhance and improve collaborative working between Exeter City Council, key partners and organisations.

GREEN TRAVEL (IKEA) TASK AND FINISH GROUP

Councillor Owen, as the Chair presented the findings and recommendations of the Green Travel (IKEA) Task and Finish Group to the Place Scrutiny Committee. He thanked the Members and Officers for their involvement and also the Scrutiny Programme Officer as facilitator for the Group. Members had welcomed the opportunity to study IKEA's Green Travel Plan, which on the face of it, adopted a very formulaic approach. The discussions complimented the Policy Green Travel Task and Finish Group and identified the need for more detailed and better quality green travel plans going forward through the planning process. It was recommended that certain larger scheme green travel plans should be particularly considered and commented upon at Planning Member Working Group meetings or Delegated Briefings. It was also logical that the Exeter Highways and Traffic Orders Committee should be invited to consider and comment upon proposed green travel

plans for larger schemes. This suggestion, alongside an update on the work of the Task and Finish Group, would be discussed at their next meeting.

The Scrutiny Programme Officer responded to a Member's comment about the availability of assistance in respect of creating green travel plans, and toolkits were available on a variety of web sites to assist businesses in tailoring requirements for suitable green travel plans. The County Council's Travel Devon Coordinator was also available to offer advice and was already working with businesses.

Place Scrutiny Committee noted the following:-

- (1) a review of the performance of the IKEA Green Travel Plan be made in 12 months' time;
- (2) request for early discussion of Green Travel Plans for larger schemes at Planning Member Working Group or at Delegated Briefing be made as appropriate; and
- (3) Green Travel planning should be incorporated into the yearly Planning Induction Training for Councillors.

33

EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE MINUTES

The minutes of the Exeter Highways and Traffic Orders Committee (Devon County Council) held on 18 May 2018 were circulated for information.

The Chair highlighted the successful arrangement of a pilot to trial a bus service from the city centre to the Quay on a Friday and Saturday evening and all day on Sunday. The pilot involved the extension of the H Bus service and would run for six months and commence in July until Christmas.

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

Chair

CORPORATE SERVICES SCRUTINY COMMITTEE

Thursday 28 June 2018

Present:

Councillors Warwick, (Chair for the meeting) Hannan, Holland, Musgrave, Thompson, Vizard M, Wood and Wright

Apologies:

Councillor Sheldon

Also present:

Chief Executive & Growth Director, Chief Finance Officer, Corporate Manager Democratic and Civic Support, City Surveyor, Environmental Health and Licensing Manager, Shadow Director (Development), Policy Officer (MP-J) and Democratic Services Officer(SLS)

In Attendance:

Councillor Rachel Sutton

- Portfolio Holder Economy and Culture and Deputy Leader

Roli Martin

- Head of Strategic Partnerships, Exeter City Futures

17

MINUTES

The minutes of the meeting held on 22 March 2018 were approved and signed by the Chair as correct.

18

DECLARATIONS OF INTERESTS

The Chief Executive & Growth Director declared a disclosable pecuniary interest in respect of the item on the formation of a Development Company (Minute 25) as he advised that he was currently a Director of the companies and withdrew from the room whilst this was discussed.

19

SUSTAINABLE FINANCING MODEL FOR EXETER INFRASTRUCTURE

The Chief Executive & Growth Director presented the report which sought Member support for the opportunity to explore solutions to the structural challenges of building in the city through a new sustainable financing model. The report set out the benefits, as well as the risks and mechanics of a collaboration to create a City Development Fund as a means of financing and delivering future developments in the Greater Exeter region and within the city. This model would be unique as it was not in existence anywhere else in the UK.

Exeter's development outcomes, faced issues which included congestion, a lack of available and affordable housing, with planning locked and land values stalled. Although Exeter was not alone, it was felt that the existing development model was under a high level of strain with a divergence between financial gains by developers and housing that would benefit the residents of Exeter. The creation of a financing

and delivery model would help to disrupt the current housing market, increase the supply of housing and consider how to solve the fundamental problem. The private sector currently financed the majority of developments in Exeter, controlling both the timing of the city's developments and what was delivered. A pooled financial source would strengthen assets, allow delivery at a set pace and reduce the financial cost of such projects.

The Head of Strategic Partnerships at Exeter City Futures, Roli Martin, was also at the meeting. He said that there would be an opportunity with the additional financing mechanism to replicate the opportunity afforded to the private sector. He responded to a Member's comment of the varying influence of the stakeholders. The Chief Executive & Growth Director explained that the City Council had entered into joint ventures in the past that had been successful such as the development of Princesshay and there were other examples of working with private developers. However, strategic joint ventures had their challenges.

In response to questions from Members, the Chief Executive & Growth Director explained that the Fund could not only be used for residential housing development but also for wider commercial development and complement the City Council's direct role in delivery in a controlled way. There would also be an opportunity to work with a range of stakeholders with significant strategic sites in the city including the University of Exeter and also the NHS and, if the assets were brought together under a single development programme and funding structure, the aggregate asset pool would create greater financial power and borrowing capacity to deliver larger scale developments at pace.

It was noted that a Member's Briefing would be held to provide further detail.

Corporate Services Scrutiny Committee noted the report and requested Executive to approve the following:-

- (1) officers to commit support, time and energy into exploring the benefits, risks and mechanics of a collaboration in a City Development Fund as a means of financing and delivering future developments in the Greater Exeter region and within the city. Developments would embrace innovative solutions and a fresh approach to the procurement process to successfully compete with the scale and agility of private sector development funds;
- (2) the City Council would encourage other public sector institutions within the city to commit resources to exploring the proposal for a City Development Fund;
- (3) the Fund would operate and be governed under the following four key principles: -
 - the Fund would be publicly owned and controlled by Exeter's public-sector institutions;
 - the Fund would be impact driven and have place-making as its goal. All developments would be measured for success on the basis of long term impact, outcomes and social benefit;
 - be professionally run by an experienced team of fund and asset Directors; and
 - all excess profits from developments would be kept within the Fund and recycled back into Exeter developments.

OVERVIEW OF REVENUE BUDGET

The Chief Finance Officer presented the report which advised Members of the overall financial position of the Housing Revenue Fund (HRA) & General Fund Revenue Budgets for the 2017/18 financial year. The report sought approval for the General Fund working balance, HRA working balance, supplementary budgets and the creation of new earmarked reserves. The HRA Outturn Statement depicted an increase in the working balance of £1,644,790, which was now set at £10,212,244. This was a significant variance from the proposed reduction to the balance of £2,487,615 at the start of the year. He explained that the General Fund budget had an under spend of £1,222,566 against a revised budget of £14,315,240. A number of supplementary budgets totalling £1,880,480 had been requested as part of the 2018/19 budget. He drew Member's particular attention to the delay in finalising the arrangements for the transfer of the longer term management of Exeter's valley parks to the Devon Wildlife Trust, which required the budget to be carried forward. He also referred to the movement of the earmarked reserves for 2017/18 and provided an update on the Debt Write offs figure, which had increased due in part to the increased number of general household debt and insolvency and bankruptcy cases.

Corporate Services Scrutiny Committee noted the report and requested the Executive note and Council note and approve (where applicable):-

- (1) the net transfer of £2,419,076 from Earmarked Reserves as detailed in paragraph 8.3.6;
- (2) supplementary budgets of £1,880,480 as detailed in paragraph 8.3.8;
- (3) Earmarked Reserves at 31 March 2018;
- (4) the Council Tax account and collection rate;
- (5) the outstanding sundry debt, aged debt analysis and debt write-off figures;
- (6) the creditor payments performance;
- (7) having regard to the overall financial position of the Council, the General Fund working balance of £4,692,404 as at 31 March 2018; and
- (8) the Housing Revenue Account working balance of £10,212,244 and the Council Own Build working balance of £256,943 as at 31 March 2018.

CAPITAL MONITORING 2018/19

The Chief Finance Officer presented the report which advised Members of the Council's overall financial performance of the Council's capital programme for the 2017/18 financial year, and sought approval for the 2018/19 revised capital programme, including commitments carried forward from 2017/18. He explained that all local authorities were required to estimate the total of capital expenditure that it planned to incur during the financial year and which showed that asset management and capital investment strategies were affordable and sustainable. Capital expenditure was a significant source of risk and uncertainty since cost variations, delays and changing specifications were connected to large and complex capital projects. The revised Capital Programme of £12,986,130 and expenditure in 2017/18 amounted to £10,331,102, and represented 79.6% of the revised Capital Programme. A sum of £2.323 million had been identified and would need to be carried forward to be spent in future years. A further funding request for an additional £40,000 was made as part of a replacement lift programme of works at Mary Arches Street Car Park. Advice from a specialist consultant was that a more robust solution was needed.

The report also set out the expenditure variances and schemes to be deferred to 2018/19 and beyond.

Corporate Services Scrutiny Committee noted the report and requested Executive and Council approve the following:-

- (1) overall financial position for the 2017/18 annual capital programme; and
- (2) amendments and further funding request to the Council's annual capital programme for 2018/19.

22

BUDGET MONITORING 2018/19

The Chief Finance Officer presented the final outturn report for 2017/18, and advised Members of the material differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2018 in respect of the Corporate Services Scrutiny Committee. The total variance for the year showed a surplus of £962,348, after transfers from reserves, which represented a variation of 12.37% from the revised budget and included supplementary budgets of £573,430 already agreed by Council.

The Chief Finance Officer highlighted two significant variations including an underspend relating to Corporate Property assets where it had not been possible to complete some works this year. Strata had also achieved greater savings than had been anticipated due to not recruiting to vacant posts in order to address the increase in savings required for 2018/19. He responded to a Member's comments about an upgrade of the Council's telephony system which was currently undergoing a scoping exercise, as part of the final element of IT convergence across the three local authorities. He also referred to the challenges of the development of Strata and following the appointment of a new IT Director, he was pleased to report that the results had revealed a high level of staff satisfaction. He would share the staff survey and also invited the Member to contact him if he required any further information.

The Chief Finance Officer also responded to a Member's comment on his role as a member of the Strata Board and confirmed that this was not co-dependent on his role at the City Council.

Corporate Scrutiny Committee noted the report.

23

TREASURY MANAGEMENT 2017/18

The Chief Finance Officer presented the report on the overall performance for the 2017/18 financial year, and the position regarding investments and borrowings at 31 March 2018. The report, which was a statutory requirement, set out the detail of investments made and levels of borrowing by the City Council, which had been undertaken in accordance with the Council's approved Treasury Management Practices. He also discussed the Treasury Management Strategy, which had been approved by Council on 20 February 2018, which set out that the investment strategy to continue to hold only small surplus funds and to seek to utilise its Call Accounts, Money Market Funds, using the Government's Debt Management Office. The Council's borrowing strategy was to manage short term borrowing as long as interest rates remained low. He also referred to Council approval to invest in the Local Authority Property Fund as a long term commitment. The report detailed the Council's investment as at 31 March 2018.

The Chief Finance Officer highlighted a fixed term deposit relating to Guildford Borough Council which had exceeded the level set out in the Treasury Management

Strategy made available to a lower tier authority. Colleagues in Internal Audit had been made aware. He responded to a Member's enquiry and confirmed that following a review of the brokering arrangements, the loan would remain as the local authority was considered to be a low risk and was due to be repaid later this year. He also responded to the Member and advised the inclusion of the Property Fund fluctuation in the Council's Risk Register was not at this moment necessary as there was a statutory override to protect the Council, but if this changed then it should be included.

Corporate Services Scrutiny Committee noted the Treasury Management report for the 2017/18 financial year and recommended approval by Executive and Council.

24

FORMATION OF A DEVELOPMENT COMPANY

The Chief Executive & Growth Director declared an interest and withdrew from the room whilst this matter was discussed. It was noted that he was named as Director but would soon be replaced to prevent any conflicts of interest ahead of the development company trading should Members approve the request.

The Shadow Director presented the report which sought Member's approval for the establishment of a group of wholly-owned Council companies to be collectively known as Exeter City Group Ltd (ECG). The four companies would be comprised as follows:-

- Exeter City Group Ltd – (the holding company);
- Exeter City Living Ltd – (the development company);
- Exeter City Homes Ltd – (the residential property company); and
- Exeter City Living Property Ltd – (the commercial property company).

The Shadow Director confirmed that Exeter City Homes Ltd and Exeter City Living Property Company Ltd would not be in operation until approval was received from Council to be able to operate based upon sound and viable business cases. The structure would be made up of Exeter City Council Group Ltd (the holding company) with the three subsidiaries operating under the parent company. The Council would own 100% of the shares in Exeter City Group Ltd and 100% in all of the subsidiaries. She explained the reasons for setting up the ECG, which included the acute need for housing where home ownership was out of the reach for many local people and private rents were increasing; and, although the demand for affordable homes had grown, existing approaches to the building of new housing were increasingly not delivering affordable homes of the type and quality required by the city's residents. The City Council sought to deliver more affordable homes themselves through developing new council homes through the HRA but this was not enough to meet the housing need. Finance available to the HRA in terms of borrowing had been capped preventing new council homes being built. More than 150 local authorities had created a wholly owned housing company and the Government supported local authorities in establishing such companies to provide well designed high quality homes in a range of tenures.

