



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 15 OCTOBER 2019**, 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 meeting held on 23 July 2019.	5 - 20
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 22 July 2019	21 - 32
4 Planning Committee - 29 July 2019	33 - 54
5 Planning Committee - 2 September 2019	55 - 72
6 Planning Committee - 30 September 2019	
7 Licensing Committee - 16 July 2019	73 - 74
8 Licensing Committee - 17 September 2019	75 - 78
9 People Scrutiny Committee - 5 September 2019	79 - 82
10 Place Scrutiny Committee - 12 September 2019	83 - 96
11 Corporate Services Scrutiny Committee - 26 September 2019	97 - 104
12 Audit and Governance Committee - 18 September 2019	105 - 110
13 Executive - 10 September 2019	111 - 114
14 Executive - 8 October 2019	

Notices of Motion

- 15 Notice of Motion by Councillors Williams and Harvey under Standing Order No. 6

Council notes:

- the increasing evidence of the dangers to both human health and biodiversity of continuing use of glyphosate weed killer
- glyphosate is deemed “probably carcinogenic to humans” by the World Health Organisation’s International Agency for Research on Cancer (IARC). The exposure route (breathing in or by absorption through the skin) is currently unclear. Two recent high profile court cases in the United States have resulted in Monsanto which manufactures glyphosate under

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the trade name 'Roundup' being successfully sued by individuals for causing their cancers;

- in 2018 the GMB Union called for the UK Government to immediately ban glyphosate;
- glyphosate is currently used by the City Council in Exeter's parks and green spaces and under contract from Devon County Council on highways;
- whilst glyphosate is a cheap and effective herbicide (sometimes inaccurately described as a pesticide), emerging evidence of health and environmental implications is driving trials of alternatives for effective alternative solutions for the treatment and control of weeds;
- discussions about the use of this weed killer by local authorities have, until recently, been more concerned with the financial considerations of alternatives rather than the health and safety and biodiversity implications. However, this is now changing and a number of cities and local authorities in this country and abroad have taken a variety of measures to limit or exclude the use of glyphosate herbicide for the treatment of weeds;
- other local authorities, notably Glastonbury and Shaftesbury, in the South West have banned the use of glyphosate, and Lyme Regis and Wadebridge have declared they are pesticide-free. Bristol City Council are actively considering the introduction of a phased reduction in glyphosate use;
- Exeter City Council parks and green spaces team are currently trialling alternative methods of weed control to glyphosate; Exeter City Council fully supports this course of action;
- Devon Wildlife Trust, who are working in partnership with Exeter City Council particularly with regard to the Valley Parks, do not use glyphosate because of the detrimental effect it has on insects (bees) and biodiversity;

This Council believes:-

- this Council has a duty of care to its citizens and staff; and
- the use of such glyphosate has a detrimental effect on biodiversity and the environment in general.

Council resolves:-

- to investigate and trial alternative safe and cost effective methods of weed suppression and management;
- to use the results of these trials to inform Council processes over the next three years; and
- to assess the success or otherwise of the planned reduction strategy in glyphosate use with regular progress reports to Place Scrutiny Committee.

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

Council notes:

Exeter City Council urges HM Government as a part of any ongoing review of the Business Rates system to lift the exemption that currently applies to Purpose Built Student Accommodation (PBSA), thereby ensuring that local authorities and local communities benefit from a broadening of the local tax base.

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The Council is encouraged to promote this view through its Members of Parliament and the Local Government Association.

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

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

Date: Monday 7 October 2019

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register

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COUNCIL

Tuesday 23 July 2019

Present:-

The Right Worshipful the Lord Mayor Councillor Peter Holland (Lord Mayor)
Councillor Mrs Yolonda Henson (Deputy Lord Mayor)
Councillors Atkinson, Bialyk, Branston, Buswell, Foale, Foggin, Ghusain, Hannaford, Harvey, Henson, D, Lamb, Leadbetter, Lyons, Mitchell, K, Mitchell, M, Moore, D, Moore, J, Morse, Newby, Oliver, Owen, Packham, Pattison, Pearson, Pierce, Quance, A, Quance, I, Sheldon, Sills, Sutton, Vizard, Wardle, Warwick, Williams and Wright

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APOLOGIES

Apologies for absence were received from Councillors Begley and Wood.

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MINUTES

The minutes of the Ordinary meeting of the Council held on 16 April 2019 and the minutes of the Annual General Meeting held on 14 May 2019 were moved by the Leader, Councillor Bialyk and seconded by Councillor Sutton, taken as read, approved and signed as correct.

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OFFICIAL COMMUNICATIONS

The Lord Mayor confirmed the receipt of a petition with 39 signatures, from residents of Hamlin Gardens regarding the proposed new bin storage arrangements. In accordance with the City Council's Petition Scheme, this would be referred to the next meeting of the People Scrutiny Committee on 5 September 2019.

The Lord Mayor congratulated the following for their respective achievements:-

- Chester Long Court had recently won the "Design through Innovation" Award at the Royal Institute for Chartered Surveyors South West Awards, as well as the "Residential Property of the Year (for 35 units and under)" award at the recent Michelmores Property Awards. These awards were testament to the cutting edge Passivhaus design of the properties, and the sterling work of the Housing Development team. It was noted that all of the units were now occupied;
- The RAMM – which had been shortlisted for the "Tourism and Hospitality Business of the Year" at the recent Exeter Business Awards;
- The Exeter City Community Trust, the Lord Mayors Charity for the year, recently winning the "Business Contribution to Sport in the Community" award at the Devon Sports Awards;
- The staff at the Materials Recycling Facility, who had supplied the Gas Tower Stage at the recent Glastonbury Festival – this was a remarkable achievement bearing in mind it was built entirely from 10,000kgs of plastic which had been recovered from beaches all across the South West;

- The Red Coats Guides were recently awarded the Queen's Award for Voluntary Service, the equivalent of an OBE for organisations. This was a major accolade for the hard work of the volunteers who offer guided tours on the history and other important aspects of the city all for no cost;
- The highly successful Exeter Festival which brought, amongst other things, live music and outdoor cinema performances to packed houses at Northernhay Gardens.

The Lord Mayor congratulated the Chief Executive & Growth Director, Karime Hassan, who had been awarded an Honorary Doctorate by the University of Exeter, in recognition of his work in promoting growth and wellbeing in Exeter and East Devon over the last two decades. All Members agreed that this was well deserved recognition.

The Lord Mayor commented on his recent attendance at a passing out parade of the latest recruits at the Commando Training Centre Royal Marines (CTCRM) in Lymington on 19 July. He said he was honoured to attend the event to see the recruits receiving the coveted Green Beret after 32 weeks of intensive training.

The Lord Mayor formally welcomed the ten Councillors elected to the Council in May, to the first Council meeting of the civic year, namely Councillors Yvonne Atkinson, Christine Buswell, Amal Ghosain, Michael Mitchell, Diana Moore, Jemima Moore, Trish Oliver, Alys Quance, Ian Quance and Ruth Williams.

The Leader of the Council also referred to the impressive list of achievements which all deserved recognition and congratulated the Chief Executive & Growth Director.

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PLANNING COMMITTEE - 15 APRIL 2019

The minutes of the Planning Committee of 15 April 2019 were presented by the then Chair, Councillor Sutton, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 15 April 2019 be received.

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PLANNING COMMITTEE - 24 JUNE 2019

The minutes of the Planning Committee of 24 June 2019 were presented by the Chair, Councillor Lyons, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 24 June 2019 be received.

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LICENSING COMMITTEE - 28 MAY 2019

The minutes of the Licensing Committee of 28 May 2019 were presented by the Chair, Councillor Owen, and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 28 May 2019 be received.

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PEOPLE SCRUTINY COMMITTEE - 6 JUNE 2019

The minutes of the People Scrutiny Committee of 6 June 2019 were presented by the Chair, Councillor Vizard and taken as read.

RESOLVED that the minutes of People Scrutiny Committee held on 6 June 2019 be received.

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PEOPLE SCRUTINY COMMITTEE - SPECIAL - 26 JUNE 2019

The minutes of the special meeting People Scrutiny Committee of 26 June 2019 were presented by the Chair, Councillor Vizard and taken as read.

RESOLVED that the minutes of the special meeting of People Scrutiny Committee held on 26 June 2019 be received.

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PLACE SCRUTINY COMMITTEE - 13 JUNE 2019

The minutes of the Place Scrutiny Committee of 13 June 2019 were presented by the Chair, Councillor Sills and taken as read.

RESOLVED that the minutes of Place Scrutiny Committee held on 13 June 2019 be received.

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PLACE SCRUTINY COMMITTEE - SPECIAL - 18 JUNE 2019

The minutes of the special meeting of Place Scrutiny Committee of 18 June 2019 were presented by the Chair, Councillor Sills and taken as read.

In respect of Minute No.36 (Tackling Climate Change) and in response to clarification sought by Councillor Williams, the Portfolio Holder Climate & Culture stated that the statement that Exeter's Energy Recovery Facility is the largest single source of emissions requires some context: it is one of a small number of strategic waste treatment facilities in Devon and treats waste from a catchment area well beyond the Exeter boundary. Incineration with energy recovery was environmentally preferable to disposing of waste to landfill. Diverting food waste as well as more plastic and glass waste away from energy recovery and towards recycling, which was the subject of a separate report to Place Scrutiny Committee, would reduce net carbon emissions. This would free up capacity at the Energy Recovery Facility to divert more of Devon's non recycled waste away from landfill.

RESOLVED that the minutes of the special meeting of Place Scrutiny Committee held on 18 June 2019 be received.

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PLACE SCRUTINY COMMITTEE - SPECIAL - 25 JUNE 2019

The minutes of the special meeting of Place Scrutiny Committee of 25 June 2019 were presented by the Chair, Councillor Sills and taken as read.

RESOLVED that the minutes of the special meeting of Place Scrutiny Committee held on 25 June 2019 be received.

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CORPORATE SERVICES COMMITTEE - 27 JUNE 2019

The minutes of the Corporate Scrutiny Committee of 27 June 2019 were presented by the Chair, Councillor Sheldon and taken as read.

RESOLVED that the minutes of Corporate Scrutiny Committee held on 27 June 2019 be received.

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EXECUTIVE - 11 JUNE 2019

The minutes of the Executive of 11 June 2019 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 52 (Report on the Towards Carbon Neutral Exeter)**, the Leader sought Member's support for any debate on this matter as it was included in the minutes of the Executive held on 9 July.

In respect of **Minute No. 53 (Report on the Empty Homes Strategy)**, the Leader moved and the Deputy Leader, Councillor Sutton seconded the recommendations and they were carried.

In respect of **Minute No. 54 (Report on the Adoption of Hoarding in Council Properties Policy)**, Councillor Hannaford referred to the debate at People Scrutiny and also at Executive and welcomed the discussion as this had dealt with an emotionally sensitive issue. A Member was pleased that the stance had been tempered and individuals found to be hoarding would not be made homeless, but decanted into another property. The Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 55 (Report on the Proposal to Adopt an Updated Animal Licensing Policy)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 56 (Report on the Review of the Constitution)**, the Leader stated that the Working Group had been established. He advised that the reference in the minutes with regard to the Members' Allowances was a matter for the Independent Remuneration Panel to discuss. The Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 57 (Report on the Honorary Alderman)**, Councillor D Henson sought clarification on the process. The Corporate Manager Democratic and Civic Support confirmed that at the Executive on 9 July, it was noted that protocol excluded any nominee who was a current County Councillor. The request would be deferred until such a time as the nominee, Mr Percy Prowse was no longer a serving Devon County Councillor.

In respect of **Minute No. 58 (Outside Bodies List)**, the Leader examined that the change would ensure that any vacancies were filled more timely. He moved and the Deputy Leader seconded the recommendations and they were carried.

RESOLVED that the minutes of Executive held on 11 June 2019 be received and, where appropriate, adopted.

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EXECUTIVE - 9 JULY 2019

The minutes of the Executive of 9 July 2019 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No.64 (Report on the Environmental Health & Licensing Statutory Service Plan)**, the Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 65 (Report on the In Exeter Business Plan 2020 - 2025)**, Councillor Hannaford welcomed the extension of the BID area but sought advice as to how the St Thomas shopping centre and specifically Cowick Street could be included. He felt this was an area with a strong identity which would benefit from the cohesive and formal structure of the BID. The Portfolio Holder Environment & City Management advised that the BID operated independently and it would be for the BID to decide to increase its size using a set methodology, but he suggested an application could be made to the BID Board.

Councillor J Moore referred to the many positive impacts on the city from the BID including Christmas lights, enhanced cleaning services and support for smaller businesses in carbon saving and recycling, but was disappointed in the offer of free parking in the city's car parks on Thursdays after 6.00pm, which she felt was not in line with the carbon neutral target. She felt this approach would do little to curb the traffic, congestion and improve air quality, particularly in the run up to the Christmas late night opening and, she welcomed visitors to the city, but hoped that more innovative ways relating to public transport would continue to be explored. The Portfolio Holder Environment & City Development responded and welcomed the effort to attract more people to the city centre, and he commented on the balance between increasing car parking charges and supporting local businesses, by boosting the local evening economy as well as creating a spread of the traffic during the week instead of just at the weekend.

Councillor Williams stated that data quoted at a presentation made at the Place Scrutiny Committee on 18 June was averaged over a month and not a dynamic measurement attributed to a particular day. Councillor J Moore referred to the data which included detail of an increase in poor air quality during the months in the lead up to Christmas, due to increased traffic coming into the city.

The Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 66 (Report on the Towards Carbon Neutral Exeter)**, The Leader confirmed that Councillor. D. Moore had indicated that she wished to propose an addition to the recommendation referring to the need for an urgent reduction in carbon emissions and sought an enhancement to the recommendation to reiterate the importance of biodiversity and trees in particular - "That Council recognises the connected biodiversity crisis, and the vital role of biodiversity in tackling climate change and its contribution to our quality of life. The roadmap will set out measures to improve biodiversity, in particular, the protection and planting of trees." The amendment was seconded by Councillor J Moore.

The Portfolio Holder Climate & Culture stated that she was happy to accept the additional wording to the recommendation. She referred to the importance of the subject, which she felt was acknowledged by the intensity and extent of the discussion at recent meetings of the Place Scrutiny Committee as well as Executive. She thanked Members for their considered, thoughtful and helpful contributions to bring this matter forward. The recommendations to Executive which outlined the broad strategy for Exeter were implicit, and a vital part of the Council's work going forward and she invited all Members to ensure that they were pursued. It was recognised that Exeter could not carry out the work alone, and the scale of the challenge had been demonstrated, but Exeter was in the vanguard of the strategies,

targets and achievements and had recognised the scale of the challenge ahead. The recommendations outlined how the City Council would aim to tackle the challenge but to acknowledge that it could not work alone and would work with a broad range of organisations and bodies including Exeter City Futures included Devon County Council, the Royal Devon & Exeter Hospital, the University of Exeter, Exeter College, Oxygen House and a range of businesses to ensure the city would become carbon neutral by 2030. She welcomed the additional wording to the second recommendation and wished to second the reference to biodiversity which she hoped would enable all Members to support the recommendations.

Councillor Sills stated that he was pleased that he had been able to chair a special meeting of Place Scrutiny Committee to consider this matter and that it was right that the City Council was declaring a climate emergency as a Council. It was noted that it had been agreed that, special biannual meetings of Place Scrutiny Committee would be held to consider the Council's progress against the content of this recommendation.

Councillor Hannaford congratulated the Portfolio Holder Climate & Culture for offering real action rather than just sweeping statements or vague aspirations.

Councillor Leadbetter also welcomed the proposals and the opportunity to work together.

Members welcomed the recommendations, expressed their satisfaction with the input of both Place Scrutiny and Executive and emphasised the importance of working together to make Exeter as green as possible. Members noted the work already undertaken by Exeter City Council and the resource and budget issues faced by the Council.

The Portfolio Holder for Environment & City Management provided an overview on the introduction of electric dustcarts which would incur a cost of £300,000 per dustcart and he informed Members of the importance of developing a strategy to save and replant trees in Exeter.

The Leader stated that there was a lot of work to do and there would be policies and processes in place to tackle climate change. The Council would be working with other local authorities to move the strategy forward, with progress to be reported to the Place Scrutiny Committee. Improving the quality of life for residents was a high priority.

The amendment to the original recommendations were put to a vote and unanimously passed.

RESOLVED that:-

- (1) Exeter City Council declare a 'Climate Emergency';
- (2) The carbon neutral target for Exeter is framed in a way that links to wider regional targets. This shows Exeter's intention to decrease its emissions without increasing emissions in the wider region;
- (3) Exeter City Council commit to their operations becoming carbon neutral ahead of the 2030 date and mobilise resource to develop internal plans to deliver the target. 2.5 That Exeter City Council request a "Carbon Neutral Delivery Team" is convened by ECF CIC to establish a city plan for delivery that builds on the Energy Independence Roadmap produced by ECF CIC and uses the 12 Goals as the basis of the approach (see Appendix 1 to this report for a list of the Goals). The Carbon Neutral delivery team will:

- Draw together existing evidence and data to establish baseline state of the City presented under each of the 12 Goals.
 - Conduct a full audit of the City to highlight gaps between current plans and what is required to achieve carbon neutral.
 - Define a clear city plan showing outcomes that will need to be met to deliver carbon neutral, how existing activities support and where there are gaps.
 - Identify immediate opportunities and crucial first steps
- (4) Exeter City Council commit resource to be part of the Carbon Neutral Delivery Team and, due to the urgency required, co-locate those resources with ECF CIC to ensure that the City Council is leading by example and sharing learning with other ECF CIC Member organisations and the wider ECF CIC Partner Network. (A list of current members of the ECF CIC Partner Network is provided in Appendix 2 to this report);
- (5) Exeter City Futures CIC be requested to convene “Carbon Neutral Mandate Group” through a series of summits to validate, challenge and endorse the Roadmap produced by the Carbon Neutral working group;
- (6) Exeter City Council support the work of the Devon Climate Emergency Response Group (CERG) and note the outcomes and recommendations. Exeter City Council will participate in a "People's Assembly" with the governance arrangements to be confirmed by the CERG;
- (7) To convene a Special meeting of Place Scrutiny Committee, on a biannual basis, to collate and discuss all of the work by Exeter City Council in respect of Climate Change and also allow the opportunity for outside bodies to continue to update Members;
- (8) Council reports should include an analysis of the progress and impact in working towards a Carbon neutral city goal, as they currently do for the impact on any decision in relation to equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults; economy, safety and the environment; and
- (9) Exeter City Council recognises the connected biodiversity crisis, and the vital role of biodiversity in tackling climate change and its contribution to our quality of life. The roadmap will set out measures to improve biodiversity, in particular, the protection and planting of trees.

In respect of **Minute No. 67 (Report on the Exeter Live Better Move More Physical Activity Strategy)** the Leader stated that the Strategy was important and referred to the relationship to the city's aspirations to support a change in attitudes to physical activity as well as participating in a greener, more active lifestyle. He welcomed the inclusion of Exeter in the Sport England Local Delivery Pilot with investment of over £4.7 million in Exeter. The Strategy was an important document to support changing attitudes about using cars and encourage the use of greener and more active travel.

Intended outcomes for the first year of the pilot were discussed, which include increased investment in Wellbeing Exeter to deliver:

- 2,000 new social prescribing referrals: 1,000 with active lifestyle plans
- 20 new community activity groups

Through Active Environments and Travel programme:

- 1 local community built environment transformation programme
- 15 Play Streets bringing communities together
- 3 Community Streets designed for improved walking and cycling
- 3,000 more residents supported to access strategic cycling and walking routes

Through Active School Communities

- 10 schools mobilised
- Creation of 10 active school community hubs with families shaping and leading activities themselves
- 2,000 children (of which 700 will be from low income families) participating in new physical activities
- 2 active street neighbourhoods

Through Active Workplaces

- A community of learning established with 10 target workplaces
- 5,000 employees reached and 500 of least active engaged
- 10 new workplace Active Travel policies in place and demonstrating early increase in % of staff choosing active community
- 10 new Active Workplace policies /programmes being delivered

The Portfolio Holder for Leisure & Physical Activity commented on the climate emergency crisis, which the Strategy would help in tackling and supported increasing active behaviour and travel in the city. The feedback from the consultation had been very positive and the next challenge would be to action proposals in the Strategy. He highlighted that Exeter was one of the most active cities in the country according to national statistics but that there were high levels of inactivity in parts the city. The policy outlined these locations and how they would be targeted to encourage active lifestyles. Moving the Strategy forward was the next step to increase physical activity in the city.

The Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 68 (Report on the Exeter Live Better Move More Built Facilities, Playing Fields, Pitches, Play Areas, Parks and Open Spaces Strategy)** the Leader reiterated the commitment not to build on the Northbrook Golf Approach site, and stated that he would be working on a consultation with various groups to ensure its future as a green space for all.

The Portfolio Holder Leisure & Physical Activity thanked the Leader as this Portfolio had previously been under his responsibility. The adoption of the Strategy would help to set out the investment needed in the built facilities to improve the offer of leisure facilities as well as focus on the areas of need in the city and to ensure the city had the right facilities in place. The plans included improvements at Exeter Arena to create a community sports village, the proposed Health and Wellbeing Centre at Wonford, reopening of the Riverside Leisure Centre swimming pool next year, and opening the St Sidwells Point swimming pool and leisure centre in 2021.

The Strategy sets out the priorities for future leisure investment and how improvements could be made to the current buildings which are not at an acceptable level. There is a focus on the areas of greatest need to ensure the city had the right facilities in the right places. He confirmed the Riverside swimming pool

would re-open next year and that the golf provision would be removed from Northbrook.

The Portfolio Holder Environment & City Management referred to the work Parks and Open Spaces aspects of the recent consultation which had indicated that the facilities were generally well run and highly valued. Proposals for destination parks have been dropped following the response where people clearly stated their preference for smaller local Facilities that were within a 10 minute walking distance. The proposed Task and Finish Group would help to identify priorities for future investment in the city's important play areas.

Councillor D Moore welcomed the opportunity to offer an enhanced community involvement for the city's leisure facilities and open spaces. She requested that the recommendations from the Executive be voted upon separately.

The Leader and the Portfolio Holder for Leisure & Physical Activity acknowledged the importance of continuing community engagement on the future use of parks and open spaces and that representation on how they would be run would be sought. In response to a question from Councillor D Moore, the Leader explained that it was far too soon to make any comment on the potential future management options for the Wonford facility but he could commit to the on-going engagement of the community in developing the concept and then in working with officers on the detailed design and operation of the future facility. Decisions on management arrangements would come much later as plans develop.

Councillor Hannaford agreed with the change in approach not to close any play areas as it was important to ensure that everyone had access to a play area or open green space. Members discussed the strategy and welcomed keeping play areas and green spaces open, to encourage activity and fitness, especially in children. It was also important to have open and honest debates with communities to obtain their input.

The Leader moved and the Deputy Leader seconded the recommendations, which were voted upon separately and were carried.

In respect of **Minute No. 69 (Report on the Community and Arts Grants Review)** the Portfolio Holder for Equalities, Diversity & Communities stated that she was proud that despite a reduced budget, Exeter City Council had continued to support funding for community and arts grants. The Leader explained that the Exeter Grants Panel would be politically balanced and have a terms of reference to monitor all spending.

Members supported the policy.

The Leader moved and the Portfolio Holder for Equalities, Diversity & Communities seconded the recommendations and they were carried.

In respect of **Minute No. 70 (Report on the Overview of Revenue Budget)** the Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 71 (Report on the Capital Outturn)** the Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 72 (Report on the Treasury Management Report)** the Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 74 (Report on the Liveable Exeter Garden City)** the Leader explained the importance of building 11,000 homes over the next 20 years and stated that he would be engaging with other Local Authorities on housing issues and establish a team which would also look to protect the city's green spaces.

The Leader asked if Councillor J Moore wished to withdraw her notice of motion on green spaces, due to be debated later in the meeting, and highlighted the changes being made and the need to work together to make liveable Exeter manageable going forward.

Councillor K Mitchell welcomed the document and the need to build houses and the comments from the Executive, but felt there was an opportunity to strengthen the recommendation. He proposed an additional recommendation which was seconded by Councillor D Moore:-

"In light of the Council's commitment for Exeter to be Carbon Neutral by 2030, we would aim for the Liveable Exeter Garden City project to become a global demonstration of Carbon Neutral development".

Members stated that it was important to help people find homes and avoid substandard living. The Council's Passivhaus standard further supported the City Council's commitment to being a carbon neutral city, but there was a need for homes. The Leader opposed the amendment, and stated his commitment to encourage the provision of better homes which supported the carbon neutral policy.

Councillor D Moore, in seconding the amendment, stated that the motion would support the focus on climate change and provide a clear framework towards making Exeter Carbon Neutral.

Councillor K Mitchell, in proposing the amendment, thanked Members for their comments. The amendment was put to the vote and lost.

The Leader moved and the Deputy Leader seconded the recommendations which were carried unanimously.

In respect of **Minute No. 76 (CIL Infrastructure Payments)**, the Leader moved and the Portfolio Holder for City Planning & Development seconded the recommendations and they were carried.

In respect of **Minute No. 77 (CIL Charging Schedule)**, the Leader highlighted that the charging schedule had been introduced in 2013 but, following the recession, the development of Homes with Multiple Occupancy (HMO) and purpose built student accommodation had been halted. The Leader was undertaking meetings with building developers and was asking for a review of the charging schedule. This review would only be the starting point for a process lasting up to two years.

The Leader moved and the Deputy Leader seconded the recommendations and they were carried.

In respect of **Minute No. 82 (Report on the Leisure Contract Compensation Payment (Part 2)** Councillor D Moore asked if the public would be made aware of

the amount for the compensation payment. The Leader stated he would like to inform the public but would need to seek legal advice before doing so.

The Leader moved and the Portfolio Holder for Supporting People seconded the recommendations and they were carried.

RESOLVED that the minutes of Executive held on 9 July 2019 be received and, where appropriate, adopted.

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**NOTICE OF MOTION BY COUNCILLOR D MOORE UNDER STANDING ORDER
NO 6**

Councillor D Moore, seconded by Councillor K Mitchell, moved a Motion in the following terms:-

Exeter City Council notes the purpose of the community Infrastructure Levy (CIL) is expected to "Have a positive economic effect on development across a local plan area." The current CIL charging statement was adopted for Exeter on 15th October 2013. The rapid construction since this date of purpose built student blocks (PSPBs), particularly in the city centre wards has already bought forward a 8,017 bed spaces and 2,802 are currently in construction. That while developers have enjoyed a discount on the CIL levy compared to housebuilders, a significant number of the PBSBs been priced and marketed as 'luxury' accommodation. These are not affordable to many students nor do they help achieve the Council's goal of encouraging students to take advantage of this accommodation rather than in Houses of Multiple Occupation.

Councils therefore resolves:

- 1. The CIL charging schedule rate for Purpose Built Student Housing no longer serves a useful purpose and has a disproportionate effect on the city centre wards of the local plan area.*
- 2. To bring forward a new charging schedule as soon as possible to replace the current schedule.*
- 3. A new charging schedule will no longer apply a lower charging rate of CIL to purpose built student housing compared to residential charging. However, a relief may be applied where affordable student accommodation is to be provided (to be defined in the new schedule).*
- 4. That until such time a new Charging Schedule is adopted by the Authority Section 106 agreements are put in place on PBSBs to make such developments acceptable in planning terms. These agreements must include specific benefits for the local community, and may be up to the equivalent to the CIL levy contribution for an equivalent sized residential development.*

In presenting the Notice of Motion, Councillor D Moore stated that it was a matter of importance to all. She agreed with the cross party consensus that students made a significant contribution to life in Exeter, however she had received complaints from students that the purpose built student blocks were expensive to live in and for many students unaffordable. She appreciated that it would take time for any change, but she hoped that plans to mitigate the student built blocks would be made. She considered that the CIL charging schedules were no longer serving a useful purpose and had a disproportionate effect on the availability of accommodation in the city centre. She suggested that a new charging schedule be introduced as soon as possible to encourage zero carbon building regulation standards. This would also ensure that when affordable student accommodation was provided that there would be affordable homes for young people. She requested that more of Section 106 money should be set aside to make the

developments acceptable. She appreciated that there were significant developments coming forward but urgent action was needed. She commented on the Council's supplementary planning document and the Section 106 payments made in 2014. She provided examples in her ward which had not benefited from Section 106 monies, despite the ward ranking in the top 20% of multiple deprivation. She commented on the benefits to the area which could have enhanced the public realm such as public art, play parks and environmental enhancements. The Section 106 policy could offer benefits to create further skills and employment opportunities.

She felt that the Motion should receive cross party support to send a message to developers.

Members debated the proposed Motion.

Councillor Leadbetter considered that the Motion was premature and had already been discussed by Members.

Councillor Morse, Portfolio Holder Supporting People, commented on the detail provided on the St David's ward and she felt that all Members would have examples of issues within their ward. The Council had adopted a CIL process which had resulted in a number of good community schemes.

Councillor Atkinson considered that there was no evidence to support the statements made and she referred to the discussion at Executive. The Local Plan had been consulted on and the Council should follow due process. She felt that the best place for student accommodation was in the town centre.

Councillor Sills shared the concerns highlighted by Councillor D. Moore in respect of the student accommodation within the St David's ward but considered the Motion to be misinformed on key facts. He referred to the protocol for opposing any student accommodation which was to make any concerns known at the Planning Committee which he had done successfully on two recent purpose built student accommodation applications.

Councillor Owen had sympathy for the first three parts of the Motion, but felt the fourth point to be illegal and although, he had some sympathy, he would abstain from voting for the Motion.

Councillor K Mitchell, in supporting the Motion, thanked Councillor D Moore for presenting the Motion and felt this to be a major issue for the community. He had proposed a recommendation to the Executive in July on this matter, but that had not been successfully seconded. He appreciated that the purpose of the CIL was to offer some benefits to the community but he would leave it to residents to offer a view if any benefits had resulted. The Motion highlighted a particular issue with the CIL levy and he accepted that this was being considered with more awareness of student accommodation issues. He sought some clarity on why Part 4 of the Motion was considered illegal. At the request of the Leader, the Litigation Solicitor provided legal advice on Section 106 agreements and the provisions of Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2019. The use of planning obligations through Section 106 agreements was considered on a case by case basis in relation to each development. He confirmed that in order to be lawful, Regulation 122 stated that Section 106 planning obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and in kind to the development.

Councillor D Moore, in proposing the Motion, summarised that she was disappointed that she had been personally attacked by other Members for her comments. The Council had adopted the Section 106 policy in 2014 and that nothing she had said contradicted the guidance provided by the Litigation Solicitor relating to Section 122. She had asked the Council and the Planning Department to look at the existing Policy to create a better deal for residents and students when any purpose Student accommodation applications came forward. She suggested that, if the policy was not fit for purpose, it should be looked at again.

The Notice of Motion was put to the vote and lost.

48

**NOTICE OF MOTION BY COUNCILLOR J MOORE UNDER STANDING ORDER
NO 6**

Councillor J.Moore, seconded by Councillor D.Moore, moved a Motion in the following terms:-

Exeter City Council notes that:

1. *The decision to sell the green space at Clifton Hill, close the Clifton Hill Sports Centre and sell land currently leased by Exeter Ski Club, as confirmed at the Council meeting of 26 February 2019, has proved highly contentious.*
2. *The council received several petitions and numerous other representations opposing the sale: 1,800 people signed an online city-wide petition to save the sports centre; 500 signatures were collected door-to-door by the Save the Clifton Hill Green Space group, and the petition to save the Ski Slope was presented at the Council meeting on 26th February with a total of 2,624 signatures. All were ignored.*
3. *On May 2nd of this year Independent Cllr Jemima Moore, one of the Clifton Hill green space campaigners, was elected with 1,359 votes, pushing voter turnout in the Newton and St. Leonard's ward up from 34% to 39%.*
4. *Clifton Hill was earmarked for sale before the consultation on Exeter's Physical Activity Strategy, and thus the Ski Slope, Sports Centre and green space were excluded from city-wide strategic planning intended to enhance the wellbeing of people in Newtown and the whole of Exeter.*
5. *We are facing a climate emergency, loss of biodiversity and dangerous levels of air pollution. Exeter needs open spaces and trees to provide "green lungs" that mitigate rising temperatures and pollution. The ambitious Exeter Garden City vision cannot be achieved if we build on the last remaining city centre green spaces.*
6. *There is no guarantee that sale of the Clifton Hill site will achieve the expected £8.5 – £9 million, and yet this estimate has repeatedly been used as the sole justification for the decision. Failure to meet this target could result in accusations of maladministration, or a legal challenge.*
7. *The Council holds other assets that could either be sold to raise revenue or used for social housing to address local need and generate income in the longer term. The sale of buildings and car parks should always be prioritised, before our green spaces, trees and wildlife are lost forever.*
8. *It is not too late to rethink the Council's decision to sell the Clifton Hill site, and for all of us to work together to seek a better solution.*

Exeter City Council therefore resolves to put the decision to sell the Clifton Hill site on hold, pending a four month review period during which other options for raising revenue – including a full and transparent assessment of other Council assets that could be sold without losing green space – are explored.

In presenting the Notice of Motion, Councillor J. Moore, said that she had been delighted that the Leader had made the recent announcement that the Clifton Hill green space and ski club site had been saved. She said that she and her colleagues and residents in the area had been campaigning for this. She welcomed his invitation to work together on the future use of those parts of Clifton Hill to reach a common ground for the continuing benefit of the local community. She welcomed also the change in stance in respect of the future use of Northbrook Golf course and Bull Meadow as well as the undertaking to protect play parks. She did not wish to withdraw her Motion as she wanted to ensure that these announcements would be publicly confirmed. She also asked the Leader to confirm that these sites would not be used for student accommodation and to formalise the status of the sites in the next cycle of meetings for confirmation at the next Council meeting.

The Leader did not wish there to be any uncertainty over his statement regarding the retention of that part of Clifton Hill, originally considered for disposal and the protection of the green space. They had made a commitment for housing to be built on part of the site but there was no intention to build student accommodation. He said there was every intention to see the area at the rear of the Clifton Hill site retained as green space. He would continue to engage with Members at the appropriate time.

Councillor J Moore in seeking the assurances from the Leader withdrew her Motion for the present time and welcomed the opportunity to work together to keep such green spaces in the city. She still wished for the matter to be pursued within the next cycle of meetings. The Leader advised that he would continue to work with senior Members who were a part of the Informal leaders Group.

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QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER NO 8

In accordance with Standing Order No.8, Councillor Newby put the following question to the Leader.

Question - Has this Council which owns homes and buildings in and around the city been asked to take part in the Devon and Somerset Fire and Rescue Service Consultation programme?

The Leader welcomed Councillor Newby back to the Council Chamber, confirming that the City Council had been asked to take part in the Devon and Somerset Fire and Rescue Service consultation programme. He advised that as part of its wider restructure, the fire service was collating information on areas of operational risk across its area. The Exeter Strategic Board had invited the Fire Service to attend a future meeting, which he hoped would be accepted to discuss the city's fire service provision as this was a very important matter. However, the Fire Service had declined the invitation to attend the Exeter Strategic Board.

Councillor Newby asked a supplementary question *that if the cover area for the fire authority would be reduced, is there anything the Council could to ensure there would be no cuts?*

Councillor Newby reiterated his concerns that the outcome of the review might be a reduction in provision of fire cover in the city, from five to four appliances being available. He referred to recent fires and the potential for a different outcome as a result of the delay caused by a tender coming from further afield. He was very concerned that, with four appliances, there would be, in effect, only 20 fire fighters for the city and he requested that the Fire Authority be asked to keep the provision at five.

The Leader responded stating that he also did not wish to see any aspect of this public service diminished and he would contact the local MP for Exeter, Ben Bradshaw and also Sir Hugo Squire MP for East Devon to pass on Councillors Newby's request for retaining the fire provision. He said that he would also raise this issue in order to seek support at a forthcoming Devon Leaders' meeting on Friday.

(The meeting commenced at 6.00 pm and closed at 10.00 pm)

Chair

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PLANNING COMMITTEE

Monday 22 July 2019

Present:-

Councillor Lyons (Chair)

Councillors Williams, Bialyk, Branston, Foale, Ghusain, Harvey, Mrs Henson, Mitchell, M, Morse, Pierce, Sheldon and Sutton

Also Present

Director (BA), Service Lead City Development, Assistant Service Lead (Planning) City Development, Principal Project Manager (Development) and Democratic Services Officer (HB)

In Attendance

Councillor Holland - Speaking Under Standing Order 44.

39

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

40

RETAIL DEVELOPMENT PROPOSALS

The Chair explained the process for considering the three applications for retail developments as set out in Min. Nos. 42, 43 and 44 below, explaining that a fourth application as set out in Min No. 41 below had been withdrawn. The Principal Project Manager (Development) (MD) would present the detail of the three applications in turn to be followed by questions of clarification from Committee Members. The Councillor attending under Standing Order No 44 would then speak followed by the four public speakers, one of whom, was speaking in respect of two of the applications, to combine both his presentations into one.

The Chair further advised that the applications would be taken in the following order which differed from that set out in the agenda:-

- 18/1330/OUT - Land North of Honiton Road and West of Fitzroy Road);
- 18/0368/OUT - WPD Depot, Moor Lane; and
- 18/0983/OUT - B&Q, Avocet Road, Sowton Industrial Estate

that of 18/1007/FUL - Police Headquarters, Devon And Cornwall Constabulary Police Training College, Alderson Drive having been withdrawn.

In respect of Application No 18/0983/OUT, the Chair reported that the applicant had requested that the application be deferred to carry out revisions. The Service Lead City Development advised that the request had been received after publication of the agenda and that because it was substantially different from the submitted proposal, requiring a number of new documents, the applicant had been advised instead to withdraw the application or the application should be determined.

The Chair put the request for a deferral to the vote.

RESOLVED that the request from the applicant for Application No 18/0983/OUT to be deferred be refused.

Following presentations by the public speakers, debates and votes followed in respect of Min. Nos. 42, 43 and 44 below.

41 **PLANNING APPLICATION NO. 18/1007/FUL - POLICE HEADQUARTERS,
DEVON AND CORNWALL CONSTABULARY POLICE TRAINING COLLEGE,
ALDERSON DRIVE, EXETER**

The application had been withdrawn.

42 **PLANNING APPLICATION NO. 18/1330/OUT - LAND NORTH OF HONITON
ROAD AND WEST OF FITZROY ROAD, HONITON ROAD, EXETER**

The Principal Project Manager (Development) (MD) presented the outline application for a mixed use development to provide town centre facilities comprising uses within Classes A1 (Retail), Class A2 (Financial and Professional Services), Class A3 (Cafes and Restaurants) with associated Drive-Throughs, Class A5 (Hot Food Takeaways), Class D2 (Assembly and Leisure) with associated means of access, access roads, service yards, car parking, infrastructure, public realm and landscaping (all matters reserved except access).

The application was a revision of the application that had been submitted in 2018 and was subsequently withdrawn (ref. 18/0076/OUT). Approval was sought for a maximum floorspace of 11,527 sq m (GEA)/11,004 sq m (GIA) comprising 8,659 sq m A1, 465 sq m A2, 1,021 sq m A3, 116 sq m A5 and 743 sq m D2. The amount of floorspace had been reduced by about 13% compared to the previous application and the applicants proposed that between 1,000 sq m and 2,789 sq m of the A1 floorspace be used for the sale of convenience goods, alongside a chemist and related goods (with or without a pharmacy) and provision made for Post Office facilities.

The report also detailed the key issues of the principles of the proposed development, access and impact on local highways, parking, impact on air quality, contaminated land and impact on amenity of surroundings, impact on trees and biodiversity, flood risk and surface water management and sustainable construction and energy conservation.

Approval was also sought for a Parameters Plan and suggested controls for the proposed floorspace had also been submitted. The access proposals showed the redesign of the existing access road to the site off Fitzroy Road. It also proposed widening the carriageway to the north in order to incorporate an island and right turn lane into the Persimmon residential development site to the north.

The Principal Project Manager (Development) (MD) referred to a letter of support to this application from SW Communications and a representation from the Crown Estate, requesting conditions on the basis of the other applications being refused. In addition, an objection had been received from East Devon District Council to this and the other applications because of the impact on the Cranbrook Town Centre and insufficient information on the impact on this Centre from the retail sequential test. It was noted that East Devon were yet to formally adopt a development plan document for Cranbrook.

The Principal Project Manager (Development) (MD) referred to the results of the assessment of the impacts in terms of both comparative goods floor space and convenience of each of the three applications and also an assessment of the cumulative impact issues of the three applications except the Police Headquarters site prepared by the Council's external retail consultant, Avison Young. The

cumulative assessment had concluded that only one of the proposed schemes should be permitted to avoid significant adverse impacts on Exeter City Centre and St Thomas District Centre. A judgement was therefore necessary on which application should be approved.