The report set out the strategic and Year One business case and included the structure, governance and operational arrangements which had been designed with the assistance of external legal support. A Steering Group had been set up to ensure the Council's interest for retaining the necessary level of control over ECG, and the need to ensure that it had the autonomy to carry out the proposed actions in the Year One business case. The group consisted of the Leader and Deputy Leader of the Council, Portfolio Holder for Economy, Culture and Chair of Planning, Portfolio Holder for Housing and Revenue Account, Portfolio Holder for City

Transformation, Energy and Transport, Portfolio Holder for People. The Group also included City Solicitor, Head of HR Services and the Chief Finance Officer. The governance structure also included the appointment of shareholder representation to support the Council and scrutinise and manage its interests as a shareholder. A key responsibility of the Shareholder Representative's Group would be to review the draft annual business case and recommend approval of the final business case to Members. The report also included the detail of the Management Agreement which provided detail of the contractual relationship between the Council and the Group of Companies, and the process for developing, reviewing and formally adopting the business case each year.

The first business case for 2018/19 would require an investment of £4.35 million in order to deliver its first year activities, and include the purchase of HRA land and start the on-site construction of 44 new homes along with office, staff and operational costs. It also included the costs for establishing a pipeline of further development sites for consideration in its second year business case. In addition to this funding, Members would be asked to consider earmarking a further sum of £499,999 from the Council reserves to allow the Shareholder Representative to agree additional expenditure outside of the agreed Business Case in accordance with the Shareholder Representative Delegated Powers document which was attached as an appendix to the report. A comprehensive Risk Register had also been prepared within the Business Plan with an evaluation of all of the risks and any measures to mitigate that risk. The respective Group Company Boards would individually and collectively maintain the risk registers to monitor and manage any risks associated with the business activity.

The Corporate Manager Democratic Services and Civic Support responded to a Member's comment on the interest declared by the Chief Executive & Growth Director and clarified that the future sole Director would be able to participate fully in all discussions at Committee.

A Member commented on the vision for the Exeter Living Company to "work with Exeter City Council and others to build more and better homes to address local housing need and contribute positively to Exeter" as set out in the report and commented on the 35% limit of affordable homes to realise a developer's usual 20% profit target. The Shadow Director stated that there was full access to the development application of the sites with the premise that ECG should remain financially viable and raise only minimal profit.

A Member also voiced his general support for the scheme, but was concerned that the overall premise was to offer social housing, rather than for business opportunity and he commented on the decision making process going forward. He wanted to ensure that Year One business case would be credible.

The following responses were given to Members by the Shadow Director:-

- the maximum partnership was in relation to the Council's position as a Registered Provider and to the Business Plan, which included all works conducted exclusively with public sector finance. Some sites on a larger scale may be considered as part of a joint-venture opportunity, but not in Years 1 or 2 and only when in the best interest of the Council.
- staff employed as part of the Exeter City Group (ECG) and would not be working exclusively for the company, but be seconded from the City Council. Their participation would be determined by role and job description. The Managing Director of ECG would have a legal obligation to act in the best

interests of the Company. The Managing Director will work closely with the Shareholders Representative and Shareholder Representative Group who will be assisting in setting the strategic direction of the Company and overseeing the operational running of the Company. The Business Case documentation includes a Management Agreement which specifically sets out the relationship and obligations between the Development Company and the Council, this provides clarity in terms of the Council's control over the Development Company's activities and also states what standards the Development Company should conform to such as ensuring that there is no net loss of social rent homes over a business plan period.

- the Year One Business Case will be for the open market but in the future a business case will be developed for houses to be delivered for market rent and retention by the City Council. There was no currently no intention for ECG to develop any commercial build.
- three of the four sites were open for market sale with sites in Anthony Road, Bovemoors Lane, Thornpark Rise, and five shared ownership units in Hamlin Gardens. These sites had planning approval and full consultation had taken place with the existing tenants.
- there would be no social rent build in the first year, but funds would be set aside for future site delivery in excess of hundred new homes to include the 35% level of affordable housing with the remainder for social rent. There was a greater need for social rent, than shared ownership and the Steering Group had set tight constraints for what housing could be brought forward.
- the viability of the development was necessary to develop a creditable business case for open market housing to cross subsidise other sites for future development by ECG.
- local authorities had to be mindful of state aid rules in respect of the company. ECG would be offered a loan facility at a commercial rate. Staff, all on costs and services provided would be charged at the market rate to ensure that the projects remained within state aid rules.

Members suggested the following additional recommendation that a Registered Provider of Social Housing (RP) will be developed to take ownership of any social housing created as a result of Exeter City Living Ltd works, subject to a satisfactory business case demonstrating the RP's viability being developed. The Registered Provider would be established and functional in advance of the availability of the social housing. The two work streams to be linked to ensure appropriate staging would coincide. The Chief Finance Officer advised that the City Council would not be able to set up organisations without assessing the viability or any potential impact on the Council.

Corporate Services Scrutiny Committee noted the report and requested Executive recommend Council approval for the following:-

- (1) the establishment of Exeter City Group Ltd and Exeter City Living Ltd;
- (2) that whilst Exeter City Homes Ltd and Exeter City Living Property Ltd have already been registered at Companies House, no approval was being sought

for the Companies' activities as their financial impact on the Council had not yet been assessed;

- (3) the Year One Business Case at Appendix A to be implemented by Exeter City Living Ltd for the period August 2018 to the end of March 2019;

Members suggested the following additional recommendation -

- (4) a Registered Provider of Social Housing (RP) will be developed to take ownership of any social housing created as a result of Exeter City Living Ltd works, subject to a satisfactory business case demonstrating the RP's viability being approved by the Council. The Registered Provider would be established and functional in advance of the availability of the social housing. The two work streams to be linked to ensure appropriate staging would coincide;
- (5) a loan of £4.35 million pounds to Exeter City Living Ltd in order to implement and complete the year one Business Case set out in Appendix A;
- (6) the Management Agreement set out in Appendix B;
- (7) delegated authority to the Director (David Bartram) to agree any necessary amendments to the Management Agreement in consultation with the Leader of the Council, the Chief Finance Officer and the appropriate three Portfolio Holders (currently the Portfolio Holder for Place and Commercialisation; the Portfolio Holder for Economy and Culture and in addition the Portfolio Holder Housing Revenue Account) and three Members of Scrutiny as appropriate;
- (8) the Articles of Association for Exeter City Group Ltd and its subsidiary companies as set out in Appendix C;
- (9) delegated authority to the City Solicitor & Head of Human Resources in consultation with the City Surveyor to sell at open market value any council owned land identified in the Year One Business Case; and
- (10) delegated authority to the appropriate Director (currently David Bartram) to act in the role of Shareholder Representative and to undertake the activities and decisions as identified in the Shareholder Representative Delegated Powers Document (Appendix D), including the ability to financially commit up to £499,999 funding for use by Exeter City Living Ltd for matters not in the Year One Business Case (August 2018 – end March 2019).

25 **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, Appendix E on the grounds that it included the likely disclosure of exempt information as defined in paragraph 3, of Part 1 of Schedule 12A of the Act.

26 **EXETER CITY GROUP LTD BUSINESS CASE - APPENDIX E**

The Shadow Director presented detail of Appendix E which included the financial element of the Business Case and other information of a commercial sensitive nature in relation to the formation and operation of Exeter City Living Ltd.

27 **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 not excluded during consideration of the following items on this agenda.

28

EQUALITY AND DIVERSITY POLICY

The Policy Officer (MP-J) presented the report which sought approval for an updated Equality and Diversity Policy which provided a clear framework for the council to meet its legislative duties. Executive approved the current Equality and Diversity Policy in November 2016 and following a review to ensure the document was up to date, an amendment had been made with the additions of sections 7.16 to 7.21, which related to accessible services and information.

A number of actions had also been agreed including:-

- training to ensure that Equality Impact Assessments were carried out correctly,
- revision of the Committee reporting template to ensure that a separate section is included on equality and diversity,
- development of a mechanism to identify the need for Equality Impact Assessments in tandem with the General Data Protection Compliance (GDPR) requirement for a Privacy Impact Assessment,
- a breakdown of protected characteristics in the Joint Strategic Needs Assessment, and
- a refresh of the Council's equality objectives as part of the development of the Corporate Plan.

Corporate Services Scrutiny Committee noted the updated Equality and Diversity Policy report and requested approval by the Executive.

29

REVISED EXETER CITY COUNCIL HEALTH & SAFETY POLICY

The Environmental Health and Licensing Manager presented a revision of the Council's Health and Safety at Work Policy. The document reflected the changes to the Council's structure, also to take account of changes to legislation and best practice for all of the Council's activities and performance in health and safety in the work place. The revision of the document emphasised more clearly the Council's corporate aim to be an exemplar of health and safety at work to ensure that staff and also Members were placed in a better position. The Policy was also presented in a new format and offered a clearer guidance for all employees.

Corporate Services Scrutiny Committee noted the report and requested Executive and Council to note, and approve the revised Health & Safety Policy.

30

HEALTH AND SAFETY REPORT 2017

The Environmental Health and Licensing Manager presented a report which detailed the Council's activities and performance in health and safety in the work place during 2017. He stated that the Council's ambition was to maintain and advance its positive health and safety culture by creating an environment with fairness and clear lines of responsibility at its core.

The Environmental Health and Licensing Manager responded to Member's comments on the previous spend on health and safety and the protection afforded

to staff who faced attacks when carrying out their daily duties. The new culture of health and safety under the strategic leadership of the Director (JY) incorporated a reformed Corporate Health and Safety Committee with all members of the Senior Management Board and Representatives Committee including representatives from all departments and union safety representatives and provided a forum for staff to raise any concerns as part of a responsible and efficient culture. He also responded to a Member's comments on the Council's approach to portable appliance testing (PAT) and the potential for 'robot' grass cutting on steep gradients, and provided an update on the progress made with checking all electrical equipment in the Civic Centre and satellite offices. A contractor had been appointed to carry out PAT testing and they had made rapid progress having finished their inspections at the Civic Centre and moved to other external location areas with a range of action undertaken to ensure compliance. Certainly mechanical grass cutting would be desirable for steep gradients.

The City Surveyor also responded to a Member's comment on the stance taken by the Police at recent incidents at Eastern Fields in Pinhoe, and stated that police did not routinely attend such instances as a general rule.

Corporate Services Scrutiny Committee supported the report and requested Executive to recommend Council approval of the revised Health and Safety report for adoption.

31

RENEWABLES AND ENERGY PROGRAMME UPDATE

The City Surveyor presented the report which provided an update on the Renewables and Energy Efficiency Programme, including income generation, energy and carbon savings, as well as feasibility work for new projects to commence in 2018/19. He highlighted a number of projects the Energy team had been working on including the progression of a European Regional Development Fund (ERDF) grant to support smart grid systems and the benefits of battery storage, on sites on Clapperbrook Lane and the Livestock Centre. New LED lights had also been installed at Princesshay 3 Car Park.

Data for the Council's Annual Greenhouse Gas Emissions for 2017 was now available and reflected further reductions in energy consumption and total carbon emissions which were detailed in an appendix to the report. Total CO2 emissions had illustrated a 25% reduction in emissions from buildings and 34% in emissions from transport since 2012. Energy consumption at the Civic Centre had also reduced by 36% and was a clear endorsement of the benefits of a combination of Solar PV, energy saving LED lights, hand dryers and a more efficient gas boiler. The Energy Strategy target of a 50% energy reduction in energy consumption and carbon emissions by 2022 was still achievable if invested in. He also drew attention to the new savings and income streams made in energy by the City Council of £1.5 million since 2012.

Corporate Services Scrutiny Committee noted the report and the energy saving progress made to date, income and savings generated up to April 2018, and projects planned for the Renewables and Energy Efficiency Programme.

32

MEMBERS ALLOWANCES PAID 2017/18

The Corporate Manager Democratic and Civic Support presented the report on the allowances paid to Elected Members in 2017/18, as the Council had a statutory obligation to publish all allowances paid, and expenses claimed by Members each

financial year. In response to an observation from a Member, he would clarify the detail for the Travel and Subsistence claims made.

Corporate Services Scrutiny Committee noted the report and the allowances paid and expenses claimed by Members in 2017/18.

(The meeting commenced at 5.30 pm and closed at 7.40 pm)

Chair

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STRATA JOINT SCRUTINY COMMITTEE

Thursday 31 May 2018

Present:-

Councillors Dewhirst, Haines, Lyons, Prowse, Dent, Jung and Pierce

Also Present

Strata IT Director, Head of Strata Business Systems, Head of Compliance and Security, Manager Document Processing, the Strategic Lead Finance and Democratic Services Officer (Committees) (HB)

1 **ELECTION OF CHAIR**

Councillor Haines of Teignbridge District Council was confirmed as Chair for the next 12 months.