The recommendation for the Moor Exchange application was for approval, subject to the conditions set out in the report, as it was considered that the salient factors in making this determination should be the accessibility of the sites to the local community by sustainable modes of travel and how well the proposals serve the local community's day-to-day needs. Due to its close proximity to housing in Hill Barton Vale and its wider mix of uses, the current Moor Exchange application was considered to be the most sustainable out of the three. It also possessed the best access to the City Centre by public transport.

Councillor Holland, having given notice under Standing Order No. 44, spoke on the three retail proposals in general. He raised the following points:-

- open minded about the applications but am not in favour of one or against any of the applications;
- initially believed that there would be six retail applications but two on the Tesco site were not forthcoming with the Police HQ site withdrawn. The 7,000 residents of St Loyes, a ward which was going through unprecedented growth, through 4,000 delivery points had been notified of all these proposals;
- widely recognised that 'out of town' retail parks may give shoppers greater convenience but they impact on retail trade in the City Centre;
- 30,000 vehicles enter the city daily along the Honiton Road Corridor Pinch points with a particularly adverse impact on the Honiton Road Junction with Wilton Way. Had Hammersons progressed their application for Middlemoor they were set to pay for the reconfiguration of the roundabout/road layout which would have helped alleviate these pinch points. Such investment is not forthcoming from the other applicants;
- concerned about the impact a Retail Park may have on the City Centre. At an InExeter independent showcase many City Centre independent operators expressed their concern in respect of out of town centres and sought reduced car parking charges in the Centres car parks; and
- expect any developer/contractor to be considerate of neighbours and seek to reduce noise and pollution with robust conditions to prevent deliveries taking place throughout the night and to ensure construction hours are limited to 8am to 6pm, Mondays to Fridays, 1pm on Saturdays and none on Sundays.

Councillor Holland advised that he had received 43 responses to consultation with residents

Nick Freer spoke against the application. His comments are also covered Min. No 43 below.

- significant impact on Exeter City Centre and other centres and Cranbrook should also be considered. The Cranbrook development plan document describes the Cranbrook town centre as a sequentially preferable and more sustainable option. Cranbrook was planned to deal with Exeter growth pressures and is part of a comprehensive solution for Greater Exeter. Cranbrook Town centre is clearly available and suitable for town centre development;
- a similar proposal was decisively refused in August 2018 and nothing of

significance has changed;

- officers still accept that the proposals conflict with CP19 yet consider that material circumstances dictate that consent could be granted;
- many of the occupiers that the scheme is intended to attract have no basis to be in a local centre;
- only a modest reduction in the amount of floorspace yet it remains fundamentally larger than a local or neighbourhood centre;
- since a year ago, the vulnerability of existing retail centres has become more not less apparent;
- nothing of significance has changed since August 2018 to warrant a different conclusion being drawn. Such change as has happened heightens the importance of Cranbrook and the policy status of the town centre. It also heightens concerns regarding the vulnerability of existing centres;
- the report makes one new argument - that the scheme is the most sustainable of the four applications which is a different matter to it being a sustainable or acceptable scheme given its failings and impacts across Exeter and beyond;
- Exeter Civic Society and the developers of the strategic site to the north unite in opposing the latest application not least because of the impacts on residents and the City's policies;
- the Hill Barton Consortium have set out their reasons why the gross oversizing of the retail element has real impacts on residents adjoining the boundary of the site, for example, servicing yards, recycling facilities, air conditioning are within 15-20 metres of buildings to the north;
- the applicant has the ability to deliver the Oberon Road access into Hill Barton yet fails to do so. That link should be an imperative and critical infrastructure item for the Monkerton Masterplan. Permission should be refused without it or a Grampian condition imposed to require it if permission is granted. No development should commence until the Oberon Road Link has been completed;
- comments consistent with those of East Devon District Council who also oppose the schemes; and
- in summary, the Committee report offers no significant change in circumstance since the decision taken last year. If anything, the passage of time has reinforced the reasons to refuse.

He responded as follows to Members' queries:-

- Cranbrook has existing planning permission for retail and other elements and community and employment use and a consultation on the development plan document took place between February and April 2019 with sustainability a key issue. Planning permission includes a Section 106 Agreement to bring forward 500 square metres retail units;
- although all authorities have not signed up to the Greater Exeter Strategic Partnership the vision for Cranbrook in the original Structure Plan Strategy was for a sustainable community for the wider Exeter area and to help meet Exeter's housing needs; and
- Cranbrook's current population is 2,000 with permission for a further 3,500, with the intention to ultimately grow to 7,800.

Martin Ridgway spoke in support of the application. He raised the following points:-

- report provides a balanced consideration of the development with previous issues of concern addressed. Moor Exchange enjoys the most accessible and sustainable location with local residents and employees able to walk to the site or use public transport;

- sustainability credentials have been improved, including more green space, a reduction in parking spaces and more electric car charging points, pedestrian links to the south, a crossing at Honiton Road, plus a new bus connection to the north;
- Moor Exchange has reduced in scale and a broader range of uses introduced such as a gym, bank, newsagents, chemist and a larger food element to ensure a good balance on the site to serve the community;
- many retailers such as Morrisons, Lidl, Next and Boots remain committed to physical stores and to expanding their presence in Exeter. The scheme's impact on Exeter are minimal as confirmed by the Council's retail advisor. Moor Exchange will complement Exeter City Centre. There is a clear need for a modern retail and services hub to serve the growth in East Exeter;
- Moor Exchange continues to enjoy significant local business support from Exeter Science Park, Chamber of Trade and South West Communications;
- most of the key building blocks for Moor Exchange are already in place;
- CPG are one of the largest developers in the retail and mixed use sector with an impressive track record;
- Moor Exchange continues to have the backing of retailers and occupiers;
- the scheme will provide significant social benefits due to the improved mix of uses to serve the local community including widened bus lanes to Honiton Road, provision of a new bus link into the adjacent residential development, further reduction in parking numbers on site, with increased capacity for 40 electric charging points and infrastructure for more in the future together with increased cycling provision;
- Co-Cars and Co-Bikes believe Moor Exchange could be central to their East Exeter vision and sustainable network;
- there will be a new pedestrian crossing at Honiton Road and enhanced landscaping to Honiton Road frontage, a key gateway to Exeter;
- the much needed facilities will help to make East Exeter a more attractive place to live, locate, work and invest. 520 new jobs will be created with 160 spin off jobs in the wider economy and 260 construction jobs. There will be a substantial Community Infrastructure Levy payment of £1.82 million and £1.1 million annually in business rates; and
- the report concludes that Moor Exchange is the most sustainable scheme.

He responded as follows to Members' queries:-

- Metrobank have expressed an interest in occupying a bank unit and a potential post office facility would be earmarked for another unit but which would benefit from parcel pick-ups etc. from neighbouring stores;
- the reduction in floor space will have a positive impact on the nearby Air Quality Management Area; and
- the applicant works with a large number of retailers across the country who are committed to on-going schemes and these close relationships should ensure early occupation of the Moor Exchange units. This is not a speculative scheme and is the most advanced of the other proposals.

Members expressed concerns that the overall scale of the proposal was not suitable for the area and considered that a purely Local Centre was preferable for the neighbouring residential development and the wider area that local residents would require access to smaller convenience stores for small items and not an out of town Shopping Centre. It was noted that Avison Young had calculated the impact of the revised proposal on the City Centre as 2-3% reduction for both convenience and comparison goods, representing £40/50 million spend compared with the total city centre spend of £720 million. The retail consultant also advised that, of the total floor space of 120,000 sq ft, it had been estimated in November

2018 that 9,700 sq ft had been vacant. It remained a concern therefore that there would be an adverse impact on the vitality and viability of the City Centre.

Members referred to the objection from Environmental Health on air quality grounds, one Member referring to the particular problems that increased traffic flow would have on the Heavitree Road Corridor and in particular East Wonford Hill, suggesting that smaller units such as a gym would lead to repeated journeys. The increased traffic would also impact adversely on the Wilton Way roundabout, another Member asking why the County Council had not sought Section 106 contributions to improve the roundabout from this applicant or the other two before the Committee.

Responding to Members' queries, the retail consultant advised that St Thomas had been used as a comparator centre as there was some overlap in the nature of trade such as at Exe Bridges and that other centres in the city were of low level impact. He also stated that a centre on Moor Exchange was likely to both rotate spend away from some other centres as well as increasing overall retail spend in the city.

The Service Lead City Development advised that the retail impact assessment had shown minimal impact on the city centre also advising that there was little likelihood that a developer would bring forward a local centre in the Pinhoe/Monkerton area. He also referred to the changes to the scheme with units now identified for potential occupation by a bank, gym, pharmacy and post office and to the potential for differing floor space utilisation by identified traders such as Next rather than direct transfer/duplication of existing assets of theirs in the city.

In respect of the representations made suggesting that the Cranbrook Town Centre should be included in a sequential assessment for the proposed scheme. The Council had not required this for the 2014 application and it had not been questioned by the Inspector or Secretary of State. In addition, the National Planning Policy Framework defined a town centre as an area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. This was not the case with the Cranbrook Town Centre at the current time.

RESOLVED that planning permission for outline application for a mixed use development to provide town centre facilities comprising uses within Classes A1 (Retail), Class A2 (Financial and Professional Services), Class A3 (Cafes and Restaurants) with associated Drive-Thru's, Class A5 (Hot Food Takeaways), Class D2 (Assembly and Leisure) with associated means of access, access roads, service yards, car parking, infrastructure, public realm and landscaping (all matters reserved except access) be **REFUSED** for the following reasons:-

1. the proposal does not accord with Core Strategy Policies CP19 and CP8, as it is not a local centre due to its scale, particularly the quantum of Class A1 and A3 uses, taking into account the definition of local centres in the Glossary in the Core Strategy; and
2. the proposed would have an adverse impact on air quality within the Air Quality Management Area (AQMA) of East Wonford Hill, where pollution levels are exceeding the objective level at residential properties and the proposed mitigation is unquantified and insufficient, The proposal therefore conflicts with Policy EN3 of the Exeter Local Plan First Review and paragraph 181 of the NPPF.

PLANNING APPLICATION NO. 18/0368/OUT - WPD DEPOT, MOOR LANE, EXETER

The Principal Project Manager (Development) (MD) presented the outline application for the demolition of existing structures, site remediation and redevelopment to provide Classes A1 (retail), A3 (Cafes and Restaurants), associated access, internal circulation, service yards, parking, landscaping, public realm works, infrastructure and dedication of land for improvements to Honiton Road (all matters reserved except access).

The Principal Project Manager (Development) (MD) detailed the consultations undertaken, the representations received and supporting information supplied by the applicant for the proposal to re-develop the site to provide a total of 7,962 sq m (gross) retail floorspace comprising 6,900 sq metres (gross) for Class A1 (shops) and 1,062 sq m for Class A3 (cafes and restaurants) including associated service yards, parking and landscaping, following demolition of the existing buildings and remediation of the site. The existing Moor Lane access would be modified to left in only. The report also detailed the key issues of the principles of the proposed development, access and impact on local highways, parking, impact on air quality, contaminated land and impact on amenity of surroundings, impact on trees and biodiversity, flood risk and surface water management and sustainable construction and energy conservation.

The Principal Project Manager (Development) (MD) advised that an updated response had not been received from the Local Highway Authority and he also referred to a late objection from the Crown Estate which supported the recommendation to refuse the application.

Councillor Holland, having given notice under Standing Order No. 44, spoke on the three retail proposals in general. His comments are set out in Min No. 42 above.

Nick Freer spoke against the application, his presentation is covered in Min No. 42 above

Mark Scoot spoke in support of the application. He raised the following points:-

- Members will be aware of our concerns in the way in which these applications have been dealt with. The benefits of the WPD proposal have been completely ignored. The WPD site is a gateway site on the entrance to Exeter from the east and is able to make an important contribution to this part of Exeter if re-developed. It has been an un-sightly lorry/storage yard for the last 40 years. The application offers an attractive scheme fronting Honiton Road with associated benefits and there will not be another opportunity in the foreseeable future;
- the approach by officers has been inappropriate and none of the reasons for refusal are defensible. The retail advisor's report was received by the Council in November 2018 but not provided for review and response. Council legal advice was that the reports should be immediately released;
- a key consideration in determining the application is the loss of employment land, even though it was agreed at the pre-application stage that there was no policy conflict. The specialist advice was only made available two weeks ago which is ten months after it was received. Officers did not provide the consultant with all of the viability information provided so no weight can be given to the comments raised in the response;
- the response of the Environmental Health officer was provided only a week ago, more than six months after the air quality assessment was submitted

- and it has not been possible to respond. By contrast, the consultation response on the Moor Exchange scheme appears to have been made publicly available within two weeks of that application being submitted;
- the report states that the scheme should also be refused on ecological grounds even though there is no objection from any relevant consultee and the applicant was not advised until the committee report was issued; and
- the application has not been dealt with fairly or competently and request that all applications are deferred.

Responding to a Member, he confirmed his concerns at the late release of pertinent information.

Both the Planning Consultant - Legal and the Service Lead City Development refuted Mr Scoot's claim that the application had been dealt with unfairly. The latter stated that there was no obligation to release information produced from consultants but these had been released to the applicants before the Committee reports had been published.

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

RESOLVED that planning permission for outline application for the demolition of existing structures, site remediation and redevelopment to provide Classes A1 (retail), A3 (Cafes and Restaurants), associated access, internal circulation, service yards, parking, landscaping, public realm works, infrastructure and dedication of land for improvements to Honiton Road (all matters reserved except access) be **REFUSED** for the following reasons:-

1. The site is located within the established employment area of Sowton and is in existing employment use. Therefore, redevelopment of the site to provide retail uses would contravene Policy CP2 of the Core Strategy and saved Policy E3 of the Exeter Local Plan First Review. There are no material considerations to indicate the application should be approved contrary to these policies. Furthermore, the Viability Reports submitted with the application to demonstrate that redevelopment of the site to B1 (office), B2 (general industrial) and/or B8 (storage or distribution) uses are not considered robust, and no evidence has been provided to test the market for the current lawful use of the site.
2. Insufficient information has been provided to confirm that safe and suitable access can be achieved to the site for all users, taking into account the transport hierarchy in Policy T1 of the Exeter Local Plan First Review, or that the residual cumulative impacts of the scheme on the road network would not be severe. In the absence of this information and confirmation from the Local Highway Authority that these issues are acceptable it cannot be ensured that safe and suitable access to the site will be provided or that the development would not have severe cumulative impacts on the local road network, including securing the provision of any necessary infrastructure in accordance with Policy CP18 of the Core Strategy. The application therefore contravenes paragraph 108 of the NPPF.
3. The proposed development would have a moderate adverse impact on air quality within the Air Quality Management Area (AQMA). The proposed air quality mitigation in the submitted Air Quality Assessment include measures already in the submitted Transport Assessment and therefore would not be new mitigation. In the absence of the information referred to in Reason 2, it cannot be established whether satisfactory air quality mitigation would be provided.

4. Therefore the application contravenes Policy CP11 of the Core Strategy, saved Policy EN3 of the Exeter Local Plan First Review and paragraph 181 of the NPPF.
5. The Preliminary Ecological Appraisal identified the site has potential to support bats and reptiles, which are protected species. Natural England's Standing Advice states that protected species surveys should be up-to-date and ideally from the most recent survey season. A bat survey was carried out of buildings on the site in June and July 2016, and a further preliminary roost assessment of the buildings in February 2018, outside the bats' active season, and internal inspections of the buildings could not be undertaken at this time. A reptile survey has not been submitted. Therefore, inadequate survey information has been provided to confirm the presence or otherwise of bats and reptiles, together with detailed mitigation and/or compensation schemes should these protected species be present on the site. Natural England's Standing Advice states planning permission can be refused where species surveys are not suitable, carried out at the wrong time of year or if not enough information has been provided to assess the effect on a protected species.

44

PLANNING APPLICATION NO. 18/0983/OUT - B&Q, AVOCET ROAD, SOWTON INDUSTRIAL ESTATE, EXETER

The Planning Consultant - Legal, in response to a Member, advised that the Committee had already voted to resolve to refuse the request from the applicant to defer the application.

The Principal Project Manager (Development) (MD) presented the application for outline planning permission for a retail park (Class A1) along with complementary cafe/restaurants (Class A3) including means of access (all other matters reserved).

The proposal was to demolish the existing retail warehouse and develop a retail park comprising Class A1 (shops) and A3 (cafes and restaurants) uses. The application was a re-submission of an application submitted in 2015 and withdrawn in 2016. The developers are seeking approval for a maximum floorspace of 17,000 sq m (GEA) / 14,865 sq m (GIA) comprising 8,175 sq m A1 ground floor, 5,899 sq m A1 mezzanine and 790 sq m A3. The mezzanine floorspace would be used for trading or non-trading purposes. Approval was also sought for a Parameters Plan, showing the above floorspace provided in a Core Development Area arranged in an L shape on the site and, beyond this, an Outer Development Area used for ancillary buildings, pedestrian circulation, car parking, service yard areas and vehicle circulation. The Plan also showed 0.64ha landscaping around the edge of the site and two public footpaths to Honiton Road to the north. The Principal Project Manager (Development) (MD) advised that the Parameters Plan encroached into the TPO area.

The report also detailed the key issues of the principles of the proposed development, access and impact on local highways, parking, impact on air quality, contaminated land and impact on amenity of surroundings, impact on trees and biodiversity, flood risk and surface water management and sustainable construction and energy conservation.

The Principal Project Manager (Development) (MD) advised that an updated response had been received from Environmental Health maintaining their objection due to the adverse impact on air quality and insufficient mitigation of air quality

impacts.

This was in response to a Technical Note by Create Consulting Engineers Ltd. submitted on 19 July.

No new information had been submitted in regard to the highways issues.

The Principal Project Manager (Development) (MD) referred to a late representation from the Crown Estate supporting the recommendation to refuse the application.

Councillor Holland, having given notice under Standing Order No. 44, spoke on the retail proposals in general. His comments are set out in Min. No. 42 above.

Adrian Fox spoke in support of the application. He raised the following points:-

- an important decision is required to decide on where Exeter is going to accommodate future, out of town retail growth. The retail sector was contracting and facing unprecedented structural change with less demand for new floorspace making the re-use of existing underutilised retail floor space desirable in planning terms;
- disappointing that the Honiton Road scheme is recommended for approval because of the planning history of this site, previously refused and dismissed by the Secretary of State with a modest reduction in floor area failing to address the latter's concerns;
- a principal reason for recommending the Honiton Road site was that it was perceived to be sequentially preferable due to its accessibility. National policy is clear that preference should only be given to out of centre locations that are well connected to a centre rather than potentially being better connected;
- both sites are clearly out-of-centre but are both accessible by a variety of modes of transport, including by bus and cycle. The two sites are sequentially equal;
- as the only site with an established retail use, the B&Q site is the right choice for retail growth in Exeter. It is logical to redevelop an established retail destination rather than build a new out-of-centre retail development, adding to traffic, congestion and pollution;
- it is unsustainable to permit new floorspace when the sector is contracting, and underutilised and when redundant retail space already exists;
- the existing consent allows sub-division and the sale of any non-food goods. This acknowledged fallback position is unlike any other retail proposal under consideration. There are examples across the country where similar large format retail units are being sub-divided to accommodate a range of retailers. This represents a genuine fallback that is deliverable;
- the outstanding matters of highways and air quality do not represent reasons why the scheme cannot be supported; and
- open to further discussions in relation to appropriate planning conditions for an even better scheme to be presented. This includes agreement to a reduced quantum of floorspace. For this reason, request that the application be deferred.

He responded as follows to Members' queries:-

- the site is accessible by bus with a bus stop some 400 metres on the nearby Honiton Road which is the recommended distance;
- the County Council accept that the site is readily accessible by alternative

- modes of transport; and
- fall back position is put forward as, although major stores are committed, other B and Q sites across the country are underutilised resulting in subdivision and provision for food and drink, convenience etc.