2 **MINUTES**

The minutes of the meeting held on 30 November 2017 were approved and signed by the Chair as correct.

3 **DECLARATIONS OF INTEREST**

No declarations of interest were made.

4 **QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES**

None

5 **QUESTION FROM MEMBERS OF THE COUNCILS UNDER PROCEDURE RULES**

None

6 **STRATA IT DIRECTOR'S REPORT**

The Strata IT Director presented the report on the last five months of activity at Strata, the aim being to provide background to the core areas of specialisation within Strata and identifying key activities, successes and areas for improvement. The report covered Financial Management, BCR's and Projects, Service Desk, Global Desktop Environment and Supplier Management to which changes had been made as Strata moved from the Adopt/Adapt phase into the Transformation phase. Key performance indicators were also provided covering incidents, service requirements, security, problems, maintenance and business change requests.

He highlighted the following key areas:-

- better financial management had enabled Strata to deliver savings in excess of target. Savings of £575,000 had been delivered back to the three authorities against a target of £262,000, representing 215%, achieved through more proactive engagement between each of the Strata service lines and the City Council finance team. Staffing costs remained stable and costs associated with temporary contracts had reduced;

- a new post of a Supplier Manager - Andrew Woodhouse - had been created to better negotiate renewal of contracts to ensure Strata delivered against the 2018/19 savings target and a Project Manager - Chris Cook - had also been recruited working under the Manager Business Systems;
- the Global Desktop Improvement Programme (GDIP) had improved the overall performance of the Desktop environment and, during the period of adverse weather, had enabled the three authorities to continue to deliver services even with each HQ closed;
- the Global Desktop environment investment programme enabled progress with the Business Continuity programme and ensured that, in the event of a major incident, Strata could fail over the key/core applications required by the three authorities to the secondary Data Centre facility;
- a Joint IT Steering Group had been created to help prioritise project and business change request work across all three authorities;
- customer satisfaction remained high with all service incidents logged through a centralised service desk function in Exeter. In April, 432 responses had been received, comprising 430 positive responses, 11 neutral responses and 11 negative responses i.e. 94 % satisfaction. Neutral or negative replies had been followed up to identify areas of improvement;
- introduction of the Out of Hours service had been very successful now formalised for a 12 month period;
- high staff morale with Strata attracting and retaining high calibre staff;
- a business intelligence unit had been established which would enable the development of a data analysis capability to support the trend in 'Big Data';
- GDPR had increased and there was a high demand on Strata time to support the three authorities to ensure compliance;
- three new apprentices joined in September and it was the intention to recruit three more from South Devon College; and
- Strata continued to deliver a good level of service to the three authorities as identified by the Devon Audit Partnership and the level of savings delivered back to the three authorities was well in excess of that originally predicted with customer satisfaction scores high.

The following responses were given to Members' queries:-

- the lead in time to appoint the Supplier Manager was because of a number of factors including the resolution of a Human Resources matter and the first successful applicant having previously accepted the position then turning it down, Strata felt it important to take time to recruit the right person into the role given the key nature of the role and the need to find somebody whom would fit with the culture that Strata is building;
- to mitigate against the overall failure of Global Comms greater flexibility in the use of alternative and diverse systems was being built in, which enabled calls to be routed over the internet to diverse locations rather than to one specific location. BT were also moving away from traditional ISDN based telephony over to IP telephony by 2025 so the migration was essential; and
- results from the recently introduced East Devon green bin system were to be discussed with the teams at Teignbridge.

Also highlighted were the following key pressures:-

- Business System Finance - supporting the demands of the finance teams across the three authorities;
- ensuring Strata is supporting the GDPR requirements of the three authorities;
- service desk to keep pace with the service and support demands and also to

- support the needs of Councillors where there is a high demand for Strata support;
- develop business intelligence capability to gain better insight and value from data; and
- need for more IT training.

Goals for the next six months were:-

- improve the BCR and projects process;
- better financial monitoring for 2018/19;
- successful transition to the Honiton office with a December 2018 opening;
- Global Comms. roll-out in Exeter which was a significant challenge;
- GDPR support to the three authorities; and
- Improve Strata's public image through attendance at Job fairs, talks to businesses etc.

Individual managers presented their respective areas as set out below:-

Infrastructure Projects - Adrian Smith

The Head of Infrastructure and Support detailed the infrastructure investment programme, highlighted the following:-

- new faster storage, AppVolumes live and working in Exeter and East Devon, with Teignbridge District Council in the final stages of testing and faster desktops rolled out to staff;
- Vmware software environment upgraded and delivering further product enhancements;
- following feedback from Strata users after each stage of the improvement programme, a review of the UEM software would occur with view to upgrade;
- the last stage of the East Devon Server move to Exeter was near completion in advance of the move to the new Honiton Office;
- Global Desk Top Rolled Out successfully to 300 East Devon District Council staff with 100 staff remaining to migrate to the new telephony platform;
- progress had been made with Virgin Media Business (VMB) on the Teignbridge SIP Migration project now awaiting a confirmed migration date in order for testing with Skype for Business. Exeter's migration was more complex;
- report to be prepared on options for core network infrastructure for Exeter; and
- upgrade on secondary data centre location being examined as the current location on the Marsh Barton estate is not ideal, options being examined including private company to host, share with another body such as the RD&E or identify a new location.

Business Systems Team - David Sercombe

The Head of Strata Business Systems detailed the end to end review of the Business Change Requests (BCR) and Project process undertaken to align it more to the needs of the three authorities with a focus on delivering the value BCR's and Projects identified by each authority. To date, Strata had been inundated with work, with little knowledge of the overall benefit to each authority. A much clearer process was now being implemented to enable more accurate mapping of Strata work and allow councils to see the business benefits of each request and enable each piece of work to be added to a Strata work plan.

There would be close working with the client leads of the three authorities and workshops had been held at East Devon and Teignbridge to classify requests with a further workshop to be held at Exeter. Once all workshops were completed, the Priority BCRs would then be added to a work plan and shared with Client Leads via the Internal Review Board for review as well as the Joint IT Steering Group.

The Head of Business Systems also commented on the BCR Performance indicators, new BCR demand by month, the total number of BCR's and total number of closed BCR's during the month. Also reported were the performance indicators of projects including:-

- Firmstep in Exeter - several updates had been made;
- Firmstep in Teignbridge - progressing well;
- New HR and Payroll system continued in Teignbridge and Exeter; and
- planning, building control and land charges systems.

The Head of Business Systems also updated Members on progress with the review of the existing convergence programme which mapped progress with regard to the requirements of the three authorities.

It was also noted that the Street Naming and Numbering and GIS team has been rebranded as the Business Intelligence Unit to better reflect the work the team provide and to develop a capability much more in line with the three authorities need to make decisions based on data.

Compliance and Security - Robin Barlow

The report of the Head of Compliance and Security highlighted that there had been no evidence that the Salisbury nerve agent incident had impacted on recent security events and that a weekly update was being provided from the Cabinet office about how secure email will now be delivered after an announcement that their accreditation scheme had been cancelled. It was noted that the preparation for PSNO Coco was underway with pre-emptive scanning by the Security team and completion of actions from the previous CoCo.

Document Centres - Martin Millmow

The report of the Manager Document Processing highlighted the move of the existing Copy Centre in the Civic Centre to be closer to the main Strata office and, resulting from a general push by departments and the raised awareness of GDPR, there had been an increased officer focus on the handling and storage of both physical and digital documents.

Strata Joint Scrutiny Committee noted the report and thanked the Strata staff for their hard work and the significant progress made.

7

DEVON AUDIT PARTNERSHIP LETTER

The letter of the Devon Audit Partnership issued to the three authorities had reported good progress against each of the core business objectives of Strata of Cost, Risk and Change. Aspects covered by the letter included risk and performance management, business continuity plan, cyber security, key operational functions and service design.

Strata Joint Scrutiny Committee noted the report.

IT TRAINING NEEDS PROPOSAL

The Strata IT Director presented the report proposing the introduction of a roving IT training resource to enable authorities to deliver a more professional approach to IT and enabling skills shortages to be identified and addressed. It would be an effective way of bringing in a training resource without one single authority having to carry the full cost. Using the existing defined processes for recruitment, it was intended to identify and shortlist suitable candidates for this role. The intention was for a suitable resource to be in place by 1 September 2018.

Members emphasised the vital need for this resource to also be made available to Councillors of all three authorities.

Strata Joint Scrutiny Committee supported the report.

SUPPORT OF COUNCILLOR IT PROGRAMME

The Strata IT Director reported that there was currently no formal agreement for the support of Councillor IT equipment at either East Devon or Teignbridge with Councillors providing their own IT out of their allocated budget and the authorities providing access to Office 365 to enable emails to be sent and received. Hence, Strata did not support the individual IT equipment (desktops, laptops, printers, tablets) used by each Councillor. IT equipment was not provided by either East Devon or Teignbridge to Councillors to enable them to perform their function.

At Exeter, Councillors were provided with devices to enable them to access both email and various IT systems. As these devices were authority owned, they were supported by Strata, and Councillors regularly contacting Strata to ask for support. The devices were built and provisioned by Strata and Microsoft Outlook was provided as the email platform.

Three options were set out for the support of the Councillors privately owned IT equipment as follows:-

Option 1 - basic service provided by Strata at each location to be paid for by each authority and included in the annual Strata service charge. This would be charged at a rate of £250 per Councillor per annum. Hence for a Council of 50 councillors, the charge would be £12,500 per annum.

Option 2 - basic service provided by Strata at each Head Office location to be paid for by each Councillor on an annual basis to be charged at a rate of £250 per councillor per annum to be deducted from the Councillor's expenses payments.

Option 3 – A voucher scheme to enable an authority to buy a number of vouchers which could then be traded for Strata Service Desk support time. The initial minimum number of vouchers per authority would be 20, and each voucher would be worth an hour of Strata level 1 or level 2 time. A pack of 20 vouchers would be charged at a rate of £1,000, equivalent to £50 per hour. The voucher scheme would be administered by Democratic Services department of each authority.

A further option - **Option 4** – would involve Councils providing hardware (tablet device) to enable a councillors to perform their role comprising an iPad similar to those provided to Exeter City Council Members. The devices would be loaded with the relevant Strata supported councillor required applications, e.g. email. The estimated cost of providing the iPad device plus support in the first year would be circa £800 per councillor. In subsequent years, there would be an annual support cost of £150 per device. This service did not cover the cost of printing hardware or a home Broadband Service.

On the invitation of the Chair, Councillor Clarence of Teignbridge District Council addressed the Committee. He detailed the ongoing difficulties he was experiencing with IT generally as a result of the Teignbridge District Council policy whereby Councillors purchased equipment from their allowances and because Strata could not offer the necessary support. Crucially, he stated that this hindered his ability to function effectively as a Councillor.

Teignbridge and East Devon Members of the Committee re-iterated the problems being encountered. Although there was no direct support for IT equipment at Teignbridge, the Strata Service Desk had provided limited advice and guidance on IT issues but because of the divergence in personal equipment a comprehensive support was not viable. Similarly, at East Devon, Councillors had obtained limited assistance from Strata with privately owned IT hardware related issues. Some Councillors referred to the specific problems they had encountered with their Council work.

An Exeter City Councillor highly commended the Exeter option where tablets were issued to Councillors on election and where problems could be quickly resolved by the Strata Service Desk. She also commented that the equipment was passed on to new Council Members once a Councillor stood down from office.

Because of the above commendation, it was recognised that the most favourable long term solution was to adopt the Exeter system. However, short term, Members asked that either option 2 or option 3 should be chosen as an immediate resolution to the problems in order for a basic level service to be made available to allow for Councillors to contact the Strata Service Desk to request assistance, with one Member favouring the issue of vouchers as offered in the third option.

10

CUSTOMER SERVICE PLAN

The Strata IT Director presented the report advising Members of the purpose of the Customer Service Plan, created to improve the level of service for the three authorities currently served by Strata. The Desk was responsible for supporting and logging incidents and technical support queries and ensuring that all telephony, email and portal queries are resolved. It provided a system generated interaction number which used to track the call from initial log to closure.

Strata Joint Scrutiny Committee note the report.

11

JOINT IT STEERING GROUP - TERMS OF REFERENCE

The Strata IT Director presented the report setting out the role, mission statement, terms of reference and reporting lines of the newly created Joint IT Steering Group explaining how it fitted within Strata's overall governance framework.

Following a review of the governance structure of Strata it had been concluded that there was no one body overseeing the prioritisation of projects and programmes of work across the three authorities. This had led to Strata setting project priorities but with staff within each authority not understanding how the prioritisation works.

Strata Joint Scrutiny Committee noted the creation of a Joint IT Steering Group and its terms of reference.

12 **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 I, Schedule 12A of the Act.

13 **STRATA FINAL ACCOUNTS - 2017/18**

The Strategic Lead Finance reported that Strata had been given a total of £6.277 million to run the IT Services in 2017/18 along with funding for various capital projects. The 2017/18 Business Plan had revised the savings profile set out in the original Business Case over the initial ten year period of the Company with savings split into cashable revenue savings and savings to the Councils from not having to implement specific capital projects individually.

Strata had delivered £575,804 of revenue savings in 2017/18 and had refunded £565,000, the key variation being the former comparing well against the original target of £252,836. The three authorities would be considering future policy in respect of potential savings levels with regard to risk, the transition agenda and future objectives of the authorities.

The Councils had received capital funds to finance projects along with £150,000 a year towards improvements to the main network. At the end of 2017/18 the only aspect of the original infrastructure project outstanding was the telecoms project and there was £99,000 remaining to fund the completion of this work. In addition, Strata had spent £360,000 enhancing the capacity and stability of the datacentre and added a new customer contact centre. This has been funded via the annual capital contributions.

The report set out the draft Statement of Accounts showing the true financial position of the Company. Members were advised that the pension fund deficit was backed by the three authorities through the local government pension scheme. However, the figure had resulted in a private company questioning the ability to enter into lease agreements with Strata. This issue was being examined by the Director responsible for Finance.

Strata Joint Scrutiny Committee noted the report including the Pension Fund deficit.

(The meeting commenced at 5.30 pm and closed at 8.03 pm)

Chair

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STRATA JOINT EXECUTIVE COMMITTEE

Monday 11 June 2018

Present:-

Councillor Peter Edwards (Chair)
Councillors Christophers, Thomas,
Managing Director and Chief Executive East Devon.

Also Present

Strata IT Director, Chief Finance Officer, The Teignbridge Strata Director, Compliance and Security Manager, Strata Board Director, Document Centre Manager, Business Systems Manager, Democratic Services Officer and Democratic Services Manager

10

ELECTION OF CHAIR

Councillor Edwards was elected Chair. He expressed his thanks to Councillor Diviani for his hard work and welcomed Councillor Thomas.

11

APOLOGIES

Apologies of absence were received from the Chief Executive & Growth Director, Exeter City Council.

12

MINUTES

The minutes of the meeting held on the 5 January 2018 were taken as read and signed by the Chair as correct.

13

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

14

STRATA IT DIRECTOR'S REPORT

The Strata IT Director presented his report to update Members on the progress within Strata – presentation attached to minutes. Highlights included:-

- Savings made by the three authorities;
- The success of the global desktop during the winter snow storms;
- Improvement in staff morale and Service desk;
- The Audit Partnership showed Strata was operating to a good standard;
- The introduction of the Business Intelligence Reporting for internal staff;
- The progress of the convergence mapping remodelling.

In response to questions, the Strata IT Director and the Director responsible for Finance responded:-

- The business intelligence reporting allowed users to create their own reports, easing the burden on Strata providing them;
- A request for a data analyst to support Strata was being considered;
- The cost of not transferring systems to the Global Desktop would be difficult to calculate;

- Contracts could be looked at as part of the business plan amendments. The original business plan had been written in 2014 and had had been amended several times, the last time being in early 2017. Contracts would be addressed in the next amendment;
- Accumulative savings would be available through the business intelligence reporting;
- There were increasing costs of spending, to stay up to date with ever changing technology, such as new tablets and phones and investment needed in the Data Centre environment.

RESOLVED that the report be noted.

15

IT TRAINING NEEDS PROPOSAL

The Strata IT Director presented the report, which had been considered at Scrutiny on 31 May 2018. It proposed the introduction of a roving IT training resource to enable the three authorities to deliver a more professional approach to IT and develop skills.

The costs for each Authority were provided, representing the percentage contribution for each authority to cover the £42,000 annual resource charge. A roving training resource would ensure that no single authority would carry the full cost.

A discussion was held on the funding of the IT training post and the financial impact to each authority. Members emphasised the vital need for this resource to also be made available to Councillors of all three authorities.

RESOLVED that Strata would cover the initial costs of the gap analysis exercise to ascertain the need and scope of the IT Training Service to be delivered. The subsequent findings and outcomes would be reported back to the Strata Scrutiny and Joint Executive Committees.

16

SUPPORT OF COUNCILLOR IT PROGRAMME

The Strata IT Director reported that there was currently no formal agreement for the support of Councillor IT equipment at either East Devon or Teignbridge. Councillors provided their own IT equipment (desktops, laptops, printers, tablets) from their allocated budgets. Strata did not currently support or provide equipment used by Councillors. At Exeter, Councillors had been provided with iPads to enable them to access both email and various IT systems including Modern Gov. These devices were owned by the authority and were supported by Strata.

A discussion was held on the four available options outlined in the report. Members considered the options for the long and short term periods considering the use of tablets for all its Members from 2019. The Strata Joint Scrutiny Committee considered the report at its meeting on 31 May 2018 and its comments were reported.

RESOLVED that option 4 be approved with implementation in May 2019. Councils would need to approve the budgets for this in their Council Budgets for 2019/2020.

17

CUSTOMER SERVICE PLAN

The Strata IT Director presented the report advising Members of the purpose of the Customer Service Plan, which had been created to improve the level of service for the three authorities currently served by Strata. The Service Desk was responsible for supporting and logging incidents and technical support queries and ensuring that all telephone, email and portal queries were resolved. It also provided a system

generated interaction number which was used to track the call from initial log to closure.

RESOLVED that Customer Service Plan be noted.

18

JOINT IT STEERING GROUP - TERMS OF REFERENCE

The Strata IT Director presented the report setting out the role, mission statement, terms of reference and reporting lines of the newly created Joint IT Steering Group explaining how it fitted within Strata's overall governance framework.

Following a review of the governance structure of Strata it had been concluded that there was no one body overseeing the prioritisation of projects and programmes across the three authorities. This had led to Strata prioritising projects.

RESOLVED that Joint IT Steering Group Terms of Reference be noted

19

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 item 10 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part I, Schedule 12A of the Act.

20

STRATA FINAL ACCOUNTS - 2017/18

The Director responsible for Finance presented the report on Strata's final accounts for 2017/18. The 2017/18 Business Plan had revised the savings profile set out in the original Business Case over the initial ten year period of the Company. Strata had delivered a revenue savings of £575,804 in 2017/18, with the key variation being the former comparing well against the original target of £252,836.

Strata Joint Scrutiny Committee considered the report at its meeting on 31 May 2018 and its comments were reported.

In response to a Members' question, the Director responsible for Finance stated that improvements had been made to the process of identifying spending need and where there would be an under spend.

RESOLVED that the report be noted including the Pension Fund deficit.

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

Chair

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DRAFT

EXECUTIVE

Tuesday 12 June 2018

Present:

Councillor Edwards (Chair)
Councillors Bialyk, Denham, Harvey, Leadbetter, Morse and Sutton

Apologies:

Councillors Packham and Pearson

Also present:

Director (DB), Director of Communications and Marketing, Chief Finance Officer, Director (JY), City Surveyor, Cleansing & Fleet Manager, Active & Healthy People Programme Lead and Democratic Services Manager

54

MINUTES

The minutes of the meeting held on 10 April 2018 were taken as read and signed by the Chair as correct.

55

DECLARATIONS OF INTEREST

Minute 57 - Councillor Leadbetter declared an interest as the Devon County Council Cabinet Member for Adult Social Care and Health Services.

No declarations of disclosable pecuniary interest were made.

56

THE BUILD SPORT AND LEISURE FACILITIES

The report of the Director (JY) was submitted which recommended the permanent closure of Clifton Hill Sports Centre and requested a total budget of £3,000,000 to fund an interim plan for consolidating and investing in existing built sports and leisure facilities to improve and update the current offer to citizens.

The Director (JY) gave a presentation to Members (attached to minutes) which advised of the:-

- context
- usage summary
- environmental concerns prior to Storm Emma
- damage as a result of Storm Emma
- reasons why repair was not being recommended
- what has happened to the current users
- the proposal which included investing in the upgrading of Riverside Swimming Pool and Leisure Centre, Wonford Sports Centre, Exeter Arena and ISCA Centre
- what the proposal does and the overall Physical Activity Strategy for the city
- the options available to the Council and the potential costs
- the importance of engaging with the local community and improving access to all city wide sports facilities.

The Leader thanked the Director for her comprehensive and informative presentation. He advised that as the future of the Council's Built Sports and Leisure Facilities was a key issue all Councillors should be given the opportunity to input into the decision. He proposed the final decision on matters under consideration be taken by Council on 13 June 2018. Members had been circulated copies of all the comments received from members of the public which included a petition close to having 1,500 signatures.

The Leader continued that in order to mitigate against some of the loss facilities to the local community and to provide spaces for local residents to come together and to support families to use Belmont Park to be active together, he proposed the following additional recommendation.

'To recommend to Council that it allocates up to £150,000 to Newtown Community Association for the new Community Building being planned in Belmont Park with a further £50,000 being provided to enhance facilities in Belmont Park'.

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

- thanked the Leader for his proposed additional recommendation which if agreed, would help towards the development of a Community Building which would be positive for the ward
- raised the issue of the financial pressure the Council was under with a reduction in the Central Government grant of £7.24 million (60%) since 2010 and the need to protect front line services
- supported development of St Sidwell's Point which would provide excellent sports and leisure facilities
- was raising local residents' concerns regarding the loss of a valuable community facility and sports hall that was used by the young and old
- was concerned that there was no formal consultation and asked that a presentation be made to the local residents to explain the issues
- there was a need to address the health and wellbeing of the residents in Newtown
- look into possible use of other local amenities such as the St Luke's University Campus
- investigate how transport links could be improved from the area to the other sports facilities in the city
- future use of the site and its impact on the area with the potential loss of green space
- closure could have a negative impact on an area with very high deprivation
- was essential that local residents were consulted on any proposals for the site going forward.

Councillor N Vizard, having given notice until Standing Order no.44, spoke on the item. She raised the following points:-

- thanked local residents for taking the time to raise their objections and concerns with Councillors and drew attention to some of the points they raised
- why had there not been more formal public consultation? This had also been raised by the Local County Councillor
- welcomed the Director's comments regarding investigating the use of other local facilities in the area
- concerns regarding the loss of green space if the site was sold off

- closure would have a negative impact on the health and wellbeing of local residents
- some residents could not travel to the other city sports centres, so what facilities would fill the gap until St Sidwell's Point was built?
- the decision should be delayed until an audit on need for facilities in the area had been undertaken
- the Newtown Community was forfeiting its facilities for the rest of the city
- what would be the cost to rebuild Clifton Hill Sport Centre?
- what partners could provide alternative sports hall facilities?
- if the site was sold off any proposal should work for the city and local residents and include the right type of housing
- would the golf driving range be redeveloped?
- one local resident had stated that Clifton Hill Sports Centre was not fit for purpose and more green space was needed for recreation
- applauded the work of the Director to improve the Health and Wellbeing of residents of the city.

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

- supported the points raised by Councillors M Vizard and N Vizard
- whilst appreciating that the proposals would enhance the customer experience at other sports facilities in the city, not all the local residents could travel to an alternative centre
- concerns around the attendance percentages in the report - there were no real hard figures
- Newtown was an area with high deprivation
- must not lose sight of the impact this closure would have on local residents
- Community facilities were vital to provide recreation for all ages ranges
- received three letters, two from residents with a disabled child who used and valued the centre and one from a Doctor who referred patients to the centre
- concern that the Council's decision could be challenged.

Councillor Mrs Henson, having given notice until Standing Order no.44, spoke on the item. She raised the following points:-

- acknowledged that the report was thorough
- the Council should have never got to this situation
- when was the decision taken not to invest in the Council's existing sports facilities?
- concern regarding the validity of the Council's building insurance due to lack of maintenance
- why was the lack of investment in the building not reported as a risk to the Audit & Governance Committee or picked up by the External Auditors?
- any future use of the site would be limited given the previous use of part of the site and research undertaken by the University that solid rock was not found until 30 metres underground.

The Leader stated that to demolish Clifton Hill Sport's Centre was the most cost effective option given the estimate to repair the facility and that St Sidwell's Point would provide the area and the city with an excellent new sports facility. He acknowledged that this was not an easy decision to be made but the Council had to look at its overall financial position given its limited budgets.

The Portfolio Holder for Health and Wellbeing, Communities and Sport seconded the Leaders recommendation. He commented that:-

- this was a difficult decision to make

- Clifton Hill had featured in the Council's emerging Physical Activity Strategy interim plans
- recognised the facility was valued by the community
- the Council was working on the Build Sport and Leisure Strategy and this included all aspects of physical activity
- the Council had been chosen as a Sport England Pilot area and was committed to getting 10,000 people more active in the next few years
- the Newtown ward would have a new flag ship leisure facility with St Sidwell's Point which could be used by all
- the community would be invited to bring to the Council's attention other facilities across the city which could be used for sport and community hubs
- the long term plans to improve all the other sport facilities in the city included looking at the possibility of replacing the Northbrook Swimming Pool with a community pool on the Arena site
- the Council could not provide sports facilities in all wards but the city had good transport links
- the use of open space for physical activity should be encouraged
- the Council had been working hard to provide alternative options in the area and the Leader had proposed an additional £200,000 towards the new community building and enhancement of Belmont Park
- the Council would work with local communities to help them develop the use of community buildings for sports activities as had happened in Topsham
- the Council recognised that the city would need a new sports hall and would work with the University and Exeter College to see if the community could make use of their facilities
- any development of the site would be subject to consultation
- all must recognise the bigger picture with the development of sports facilities across the city.