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

RESOLVED that planning permission for outline application outline planning permission for a retail park (Class A1) along with complementary cafe/restaurants (Class A3) including means of access (all other matters reserved) be **REFUSED** for the following reasons:-

1. Insufficient information has been provided to confirm that safe and suitable access can be achieved to the site for all users, taking into account the transport hierarchy in Policy T1 of the Exeter Local Plan First Review, or that the residual cumulative impacts of the scheme on the road network would not be severe. In the absence of this information and confirmation from the Local Highway Authority that these issues are acceptable it cannot be ensured that safe and suitable access to the site will be provided or that the development would not have severe cumulative impacts on the local road network, including securing the provision of any necessary infrastructure in accordance with Policy CP18 of the Core Strategy. The application therefore contravenes paragraph 108 of the NPPF.
2. Insufficient information has been provided to confirm that the proposed development will not have an adverse impact on air quality at East Wonford Hill within the Air Quality Management Area (AQMA), where pollution levels are exceeding the objective level at residential properties, and no air quality mitigation is proposed should the development have an adverse impact at this location. In the absence of this information, it cannot be ensured that the development would not harm air quality within the AQMA and the application is considered to be contrary to Policy CP11 of the Core Strategy, saved Policy EN3 of the Exeter Local Plan First Review and paragraph 181 of the NPPF.
3. Paragraph 87 of the NPPF states that when considering out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Taking into account the requirement for flexibility on issues such as format and scale, the site subject to planning application number 18/1330/OUT ('Moor Exchange') and recommended for approval by officers is considered sequentially preferable to the application site, as it is nearer to bus stops with regular services to the City Centre. The application is also considered to contravene Policy CP8 of the Core Strategy, as it is considered to have poor access by public transport and other sustainable travel modes.

(The meeting commenced at 5.30 pm and closed at 7.25 pm)

Chair

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PLANNING COMMITTEE

Monday 29 July 2019

Present:-

Councillor Lyons (Chair)

Councillors Williams, Bialyk, Branston, Foale, Ghusain, Harvey, Mrs Henson, Mitchell, M, Morse, Pierce, Sheldon and Sutton

Also Present

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

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MINUTES

The minutes of the meeting held on 24 June 2019 were taken as read, approved and signed by the Chair as correct.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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PLANNING APPLICATION NO. 19/0543/OUT - LAND NORTH OF NEWCOURT ROAD, TOPSHAM

The Service Lead City Development presented the outline application for the construction of up to 23 residential dwellings (including market, affordable and age-restricted dwellings), provision of access off Newcourt Road, open space and associated works (outline application with details of access only for approval with scale, layout, appearance and landscaping all reserved for future consideration)

The Service Lead City Development advised that condition 4 relating to the carriageway width of Newcourt Road would be removed from the schedule of conditions and also reported a letter on the relocation of dormice, advising that the applicant was aware of the need to obtain a licence from Natural England.

Andy Graham-Cumming spoke against the application. He raised the following points:-

- site located within the Topsham Gap, an area protected under Policy LS1/CP16 to maintain the setting of the Town and to avoid coalescence with Exeter. The Topsham Society has previously strenuously objected to applications that impinge on the Gap;
- applicant acknowledges the application site is outside a designated urban boundary and within an area protected by landscape setting policy;
- the Society understands the policy position under the National Planning Policy Framework and the Clyst Road Inspector's interpretation and does not understand why the City Council does not put in place effective planning policy to defend landscape fringe locations;
- a key consideration at the Clyst Road Planning Appeal was the issue of CP16 and "valued landscape". The Society believe the application site is a valued landscape and that the setting of the site, a field behind a well-established hedgerow, creates a highly valued rural setting to this edge of the town location;

- Newcourt Road does not have a footpath and is used extensively as a pedestrian and cycle route. It is of restricted width, with a very constricted section abutting its access to Denver Road which, at its junction with Newcourt Road, needs improvement;
- Newcourt Road currently serves approximately 60 dwellings. The addition of 30 additional units constitutes a 50% increase in dwellings. The road and/or the accepted unsafe junction, does not have capacity to accommodate this collective increase. This application would have an unacceptable impact on traffic, pedestrian and cycle safety;
- the site has no immediate access to foul or surface water mains drainage and has unacceptably poor ground percolation;
- it represents unplanned and uncoordinated piecemeal development of the land around Newcourt Road. Each small development proposal in this area will introduce a small increment in traffic and a small increase in the need for surface water drainage and sewerage; and
- since 2013, the Greater Topsham area has been subject to planning approvals for over 5,000 dwellings/11,000 people placing the Town's services under severe strain.

Nick Yeo spoke in support of the application. He raised the following points:-

- Blue Cedar Homes is based locally at Exeter Science Park focusing on providing high quality retirement housing with a flexible layout with communal areas maintained by a management company;
- the need to provide housing for older people is recognised. Whilst a need to deliver retirement housing in Topsham was acknowledged by the Inspectorate when considering the Exeter Road application, the retirement housing proposed was not ultimately delivered;
- this application proposes a balanced community with a mix of retirement homes, general market homes and affordable properties;
- the application is submitted in outline, with means of access to be determined;
- the proposal will provide a number of community benefits including the delivery of much needed housing including 35% affordable housing to help meet local identified need, amenity space, landscaping and ecological enhancements;
- Newcourt Road is a no-through road with low traffic flows. The level of traffic likely to generated from the site would be modest, with an additional eight and six vehicular trips anticipated during the am and pm peak periods respectively;
- a simple access junction is proposed approximately mid-way along the site frontage and a new footway would be provided, set behind the retained hedgerow to the north and would link with the footway proposed on the adjoining land to the south;
- where sections of hedgerow are lost to create the necessary visibility splays, new species rich hedgerows will be planted, set inside the visibility splay; and
- no adverse impacts have been identified which would outweigh the clear benefits of the proposals.

He responded as follows to Members' queries.

- road widening and a visibility splay will form the junction from Newcourt Road and the access into the site and effectively remove the blind spot on the road;
- a new hedgerow will be set back into the site so that the visual aspect will

- be retained in the medium term; and
- the cycle and pedestrian footway will be behind the hedgerow rather than diverting onto Newcourt Road.

Members referred to the importance of removing the blind spot and to ensuring public safety of pedestrians and cyclists and reiterated longstanding concerns regarding the erosion of the Topsham Gap. It was recognised, however, that at the Clyst Road appeal, the Inspector had referred to the policy as being based on outdated information, superseded by national policy and thereby concluded that conflict with this policy should be afforded limited weight. The developing Greater Exeter Strategic Plan was also of relevance.

The Service Lead City Development responding to Members, advised that it was difficult to identify evidence of a cumulative impact when piecemeal proposals of this nature were being brought forward. He also stated that the footpath/cycle way set back behind the hedgerow to be provided was a preferable connection between this and the adjoining development rather than a direct link which could raise issues around security. Details of the hedgerow would be examined at reserved matters stage. The Highways Development Management Officer advised that enforcement of speeding was a Police matter and that details for lighting the adopted highway leading to the development could be brought forward at reserved matters stage.

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

The recommendation was moved and seconded.

RESOLVED that, subject to the completion of a Section 106 Agreement/Unilateral Undertaking under the Town and Country Planning Act 1990, to secure the affordable housing provision (35% of the total number of dwellings to be provided) outline application for the construction of up to 23 residential dwellings (including market, affordable and age-restricted dwellings), provision of access off Newcourt Road, open space and associated works (outline application with details of access only for approval with scale, layout, appearance and landscaping all reserved for future consideration) be **APPROVED**, subject also to the following conditions:-

- 1) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun not later than two years from the final approval of the last of the reserved matters to be approved.
Reason: To comply with Section 92 rule 2 of the Town and Country Planning Act 1990 as amended.
- 2) Pre-commencement condition: Details of the appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted to and be approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
Reason for pre-commencement condition: To safeguard the rights of the local planning authority in respect of the reserved matters. This information is required before development commences to ensure that the development is properly planned with appropriate regard to the reserved matters.
- 3) In respect of those matters not reserved for later approval no part of the development hereby approved shall be brought into its intended use until

the site access, including 2.0m footway fronting Newcourt Road, visibility splays and the vehicular access point, has been provided in accordance with the details as indicated on the following approved plans: drawing no. 183916_G_01 Rev E.

Reason: To ensure that the means of access to serve the development (which is not a reserved matter) are acceptable from a highway safety perspective and thereby provide a safe and suitable access in accordance with paragraphs 108 and 110 of the National Planning Policy Framework and policy CP9 of the ECC Core Strategy.

- 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 for pre commencement condition: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

- 5) Pre-commencement condition: 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) No driven piling without prior consent from the LPA.
- The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason for pre-commencement condition: In the interests of the occupants of nearby buildings. 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.

- 6) Pre-commencement condition: Prior to commencement of the development the applicant shall submit for approval in writing by the LPA an Acoustic Design Statement. Any mitigation measures required shall be implemented in full prior to occupation of the development, and maintained thereafter. 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 for pre commencement condition: In the interests of residential amenity

- 7) Pre-commencement condition: Before commencement of construction of the development hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of any dwelling the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.
Reason for pre commencement condition: In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.
- 8) 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 a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.
Reason 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.
- 9) Pre-commencement condition: Prior to the commencement of development a Biodiversity Mitigation and Enhancement Plan (BMEP) which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife, together with a programme of implementation, shall be submitted to and approved in writing by the Local Planning Authority. The BMEP shall incorporate the mitigation and enhancement measures set out in the following submitted documents prepared by J.L Ecology Ltd - Ecological Impact Assessment, Dormouse Survey, and Phase 2 Bat Surveys). The development shall be implemented and maintained in accordance with the approved Plan and programme of implementation.
Reason for pre-commencement condition - In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- 10) Pre-commencement condition: 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.

Reason for pre-commencement condition: A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure.

- 11) No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system 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. The application for the detailed drainage should be submitted and agreed at the same time that the reserved matters for layout are submitted and agreed. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk Assessment (Rev. B; dated 3rd July 2019). No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided in accordance with the approved details and the drainage infrastructure shall be retained and maintained for the lifetime of the development.
Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.
- 12) At the reserved matters stage, details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the proposed surface water drainage management system must be submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.
Reason: To ensure that the surface water runoff generated from rainfall events in excess of the design standard of the proposed surface water drainage management system is safely managed.
- 13) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.
Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.
- 14) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public

Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

- 15) 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.

- 16) No part of the development shall be occupied until a travel plan (including recommendations/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 ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 111 of the NPPF.

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PLANNING APPLICATION NO. 19/0315/OUT - EXETER COLLEGE OF FURTHER EDUCATION, HELE ROAD CAMPUS, EXETER

The Principal Project Manager (Development) (MD) presented the outline application for the redevelopment of the Exeter College Hele Road Campus (including demolition of some existing buildings) to deliver upgraded, purpose-built educational facilities, together with the provision of associated landscaping, pedestrian access improvements and associated infrastructure (with all matters reserved) (Exeter College Masterplan).

The proposal was to redevelop the site for continued educational use with a 20-year masterplan for the Exeter College Hele Road Campus providing additional teaching accommodation to meet projected student growth. Planning permission was sought for an extended time period of 15 years to submit reserved matters applications in phases as and when funding becomes available. The purpose of the masterplan and supporting documents was to ensure that this development comes forward in a coordinated, well-designed way. The planning permission would provide investment certainty for the College, as well as a degree of flexibility to enable the College to refine individual proposals to meet specific needs in the future.

Responding to Members, the Principal Project Manager (Development) (MD) advised that:-

- the initial upgrade in teaching facilities would be an Information Technology facility as part of a national information and digital technology initiative;
- the illustrative access off the junction of St Davids Hill and Howell Road would be subject to reserved matters application with view to be given to the provision of wheelchair access; and
- the clock tower was a listed building but not an Ancient Monument.

Jo Davis spoke in support of the application. She raised the following points:-

- the important role Exeter College plays within the city, and the important benefit the College's city centre location brings to the success of the College;
- positive pre-application process with the County Council since September 2018, engaging with numerous departments within the City Council - Planning, Conservation, Placemaking, Environmental Health as well as County Council Highways and Drainage sections, Historic England and the South West Design Review Panel;
- positive discussions continued throughout the application stage seeking to ensure that the scheme proposals meet the high quality design that is required for this important site, but also provides the College with the flexibility to develop the site effectively over a 15-20 year period; and
- seeking to secure public realm and highway safety improvements surrounding the site, whilst ensuring they are fair and proportionate to the development proposed. A series of highway mitigation measures are proposed including works to Hele Road and Howell Road and a package of Section 106 contributions to improve the existing Hele Road pedestrian crossing and the Clock Tower Roundabout.

She responded as follows to Members queries:-

- the proposal is in response to the assessment of local demographics which predict a 35% increase in student numbers in the next 20 years, the demand to be met through a phased development;
- the major rationale in the site development is sustainability as the College can continue to serve the city as well as the wider Devon hinterland; and
- will look to provide data on projected car usage in future years as well as numbers for pedestrian and cyclists.

The Principal Project Manager (Development) (MD) stated that the County Council had sought a £475,000 contribution towards a scheme to turn the Clock Tower roundabout into a T junction with increased public open space, representing half of the total cost. Exeter College had also produced an alternative pedestrian/cycling improvement scheme for the roundabout not involving any additional public open space, which could be delivered with a contribution of £62,700. A sum of £15,000 had also been proposed to widen the existing pelican crossing at the junction of Hele Road and New North Road.

The Highways Development Management Officer explained that the reason for the County Council request for a financial contribution from Exeter College was that the Clock Tower roundabout was the worst performing accident cluster site in Devon. There was a marked pedestrian and cyclist desire line to the city centre from the College which would grow with the estimated increase of 35% in student numbers or an uplift of 4,200 in years to come. A contribution of £77,700 he believed was insufficient to provide necessary mitigation measures.

The Service Lead City Development advised that City Council officers had not considered the County Council request to be fair or reasonable and that the College, which operated as a business, should not be expected to contribute at this level to highway improvements. The alternative was considered appropriate and in line with National Planning Policy Framework guidance. Members supported this view, noting that, normally, the County Council would request Section 106 contributions to be made to schools rather than asking educational/public institutions for contributions.

Members welcomed the proposal, noting that the removal of the College tower block would improve the amenity of the nearby Almshouses. One Member

expressed some concern regarding potential impact of car parking on surrounding residential roads.

The recommendation was for approval, subject to the conditions as set out in the report and update sheet and a Section 106 Agreement under the Town and Country Planning Act 1990 to secure £62,700 towards pedestrian and cycling improvements to the Clock Tower roundabout and £15,000 to widen the pelican crossing on Hele Road.

The recommendation was moved and seconded.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990, to secure a contribution to Devon County Council to implement a scheme to improve the safety of the Clock Tower roundabout being a sum of £62,700 towards pedestrian and cycling improvements at the roundabout together with £15,000 to widen the pelican crossing on Hele Road, outline application for the re-development of the Exeter College Hele Road Campus (including demolition of some existing buildings) to deliver upgraded, purpose-built educational facilities, together with the provision of associated landscaping, pedestrian access improvements and associated infrastructure (with all matters reserved) (Exeter College Masterplan) be **APPROVED**, subject also to the following conditions:-

1. Non-standard Time Limits – Outline Planning Permission

Application(s) for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 15 years from the date of the permission and the development hereby permitted shall be begun before the expiration of five years from the date of the permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved whichever is the later.

Reason: To ensure compliance with sections 91 - 93 of the Town and Country Planning Act 1990.

2. Reserved Matters

Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To safeguard the rights of the local planning authority in respect of the reserved matters. This information is required before development commences to ensure that the development is properly planned with appropriate regard to the reserved matters.

3. Approved Plans

The development hereby permitted shall be carried out on the land outlined in red on drawing number EC-KT-XX-XX-DR-A-XX-1864-SK100-P2 ('Site Location Plan'). The access points to the development shall be in the areas shown on drawing number EC-KT-XX-XX-DR-A-XX-1864-SK403-P2 ('Masterplan as Proposed (Sheet 04)'). The development shall not be carried out otherwise than within the parameters shown on drawing numbers:

- EC-KT-XX-XX-DR-A-XX-1864-SK408-P2 ('Parameters Plan – Heights')
- EC-KT-XX-XX-DR-A-XX-1864-SK409-P2 ('Parameters Plan – St David's

- Elevation')
- EC-KT-XX-XX-DR-A-XX-1864-SK410-P1 ('Parameters Plan – Howell Rd Ele')
- EC-KT-XX-XX-DR-A-XX-1864-SK411-P1 ('Parameters Plan – Development Zones').

Reason: To ensure compliance with the approved drawings.

4. Phasing Plan

Either with or in advance of the first reserved matters application a Phasing Plan setting out the phasing of construction of the development, including landscaping, shall be submitted to the Local Planning Authority for approval. The development shall not commence until the Phasing Plan has been approved in writing by the Local Planning Authority and the development shall be implemented in accordance with the approved Phasing Plan. Any amendment to the Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on any undeveloped phases.

Reason: To ensure the practical delivery of the development, including demolition of existing buildings, construction of new buildings and landscaping.

5. Design Code

Either with or in advance of the first reserved matters application a Design Code for the development of the site shall be submitted to the Local Planning Authority for approval. The Design Code shall fit the description of 'Design code' in Annex 2: Glossary of the National Planning Policy Framework (NPPF) (February 2019). The development shall not commence until the Design Code has been approved in writing by the Local Planning Authority.

Reason: To ensure consistency in design across all phases of the masterplan.

6 - Design and Heritage Statements

Unless otherwise agreed in writing by the Local Planning Authority, a Design and Heritage Statement shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 2. The statements shall explain how the reserved matters have been designed to accord with the parameters plans approved under condition 3 and the Design Code approved under condition 5, or in the case of the latter the reason(s) why this was not possible, in which case the design rationale for the reserved matters shall be included. The statement shall also explain the impact of the reserved matters on the significance of any heritage assets on the site of the reserved matters application and/or in the surrounding area that will be affected by the reserved matters in terms of their settings.

Reason: In the interests of design/landscape quality in accordance with Policies CP16 and CP17 of the Core Strategy and saved Policy DG1 of the Exeter Local Plan First Review; the preservation/enhancement of the character or appearance of the conservation area in accordance with saved Policy C1 of the Exeter Local Plan First Review; the preservation/enhancement of listed buildings/locally listed buildings or their settings that are affected by the reserved matters in accordance with saved Policies C2 and C3 of the Exeter Local Plan First Review; and the preservation/recording of any archaeological remains that may be present on the site of the reserved matters in accordance with saved Policy C5 of the Exeter Local Plan First Review.

7. Waste Audit Statements

Unless otherwise agreed in writing by the Local Planning Authority, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 2. The statements shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document (July 2015). 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.

8. Up-to-date Tree Survey/Arboricultural Impact Assessment/Tree Protection Plans

Unless otherwise agreed in writing by the Local Planning Authority, an Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 2. The AIA and TPP will be based on and accompanied by a Tree Survey covering the site of the reserved matters application carried out within the 12 month period preceding the submission of the application. The approved TPP shall be implemented throughout the construction of the development approved by the reserved matters application.

Reason: To protect the trees to be retained on or adjacent to the site of the reserved matters application in accordance with saved Policies LS4 and DG1(c) of the Exeter Local Plan First Review, and the Trees in Relation to Development Supplementary Planning Document (September 2009).

9. Sustainable Urban Drainage Systems (SUDS) Statements

Unless otherwise agreed in writing by the Local Planning Authority, a Sustainable Urban Drainage Systems (SUDS) Statement 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 as a part of the reserved matters submissions required by condition 2. The SUDS Statement shall include a plan showing the design of the permanent surface water drainage management system for the site of the reserved matters application approved under condition 15 and include details of the additional SUDS management techniques that shall be incorporated in the development based on Table 5 of the submitted FRA & Masterplan Drainage Strategy (Clarkebond, 18.02.2019). The details in the approved SUDS Statement shall be implemented prior to the first use/occupation of the development approved by the reserved matters application.

Reason: To ensure that surface water runoff from the development is discharged as high up the drainage hierarchy as is feasible by incorporating SUDS management techniques in accordance with Policy CP12 of the Core Strategy and taking into account paragraph 165 of the NPPF.

10. District Heating Network Statements

Unless otherwise agreed in writing by the Local Planning Authority, a District Heating Network Statement shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 2. The statements shall explain how the reserved matters have been designed to fulfil the requirement of condition 26.

Reason: In the interests of delivering sustainable development and reducing the impacts of climate change, taking into account Policy CP13 of the Core Strategy, paragraph 153 of the NPPF and the information submitted with the application.

11. BREEAM Design Stage Assessment Report (for new buildings)

A BREEAM Design Stage Assessment Report shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 2 where the reserved matters relate to a new building. The BREEAM Design Stage Assessment Report shall be written by a licensed BREEAM assessor and set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which this score relates. Unless otherwise agreed in writing by the Local Planning Authority, the building shall achieve a BREEAM 'excellent' standard as a minimum. The building shall be constructed in accordance with the approved BREEAM Design Stage Assessment Report and within three months of substantial completion of the building a BREEAM post-completion report of the building shall be carried out by a licensed BREEAM assessor setting out the BREEAM score achieved by the building and the equivalent BREEAM standard to which the score relates.

Reason: To ensure that the buildings in the development comply with Policy CP15 of the Core Strategy and in the interests of delivering sustainable development.