During discussion Members raised the following points:-

- had to consider the impact of the loss of the facility on local community and the loss of a sports hall
- overall usage of the facility was low
- work was being undertaken with partners to access other sports facilities in the city
- full consideration would be given to the future use of the site which would be subject to consultation
- loss of Central Government Funding was not without impact
- welcomed the additional proposal for funds to improve the community facilities in the area
- the need to look at the Physical Activity Strategy for the whole of the city
- the area had high deprivation levels
- acknowledged this was a difficult decision.

One Member commented that the St Sidwell's Point would not be a like for like replacement and would not be built for a couple of years. There was public objection, over 1500 had signed a petition against the closure of Clifton Hill Sports Centre and the replacement or repair of the centre should be investigated.

The Leader recognised that this was a difficult decision to take but that the building of St Sidwell's Point was on course. He clarified that there would be green spaces maintained on the site as part of the site was on contaminated land and could not be built on; The Director would be asked to convene a meeting with the Newtown Community Association to help address their concerns and aspirations; and the

Council would work with local groups to help them find alternative facilities for physical activity.

RECOMMENDED that Council approves that:-

- (1) Clifton Hill Sports Centre be permanently closed on cost /best value grounds;
- (2) Clifton Hill Sport Centre be sold to generate a capital receipt to offset compensation costs and provide investment for other Council priorities including the development and improvement of other leisure sites;
- (3) Delegated authority be given to the City Surveyor to include the sale of the adjacent driving range, ski slope and Exeter Small Bore Rifle Club areas of the Clifton Hill site as a single development site if this offers the best value to the Council.
- (4) Delegated authority be given to the City Surveyor to take necessary steps to ensure the land is used for residential accommodation and not used for purpose built student accommodation.
- (5) an estimated budgeted loss of revenue income and VAT £100,000 be noted;
- (6) the operator be supported with its proposal to repackage and reframe the city wide leisure offer reducing by the price for a cross city offer which provides access to all facilities built at a proposed monthly membership fee of £25.00. (Currently at £35.65 per month); and
- (7) the development of Physical Activity and Built Facilities strategies be agreed setting out the longer term sustainability and development plans for Riverside Swimming Pool and Leisure Centre, Wonford Sports Centre; Exeter Arena and ISCA Centre; Northbrook Swimming Pool and Northbrook Golf Course.

(In accordance with Standing Order no.43, Councillor Leadbetter requested that his voting against these recommendations be recorded)

RECOMMENDED that Council approves:-

- (8) A budget of up to £2,000,000 for essential enhancements to the fabric of the buildings and replacement of essential plant and mechanical systems at Exeter Arena, Wonford Sports Centre and Riverside Swimming Pool and Leisure Centre;
- (9) A budget of £880,000 for additional enhancements to the interiors and facilities at Exeter Arena, Wonford Sports Centre and Riverside Swimming Pool and Leisure Centre to improve the customer experience and mitigate against the loss of facilities at Clifton Hill Sports Centre;
- (10) A budget of up to £150,000 to demolish Clifton Hill Sports Centre to secure the site and avoid incurring Business Rates and other unbudgeted revenue costs;
- (11) Delegated authority be given to the relevant Director to negotiate and agree the contractual compensation payment to be paid to the Leisure Operator as a result of the closure of Clifton Hill, to be funded from a Leisure earmarked reserve; and

- (12) a budget of up to £150,000 be allocated to Newtown Community Association for the new Community Building being planned in Belmont Park with a further £50,000 being provided to enhance facilities in Belmont Park.

(In accordance with Standing Order no.43, Councillor Leadbetter requested that his voting against these recommendations be recorded)

57

FINANCIAL ASSISTANCE POLICY FOR THE BETTER CARE FUND

Councillor Leadbetter declared an interest as the Devon County Council Cabinet Member for Adult Social Care and Health Services.

The Director (JY) presented the report on a revised Financial Assistance Policy under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to ensure policies were in place to maximise grant spending of the Council's Better Care Fund allocation. The policy had been developed by both the County and District Councils to ensure a consistent approach across Devon.

Members were advised that this policy would enable the Council to broaden its ability to provide financial assistance to individuals who did not qualify for the mandatory Disabled Facilities Grant. This would maximise the use of the funding and enable vulnerable individuals to remain safe in their own homes.

The Portfolio Holder for People welcomed the policy which would support vulnerable people to be able to remain in their own homes.

People Scrutiny Committee considered the report at its meeting on 7 June 2018 and its comments were reported.

RECOMMENDED that Council adopt the Financial Assistance Policy in order to ensure increased funding provided via the Better Care Fund is delivered to those who have not previously been able to obtain financial assistance.

58

ADDITIONAL FUNDING FOR BRIDGE REPLACEMENT AND REPAIR

The Director (DB) presented the report which sought approval for additional funding for the replacement of the Exeter City Council owned Kings Arms Bridge. He advised that the initial estimate provided had been based on a like for like replacement and had not fully recognised all the technical aspects which would need to be considered.

Members discussed the need to ensure that estimates were robust and that the Council was attaining value for money when appointing consultants to quote on works required.

The Director clarified the position with regards to a robust Procurement Framework being put in place for the future.

RECOMMENDED that Council approve an additional budget of £250,000 to fabricate and install a replacement of the Kings Arms Bridge to meet all current safety standards.

TRANSFORMATIONAL BUDGET - FIRST TRANCHE OF PROPOSED PROJECTS

The Chief Finance Officer presented the report examining the first tranche of proposed projects to be funded by the transformation budget and sought approval to assign funding to the projects to commence their delivery.

Members were advised that with the requirement of the Council to save £2.75 million over the next two years the aim of both of the funds was to provide either ongoing reductions in service budgets or future long term income streams. He explained the reason for recommending delegated powers would ensure opportunities were not missed due to the Committee cycle of meetings. He confirmed that any commercial investment would be within the city.

Members supported the way forward which would help to address the short fall in the Council's budgets and recognised that, without the delegated powers, the Council could miss out on investment opportunities.

In response to Members, the Chief Finance Officer clarified that a notification mechanism to advise Members of decisions to be taken would be worked through.

RECOMMENDED that Council:-

- (1) approves the allocation of funding from the Transformation Reserve;
- (2) delegates authority to the Chief Executive & Growth Director, in consultation with the Chief Finance Officer and Leader of the Council, to allocate resources up to £1.5 million funded by an Earmarked Reserve, to support transformation and other projects that will support the Council in delivering £2.75 million in savings over the next two years;
- (3) approves a Capital Budget of up to £10 million to enable commercial opportunities to be progressed; and
- (4) delegates authority to the Chief Finance Officer in consultation with the Director for Place, the Leader of the Council and the Portfolio Holder for Place and Commercialisation to award funds against the Commercialisation Capital budget of £10 million.

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

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

THE BUILD SPORT AND LEISURE FACILITIES

See Minute 56 above.

MRF STAFF STRUCTURE

The Cleansing & Fleet Manager presented the report seeking formal approval for a minor restructure in the Materials Reclamation Facility. Executive had given its preliminary approval to this in February 2018 and the consultation process had been undertaken in accordance with the Organisational Change Policy.

RESOLVED that the following be approved;

- (1) the removal of the post of MRF Plant Assistant; and
- (2) the addition of the new post of MRF Team Leader.

COMMUNICATIONS, TOURISM AND CULTURE RESTRUCTURE

The Director of Communications and Marketing presented the final business case for the review and restructure of the teams working under Communications and Marketing, Visit Exeter and Events. Members were advised on the minor changes as a result of the consultation.

RESOLVED that:-

- (1) the business case for the restructure, as set out in the circulated report, be approved;
- (2) the Director of Communications and Marketing be authorised to proceed in accordance with the Council's Organisational Change Policy;
- (3) it be noted that this report was reflective of consultation with staff, Human Resources and Unions in terms of job descriptions, line management and reporting structure; and
- (4) the key changes between the initial report to Executive and the final report as reported be noted.

ADDITIONAL RESOURCES - FINANCE

The Chief Finance Officer provided a business case for the restructure of Finance which would be undertaken in accordance with the Organisational Change Policy.

Members supported the way forward.

RESOLVED that the Chief Finance Officer 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 8.20 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or

corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 13 June and 24 July 2018.

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Summary
Built Sports and Leisure Facilities
Member Briefing
Consolidation and Investment Plan
June 2018

Context

Current built sports and leisure facilities estate in poor condition due to age with a backlog of maintenance and repairs impacting on the quality of offer for customers.

Riverside fire (January 2017) has had a significant impact on operator revenue and participation rates: pool scheduled to re-open September 2018.

Refurbishment of Pyramids swimming pool to ensure that it able to function until planned closure in 2020 will be completed by September 2018.

Our estate issues and influx in budget gyms in and around the City has impacted on participation and membership in Council facilities in terms of both price and quality of equipment and the environment.

Leisure contract due to be tendered in 2020 is at risk due to state of current stock, revenue and customer experience.

About Clifton Hill Sports Centre

Built in 1984: life expectancy of 25 years

4 court sports hall

2 squash courts

40 station gym

Small fitness studio

Male and female changing facilities

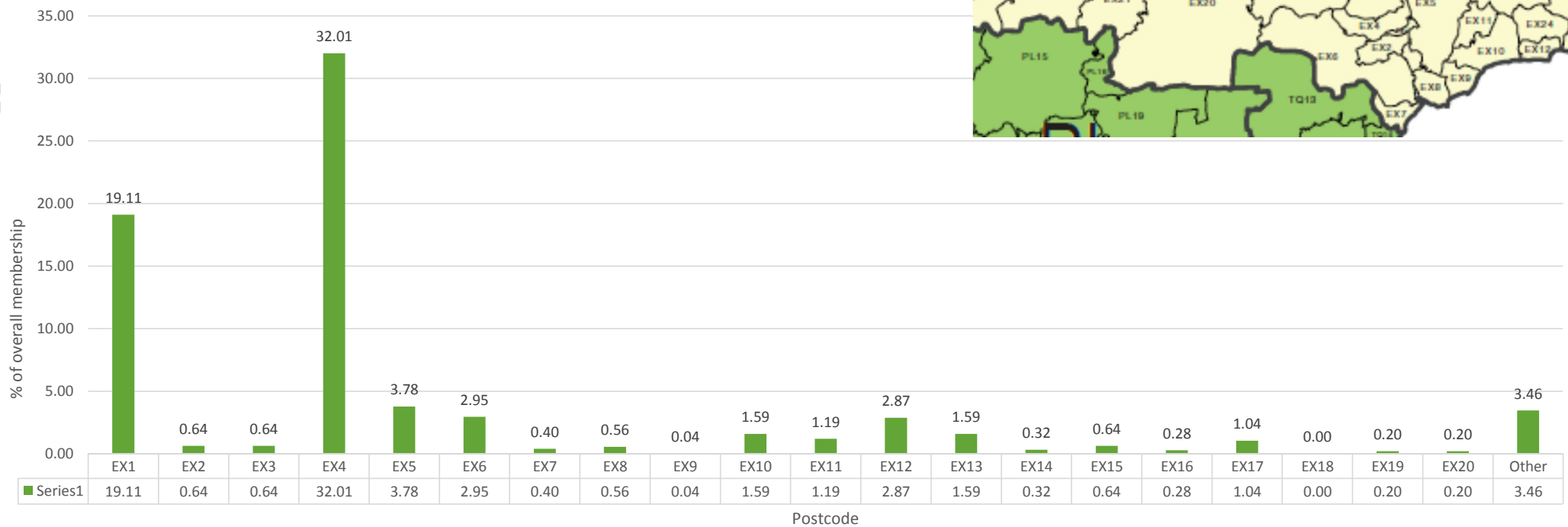


Very much a local facility



Clifton Hill Membership by post code

Page 28



Centre users as at March 2018

Opening times: 16 hrs a day Mon-Fri: 13 1/2 hours on Sat & 14 1/2 hours on Sunday = 108 hrs per week

Membership base of 800 to 850

Gym average of 125 customer visits to the gym per day = 8 people per hour.

Sports Hall/Studio usage

Monday: 9 group bookings max 129 people

Tuesday: 8 group bookings max 133 people

Wednesday: 6 group bookings max 158 people

Thursday: 10 group bookings max 129 people

Friday: 5 group bookings max 113 people

Saturday: 5 group bookings max 136 people

Sunday: 4 group bookings max 40 people

4 party slots per day max 10 people in each slot

Squash Court usage

Average 80 squash players use the 2 squash courts a week which averages 6 per court per day.