12. Noise Impact Assessments

Unless otherwise agreed in writing by the Local Planning Authority, a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 2. The reports shall consider the impact of noise from the development on local receptors, including noise from plant and equipment, deliveries, students and events. If, following the above assessment, the Local Planning Authority concludes that noise mitigation measures are required, a scheme of works shall be submitted to and approved in writing by the Local Planning Authority to ensure that the development will not have a significant adverse impact on local amenity. The approved works shall be implemented prior to the first use/occupation of the development approved by the reserved matters application and maintained at all times thereafter.

Reason: To avoid noise giving rise to significant adverse impacts on the health and quality of life of local receptors in accordance with saved Policy EN5 of the Exeter Local Plan First Review and paragraph 180 a) of the NPPF.

13. Cycling Facilities

Unless otherwise agreed in writing by the Local Planning Authority, details of cycling facilities shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 2. The details shall show the location and design of cycle parking facilities for staff, students and visitors in accordance with chapter 5 of the Sustainable Transport Supplementary Planning Document (March 2013), including showers, lockers and space to dry clothes. The details shall also accord with any approval given under condition 25. The approved facilities shall be provided prior to the first use/occupation of the development approved by the reserved matters application and maintained at all times thereafter.

Reason: To encourage cycling as a sustainable mode of travel in accordance with saved Policies T1 and T3 of the Exeter Local Plan First Review, and the Sustainable Transport Supplementary Planning Document.

Pre-commencement Details

14. Protected Species Surveys

No development (including ground works) or vegetation clearance works shall take place until the further survey work in Table 9 of the submitted Preliminary Ecological Appraisal Report (Acorn Ecology, January 2019) has been carried out and the results have been submitted to and approved in writing by the Local Planning Authority. The recommendations of the surveys shall be implemented in full.

Reason: To ensure that the implications of the development on biodiversity are fully understood and any measures necessary to mitigate the impact of the development on protected species are identified and carried out at the appropriate time in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraph 175 of the NPPF. These details are required pre-commencement as specified to ensure that protected species are not killed or otherwise harmed by building operations.

15. Permanent Surface Water Drainage Management System – Detailed Design

No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system for the site 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. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems and those set out in the submitted FRA & Masterplan Drainage Strategy (Clarkebond, 18.02.2019). The permanent surface water drainage management system shall be implemented as approved, unless modified by the details approved under condition 9.

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems. A detailed permanent surface water drainage management plan is required prior to commencement of any works to demonstrate that the plan fits within the site layout, manages surface water safely and does not increase flood risk downstream. (Advice: Refer to Devon County Council's Sustainable Drainage Guidance.)

16. Permanent Surface Water Drainage Management System – Adoption/Maintenance Arrangements

No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to and approved in writing by the Local Planning Authority in consultation with Devon County Council as the Lead Local Flood Authority. The permanent surface water drainage management system shall be adopted and maintained as approved.

Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development. These details need to be submitted prior to commencement of any works to ensure that suitable plans are in place for the maintenance of the permanent surface water drainage management plan.

Pre-commencement Details – Individual Phases

17. Extended Phase 1 Habitat Re-Surveys (and Protected Species Re-Surveys if necessary)

Prior to the commencement of development in any phase of the development in accordance with a Phasing Plan approved under condition 4, an Extended Phase 1

Habitat Survey of the phase shall be carried out and the results of the survey shall be submitted to and approved in writing by the Local Planning Authority, unless such a survey has already been carried out and been approved in writing by the Local Planning Authority in the preceding three years. The recommendations of the surveys shall be implemented in full, including further survey work in which case no development shall take place in the phase until the further survey work has been carried out and the results have been submitted to and approved in writing by the Local Planning Authority. The recommendations of the further surveys shall be implemented in full.

Reason: To ensure that the implications of the development on biodiversity are fully understood for each phase based on up-to-date surveys given the 15 year time period to submit reserved matters applications under condition 1 and any measures necessary to mitigate the impact of the development on protected species are identified and carried out at the appropriate time in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraph 175 of the NPPF. Natural England's Standing Advice states that Local Planning Authorities can ask for extra surveys to be done as a condition of planning permission for outline or multi-phased developments to make sure protected species aren't affected at each stage. These details are required pre-commencement as specified to ensure that protected species are not killed or otherwise harmed by building operations.

18. Conservation Action Statements

Prior to the commencement of development in any phase of the development in accordance with a Phasing Plan approved under condition 4, a Conservation Action Statement for the phase shall be submitted to and approved in writing by the Local Planning Authority. The Conservation Action Statements shall be based on the Interim Conservation Action Statement in Appendix 5 of the submitted Preliminary Ecological Appraisal Report (Acorn Ecology, January 2019) and take into account the results of any surveys required by conditions 14 and 17. The approved Conservation Action Statements shall be implemented for any development works carried out in the phases.

Reason: To provide clear methods to avoid, mitigate and/or compensate biodiversity impacts in each phase of the development, as well as measures to enhance biodiversity in each phase, in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraph 175 of the NPPF. These details are required pre-commencement as specified to ensure there are measures in place to avoid, mitigate and compensate biodiversity impacts during the construction of the development in each phase.

19. Contaminated Land Investigations

Prior to the commencement of development in any phase of the development in accordance with a Phasing Plan approved under condition 4, a full investigation of the land within the phase to determine the extent of and risk posed by any contamination of the land shall be carried out, and the results together with any remedial works necessary shall be submitted to and approved in writing by the Local Planning Authority. The building(s) in any phase shall not be occupied until the approved remedial works have been implemented and a remediation statement has been 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 users and occupiers of the development hereby approved. This information is required pre-commencement as specified to ensure that any remedial works are properly considered and addressed at the appropriate stage.

20. Construction Method Statements

Prior to the commencement of development in any phase of the development in accordance with a Phasing Plan approved under condition 4, a Construction Method Statement for the works in the phase shall be submitted to and approved in writing by the Local Planning Authority. The statements 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 statements 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.

Pre-specific Works

21. Bird Nesting Season

No tree works or felling, cutting or removal of hedgerows or other vegetation clearance works shall be carried out on the site during the bird nesting season from March to August, inclusive. If this period cannot be avoided, these works shall not be carried out unless they are overseen by a suitably qualified ecologist and the reasons why have previously been submitted to and approved in writing by the Local Planning Authority, including the date of the intended works and the name and contact details of the ecologist. If nesting birds are found or suspected during the works, the works shall cease until the ecologist is satisfied that the nest sites have become inactive.

Reason: To protect nesting birds in accordance with Policy LS4 of the Exeter Local Plan First Review and paragraph 175 of the NPPF.

22. External Lighting Details

No external lighting shall be installed on the site or on the buildings 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.

23. Kitchen Extraction

Before any catering kitchen becomes operational, a scheme for the installation of equipment to control the emission of fumes and odour from the kitchen shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full. All equipment installed as part of the scheme shall be operated and maintained in accordance with the manufacturer's instructions thereafter.

Reason: To protect the amenities of people in the area from fumes and odours emitted from the kitchen.

Pre-occupation

24. Site Wide 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 saved Policy T3 of the Local Plan First Review and the Sustainable Transport Supplementary Planning Document.

25. Site Wide Cycle Parking Scheme

Prior to the first occupation or use of the development hereby permitted, a Cycle Parking Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the general location and number of cycle parking facilities on the site, and provide examples of the types of cycle parking facility that will be appropriate in each location. The scheme shall accord with the minimum standards and guidance in Chapter 5 of the Sustainable Transport Supplementary Planning Document (March 2013).

Reason: To ensure that a 'masterplanning approach' is taken in the consideration of the provision of cycle parking facilities on the site, as opposed to a piecemeal approach, and that the minimum standards contained in Chapter 5 of the Sustainable Transport Supplementary Planning Document are met or exceeded for the development as a whole. In addition, to encourage cycling as a sustainable mode of travel in accordance with saved Policies T1 and T3 of the Exeter Local Plan First Review, and the Sustainable Transport Supplementary Planning Document.

Pre-occupation – Final Phase

26. District Heating Network Completion

Prior to the first occupation or use of the development in the final phase of the development in accordance with a Phasing Plan approved under condition 4, a decentralised energy (district heating) network shall be completed on the site, which is capable of connection to an offsite decentralised energy (district heat) network.

Reason: In the interests of delivering sustainable development and reducing the impacts of climate change, taking into account Policy CP13 of the Core Strategy,

paragraph 153 of the NPPF and the information submitted with the application.

49

PLANNING APPLICATION NO. 18/1610/FUL - ST ANDREWS YARD, WILLEYS AVENUE, EXETER

The Assistant Service Lead City Development presented the application for the demolition of existing single storey business premises and construction of a new nine dwelling residential apartment block

The Assistant Service Lead City Development referred to points of objections received from Councillor D. Moore, as set out in the update sheet, in which Councillor Moore commented on and supported the objections reported. He advised that an additional condition could be added to secure details of bin storage and that an existing proposed condition would ensure the proposal met Council policy in respect of its carbon neutral targets.

Matt Briggs spoke against the application. He raised the following points:-

- representing residents in Willeys Avenue having lived here for 15 years;
- not objecting to this site being developed and fully appreciate need to build a certain number of new homes. Willeys Avenue is a historical Victorian street with an industrial heritage. Residents agree the site will benefit from development but the proposal is imposing and out of place on a Victorian terraced street;
- scale and massing of the design is inappropriate with a huge impact on neighbours;
- there is a stark difference with everything else in Willeys Avenue. It is an ugly building, the flat roof is unattractive and invasive and does not blend in with the existing street scene;
- plans show three stories with the roof line above neighbouring terrace houses resulting in loss of privacy, overlooking, loss of light, increased noise, impact on wildlife and parking/traffic problems;
- the design is of low quality and the buff brick finish is inappropriate;
- the developer included pictures of the street from the end of Willeys Avenue that joins Alphington Road. The example of how this proposed building will fit in is apparently because of the Brewers Court development. These flats were built to match/reflect the existing old factory building and blend in well. The design of Brewers Court is sympathetic to the appearance of the existing buildings. This new build has apexe roofs which is very typical of the area, the windows and brickwork were made to look very similar and these properties do not have balconies;
- a build of this size will impact on the quality of light for at least eight homes within the immediate vicinity of the St. Andrews Yard; and
- object to the proposed plans on the basis of its size being overbearing, not in-keeping with the surrounding houses and the scale of the building will stop much of daylight on homes;

Graham Chilvers spoke in support of the application. He raised the following points:-

- for the last 15 years St Andrew's Yard has been used for the sale of low cost second hand cars;
- Alphington is designated a high flood risk zone and any new building is required to have its ground level over 3.5 ft above the street level. This is therefore an apartment block including a wheelchair friendly lift;
- it would be considerably lower than the industrial building on the other side of

- the street and all the other three story developments in the street;
- its actual size and mass is not dissimilar to a row of terrace houses;
- an elevated train goes by every 10 minutes giving all the passengers a view of all the rear gardens and bedroom windows;
- this new building will not impact on privacy in Willeys Avenue;
- Willeys Avenue is a mixture of a large redeveloped industrial building, rows of terrace housing and approximately five, three storey apartment developments, with Willeys Court being a much larger, three story development. The development lines up with the existing row of terrace houses and the first section has brick built bay windows to match the existing terrace. The next section has small Juliet balconies for light and style. The balconies are at the rear of the building as they are south facing;
- the proposal is not an unprecedented break from the existing eclectic street scene and brings a hint of modern design. It offers nine apartments with easy access and secure parking that will be a joy to live in; and
- the development will lift the area by replacing a junk yard with nine quality residences.

Noting that the applicant was prepared to alter the materials in respect of the end of the three blocks by changing the proposed buff coloured brick, Members were of the view that, even though there were some larger buildings in the street, the design and scale of this application was not in keeping with the surrounding residential area.

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

The recommendation for approval was moved, seconded put to the vote and lost.

Scaling, massing and inappropriate design as reasons for refusal were moved and seconded.

RESOLVED that the application for the demolition of existing single storey business premises and construction of a new nine dwelling residential apartment block be **REFUSED** as the proposal would be contrary to Paragraph 127 (a, b, c, and d) and Paragraph 130 of the National Planning Policy Framework (2019), objective 9 and Policy CP17 of the Exeter Local Development Framework Core Strategy (2012), Policies DG1 (b, g, and h) of the Exeter Local Plan First Review (2005) and the Residential Design Guide SPD (2010) because:-

- 1) by virtue of its scale and massing this apartment block would be dominant and visually intrusive within the streetscene, unsympathetic with and detrimental to the character of this established residential area; and
- 2) the proposed development represents poor design that would fail to take the opportunities to improve the character or quality of the area, would not contribute positively to the visual richness and amenity of the townscape and would not raise the quality of urban living through excellence in design.

50

PLANNING APPLICATION NO. 19/0287/FUL - LAND BETWEEN HOLLOW LANE AND HARTS LANE, EXETER

The Assistant Service Lead City Development presented the application for the construction of a two storey primary school with a nursery and associated play areas, sports pitches and parking.

The Assistant Service Lead City Development advised that discussions were

ongoing relating to sustainable drainage, landscaping and noise and, if Members were minded to approve the application, he requested delegated authority to do so after satisfactory resolution of these matters. He advised that the school would meet BREEAM “excellent” standards of sustainability which were the highest available and covered a range of issues including materials, renewable energy etc.

Sam Utting spoke in support of the application. He raised the following points:-

- Primary Digital Academy, Monkerton is the second new school for the Cornerstone Academy Trust under the priority schools building programme. The Trust has run a successful school in Broadclyst and is opening a new school in Westclyst. Monkerton school is designed to support the use of interactive digital technology to enrich the national curriculum and create a culture of innovation;
- the new school is unique and challenging with many constraints and opportunities defining how the design has been conceived with pragmatic solutions;
- safeguarding is crucial to the position of the building on the site;
- parking and drop-off is designed in line with best practice guidance, using data gathered from local schools to provide space for cars without impact on existing traffic movements;
- extensive and careful landscape enhancements have been allowed, in particular the boundaries are retained and enhanced to encourage biodiversity;
- the landscaping proposals have carefully manipulated the sloping site to maximise usable, flat play space with level access from the school building;
- environmental sustainability measures include district heating, high levels of insulation, natural ventilation and an optimum amount of natural light;
- the scheme will be constructed of high quality materials, the palette to include brick and metal cladding with aluminium windows with accent colours providing articulation; and
- in summary, these proposals were developed in close collaboration with the Cornerstone Academy Trust, the Department for Education and Exeter City Council. This building is a good fit, an appropriate response to the challenges of the site, the school and the developing community in the area.

He responded as follows to Members’ queries:-

- it is legible as a public building distinct from the surrounding domestic architecture design;
- the school will be energy efficient although solar panels are not proposed at present; and
- colouring is copper rather than green and multi tone grey brick and it is likely that the head teacher will seek to involve pupils in adding their own mark to the premises.

The Service Lead City Development stated that the location of the school had been selected to ensure it was at the heart of the Monkerton urban extension, and therefore within a reasonable walking distance from local developments. In 2014 a planning permission was granted for a school for up to 630 pupils that would have resulted in higher traffic movements than would be the case for one involving 420 (plus 60 at nursery). The applicant’s highway experts had submitted additional information suggesting that they may have overestimated the number of car trips attracted to the school given that the available data from Exeter schools showed lower usage of cars than is the case at the county and national levels. There was no objection to the traffic impacts of the proposed school from the Local Highway Authority at Devon County Council.

Members urged use of energy efficient systems and noted that there would be one cycle only access into the site.

Safety of school children was paramount

A number of Members expressed concern that the new school, allied to the significant number of new developments, could lead to severe traffic problems including tailbacks as far as the Cumberland Way roundabout and logjams in the school itself during drop off and pick up periods. They were concerned that their previous concerns in respect of the amount, and management, of traffic attracted to the site and its impact on local roads remained and had not been addressed.

One Member referred to the need for a clear traffic management plan for vehicles dropping off and picking up children within the school site and another felt that comparing this school with data on the proportion of trips to the schools elsewhere in the city was misleading. They also rejected the view of the applicant's highway experts that it was reasonable to expect that the number of car trips attracted to the site would be lower than those predicted in the Transport Assessment. A Member believed that because of the surrounding residential developments it was likely that the numbers in the school would in fact increase to the original number of 630 proposed with an associated increase in building size. Members asked for a further assessment of the traffic issues.

The Service Lead City Development summarised the concerns as scepticism regarding the number of car journeys to the site, capacity of the site access and wider concerns regarding the routing of vehicles around the site for safety reasons.

The recommendation was for delegated authority to approve, subject to the conditions as set out in the report.

A motion to defer the application for County Council and City Council officers to further consider the traffic and transport implications of the school was moved and seconded.

RESOLVED that planning permission for the construction of a two storey primary school with a nursery and associated play areas, sports pitches and parking be **DEFERRED** for further discussions between City Council officers and the Highways Authority on the concerns raised in respect of the traffic impacts of the school.

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

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

52 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

53 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party will be held on Tuesday 20 August

2019 at 9.30 a.m. The Councillors attending will be Councillors M. Mitchell, Pierce and Sutton.

(The meeting commenced at 5.30 pm and closed at 8.50 pm)

Chair

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PLANNING COMMITTEE

Monday 2 September 2019

Present:-

Councillor Lyons (Chair)

Councillors Williams, Bialyk, Branston, Harvey, Mrs Henson, Pierce, Sheldon and Sutton

Apologies

Councillors Foale, Mitchell, M and Morse

Also Present

Service Lead City Development, Assistant Service Lead (Planning) City Development, Principal Project Manager (Development) (PJ) and Democratic Services Officer

54

MINUTES

The minutes of the meeting held on 22 and 29 July were taken as read, approved and signed by the Chair as correct.

55

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

56

PLANNING APPLICATION NO. 19/0560/FUL - BEECH HILL HOUSE, WALNUT GARDENS, EXETER

The Principal Project Manager (Development) (PJ) presented the application for residential accommodation for students.

A total of 166 bedspaces (138 student bedrooms within cluster flats, 19 self-contained studio flats and 9 accessible studios) were proposed on five levels with the basement comprising a plant area, gym and cinema. Vehicular access would be through a secure main entry gate with landscaped and outdoor seating areas. There was a reduction of 26 bedspaces from the original scheme, refused under delegated powers which was currently at appeal. The Principal Project Manager (Development) (PJ) explained the changes at the different levels and the differing impacts on the surrounding area.

The Principal Project Manager (Development) (PJ) detailed proposed changes to the conditions including an additional condition in respect of drainage. He reported that further verbal comments had been received suggesting better integration between students and the local community; a more robust student management plan, the transplantations of the walnut tree, use of CIL money towards community provision in the St David's area and concerns regarding drainage run off into Looe Road. Responding to a Member, he confirmed that the development would be 20 metres from the adjacent terrace in St David's Hall.

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

- St. David's and St. James' wards both suffer from an excess of student populations;
- the decision to refuse the previous application was correct and this decision

should be upheld for the revised application where there has only been a minimal reduction in the number of units;

- the proposal remains unsuitable in terms of size and massing and is cramped and unsuitable for the St David's ward and will impact adversely on the character of the area;
- 1,800 students are registered in the St David's Ward with an excess of 50% in some streets which impacts adversely on the community feel;
- this historic area with the Ironbridge, the St David's and St. Michael's Churches as well as the Almshouses should be protected and towerblock developments of this nature opposed;
- there will be an adverse impact on vulnerable young people in the area such as the occupants of Esther Community and the YMCA; and
- although the County Council are supportive of pedestrian and cycling improvements feel that further improvements are required.

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

- thank Crosslane for meeting on site to show key features of the application and have also met residents across the neighbourhood;
- object on three grounds - first it doesn't meet the Council's own planning policies, second significant loss of amenity for the neighbourhood if the development is not controlled and thirdly material matters which do not make this application acceptable;
- proposal conflicts with Local Plan Policy H5(b) as it is an over concentration of purpose built student housing changing the character of the area and creating an imbalance in the community. It is an area of multiple deprivation and a lower super output area so a balanced community is crucial to its stability and viability as set out by the Local Community in the Vision 2020 Community Plan. If this development proceeds, increasing the numbers of the transient community will further erode that balance. The site should be allocated to mixed use residential accommodation;
- the Council's Heritage conservation policy states that developments must demonstrably improve the appearance and functioning of an area and must not have a detrimental effect on the character and setting of adjacent listed buildings. Purpose built student housing will not improve this Conservation Area. Students bring cars and there will be deliveries and other service vehicles;
- a large block designed for students must be properly managed in order to avoid conflict and distress. Staffing during the day only is not an acceptable approach, for students or neighbours. Proper 24/7 paid staffing is required, especially if any noise and nuisance in the garden just outside Walnut Cottages where students will gather. A clear condition for this is required;
- the tree planted in memory will no longer be accessible by the public and a condition is required that if the tree doesn't survive its relocation that it is immediately replaced. There must also be a plaque put up in the garden in her memory. Proposal is required for the listed garden;
- Crosslane are keen for the students to be a part of the community, through volunteering. The Vision 2020 community plan sets out a myriad ways volunteers can get involved in the community but this has to be organised and managed safely and a planning condition is required to help pay for this activity;
- a condition is required to bring forward a biodiversity improvement plan for the site and the provision of replacement trees to the Devon standard;
- residents have also identified two further concerns that are not properly addressed in the application. The development is on the edge of a steep slope overlooking Bonhay and Looe Roads. Reassurance required that both

construction and the management of drainage and run-off does not result in soil/land slippage down the very steep slopes above properties in Bonhay and Looe Roads; and

- have Highways approved gates on the boundary of the Walnut Gardens property because of vehicles needing to stop on the road, open the gates and gain access at a point that is just at a brow of a hill? A clear proposal and the agreement of Walnut cottages residents must be secured.

Jill Hughes spoke against the application. She raised the following points:-

- speaking on behalf of neighbours in Montpelier Court and vicinity where the proposed development will have a considerable impact. A large development for 166 young people who are only there temporarily and therefore have no roots in the community is inappropriate in a settled residential area with retirement and family homes;
- the St. David's Ward has a large amount of student accommodation, both purpose built and multi occupancy - in 2017 the University recorded 1,805 students in the area with a further 475 in development, so there is already an imbalance;
- impact of increased pollution and noise is a concern. St David's Hill is a busy road with constant traffic and congestion. The development will result in increased traffic from administrative staff, gardeners etc;
- increased noise will also be a problem as a result of a late night style of living. This already occurs and will increase. Walnut Cottage residents will also be affected by noise from students collecting or returning bicycles at the cycle racks;
- the open space allocated for reading and smoking is immediately behind the cottages and under bedroom windows so there will be pollution from cigarette smoke. A 7pm curfew may not be enforceable. The management company is proposing to employ a mature student at night instead of professionally trained personnel. This student's authority might not be accepted and the policy raises major concerns about the handling of any crisis; and
- object to this application.

Lisa Timberlake spoke in support of the application. She raised the following points:-

- the Crosslane Group will develop, and subsequently manage, the proposed accommodation and will remain stakeholders in the local community;
- Crosslane require high standards of behaviour and respect for the amenities of neighbours. The on-site management teams provide a point of contact for neighbours;
- Crosslane have carefully assessed the market for student accommodation. Findings support the Council's assessment confirming a student population in need of housing of just under 20,000, against an existing supply of circa 7,750 student bedspaces which could increase to over 10,000 if all potential pipeline supply is delivered. A ratio of approximately one student bedspace for every two students suggests that Exeter has not yet reached a position of oversupply of Purpose-Built Student Accommodation;
- there remains substantial unsatisfied demand for good quality accommodation in appropriate locations where students wish to live;
- the only alternative is to compete in the market for normal rented accommodation which places pressure on housing for families. Housing students in purpose-built accommodation will reduce pressure on the local housing market. It will also potentially reduce conflicts arising from students living in unmanaged accommodation next to general market housing;

- the development will be car free and occupiers will not be eligible for parking permits; and
- the site is an optimal location for student accommodation.

She responded as follows to Members' queries:-

- wardens will be on duty 8am to 6pm Monday to Friday and 9am to 5pm on Saturdays with student ambassadors on call during other times. The latter will benefit from reduced rents and will be paid a fee. All entrances are monitored by CCTV with security alarms for medical/fire emergencies. There will be 24 hour support but regular staff will not be on site after 6pm. Any wider issues raised by the local community can be discussed with staff during day time;
- there will be a mix of cluster flats for 2nd and 3rd years and studios for overseas students and postgraduates;
- anti-social behaviour will not be tolerated and it is anticipated that many students will not wish to jeopardise their accommodation by behaving unacceptably;
- students will sign an undertaking not to bring cars. Although this cannot be policed by the company, where such usage is reported when parked off site, a "three strikes and out" policy will operate. The company has issued warnings in other student developments;
- co-living, involving both students and the wider population, was an unproven model but was being developed by the company in London through its co-living department. It could involve extra provision for non-students such as larger accommodation and parking spaces; and
- cinema/gym provision would occupy the basement space where accommodation could not be provided.

Members felt that the scale and massing of the proposal was unsuitable in this area of the city. They referred to the village feel of the area, the eclectic style of surrounding properties and the historical aspects of the neighbourhood concluding that the design failed to add positively to this important part of the city. They emphasised that it was the unsuitable nature of the proposal in terms of size, massing and design in the context of its wider setting that was of paramount concern rather than the fact that it would herald a further increase in student numbers in an area already considered by many to be overpopulated with this cohort. In this context, it was suggested that a shift from the city centre to the more peripheral areas of the city as locations for purpose built student accommodation would be preferable to avoid the growing ghettoization of certain inner city areas.

Other Members referred to the design being inappropriate for a Conservation Area, the unacceptable thinning out of trees on the lower boundary and the potential impact on Looe Road because the steep bank overlooking those residences could be destabilised by the development because of increased drainage pressures.

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

A proposal to refuse the application was moved and seconded voted upon and carried unanimously.

RESOLVED that the application for residential accommodation for students (166 bedspaces) be **REFUSED** for the following reasons

The proposal is contrary to Core Planning Policy Section 4, 11, 12 and 16 of the National Planning Policy Framework, Objective 9 and Policy CP4 and Cp17 of the

Exeter Local Development Framework Core Strategy and Policies H5(a), C1, C2, C3, T3, DG1 (b) 9c) (d) (f), (g) and (h) of the Exeter Local Plan First Review 1995-2011 because by virtue of:-

- i) its siting, footprint, height, massing and design, the proposal would appear as a cramped and overly dominant form of development of excessive density, unsympathetic with and detrimental to the character of the St Davids Conservation Area failing to respect its local distinctiveness;
- ii) its dense, bulky and uniformed appearance would appear as a visually intrusive form of development that would be visually detrimental when viewed from St Davids Hill and the wider views from the west of the City unsympathetic with, and detrimental to, the character of the historic townscape of the area;
- iii) its height, massing and design has a detrimental impact on the residential amenities in respect of No. 55 to 61 St Davids Hill specifically in respect of loss of light, outlook and privacy not allowing existing and future residents to feel at ease with their home and garden;
- iv) the building's siting will result in the removal of existing trees within the site that contributes to the character and appearance of the area. The siting and footprint of the existing building will allow limited opportunity for replacement planting and have a detrimental impact on the character and appearance of the St Davids Conservation Area;
- v) the proposal would result in the overconcentration of student accommodation on the site to the detriment of nearby existing residents amenities to the extent that it would change the character of the area and exacerbate existing problems of imbalance in the local community.

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PLANNING APPLICATION NO. 19/0433/FUL - 54 MAIN ROAD, PINHOE

The Assistant Service Lead City Development presented the application for the re-development of former Poltimore Arms site for ground floor commercial premises (A1 use) with three residential apartments on first floor over with onsite parking and amenity.

The development included solar panels on the roof and three parking spaces only to help reduce reliance on cars. The site also benefited from an existing nearby car park for community parking.

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

- welcome new retail provision but concerned about additional traffic generation in an area suffering significantly from congestion and pollution around the double roundabout. Both residents of the flats and the public including children visiting the shops and the Spar supermarket will be affected by the increased pollution; and
- the receipt of only three letters of objections presumably reflects the concerns expressed over the other, larger residential developments in the area.

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

- the Pinhoe/Monkerton area has witnessed huge housing developments in

recent months in both the City Council and East Devon administrative areas with associated infrastructure and general transport issues;

- Poltimore Arms site was cleared by the community but there are concerns that the retail element will generate additional traffic and parking problems. Accept that three parking spaces for three flats is adequate but problem parking already exists in the area such as parking on double yellow lines in Langaton Lane including the larger white vans which will increase with this development; and
- suggest that “pull in” areas be provided along Langaton Lane to reduce illegal parking.

Kate Jago spoke against the application. She raised the following points:-

- Chair of the Pinhoe Village Community Action Group constituted in August which is seeking to make a formal application for a Neighbourhood Plan;
- scale of development in Pinhoe has prompted widespread concern across the area, specifically in Monkerton, with residents fearing disempowerment and the destruction of the Pinhoe Village;
- accessibility and traffic concerns;
- concerns regarding the environmental impact and seek improved landscaping for example on footpaths by providing shrubs and planters to prevent illegal parking;
- need for a local medical practice and improved infrastructure;
- seek a wider strategic vision for the area and integrated thinking with a new approach to development; and
- cannot support application and call for further stakeholder consultation.

The Highways Development Management Officer responded that the level of parking provision was acceptable given the nearby car park and the sustainability goals of encouraging people to reduce reliance on cars. The proximity of other shops in the area would also encourage linked trips. He and the Assistant Service Lead City Development confirmed that Langaton Lane was too narrow to facilitate “pull in” areas.

Members welcomed the proposal as an improvement to this brown field site which was previously an eyesore. A Member referred to the general pressures on the highway network in this area as a result of the housing developments and another stated that the introduction of charging in the nearby car park was part of the “stick” approach to encourage greater walking and cycling and reduce car journeys in line with the Council’s goal of reducing carbon emissions.

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

The recommendation was moved and seconded.

RESOLVED that the application for the re-development of former Poltimore Arms site for ground floor commercial premises (A1 use) with three residential apartments on first floor over with onsite parking and amenity 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 22 March 2019 (including dwg. nos. 1803-100 Rev B; 1803-101 Rev B; 1803-102 Rev B received on 04 June 2019) 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. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: In compliance with Policy DG1 (i), to ensure that the materials conform with the visual amenity requirements of the area.
- 4) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no dwelling or 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: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 5) 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.
 - k) No driven piling without prior consent from the LPA.

The approved Statement shall be strictly adhered to throughout the construction period of the development.
- 6) 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.

- 7) Prior to commencement of the development, the applicant shall submit a noise assessment for approval in writing by the LPA. The assessment should include (but not be limited to) the impact of existing ambient noise on the residential development, the impact of noise from the proposed commercial premises on existing and proposed residential development, the impact of plant and equipment, noise from deliveries and collections, and both air borne & structure borne noise and vibration. If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of mitigation. This shall be based on the results of the above assessment and shall be submitted to and approved by the Local Planning Authority before development commences. All works that form part of the scheme shall be completed before any of the permitted development is occupied.
- 8) No part of the development hereby approved shall be brought into its intended use until vehicular spaces, double yellow lines are extended, footway adjacent to the site is provided and the redundant accesses on Langaton Lane are reinstated to a full height kerb as indicated by Drawing Number 1803-100 REV B have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason: To provide a safe and suitable access, in accordance with Paragraph 108 of the National Planning Policy Framework
- 9) No part of the development hereby approved shall be brought into its intended use until details are submitted to the Local Planning Authority of secure covered cycle parking provision for the development. No part of the development hereby approved shall be brought into its intended use 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.

Informatives

- 1) In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Areas (SPA), the Exe Estuary and East Devon Pebblebed Heaths, which are designated European sites. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South East Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the Community Infrastructure Levy (CIL) collected in respect of the development being allocated to fund the mitigation strategy. Or, if the

development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

- 2) In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.
- 3) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.
- 4) The applicant is advised that any dropped kerb will need to be built in accordance with the highway authority's specification and that that they must apply and receive permission before undertaking any such works on the highway. In order to make these spaces easily accessible, the applicant has chosen to "fill in" the missing double yellow lines (DYL's) on Langaton Lane and as such a Traffic Regulation Order is needed to extend the double DYL's and therefore a contribution of £3,000 is required.

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PLANNING APPLICATION NO. 19/0287/FUL - LAND BETWEEN HOLLOW LANE AND HARTS LANE, MONKERTON, EXETER

The Service Lead City Development presented the application for the construction of a two storey primary school with a nursery and associated play areas, sports pitch and parking.

The Service Lead City Development advised that the application had been deferred at the previous meeting following Members' concerns about access. Some further information seeking to allay these concerns had been submitted within the update report together with a representation from the Department of Education which reminded Members that the NPPF gave great weight to the need to create schools. Notwithstanding the concerns regarding access, Members were advised that:-

- 1) the site was allocated in the Core Strategy specifically for a school. This had been deemed by Members to be the best location within the urban extension for a school;
- 2) the Committee had previously approved a much larger school, on the same site without any drop-off; and
- 3) there was no objection from the Highway Authority and the school access road had been designed and part constructed. The access had also been subject to a successful Road Safety Audit for the larger school.

The Service Lead City Development stated that the National Planning Policy Framework required that Local Planning Authorities approve development proposals that accord with the development plan without delay unless there was significant harm to be evidenced. It was noted that the school travel plan provided

a mechanism for the continuous review of the access strategy.

The Assistant Service Lead City Development advised that the playing field would be grassed and that discussions were on-going regarding dual usage.

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

- the development provides welcome additional infrastructure to the area where there has been huge housing provision;
- the school will relieve pressure on the existing Pinhoe Primary School;
- the Monkerton Master Plan is some five years old and therefore the data is not up to date;
- parking by parents dropping off and collecting children is a great concern as some tend to arrive an hour early in the afternoons resulting in congestion; and
- urge the County Council to quickly adopt the road to facilitate enforcement and effective management by the school itself.

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

- welcome new school provision which is a badly needed facility in a rapidly growing urban area;
- walking distance for many children from the new estates will be some 30/40 minutes and it is likely therefore that they will be delivered and collected by their parents in cars. As well as ensuring their child's safety there will also be a health rationale because of pollution concerns from increased traffic. Anticipate that 80% of children will arrive by cars; and
- the school should introduce communal transport provision for pupils.

Kate Jago spoke against the application. She raised the following points:-

- speaking as elected Chair of Pinhoe Village Community Action Group;
- excessive scale of local development in Pinhoe, specifically regarding impact of intensified traffic flow across the centre of the village where this site is located;
- significant community concerns in respect of density of traffic, congestion, environmental issues and need for strategic vision to protect all members of community;
- note objection from the Civic Society;
- the Pinhoe community supports Exeter City Council's aim to be carbon neutral by 2030 and calls for integrated strategic thinking to be applied at this critical stage
- cannot support application and call for further stakeholder consultation.

Rory McHugh spoke in support of the application. He raised the following points:-

- representing Hydrock, the transport consultants;
- previous comments of the Committee have been taken very seriously. At its existing site, the Trust operates a sustainable school, with measures such as a dedicated minibus, and staff who monitor and manage travel and parking. The same approach would carry-over to Monkerton;
- a Travel Plan with 43 separate initiatives and measures produced to be monitored by Exeter City Council and Devon County Council;
- direct engagement with Ward Members and the local community will take place with a new infrastructure for walking or cycling to school, greater communication with pupils and parents and strategies to manage the

- movement of large vehicles outside of peak times;.
- school committed to delivering the Travel Plan to place the school at the heart of Monkerton and create a sustainable community well served by existing and future walking, cycling and public transport links;
- car trips to the school by staff and by parents dropping-off or picking-up will be minimised due to the local catchment and sustainable links. Staff parking space will be provided on-site, and the school access road was designed and Road Safety Audited by Devon County Council in order to accommodate a larger school than is now proposed;
- the outline planning consent for a larger school on the site included no on-site drop-off or pick-up facilities; however, the plans include eight spaces, turning-over regularly at peak times, monitored and controlled by school staff at the beginning and end of the day. This is in addition to the ability of the access and surrounding estate roads to accommodate parking;
- the number of trips to the site by all modes of transport have been assessed, based on patterns of travel at other Exeter schools. Using local and national data, Hydrock, WSP and Devon County Council have concluded that traffic capacity will not be an issue for the current proposals, or for the larger school which was previously permitted; and
- hope that the additional information provided now demonstrates that this school site, identified in policy and supported by access designs undertaken by the County Council, will operate safely and sustainably.

He responded as follows to Members' queries:-

- the school operates a minibus for school travel trips but not for picking up and dropping off pupils. However, a robust travel assessment indicates that traffic congestion will not be an issue; and
- will be engagement with Members and the community on bio-diversity issues.

Members reiterated concerns expressed regarding potential traffic congestion along the access road and possible tailbacks from the school to Cumberland Way and for the need for the County Council to quickly adopt highways around the site and ensure robust enforcement of unmaintained policy.

The School represented a key piece of infrastructure required to support the Monkerton urban extension. Given this, it was important for the School to be built and opened as soon as possible.

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

The recommendation was moved and seconded.

RESOLVED that, subject to the satisfactory resolution of items relating to SUDS, landscaping and noise, the Service Lead City Development, subject to prior consultation with the Chair of this Committee, be authorised to **APPROVE** planning permission for the construction of a two storey primary school with a nurse's room and associated play areas, sports pitch and parking, 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 29 July 2019 (Written Scheme of Archaeological Work), 24 July 2019 (Construction Phase Plan – Incorporating Health, Safety, Quality and Environment), 12 July 2019 (dwg. nos. FS0622-HYD-00-ZZ-DR-C-7010 Rev. P03, FS0622-SBA-00-XX-DR-A-0010 Rev. P4, FS0622-SBA-00-XX-DR-A-1002 Rev. P3, FS0622-SBA-00-XX-DR-A-1003 Rev. P3, FS0622-HYD-00-ZZ-DR-C-7200 Rev. P07 and 1353-01 Rev. F and Design and Access Statement), 14 June 2019 (dwg. nos. FS0622-SBA-00-XX-DR-A-0008 Rev. P2, FS0622-SBA-00-XX-DR-A-1006 Rev. P3, FS0622-HYD-00-XX-DR-E-8500 Rev. P07 and FS0622-HYD-00-XX-DR-E-8501 Rev. P04 and cladding materials Reynobond Reynolux Sample 2423G/18 in copper patina and Tata Steel Colorcoat Prisma in Anthracite), 7 June 2019 (Air Quality Assessment and Arboricultural Impact Assessment), 26 April 2019 (dwg. no. FS0622-HYD-00-XX-DR-C-7400 Rev. P04 and FS0622-SBA-00-XX-DR-A-0026 Rev. P1, Logistics Plan and Phase 2a Preliminary Ground Investigation) and 25 February 2019 (Site Waste Management Plan) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved details.

- 3) Prior to their use on site, samples of the bricks and any paving materials shall first be submitted to, and approved by, the Local Planning Authority. The proposed cladding materials have already been submitted and approved as part of this consent. If a subsequent change is required, samples of alternative cladding must first be submitted to, and approved by, the Local Planning Authority. The approved materials must thereafter be used in the construction of the development.
Reason: To ensure the materials are of a quality that is not harmful to the character and appearance of the area.

- 4) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and the building shall not 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: To ensure the landscaping scheme provides a positive setting for the school building, enhances the character and appearance of the area and mitigates the impact of the development on biodiversity.

- 5) 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 ensure the landscaping scheme provides a positive setting for the school building, enhances the character and appearance of the area and mitigates the impact of the development on biodiversity.

- 6) **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 Arboricultural Impact Assessment received on 7 June 2019 and the Landscape Strategy (dwg. no. 1353-01 Rev. F) received on 12 July 2019. 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 construction phase of the development.