Usage summary

Page 36

Membership numbers and income (for the operator) is in decline: 20% reduction in membership from 2016-2017

Occupancy levels in sports hall is between 25 and 27%: significantly below industry benchmarks of 60-70% in peak times

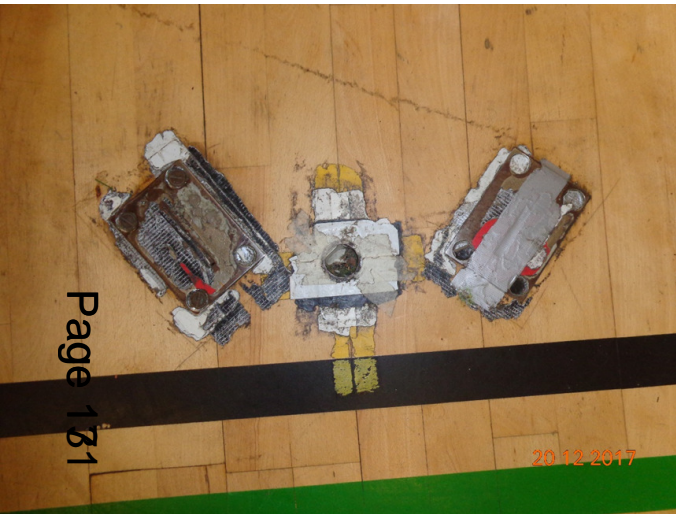
Squash courts operate way below industry standards which are themselves recognised as being relatively low income and usage for the space

Gym has performed within industry benchmarks

Little opportunity for secondary income: no café, meeting rooms, social or retail space

Operator runs the centre at a loss

Environmental concerns prior to Storm Emma



Page 131



Environmental concerns prior to Storm Emma

Figure 38

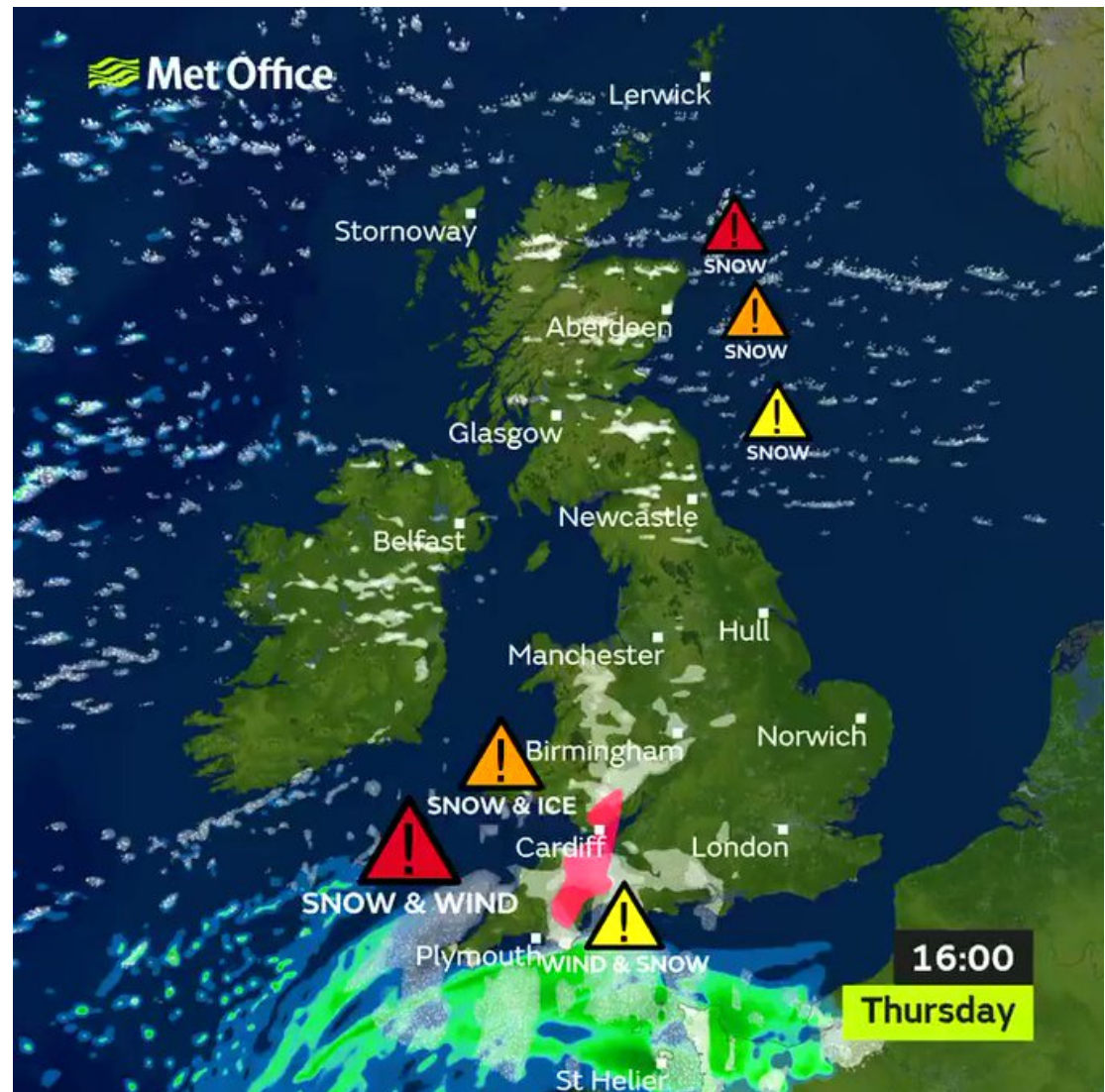


March 2018 Storm Emma

Impact of unprecedented snowfall in March 2018 has rendered the Clifton Hill Sport Centre unsuitable for public use. Damage and loss of income caused by water ingress is highly unlikely to be covered under the Councils insurance policy

RED snow warnings are issued when it is highly likely that the weather will cause a high level of impact.

This was the 2nd **RED** snow warning issued this week but only the 3rd the Met Office has issued since the current warning system came into force in 2011 and 1st ever **RED** snow warning for South West England.

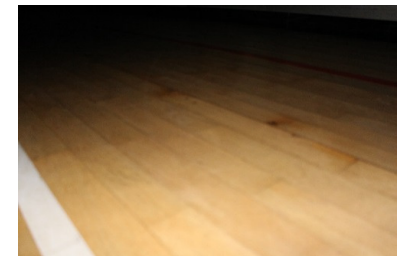
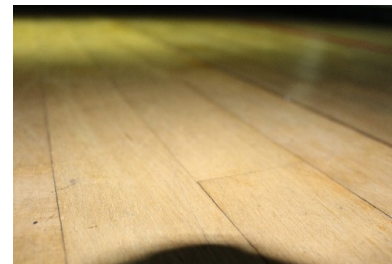


Interior damage: ceilings, electrical and mechanical systems

Page 20



Interior damage: general, flooring, equipment facilities



Why is repair not being recommended?

Already outlived its expected life span by @ 10 years.

Backlog of maintenance and repairs estimated in region of £500k.

Roof now beyond repair: estimated cost of replacement @£1million.

High risk of escalating costs due to style of construction and requirements of modern building standards.

High risk of further damage to membership income/reputation/contract as likely to be off line for 9-12 months.

Will not extend expected lifespan.

SSP opens in Dec 2020.

What's happened to current users?

Memberships transferred to Riverside by LL

April membership fee holiday

Capacity at Pyramids and Riverside Gyms

Classes transferred where possible to studio space at Riverside

Fees and charges at alternative facilities matched

Alternative sport hall facilities offered by partners

Individuals and groups contacting LL or Council are being supported

Not “like for like” offer but there are alternatives for many

The proposal

Page 28

1. Permanent closure of Clifton Hill Sports Centre
2. Sale of the site to raise capital to fund council priorities including long term development of Wonford Sports Centre, Arena and ISCA Centre and Riverside Leisure Centre
3. £2,000,000 to improve buildings and replacement of essential plant and mechanical systems at Wonford Sports Centre, Arena and ISCA Centre and Riverside Leisure Centre to mitigate against any further deterioration
4. £880,000 enhancements to the interiors and facilities at Wonford Sports Centre, Arena and ISCA Centre and Riverside Leisure Centre to improve customer experience and mitigate loss of facilities at Clifton Hill Sports Centre.



Riverside
new
changing
area and
showers



Page 239

Riverside
New Studio
and Spin
Bikes +
Virtual
Technology +
gym
extension





ISCA centre new gym with spin cycles, virtual technology, improved showers and changing rooms

Wonford redecorated weights room, gym, new studio, virtual technology and resurfaced pitch



Provision Following Consolidation and Investment Plan

	Riverside	Pyramids	Wonford	Exeter Arena & ISCA Centre	Total	Change
Gym Stations	130	40	33	50	253	+20
Swimming Pool	25m	25m	No	No	2	0
Sports Hall	1	No	1	No	2	-1
Squash Courts	2	No	No	No	2	-2
Dance Studio	3	No	1	1	5	+2
Sauna	Yes	Yes	Yes	Yes	4	0
Health Suite	Yes	No	No	No	1	0
Spin Studio	40 bikes	No	6-8 bikes	16 bikes	60-62	+60-62
Virtual Tech	Yes	No	Yes	Yes	3	+3
Other	New café Refurbished changing area and showers		Refurbished Free Weights Room Reinstated 5 a side pitch	New Gym & showers Athletics Track Field Physiotherapy Room		

What this proposal does

Takes a strategic view and sets out a set of proposals designed to:

1. Consolidate and improve the Councils current sport and leisure offer.
2. Enable the current provider to update and improve the membership offer, improve reputation and compete with private sector providers: increase membership numbers, participation rates and customer experience.
3. Mitigate against the current operator varying the contract resulting in increase cost/reputation damage.
4. Improve position in market place in preparation for new contract awards.
5. Secure improved quality whilst longer term strategic plans are developed for re-provision of facilities : Physical Activity Strategy and Sport England Local Delivery Pilot.
6. Provides a capital funding stream to support investment priorities

Physical Activity

Improving population health and wellbeing

Reducing health inequalities

Promoting community resilience

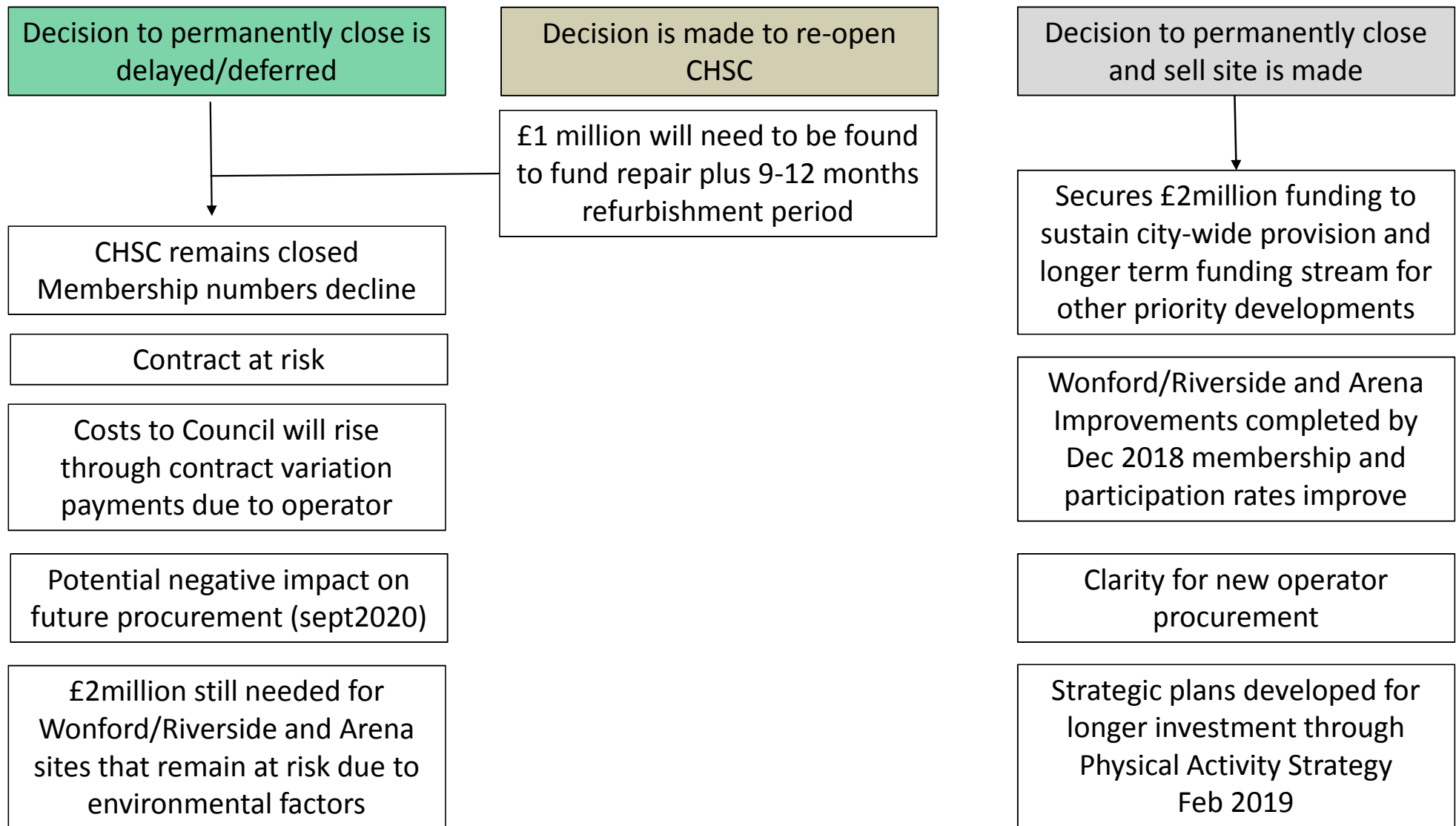
Increasing active travel

**Built Sports and
Leisure Facilities**

**Pitches and
Playing Fields**

**Parks,
Playgrounds
and Open
Spaces**

**Sports
Development**



EXECUTIVE

Tuesday 10 July 2018

Present:

Councillor Edwards (Chair)

Councillors Bialyk, Denham, Harvey, Leadbetter, Morse, Packham, Pearson and Sutton

Also present:

Chief Executive & Growth Director, Director (BA), City Solicitor & Head of HR, Chief Finance Officer, Corporate Manager Democratic and Civic Support, Environmental Health and Licensing Manager, Interim Corporate Manager - Commercial and Procurement, Service Manager, Community Safety & Enforcement, Housing Enabling Officer and Democratic Services Manager

65

MINUTES

The minutes of the meeting held on 12 June 2018 were taken as read, approved and signed by the Chair as correct.

66

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

67

URGENT DECISION - LIVESTOCK MARKET DRAINAGE AND REPLACEMENT TOILET FACILITIES

The Chief Finance Officer advised Members on the urgent decision taken for the installation of drainage and replacement toilet facilities at the Livestock Market. The issue was raised as an emergency decision due to both the Health and Safety and operational impact of the matter. The budget for the installation of the replacement systems was £200,000. The decision had been made by the City Surveyor in consultation with the Leader, Place Scrutiny Committee Chair, the Chief Executive and Growth Director and the Chief Finance Officer.

RESOLVED that the urgent decision be noted.

68

OVERVIEW OF REVENUE BUDGET

The Chief Finance Officer presented the report advising Members of the overall financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2017/18 financial year and to seek approval for the General Fund working balance, HRA working balance, a number of supplementary budgets and the creation of new earmarked reserves.

The Chief Finance Officer advised Members that the General Fund currently had an underspend of £964,022 of which £425,000 was due to the delay in finalising the arrangements for the transfer of management of Exeter's valley parks to the Devon

Wildlife Trust. The HRA had an underspend of £4,132,405 which was mainly due to the delay in delivering the programme of works.

Members were advised of the five new earmarked reserves being proposed and that there were a number of supplementary budgets totalling £1,880,480, of which £335,000 related to the HRA that had been requested as part of the 2018/19 budget.

Corporate Services Scrutiny Committee considered the report at its meeting on 28 June 2018 and its comments were reported.

RECOMMENDED that Council:-

- (1) approves the net transfer of £2,419,076 from Earmarked Reserves as detailed in paragraph 8.3.6 of the report presented to the meeting;
- (2) approves supplementary budgets of £1,880,480 as detailed in paragraph 8.3.8 of the report presented to the meeting;
- (3) notes Earmarked Reserves at 31 March 2018;
- (4) notes the Council Tax account and collection rate;
- (5) notes the outstanding sundry debt, aged debt analysis and debt write-off figures;
- (6) notes the creditor payments performance;
- (7) taking into account the overall financial position of the Council, approves the General Fund working balance at 31 March 2018 at £4,692,404; and
- (8) approves the Housing Revenue Account working balance at 31 March 2018 at £10,212,244 and approves the Council Own Build working balance at £256,943.

69

CAPITAL MONITORING 2017/18 AND REVISED CAPITAL PROGRAMME FOR 2018/19 AND FUTURE YEARS

The Chief Finance Officer presented the report advising Members of the overall financial performance of the Council for the 2017/18 financial year in respect of the annual capital programme and sought approval of the 2018/19 revised capital programme, including commitments carried forward from 2017/18.

Members were advised that the expenditure in 2017/18 amounted to £10,331,102 which represented 79.6% of the revised Capital Programme. There was a further funding request for an additional budget of £40,000 for the replacement of lifts at Mary Arches Street Car Park. This was due to an increase in costs following advice from a specialist consultant that a more robust solution was needed.

Corporate Services Scrutiny Committee considered the report at its meeting on 28 June 2018 and its comments were reported.

RECOMMENDED that Council approves the:-

- (1) overall financial position for the 2017/18 Annual Capital Programme; and

- (2) amendments and further funding request to the Council's annual capital programme for 2018/19.

70

TREASURY MANAGEMENT 2017/18

The Chief Finance Officer presented the report on the current Treasury Management performance for the 2017/18 financial year and the position regarding investments and borrowings at 31 March 2018. The report was a statutory requirement and was for information only with no key decisions required. Members were advised that the net interest was £82,031 and currently the Council had no longer term borrowing in respect of the General Fund.

The Chief Finance Officer highlighted a fixed term deposit relating to Guildford Borough Council which had exceeded the level set out in the Treasury Management Strategy made available to a lower tier authority. He advised Members that he considered this to be a low risk investment for the Council and no further action would be taken to recover the funds early, although procedures had been put in place to ensure such actions would not be repeated.

Corporate Services Scrutiny Committee considered the report at its meeting on 28 June 2018 and its comments were reported.

RECOMMENDED that Council notes the content of this report.

71

EXETER CITY GROUP LTD BUSINESS CASE (AUGUST 2018 TO MARCH 2019)

The Chief Executive & Growth Director confirmed that he was no longer a named Director for the Development Company.

The Chief Executive & Growth Director presented the report proposing the establishment of a group of wholly-owned Council companies (ECG). The Council owned its own housing stock but the Housing Revenue Account was very limited as to what it could build and the aspiration of the ECG was to build high quality affordable and social housing in the city. The business case set out how the ECG would operate and that it would be financed by the City Council. A Director, currently David Bartram, was proposed to be the Council's shareholder representative on the Board.

Members were advised of a proposed additional recommendation:-

'That Members agree that the Vaughan Road development identified for year two of the Development Company's operation will go forward, subject to the remaining assurance work. This is in order to ensure that the Housing Revenue Account is not disadvantaged and that the Development Company is able to deliver on Members' expectations on Affordable Housing.'

In response to a Member's question, the Chief Finance Officer clarified that the Council would borrow the required £4.25 million identified in the business case from the Public Works Loan Board (PWLb) at a rate of 2.5% and then lend to the company at the higher rate of 4.86%, therefore giving the Council a net interest rate of 2.3% on the loan. The reason for this was because the Council was constrained by state aid rules.

Members were advised that the Council's shareholder representative would liaise with the Steering Group to ensure the Council's interest for retaining the necessary control over the ECG and to ensure that it had autonomy to carry out the proposed actions in the Year One business case.

The Leader advised of the changes and the additional recommendation proposed by Corporate Services Scrutiny Committee. He stated that before the report was considered by Council on 24 July 2018, he would meet with the Chair and Deputy Chair of Corporate Services Scrutiny to clarify the Committee's proposed changes to recommendation (7).

In response to a Member, it was clarified that the proposed condition regarding the development of a Registered Provider of Social Housing (RP) would not preclude the Housing Revenue Account from building homes.

The Portfolio Holder for Housing Revenue Account supported this exciting proposal that would bring forward affordable and social housing for the city.

Members welcomed the proposal which would support the building of good quality affordable homes for the residents of Exeter.

The Leader proposed the recommendation that was agreed by Corporate Services Scrutiny Committee, with the amendment to recommendation (7) to replace the Portfolio Holder for Economy and Culture with Portfolio Holder for People and clarification with the Chair and Deputy Chair of Corporate Services Scrutiny Committee regarding Members to be consulted with and the additional recommendation as advised by the Chief Executive & Growth Director.

This was agreed by the Executive.

Corporate Services Scrutiny Committee considered the report at its meeting on 28 June 2018. A revised recommendation had been supported at the Corporate Services Scrutiny Committee.

RECOMMENDED that Council:-

- (1) approves the establishment of Exeter City Group Ltd and Exeter City Living Ltd;
- (2) notes that whilst Exeter City Homes Ltd and Exeter City Living Property Ltd have already been registered at Companies House, no approval was being sought for the Companies' activities as their financial impact on the Council had not yet been assessed;
- (3) the Year One Business Case at Appendix A of the report presented at the meeting be implemented by Exeter City Living Ltd for the period August 2018 to the end of March 2019;
- (4) develop a Registered Provider of Social Housing (RP) to take ownership of any social housing created as a result of Exeter City Living Ltd works, subject to a satisfactory business case demonstrating the RP's viability being approved by the Council. The Registered Provider would be established and functional in advance of the availability of the social housing. The two work streams to be linked to ensure appropriate staging would coincide;
- (5) approves a loan of £4.35 million to Exeter City Living Ltd in order to implement and complete the year one Business Case set out in Appendix A of the report presented at the meeting;

- (6) approves the Management Agreement set out in Appendix B of the report presented at the meeting;
- (7) delegate authority to the relevant Director (currently David Bartram) to agree any necessary amendments to the Management Agreement in consultation with the Leader of the Council, the Chief Finance Officer and the appropriate three Portfolio Holders (currently the Portfolio Holder for Place and Commercialisation; the Portfolio Holder for People and the Portfolio Holder Housing Revenue Account) and three Members of Scrutiny as appropriate – subject to clarification with the Chair and Deputy Chair of Corporate Services Scrutiny;
- (8) approve the Articles of Association for Exeter City Group Ltd and its subsidiary companies as set out in Appendix C of the report presented at the meeting;
- (9) delegated authority be given to the City Solicitor and Head of Human Resources in consultation with the City Surveyor to sell at open market value any council owned land identified in the Year One Business Case; and
- (10) delegated authority be given to the appropriate Director (currently David Bartram) to act in the role of Shareholder Representative and to undertake the activities and decisions as identified in the Shareholder Representative Delegated Powers Document (Appendix D, of the report presented at the meeting), including the ability to financially commit up to £499,999 funding for use by Exeter City Living Ltd for matters not in the Year One Business Case (August 2018 – end March 2019); and
- (11) agree that the Vaughan Road development identified for year two of the Development Company's operation be brought forward to year one, subject to the remaining assurance work. This is in order to ensure that the Housing Revenue Account is not disadvantaged and that the Development Company is able to deliver on Members' expectations on Affordable Housing.

72

UPDATING THE COUNCIL'S PROCUREMENT AND CONTRACT PROCEDURES

The Corporate Manager – Commercial and Procurement presented the report updating Members on the review of the current "Procurement and Contracts Regulations, which set out how the Council's undertakes its procurement activities and contracts with third party suppliers, and proposing new procedures titled "Procurement and Contract Procedures (July 2018)" for Members to approve.

Members were advised that the implementation of new Procedures was a major step on the journey towards ensuring that the procurement process was transparent and making the necessary improvements. It was important to recognise that the implementation of updated Procedures was just one part of the further progress required. Further activity would be necessary to help embed the positive change in how the Council undertook procurement which would include transforming supporting processes and systems as well as strengthening the resource capacity to support effective procurement across the Council.

The Corporate Manager – Commercial and Procurement brought to Members attention the recommendation that the Section 151 Officer be granted delegated

authority to sign off any final amendments in conjunction with the Portfolio Holder for Support Services. Any amendments would be reported back to Members.

The Portfolio Holder for Support Services supported the proposal which provided clarity and accountability and welcomed self-delivery as the first model for procurement of Council's services and goods.

RECOMMENDED that Council:-

- (1) approves substituting the current "Contracts and Procedures Regulations – May 2017" with the new "Procurement and Contract Procedures (July 2018)" and supporting Procedural Notes;
- (2) agrees that, whilst the Procedures (July 2018) as set out in the circulated report be adopted with immediate effect, where necessary, the current "Regulations" (May 2017) may apply until 1 June 2019 to afford the necessary time to fully transition to the new Procedures; and
- (3) grant delegated authority to the Section 151 Officer in conjunction with the Portfolio Holder for Support Services to sign off any amendments (e.g. Procedural Note for Evaluation). Any updates to be reported back to Members as part of the wider update on progress.