- 7) Unless otherwise agreed by the Local Planning Authority, the building hereby approved must achieve a level of sustainability that is equivalent to BREEAM excellent and shall be constructed in accordance with the commitments made in the submitted Sustainability Statement and BREEAM Pre-Assessment Report (received on 7 June 2019). A post-completion report shall be submitted to the Local Planning Authority, within three months of completion of the scheme, setting out how the development has met the minimum standards required by this condition.
Reason: In the interests of delivering sustainable development.
- 8) The habitable building comprised in the development hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that the fixed internal systems for space and water heating are capable of being connected to the local energy network. Prior to occupation of the building, the necessary on-site infrastructure (including pipework, plant and machinery) for connection of the building's internal systems to the network shall have been put in place in a manner agreed in writing by the Local Planning Authority.
Reason: To ensure that the proposal complies with Policy CP13 of the Council's adopted Core Strategy and paragraph 153 of the National Planning Policy Framework and in the interests of delivering sustainable development.
- 9) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.
Reason: To protect the amenity of the locality, especially for people living and/or working nearby.
- 10) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.
Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in

writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

- 11) Before occupation of the development, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in full and maintained thereafter.
Noise from mechanical building services plant should not exceed a rating noise level (measured in accordance with BS4142:2014) of 36dB at 1m from any noise sensitive receptor.
Reason: In the interests of amenity and to ensure that noise does not have an unacceptable impact on any neighbouring noise-sensitive development.
- 12) No part of the development hereby approved shall be brought into its intended use until the vehicular access, vehicular spaces and turning area as indicated on the Proposed Site Plan (dwg. no. FS0622-SBA-00-XX-DR-A-0010 received on 12 July 2019) have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason: To provide a safe and suitable access, in accordance with Paragraph 108 of the National Planning Policy Framework.
- 13) No part of the development hereby approved shall be brought into its intended use until the 3m width path from Hollow Lane running down the eastern side of the site, the cycle storage facilities and visibility splays with Hollow Lane (details of which shall first be submitted to and approved by the Local Planning Authority) have been provided and made available for use. Thereafter, these items shall be maintained for these purposes at all times.
Reason: To provide adequate facilities to promote the use of sustainable modes.
- 14) The School Travel Plan, received on 7 June 2019, shall be implemented in accordance with the submission hereby approved and reviewed on an annual basis. Any amendments identified in the annual review shall be submitted to, and agreed in writing by, the Planning Authority and shall thereafter form part of the approved plan.
Reason: To promote the use of sustainable transport modes, in accordance with paragraph 111 of the National Planning Policy Framework.
- 15) Unless otherwise agreed with the Local Planning Authority, the development shall be undertaken in line with the Recommendations of the approved Ecological Assessment received on 7 June 2019.
Reason: In the interests of protecting and enhancing biodiversity on the site.
- 16) Prior to installation on site, details of any external lighting and enclosure for the sub-station shall be submitted to, and approved by, the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.
Reason: In the interests of biodiversity and the overall design quality of the development.

- 17) The biodiversity enhancements on the site shall include amphibian refuges/hibernacula. Details of these shall first be submitted to, and approved by, the Local Planning Authority. The refuges/hibernacula shall thereafter be installed in accordance with these approved details as part of the implementation of the wider landscaping scheme approved by this permission.

Reason: In the interests of biodiversity and the overall design quality of the development.

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**PLANNING APPLICATION NO. 19/0479/FUL AND LISTED BUILDING
CONSENT NO. 19/0480/LBC - 2 REGENTS PARK, EXETER**

The Principal Project Manager (Development) (PJ) presented the applications for planning permission and listed building consent for the change of use from dwelling/bed and breakfast to Home in Multiple Occupation.

The Principal Project Manager (Development) detailed the internal and external changes as part of the Listed Building consent sought and advised that it would be a car free development and, as such, occupants would not be able to apply for parking permits. Ten objections had been received notably in respect of potential occupation by students which, although possible, it was understood that the intention was to market to the general population, in particular professionals associated with the nearby hospital. It was not anticipated that the property would revert to a single dwelling.

Carl Wills spoke in support of the application. He raised the following points:-

- the applicant is committed to a quality renovation involving the use of traditional construction methods;
- this Victorian property will be converted into an 11 bedroom HMO for working professionals in the area. The intended occupants will be professionals working at the hospital given the close proximity to the RD&E site. The internal works are very minor only removing a few partitions and forming a new opening;
- apart from the new bike store and some light landscaping works the appearance of the existing property will remain unchanged. A sprinkler system will be introduced;
- a site visit took place with the case officer and conservation officer to ensure the proposed works were satisfactory; and
- the impact of the proposal on neighbouring properties will be very low as the proposal will be setup with adequate cycle storage for the occupants. There will be a few spaces for visitors and deliveries.

Members welcomed the proposal which would provide housing opportunities for the wider public especially those seeking a residence with no garden and who did not own a car. A Member suggested the potential opportunity for co-living given the proximity of the University's St. Luke's campus.

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

The recommendation was moved and seconded.

RESOLVED that the change of use from dwelling/bed and breakfast to Home in Multiple Occupation 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 2 April 2019 (dwg nos. 0259_REG_EX_1.0; 0259_REG_PL_2.0 rev A; 0259_REG_PL_2.1 rev A; 0259_REG_EX_3.0 & 0259_REG_PL_3.0) as modified by other conditions of this consent.

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

- 3) Prior to the occupation of the development, details of the secure covered cycle parking and refuse storage areas shall be submitted to and approved in writing by the Local Planning Authority and maintained in accordance with the approved details at all times.

Reason: To provide adequate cycle and refuse storage facilities.

- 4) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

RESOLVED that Listed Building Consent for the change of use from dwelling/bed and breakfast to Home in Multiple Occupation be APPROVED subject to the following conditions:-

- 1) The works to which this listed building consent relate must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reason: To comply with Section 18 of the Planning Listed Building and Conservation Areas Act 1990 as amended.

- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 2 April 2019 (dwg nos. 0259_REG_EX_1.0; 0259_REG_PL_2.0 rev A; 0259_REG_PL_2.1 rev A; 0259_REG_EX_3.0 & 0259_REG_PL_3.0) as modified by other conditions of this consent.

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

60

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Service Lead City Development was submitted.

RESOLVED that the report be noted.

61

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

62

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 17 September 2019 at 9.30 a.m. The Councillors attending will be Mitchell, Morse and Pierce.

63

UPDATE SHEET

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

Chair

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LICENSING COMMITTEE

16 July 2019

Present:

Councillor Keith Owen (Chair)

Councillors Buswell, Branston, Henson, D, Oliver, Vizard, Warwick and Wood

Apologies:

Councillors Begley, Mitchell, K, Newby, Quance, I and Wright

Also present:

Environmental Health and Licensing Manager, Litigation Solicitor and Democratic Services Officer (MD)

12 **Minutes**

The minutes of the meeting held on 28 May 2019 were taken as read, approved and signed by the Chair as correct.

13 **Declarations of Interest**

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

LICENSING ACT 2003

14 **Consultation on the Licensing Act 2003 - Statement of Licensing Policy**

The Environmental Health and Licensing Manager presented the report which identified the need review the Council's current Statement of Licensing Policy, following the legislative requirements. The report provided a draft proposal of the policy which would need to go out for a 12 week consultation. The responses of the consultation would be brought back to the Licensing Committee on the 29 October, to allow Members to consider the suggested amendments or variations received during the consultation period.

He referred Members to the timetable, outlined in the report, stating that the policy would need to be approved by January 2020. The policy contained some conditions and amendments, which had been assembled, following collaborative discussions with other Local Authorities across the whole of Devon, to ensure that there was a more consistent policy across the region.

Members were informed that Devon and Cornwall Constabulary had also submitted a request to maintain the Cumulative Impact Area in the City and had submitted statistical information to the Licensing Authority, justifying their reasoning, following legislative requirements. The Environmental Health and Licensing Manager asked for Member approval for the commencement of the 12 week consultation.

The Chair informed Members that the Devon and Cornwall Constabulary had been invited to the Licensing Committee to answer questions from Members, but had been unable to attend.

In response to questions from Members, the Environmental Health and Licensing Manager explained that:-

- The Cumulative Impact Area was the same area and shape as the one in the existing Policy. Potential changes to the area were considered when the data was reviewed, but the data suggested that the area should remain the same;
- The consultation process would involve writing a letter to all responsible authorities, with a link, directing them to the consultation. Other Licensees are informed, but not specifically written to and the consultation will be highlighted on the Exeter City Council website;
- An Equality Impact Assessment (EQIA), would be undertaken, following completion of the consultation and would include positive contributions to the final policy;
- The Environmental Health and Licensing Manager highlighted that a number of positive changes in the city had taken place since the current statement of licensing policy was adopted which included, having more restaurants and a higher footfall in the city between shops closing and the commencement of the night time economy. However the Licensing Authority had concerns about crime and disorder being caused by preloading;
- Police resources were stretched, but they couldn't predict the demand on them. The Police would respond to different call outs, and some nights were busier than others across the region, impacting their resource allocation. Exeter is exceptionally lucky to have a dedicated group of Police Special Constables, who had provided a great means of support to the city in a voluntary capacity;
- The day and night offences shown in the report, highlighting a rise in the early hours of a Sunday, would in actuality be for the late Saturday evening time period.

The Chair proposed to recommend the request of the Environmental Health and Licensing Manager, to authorise the consultation process, outlined in the report. Members voted unanimously in favour.

RESOLVED that the Licensing Committee supported the recommendation to undertake a 12 week consultation on the Statement of Licensing Policy.

The meeting commenced at 5.30 pm and closed at 5.51 pm

Chair

LICENSING COMMITTEE

17 September 2019

Present:

Councillor Keith Owen (Chair)

Councillors Buswell, Begley, Henson, D, Mitchell, K, Newby, Oliver, Quance, I, Vizard, Wood and Wright

Apologies:

Councillor Branston

Also present:

Litigation Solicitor, Principal Licensing Officer and Democratic Services Officer (SLS)

15 **Minutes**

The minutes of the meeting held on 16 July 2019 were taken as read, approved and signed by the Chair as correct.

16 **Declarations of Interest**

No declarations of interest were made by Members.

17 **Mike Winter**

The Chair advised that Mr Mike Winter passed away recently and he wished to offer both his and fellow Members condolences and also pay tribute to him as he was a well respected and influential member of the taxi trade community.

18 **Proposed Hackney Carriage (Taxi) Fare Tariff Changes**

The Principal Licensing Officer submitted a report which sought to inform Members of a request from the Chair of the Exeter St David's Hackney Carriage Association, for an increase to the Hackney Carriage Fare Tariff. He advised that Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 allowed Licensing Authorities to set the tariff fares for Licensed Hackney Carriages (taxis), in their area, and set the maximum fares, in which a taxi could charge the public when using their vehicles.

The request included the following changes be made to the tariff:-

- a charge of £100 be made to customers who soiled the taxi, the increased charge would more realistically compensate the operator for the cost of cleaning the vehicle's interior and loss of earnings whilst the taxi was off the road;
- an additional charge for carrying dogs (excluding assistance dogs which travel free of charge), to rise to £1.00 per dog; and
- the extra charges for luggage and additional persons be removed and be replaced with a separate tariff for over four passengers.

The Chair confirmed that he had been advised by the trade that they believed that factual information in the report; which related to the existing tariffs was not correct and there was also some doubt about support for the proposed changes that had been put forward by the trade representatives.

The Litigation Solicitor confirmed that there had been a conflicting message about the proposed changes which included a request to consult members of the Hackney Carriage taxi trade that had been conducted by the Trade Representatives.

The Chair set out the options for Members to consider, which were to proceed with the request and consider the circulated report, postpone the consideration until the next meeting; or to reject the request for consideration of the tariff in respect of the Hackney Carriage trade. It was important to ensure that any such request had the support of the trade and Members were properly consulted.

RESOLVED that Members unanimously voted to reject the request made by the Exeter St David's Hackney Carriage Association for an increase in the Hackney Carriage Fare Tariff.

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 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.

20 **Application for Consent to Street Trade in Glasshouse Lane**

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 which advised the Committee that the applicants were seeking approval to engage in street trading on Glasshouse Lane, Exeter, using a purpose-built mobile food van, selling kebabs and other fast food, for a 12 month period. The applicants had supplied photographs of the van and details of the proposed menu, location, the van's extraction certificate, gas installation safety record and liability insurance. The applicants had applied for a consent to trade between 16:00hrs and 23:00hrs, between Monday and Sunday.

The Principal Licensing Officer stated that the applicants considered the location to be the only suitable space for trading, and that Devon County Highways had raised no concerns in relation to the proposed siting of the van, which would be parked adjacent to the footpath in the free parking area. He drew Members' attention to a number of conditions and also to a representation received during the fourteen day consultation period, which related to competition between other existing food outlets. The conditions in the application included the provision of a bin, no use of A Boards, or to conduct any flyposting and to be aware of the Council resolution in respect of Single Use Plastics.

The applicants were in attendance, and spoke with the assistance of an interpreter in support of the application. They had previously provided evidence of the van registration with Environmental Health for food hygiene purposes. They wished to provide a service and serve the people near the area, and welcomed the opportunity

to create a business to benefit their family. The applicant agreed to abide with the requirements and conditions of any street trading consent that might be granted.

In response to questions from Members, the applicant responded in the following terms:-

- having noted a Member's comments about the potential for increased rubbish, anti-social behaviour and general levels of noise, they confirmed they already ran a very clean site for their existing car wash business;
- they had chosen a quieter generator and it would be sited inside the van;
- they would only be serving french fries and not traditional fish and chips
- they considered there was no direct competition and it was a suitable site for the business;
- a fire blanket and fire extinguisher were available in the van;
- the extractor fan eliminated the smells but were retained within the van;
- the extraction certificate would be renewed if they obtained a street trading licence;
- they would consider extending the range of vegetarian items on the menu in time;
- the lights were inside the van only; and
- they had not carried out any door to door research but some customers who had used their other business had expressed an interest in their new venture.

The Litigation Solicitor also referred to the Council's policy under the Local Government (Miscellaneous Provisions) Act 1982 and commented on the enhancement of a local area by any business. The applicant advised they would work to ensure that they adhered to the prescribed opening times, were mindful of noise levels and health and safety requirements. The Litigation Solicitor referred to the proposed trading hours from 16.00hrs until 23:00hrs, Monday to Sunday and if that may be considered as attractive or deemed as marketing to students coming home from school. The applicant said that they had not considered that when considering the hours of operation.

The Principal Licensing Officer responded to Member enquiries, stating:-

- he was not aware of any direct consultation with the existing food outlets in the vicinity;
- the generator to be used by the applicant was small and they did not typically receive complaints about that model, although they were still capable of emitting a low level noise;
- the applicants were mindful of the potential for anti-social behaviour and the effect on the neighbourhood.

The applicants and the Principal Licensing Officer withdrew from the room whilst Members debated the application.

Members discussed the viability and hours of operation and proposed business model at the location. They also discussed the hours of operation and a Member considered that a later start time would not include the potential to attract the school trade, but they would still be able to attract the later evening trade.

RESOLVED that the application be approved for 12 months for the amended times of 17:00hrs until 23:00hrs with the following conditions:

- a) that all of the conditions contained within Appendix A of the Street Trading Policy dated 2015 should be included in the consent;
- b) 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;
- c) the use of A boards and flags is prohibited;
- d) the consent holder will not conduct fly posting;
- e) in the event that issues do arise from this consent, then this consent may be revoked by the Environmental Health and Licensing Manager in consultation with the Chair of the Licensing Committee; and
- f) that, in line with the Council's resolution of 24 April 2018, any cutlery, food/drink containers, and drinking straws used should not be made from single use plastics.

The Chair also reiterated that if any complaints should be received from members of the public that the matter could come back for consideration in the intervening period to be debated by Licensing Manager in consultation with the Chair.

The meeting commenced at 5.40 pm and closed at 6.45 pm

Chair

PEOPLE SCRUTINY COMMITTEE

Thursday 5 September 2019

Present:

Councillor Vizard (Chair)
Councillors Wardle, Begley, Foggin, Moore, J, Pattison and Quance, I

Apologies:

Councillors Oliver and Pierce

Also present:

Director (BA), Service Lead Housing Needs & Homelessness, Deputy Chief Finance Officer
and Democratic Services Officer

In Attendance:

Councillor Emma Morse - Portfolio Holder for Supporting People

28

MINUTES

The minutes of the meetings of People Scrutiny Committee held on 6 and 26 June 2019 were taken as read, approved and signed by the Chair as correct.

29

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interests were made.

30

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19

No questions were received from members of the public.

31

QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 20

No questions were received from Members.

32

HRA 2019/20 BUDGET MONITORING REPORT - QUARTER I

The Deputy Chief Finance Officer advised Members of any major differences, by management unit between the approved budget and the outturn forecast for the first three months of the financial year up to 30 June 2019 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.

During this period, the total budget variances indicated that there would be a net deficit of £1,453,485 in 2019/20. This represented a movement of £117,070 compared to the revised budgeted deficit of £1,336,415 for 2019/20.

The total amount of HRA capital expenditure for 2019/20 showed a total forecast spend of £22,782,365 compared to the £26,843,000 approved programme, a decrease of £4,060,635.

The Service Lead Housing Assets advised that changing the Kitchen and Bathroom re-furbishment contract from a direct reward to competitive tendering had resulted in a three month slippage and that demolition of the Laings properties would commence on conclusion of negotiations with South West Water on drainage easements. He responded to Members' queries:-

- the engagement process with Rennes House tenants on the renewal of the lifts would be repeated for the wider refurbishment of the blocks the design team shortly to finalise plans;
- kitchen and bathroom re-furbishment contracts included wide-ranging Contract Conditions including workmanship and performance requirements which were monitored by the Assets Surveyors. Inspections were undertaken when concerns were raised in respect of workmanship and contractors were required to repeat work if quality and competency were unacceptable.

People Scrutiny Committee noted the report and requested Executive and Council to note and approve:-

- (1) the HRA forecast financial position for 2019/20 financial year; and
- (2) the revision of the HRA Capital Programme to reflect the reported variations as detailed in the report.

33

HOMELESSNESS STRATEGY ACTION PLAN UPDATE

The Service Lead Housing Needs and Homelessness presented the report providing Members with an overview of the Council's updated action plan for the 2016-2021 Homelessness Strategy. The action plan sets out ambitious targets over the next two years, building on work already carried out over the past three years. In the last 18 months the City Council had attracted £2 million in new funds to help tackle rough sleeping and homelessness in the city.

Exeter City Council had a mandatory duty to have a current Homelessness Strategy in place (renewable within a maximum of every 5 years) with reviewable actions plans across all client groups including specific actions to tackle rough sleeping. Full consultation in preparation for a new three year Exeter Homelessness Strategy 2021-2023 would begin in Autumn 2020.

The report highlighted Council and partner targets looking to be delivered over the next two years. The action plan had identified the following areas as priorities:-

- Section 1 - Preventing Homelessness;
- Section 2 - Reducing youth homelessness in Exeter;
- Section 3 - Reducing Rough Sleeping in Exeter;
- Section 4 - Focus on Priority Groups;
- Section 5 - Improve access to Private Rented Sector;

- Section 6 - Optimising use of temporary emergency accommodation; and
- Section 7- (yet be developed) strategic planning around initiatives such as joint strategic needs analysis, general sector mapping and gap analysis, joint funding and alliance commissioning, further digitalisation and shared services/out-sourcing options.

Officers responded to a number of questions from Members on this pressing issue:-

- funding had facilitated two full time prison navigators as only 28% of prisoners released from HMP Exeter as being of no fixed abode were provided with temporary accommodation, the situation exacerbated by a reduction in sentence length. Exeter was part of the Devon and Cornwall Short Term Prisoner Re-settlement Group developing best practice;
- rough sleeping numbers varied with 25-30 estimated at any one time although recent months had returned counts of 15-16. The total homeless figure, which included those living in temporary accommodation, hostels etc., was approximately 1,200. Over the last 10 years homelessness had increased nationally and in Exeter although the rough sleeping numbers in Exeter had reduced in recent years as a result of a number of initiatives;
- in addition to those presenting themselves at Customer First, the homeless were identified through officer contact and other outreach workers and through referral from prison, hospitals etc. If in priority need, the Council had a duty to offer interim accommodation and then accommodation which should be reasonable and suitable for a tenancy of at least for 12 months. Because of complexity of needs, reluctance of some to engage and being street attached, fear of peer groups who may be in hostels and those who were homed but begged during the day, complete cessation of rough sleeping was difficult to achieve. To counter negative perceptions that this situation engendered, a communications strategy was being developed such as clearer reporting and good news stories;
- the Exeter homeless count was thorough and, notwithstanding Government criteria, included those in tents and those with sleeping bags but not bedded down. Where the former were on Council owned land, a three strikes and out policy was followed;
- with the funding time limited, in order to maintain/improve identified programmes, it was anticipated that partner agencies would pool resources. Potential sources for further support/funding were the Exeter Homeless Partnership, closer partnership working initiatives with Devon County Council integrating health, social care and housing and further bids to the Ministry of Housing, Communities and Local Government (MHCLG);
- St. Petrocks administered the Social Lettings Agency initiative with six landlords recently added, one of whom with a potential 30 properties;
- trauma amongst ex-forces personnel was a significant element. Devon Partnership Trust provided mental health/psychological interventions and SSAFA and the Royal British Legion were also supportive;
- a governance structure would be explored to form a Homeless Reduction Board with potential involvement from the County Council, Public Health and the Devon Partnership Trust;
- the winter shelter run by the Julian House and Bournemouth Churches Housing Association would open on 1 October until 31 March 2020. Whilst preference was given to citizens with an Exeter area origin the Association did not operate a stringent local connection criteria. Housing Option Appraisals with the home local authority were undertaken for those originating from the rest of the UK to identify credible options to return. Exeter's night shelter service was well known nationally amongst this cohort. A number of Devon authorities did not operate night shelters;

- focus Groups were held with statutory and voluntary services, the commercial sector and the University as part of the joined up approach to deliver the programmes through multi-agency partnership working, led in most cases by the City Council. Actions were regularly reviewed and would change when shared more widely across relevant partners.