73

REVIEW OF ENVIRONMENTAL HEALTH AND LICENSING STATUTORY SERVICE PLAN 2018/19

The Environmental Health and Licensing Manager presented the report seeking approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2018/19 which set 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.

The Environmental Health and Licensing Manager highlighted some of the challenges and achievements of the service during 2017/18:-

- Food business inspections - a target of 96% achieved.
- 4,465 requests for the service including food safety, health and safety regulation, infectious disease control, air quality, environmental permitting, contaminated land, licensing and antisocial behaviours, statutory nuisance as well as staff supporting health promotion and training activities.
- 342 antisocial behaviour cases, with a further 59 more complex cases which were all very time consuming for the service.
- good levels of compliance with regards to CCTV coverage which became mandatory in all Exeter Hackney Carriage vehicles.

The Leader welcomed the work that the Council was undertaking in this area in particular the CCTV installation in Exeter Hackney Carriage vehicles.

In response to Member's questions, the Environmental Health and Licensing Manager commented that the working relationships with partner agencies such as the Police and Fire Authorities and the voluntary sector had improved considerably over the past three years. The food business premises were inspected anything between six months and three years depending on their rating and if there were any reports to the Council.

Place Scrutiny Committee considered the report at its meeting on 14 June 2018 and its comments were reported.

RECOMMENDED that Council approves:-

- (1) the Statutory Service Plan 2018/19; and
- (2) the Environmental Health and Licensing Manager be authorised to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

74

EXETER CITY CLEAR STREETS CHARTER

The Service Manager Community Safety and Enforcement presented the report on introducing the Clear Streets Charter for Exeter. The Charter sets out how Exeter City Council and Devon County Council proposed to work together to ensure that the built environment of the City, was as safe and obstacle free as possible.

Members welcomed the development of this Charter acknowledging the adverse impact that pavement clutter had on those affected by sight loss or mobility problems.

In response to Member's questions, the Service Manager Community Safety and Enforcement clarified that Place Scrutiny Committee would receive updates on the implementation of the Charter.

The Environmental Health and Licensing Manager clarified the position with regard to the difficulties of commercial waste collection and A-board enforcement which was a Devon County Council function.

Place Scrutiny Committee considered the report at its meeting on 14 June 2018 and its comments were reported.

RESOLVED that Clear Streets Charter be supported.

75

PARKING BACK OFFICE AGENCY AGREEMENT

The Service Manager Community Safety and Enforcement presented the report which sought approval for Devon County Council to provide a parking back office function to the Authority under an agency agreement. This agreement would be cost neutral to the City Council as Devon County Council would be taking up operational occupation of an Exeter City Council owned empty office.

Members welcomed the way forward.

Place Scrutiny Committee considered the report at its meeting on 14 June 2018 and its comments were reported.

RESOLVED that Exeter City Council enter into a five year agency agreement with Devon County Council to provide parking back office function be approved.

76

MANAGING HARBOUR AUTHORITY RESPONSIBILITIES

The Service Manager Community Safety and Enforcement presented the report on the options for discharging the Council's Harbour Authority duties to an appropriate standard as soon as was practically possible. He advised that subsequent Marine

advice had indicated that the 'Duty Holder' should be independent to the Harbour Master with marine and Health and Safety experience who was able to provide the Harbour Board with reassurance by checking and reporting back to the Executive.

Members were circulated with an amendment to the recommendation with regards to the 'Duty Holder'. The City Solicitor and Head of HR advised that the Duty Holder role should be in consultation with the relevant Portfolio Holder. This was agreed by Executive.

In response to a Members question, the Service Manager Community Safety and Enforcement clarified that the Port Users Group and Exe Estuary Partnership had been consulted.

Members noted that updates on the Harbour Authority duties would be brought back to Executive.

Place Scrutiny Committee considered the report at its meeting on 14 June 2018 and its comments were reported.

RECOMMENDED to Council that:-

- (1) a new Harbourmaster post be created within the Waterways establishment and recruit a suitably experienced and qualified candidate to the role;
- (2) two new Harbour Patroller posts be created within the Waterways establishment and recruit suitably experienced and qualified candidates to the roles;
- (3) the Duty Holder role be delegated to the Service Manager with responsibility for waterways and the Principal Health and Safety Manager in consultation with the relevant Portfolio Holder for waterways and the Constitution be amended accordingly; and
- (4) the options for a Harbour Revision Order be explored with the Port User Group.

77

SUSTAINABLE FINANCING MODEL FOR EXETER INFRASTRUCTURE

The Chief Executive & Growth Director presented the report seeking support to explore a solution to structural challenges of building in the city through a new sustainable financing model that puts development outcomes back into the hands of the city's leaders, so as to deliver the outcomes that the city had been asking for.

The existing development model for Exeter was under strain and arguably broken and the private sector currently controlled the majority of development in Exeter. A city-controlled fund source could control the financing and delivery of projects and subsequently control the outcomes that deliver what the city and residents had been asking for, as well as profit retention for the city. This would be a joint venture and the setting up of a Company would enable borrowing to be at a favourable rate and enable funding from Central Government to be sought.

The Portfolio Holder for City Transformation, Energy and Transport welcomed this proposal to explore different ways to achieve and control the growth of the city.

Corporate Services Scrutiny Committee considered the report at its meeting on 28 June 2018 and its comments were reported.

RESOLVED that:-

- (1) officers commit support, time and energy into exploring the benefits, risks and mechanics of a collaboration in a City Development Fund as a means of financing and delivering future developments in the Greater Exeter region and within the city. Developments will embrace innovative solutions and a fresh approach to the procurement process to successfully compete with the scale and agility of private sector development funds;
- (2) the City Council encourage other public sector institutions within the city to commit resources to exploring the proposal for a City Development Fund; and
- (3) it be noted that the fund would operate and be governed under the following four key principles: -
 - Publicly owned: The Fund is owned and controlled by Exeter's public-sector institutions;
 - Impact driven: The Fund has place-making as its ultimate goal. All developments are measured for success on the basis of long term impact, outcomes and social benefit;
 - Professionally run: Experienced, world class team of fund and asset directors; and
 - Locally retained profits: All excess profits from developments are kept within the Fund and recycled back into Exeter developments.

78

EQUALITY AND DIVERSITY POLICY

The Environmental Health and Licensing Manager presented the report which sought approval for an updated Equality and Diversity policy and to note actions to implement the Policy.

Corporate Services Scrutiny Committee considered the report at its meeting on 28 June 2018 and its comments were reported.

RECOMMENDED to Council that the updated Equality and Diversity Policy be approved.

79

THE COUNCIL'S HEALTH AND SAFETY AT WORK POLICY

The Environmental Health and Licensing Manager presented the report on the Council's Health and Safety at Work policy which had been revised to reflect changes to the council structure, legislation and best practice. This report highlighted the main revisions that had been made which included terms of reference for a new Health and Safety Committee and a new Safety Representatives Committee.

The Leader welcomed the policy and the way forward.

In response to a Member's question, the Environmental Health and Licensing Manager clarified the role that the Members had in respect of their duties with regards to the Council's Health and Safety.

Corporate Services Scrutiny Committee considered the report at its meeting on 28 June 2018 and its comments were reported.

RECOMMENDED to Council that the Corporate Health and Safety Policy be adopted.

80 **THE COUNCIL'S ANNUAL HEALTH AND SAFETY REPORT FOR 2017**

The Environmental Health and Licensing Manager presented the report on the Council's activities and performance in health and safety at work during 2017. Members were advised that there were no serious matters to report.

Corporate Services Scrutiny Committee considered the report at its meeting on 28 June 2018 and its comments were reported.

RESOLVED the content of the Annual Report be noted.

81 **LOCAL DEVELOPMENT SCHEME**

The Chief Executive and Growth Director presented the report approving a revised Local Development Scheme which provided a revised timetable for plan preparation. Members were advised of the main factors that had delayed the preparation of the Greater Exeter Strategy Plan (GESP).

RESOLVED the Local Development Scheme attached at Appendix A to the report presented to the meeting be approved, with effect from 20 June 2018.

82 **HONORARY ALDERMAN**

The Corporate Manager Democratic and Civic Support presented the report setting out a proposal to offer the position of Honorary Freeman of the City to Mrs Margaret Anne Baldwin in recognition of her outstanding service to the Council over her near 12 years of office on the Council.

Members supported the offer of the position of Honorary Alderman to Mrs Margaret Anne Baldwin.

RECOMMENDED that, in accordance with Section 249 of the Local Government Act 1972, the Right Worshipful the Lord Mayor be requested to convene an Extraordinary Meeting of the Council, on the rising of the Ordinary Meeting of the Council on 24 July 2018, to consider granting the position of Honorary Alderman of the City to Mrs Margaret Anne Baldwin.

83 **APPOINTMENT OF OUTSIDE BODIES**

The report of the Corporate Manager Democratic and Civic Support was submitted to appoint Members to serve on outside bodies. Members were advised that should it be necessary to re-appoint representatives during the course of the year, it was proposed to grant delegated powers to the Corporate Manager Democratic and Civic Support to appoint representatives in consultation with the Group Leaders.

RECOMMENDED to Council that:-

- (1) appointments be made to those outside bodies set out in the Appendix to the report presented at the meeting; and

- (2) the Corporate Manager Democratic and Civic Support be granted delegated powers, in consultation with the Group Leaders, to appoint, when necessary, representatives to outside bodies during the course of the Municipal Year.

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

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

85 **CREATION OF THE NEW POST OF LITIGATION LAWYER**

The Corporate Manager Democratic and Civic Support left the meeting before consideration of this item.

The City Solicitor and Head of HR presented the report on identifying the business case for the creation of the new part time (0.8 fle) post of Litigation Lawyer. Members were advised that legal services had experienced a significant increase in demand for its services and the creation of this post would increase the ability of Legal Services to provide a comprehensive, responsive legal service to the Council.

Members were updated on the age of the demographics of the service and the importance of succession planning.

Members supported the proposal.

RECOMMENDED to Council:-

- (1) the creation of a new part-time post of Litigation Lawyer (four days per week) be approved; and
- (2) an additional budget of £23,500 per annum be agreed to cover the cost of this part time post.

86 **ST LOYES EXTRA CARE SCHEME**

Councillor Leadbetter declared an interest as the Devon County Council Cabinet Member for Adult Social Care and Health Services.

The Housing Enabling Officer presented the report on the development of an Extra Care scheme that would deliver 53 self-contained apartments and communal areas for older persons with care needs that precluded them from being able to live in their existing homes. He advised of the identified need for 201 extra care apartments within Exeter, detailed in the Devon County Council report "Devon Commissioning Strategy for Extra Care Housing".

The report addressed the cost related to the building. The decision as to how the building would be managed and the care provided would be subject to a future report by the Service Lead Tenant Services.

In response to a Member's question, the Director (BA) clarified the gross income that the development could regenerate for the Housing Revenue Account depend on future decisions regarding the management of the building.

RECOMMENDED that Council:-

- (1) approve additional capital budget of £3.15 million;
- (2) agree to enter into the build contract for the construction of the extra care scheme with the preferred contractor on the condition that the total development does not exceed £14 million; and
- (3) agree to part-fund the project using retained Right to Buy receipts to save relinquishing them to central government.

(The meeting commenced at 5.34 pm and closed at 6.58 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 24 July 2018.

Agenda Annex

SEATING IN THE GUILDHALL

		Deputy Lord Mayor Councillor Lyons (L)	Chief Executive & Growth Director	Lord Mayor Councillor Hannaford (L)	Corporate Manager Democratic/Civic Support	City Solicitor & Head of HR	
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Democratic Services Manager (Committees)				Director	Chief Finance Officer	Director
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Councillors	Councillors	Councillors		Councillors	Councillors
Warwick (L)	Robson (L)	Edwards (L)		Leadbetter (C)	Mitchell (LD)
Pattison (L)	Foggin (L)	Sutton (L)		Newby (C)	Musgrave (G)
M Vizard (L)	Keen (L)	Denham (L)		Pierce (C)	Prowse (C)
Wood (L)	N Vizard (L)	Pearson (L)	TABLE	Henson, D. (C)	Mrs Henson(C)
Wright (L)	Sheldon (L)	Morse (L)		Thompson (C)	Holland (C)
Foale (L)	Owen (L)	Bialyk (L)			
Begley (L)	Lamb (L)	Harvey (L)			
	Sills (L)				

Cllr Branston (L)	Cllr Owen (L)	Cllr Lyons (L)	Cllr Packham (L)	Cllr Gottschalk (L)	Cllr Wardle (L)
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L: Labour: 29
C: Conservative: 8
LD: Liberal Democrat: 1
G: Green 1

Portfolio Holders

Edwards: Leader, Growth & City Development
 Sutton: Deputy Leader and Economy & Culture
 Bialyk: Health and Wellbeing, Communities & Sport
 Denham: City Transformation
 Harvey: Place and Commercialisation
 Morse: People
 Packham: Housing Revenue Account
 Pearson: Support Services

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