The Portfolio Holder for Supporting People emphasised the short term nature of the current funding and for the need for continued and robust action to tackle this entrenched problem.

The Portfolio Holder, Chair and Members thanked the officers for their hard work and commitment in this area.

(The meeting commenced at 5.30 pm and closed at 6.34 pm)

Chair

PLACE SCRUTINY COMMITTEE

Thursday 12 September 2019

Present:

Councillor Buswell (in the Chair for the meeting)
Councillors Atkinson, Henson, D, Lyons, Moore, D, Moore, J and Pattison

Apologies:

Councillors Sills, Owen and Williams

Also present:

Director (DB), Growth & Commercialisation Manager, Skills Manager, Building Exeter
Project Manager and Democratic Services Officer(SLS)

In Attendance:

Councillor Sutton	- Deputy Leader and Portfolio Holder Climate & Culture
Councillor Foale	- Portfolio Holder for City Planning & Development
Councillor Harvey	- Portfolio Holder for Environment & City Management

45

MINUTES

The minutes of the meetings of Place Scrutiny Committee held on 13 June, 25 June 2019 were taken as read, approved and signed by the Chair as correct.

The minutes of the meeting of Place Scrutiny Committee held on 18 June 2019 were taken as read, approved and signed by the Chair as correct, subject to the following amendment:-

In Minute 36 (Towards Carbon Neutral Exeter) and a comment by Councillor D Moore should read, that the Council's approach with 'regard to building council houses to passive house standards should be commended'.

Reference was made to the following clarification at Council held on 23 July 2019, in respect of the statement 'that Exeter's Energy Recovery Facility was the largest single source of emissions' and the opportunity to place the statement in context: being one of a small number of strategic waste treatment facilities in Devon that treated waste from a catchment area well beyond the Exeter boundary. Incineration with energy recovery was environmentally preferable to disposing of waste to landfill. Diverting food waste, plastic and glass away from energy recovery and towards recycling, was the subject of a separate report to Place Scrutiny Committee and would reduce net carbon emissions, thus freeing up capacity at the Energy Recovery Facility to divert more of Devon's non recycled waste away from landfill.

46

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19

In accordance with Standing Order 19, five members of the public submitted questions on the potential roll out of 5G in the city.

A copy of the questions had been previously circulated to Members, and these, together with the responses from Councillor Foale, Portfolio Holder City Development & Planning are appended to the minutes.

OPTIONS FOR INVESTMENT IN EXETER'S KERBSIDE RECYCLING SERVICE

The Director presented a report which provided an update on options for investment in the Council's Materials Reclamation Facility (MRF) and kerbside recycling service following the reports to Place Scrutiny Committee on 13 June, 25 June and Executive Committee on 9 July respectively. The cost variations which demonstrated an overall cost reduction were set out in the report. The major changes were the improved recycling containers that would be offered across the city and a reduction in costs for the enhancement of the Materials Reclamation Facility. He also highlighted the risks and was pleased to report that the proposal to use the new triple stack system would help to eliminate some of the existing injury risks to staff when collecting and lifting the existing 45 litre recycling caddies. This was very much the start of the process of the service design and with a current lead in time of 18 months for the delivery of the specialist vehicles, there was plenty of opportunity to finalise the service.

The Recycling Officer demonstrated the triple stacking bins, which were favoured after looking at their use by other authorities, and were designed to mirror the current footprint and height of the existing wheelie bins. The bins would be made out of recycled plastic and the main body were only available in black as the composition of the recycled material did not take any colour, although the flaps can be colour coded to make recycling easier. One advantage is that the manufacturer used the same plastic supplier which we send our recycled plastic to for processing. Discussions were at an early stage but there was a potential for all of our existing bins to be collected, recycled and used to make the new bin system.

The Recycling Officer responded to Members' questions:-

- the opportunities for any pests interfering with the waste were minimised by the three interlinked sections and stacked with the lowest section taking glass as the potentially heaviest material, the middle section taking recyclables such as cans, tetrapaks, plastic containers and a range of other recyclable material and the top section with the dedicated cover to stop water ingress to the paper and cardboard. It was noted that the containers all had drainage holes. The bins were designed to be wheeled out for collection as with the current wheelie bin collection service.
- the food waste caddy handles would also fit over the triple stack bin to ensure one unit could be wheeled to the collection vehicle.
- a colour coded scheme for the bins for those with disabilities was noted, but was not currently possible.
- the whole bin could be wheeled out into place for collection and in the case of any resident having concerns over access around their property such as in the case of steep steps, the Council offered assisted collections.
- there would be a range of different requirements and recognition that one size did not fit all and it would be necessary to ensure that individual needs were met. A household survey would be undertaken.

- donations of older black traditional bins following the roll out of the new triple stack bins would be welcomed.

The Director also responded to a number of Members' questions and advised the following:-

- that a considerable investment would be made over a ten year period and the service to return a small surplus each year. The investment at the Material Reclamation Facility was needed to avoid a failure of the plant and reduce the current shortfall for income expectations the recycling activity that was generally due to breakdowns. The kerbside collections would deal with most material but larger items should continue to be taken to the Recycling Centres at Pinhoe or Exton Road. The new fleet contract opted for lease hire rather than purchase to offer greater financial certainty and enable a more modern fleet. Currently there was no effective electric refuse vehicle but the market is moving swiftly and the new fleet contract will enable the Council to take advantage of any new technology.
- food waste would also be collected and taken to be processed in an anaerobic digestion plant, as part of a county wide contract for food waste. The storage of the food waste, prior to collection would be part of the changes at the MRF. More staff would be required overall, although the detail of the staffing arrangement had yet to be finalised.
- apprentices could potentially be part of the new service and there would be potentially for training new drivers from within the existing staff compliment.
- there were a number of tetrapack collection points in the city.

The Portfolio Holder for Environment and City Management referred to the commitment to change the way that waste was collected in the city. He referred to the consultation exercise when 71% of Exeter's residents responded to improving the opportunities for waste collection. He also responded to a Member about the aspirations to increase recycling rates explaining that the waste hierarchy was to reduce, reuse and recycle. There was a move to reduce waste rather than place an emphasis on recycling rates, but it was felt that through that approach, recycling rates would rise. He quoted a key performance indicator which was the total amount of waste produced per household and Exeter was currently 4th lowest in the country, excluding London.

A Member also thanked the Portfolio Holder for the update and enquired about the future arrangements for collection of hygienic waste material such as nappies, if reusable nappies were not being used. The Recycling Officer stated that this would be considered in the new service design.

Place Scrutiny Committee requested Executive to support a recommendation to Council of the following:-

- (1) adoption of Option 4 (weekly kerbside-sort recycling collection, incorporating glass and food waste collection, with three weekly rubbish collection) and associated investment in the Materials Reclamations Facility; and
- (2) implementation of the chosen service of Option 4, and that a budget of
 - £200,000 is set aside from General Fund revenue reserves to provide the project management and assistance with roll out;
 - a capital budget of £2,105,000 is provided for the improved recycling containers; and
 - a capital budget of £1,500,000 to enhance the MRF.

INEXETER UPDATE

The Growth & Commercialisation Manager reported on the final year of the first InExeter term, 2015-2020, to keep Members up to date with activity delivered. She provided a copy of the BID Business Plan for the next five years and highlighted the main areas of interest:-

- the City Council's annual BID levy fluctuated each year, dependant on how many properties were owned by the Council that were vacant or occupied by the City Council. The City Council paid just over £15,000 in BID levies for the period 2019-2020.
- the City Council had a seat on the BID Board which was attended by the Portfolio Holder for Environment & City Management with support as part of her role.
- a BID Monitoring Meeting was held every quarter, which oversaw the BID levy collection.
- for the financial year ending 31 March 2018 total levies and other income collected had been over £500,000 which was invested back in to the business community and the city centre.
- a range of activities were included in an appendix to the report and the spend for 2018-2019 and 2019-2020 included:-
 - Christmas lights switch on £73,000
 - City dressing, which included the colourful umbrellas £46,000
 - Hot wash and street cleaning £54,000
- this year InExeter granted sponsorship to support local community groups and event organisers. Some of these included:-
 - ECC Exeter Festival £1500
 - Exeter Fringe Festival £1500
 - Historic Buildings Trust St Nicholas Priory £500
 - Big Screen in the Park £1500
 - Exeter Pride £500
 - Plastic Free Exeter £1000
 - Quirk Theatre Christmas production £600
 - WOW Festival £600
- InExeter had recently extended its team with a new Business Engagement Officer to work with businesses within the BID area and a new Events Manager would be responsible for the delivery of a wide range of activities and events over a five year period.
- InExeter would be going to ballot in October 2019, if there was a yes vote the BID will continue for another five years. If there was a no vote, the BID will close on 31 March 2020. Businesses with a Rateable Value over £7,500 in the BID area were eligible to vote, as set out in a circulated map. This was discussed at Place Scrutiny Committee on 25 June.
- InExeter worked with the City Council on many fronts, through Visit Exeter on joint events and marketing campaigns, through the Growth team on supporting businesses and commissioning the Cleansing team for city centre street cleaning.

The Growth & Commercialisation Manager confirmed in response to a Member's comment that the BID area would be increased if the BID vote was successful. She also noted a comment by a Member about the challenges faced by the residents and businesses located there. In advance of the impending BID vote, the contract for the BID Welcome Team had been cancelled with a small part of their work being carried out by the Business Engagement team.

Place Scrutiny Committee noted the report and progress made.

The Skills Manager and the Building Exeter Project Manager submitted a report to update on the Building Greater Exeter initiative, which provided details of the progress since the launch, achievements and also plans for the next stages of development.

A presentation highlighted the overarching focus which was to support the construction sector across Exeter, East Devon and Teignbridge to address the skills and recruitment challenges it faced. In the South West, 27,200 new workers were expected to be needed by 2023, an annual recruitment requirement of 5,440. The initiative to inspire the future workforce and position construction as an attractive career prospect. They supported work placements locally by facilitating recruitment helped people continue their journey and upskill. There were now 28 project partners which had been achieved in little over a year and reinforced the level of commitment shown.

The Building Exeter Project Manager welcomed the level of collaboration in the construction industry, and particularly the construction companies who, whilst normally competing for business had come together to share best practice. They had been contributing towards a number of events to promote careers in the construction sector. They included the National Apprenticeship Show South West, the Apprenticeship Expo at Exeter College, Exeter City Council's Jobs Fair, a STEM Careers Fair and the Big Bang Fair SW where they had teamed up with Building Plymouth and where it had been possible to showcase the 180 plus job roles that were available in construction. She also referred to the Schools Engagement Programme, working with project partners and schools and included talking at careers assemblies, attending careers fairs and events, and helping to organise work experience or a site visit. They had also worked with Military Service leavers and feedback from partners showed that they were a valuable resource for the construction industry with potential employees having excellent transferable skills and a great work ethic as well.

As part of the initiative, the team had been working on another major project over a three year lifespan, the Building Growth SW Project to create a legacy of a continued impact on individuals in construction. This would focus on three areas of:-

- Communications to improve the image and perception of construction one of our project partners and funded opportunity for the construction industry training board and discuss in three areas;
- Soft skills development, and
- Pre-employment and training.

Matthew Cousins, the Commercial Director for Apex Scaffolding and Chair of the Building Greater Exeter Project was invited to recount how the project had benefited both him personally and the industry. He spoke about his experience and the benefits of attending the Big Bang event through the collaboration with Building Greater Exeter and being able to access the necessary resources. He recounted his experience of welcoming Service leavers to the industry as well as encouraging more women employees in the wider construction industry.

The Skills Manager also responded to a Member's comment about the work in progress in relation to apprenticeships in our own community and she discussed the work with the Heart of the South West LEP, as well as the future skills needed and approach to any new technology. She welcomed the opportunity to be a member of

the LEP Construction Skills Group to maximise innovations such as digital skilling to make best use of the technology that would inevitably come along. There were many challenges around the workforce and she hoped that these will be addressed through the Skills Strategy which would be presented to this Scrutiny Committee in the future.

Place Scrutiny Committee noted the report.

51 **DCC EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE MINUTES 9 JULY 2019**

The Exeter Highways and Traffic Orders Committee minutes from the meeting held 9 July 2019 were received.

A Member commented on the Clear Channel advertising policy and suggested that some advertising may not be appropriate for young children or families, particularly in relation to the advertising of some lifestyle choices around food. A Member advised that she had carried out some work with Clear Channel in her role as a County Councillor, and the content for family appropriate advertising had been agreed by the County Planning Committee. Clear Channel attended every Exeter Highways and Traffic Orders Committee meeting and she welcomed information relating to any inappropriate advertising. The Portfolio Holder Environment and City Management confirmed that the City Council was also involved to some extent in the positioning of the advertising boards, and he referred to a recent report to adopt an ethical advertising framework linked to the City Council's corporate priorities.

52 **UNDER STANDING ORDER 18 - PROGRESS ON THE USE OF SINGLE USE PLASTICS**

Councillor Diana Moore requested an item be placed on the agenda under Standing Order 18 regarding progress on the use of Single Use Plastics, and to receive an update on the Motion adopted by council on 24 April 2018 – see link <https://protect-eu.mimecast.com/s/18qfCr9EqcADILs7EBer?domain=committees.exeter.gov.uk>

Councillor Sutton thanked Councillor Moore for raising this matter and reminded Members of the Council resolution and policy which was widely welcomed and supported and she was mindful of the commitment made. She undertook to address the requested information in the following terms:-

The progress and actions taken to implement the Council's policy to end single use plastics -

There had been a mix of progress with some positive changes and certainly Councillor Sutton was mindful that whilst there were a number of reusable cups in the Committee Room, the eradication of the one use cups available in the civic centre was not complete. There were areas where great progress had been made, but there was still more to do. She welcomed the collection of tetra packs, which Councillor Moore had raised earlier in the meeting, and plastic and coffee shop paper cups which was possible at brightly coloured orange, collection banks in the city. Sometimes it was necessary to consider the way that products were used as it could actually take more energy to produce a paper bag, rather than a plastic one. Small actions such as for example, saying no more often to products like straws, may ultimately mean that less are produced, of course there was still a need for straws to offer choices particularly for people with additional needs. The Ocean Recovery Project and partnership with Keep Britain Tidy had made an impact to address some of the plastic waste on the beaches which come from the fishing

industry. Bright orange containers had been placed on the harbour side at Bude and Padstow and marine plastics were being collected and brought back to the MRF in Exeter to be sorted and recycled into other products including for the construction of a stage at Glastonbury. She was proud to say that the City Council did not export any of the city's collected recycling and that may not be the case with some authorities.

A sustainable procurement stance at the City Council should be acknowledged, where before any procurement commenced, questions were already being asked about the procurement of the goods and services. Although this was not entirely resolved, there was an awareness and Councillor Sutton looked forward to the launch for staff of a "Plastic Less Fantastic" toolkit to work with suppliers towards the zero and single use plastic aim.

Details of the barriers to implementation and the proposed steps to overcome these -

Barriers did remain with some people not acknowledging that there were easy wins such as the correct disposal of their takeaway coffee cup. A number of initiatives such as the Council's Procurement Policy were working to overcome this.

Information about further steps planned to further implement the policy -

There had been some steps around the main strategic areas around carbon reduction and certainly it was all staff's responsibility to ensure that this ethos was woven into the fabric of all that we do. Staff had been asked to consider how they carried out their role, particularly in the move to the agile and flexible working culture, with more consideration of what was needed to do the job and what could be considered surplus to requirements. The Procurement Service Lead had been working hard with talking with the Council's Human Resources and staff to develop the Procurement Strategy to see how that could be further embedded into the culture through the Council's policies. At the special Place Scrutiny Committee on 18 June, it was requested that a biannual Committee meeting be held to look at such matters and collate all of the work taking place as part of the Tackling Climate Change work. Members were very supportive of that approach and progress was being made but there was more to do.

Councillor Moore thanked Councillor Sutton for her reply and she appreciated the challenge as some areas were beyond the Council's control. The Motion was fairly specific about the activities within the Council's control, and she was concerned about the attention to detail needed to reflect the bigger ambition. Nevertheless, she welcomed the helpful interim update and introduction of a Procurement Strategy, and looked forward to a further report back on progress.

Councillor Sutton would continue to discuss this with colleagues and make sure that this matter was presented to a future meeting.

(The meeting commenced at 5.30 pm and closed at 7.00 pm)

Chair

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Public Questions on 5G to Place Scrutiny Committee 12 September 2019

Councillor Foale Portfolio Holder City Planning and Development provided a response to the questions.

Rhiannon Augenthaler

With so many other pressing concerns the council might not have had the time so far to look into 5G and to consider that it is 5G that would be used for artificial intelligence, robots, virtual reality, driverless cars, automated factories, smart devices and home appliances and that the urban street lighting of Exeter, with minimal further upgrading can be enabled for future incorporation of wireless spectrum broadcast and that according to MP Ben Bradshaw there is a national target for most of the UK to be covered by a 5G signal by 2027 and that these apparent advances could lead to job losses, more addiction to virtual gaming and other forms of online entertainment - already considered to be a major mental health issue, more exposure to radiation as all our home appliances become wirelessly connected. Is the council aware of the technological advancements which the telecommunications industries are marketing and promoting and the negative social, psychological, physiological and emotional impacts it could have on the residents of Exeter?

Can you, the councillors of ECC please read and engage with the information provided at <https://www.5gspaceappeal.org/the-appeal>

And

<http://phiremedical.org/>

QUESTION

Between now and the next scrutiny meeting in November and would the council be willing to do your own research into 5G and wireless radiation prior to your scrutiny meeting in November?

RESPONSE - Councillor Foale advised that from an planning point of view this would only be worthwhile if it could inform the Council's formal decisions on 5G related development requiring planning permission. Current Government guidance states that provided operators submit a statement confirming compliance with International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines, implications for health cannot be used as a planning reason for refusal. He added that on a personal level he hoped that colleagues on the scrutiny committee and it would incumbent on them to make themselves more familiar with the information.

Ms Augenthaler asked Members to look at the issue of 5G, and to be mindful if they should care for their families, neighbours and community. She stated that 5G was a dangerous military grade technology and according to experts can be the cause of a number of health issues including cancer, degenerative diseases such as Alzheimer's and dementia, effects on fertility, depression and even suicidal tendencies. She asked Members to read the information with their families in their minds.

Gabriele Simons

Ms Simons asked Members to note that the question was submitted to DCC meeting on 25 July, but was referred to Exeter City Council as the local planning authority.

The dangers of 5G are well documented, scientifically supported.

Why is Devon County Council considering implementing a system which is untested, undrilled, without evidence of its safety? Although councillors are elected, actions as

important as this for the whole of humanity ought to be put to the public for decision. There will be no going back once 5G is installed. The only outcome will be more sick people, more demand on the medical system, more deaths, more suffering. Do members of DCC (and beyond of course, e.g. members of parliament) not have children and grandchildren, wanting to ensure their safe future?

I for one do NOT wish for antennas to be placed on every streetlight in my street or any other just to speed up wifi (or so it is claimed!). I do NOT wish for my health or anyone else's to be put at risk deliberately. I view an uninformed installation of 5G as a crime against human rights.

QUESTION

Why it is that Brussels (amongst other places) has barred 5G until further notice, demanding safety evidence? Can the Council assure the public, myself included, in writing, with evidence, that 5G is safe? And will the Council declare itself responsible for all future claims, i.e. when people fall sick, without passing that on to other 'bodies'? Is the Council prepared to have an unbiased view, listening to both sides, to enable it to make an informed choice for the good of humanity rather than one controlled by money?

I would like to draw the Council's attention to various websites, there are many more:

<https://www.naturalnews.com/2019-05-19-5g-apocalypse-extinction-event-film-destroy-humanity.html>

<https://www.greenmedinfo.com/>

<https://www.radiationhealthrisks.com/5g-cell-towers-dangerous/>

<https://www.5gawareness.com/>

<https://ehtrust.org/key-issues/cell-phoneswireless/5g-networks-iot-scientific-overview-human-health-risks/>

<http://phiremedical.org/category/5g/>

<http://www.es-uk.info/wp-content/uploads/2019/06/V3-240419-NB-RAD-19-6151-ES-UK-ADVERT-APRIL-A3P.jpg>

RESPONSE – Councillor Foale referred Members to the previous response – and Council planning decisions on the health implications of 5G development which were constrained by national Government guidance. The current Government guidance stated that provided operators submit a statement confirming compliance with International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines, implications for health cannot be used as a planning reason for refusal.

He said also that he first became aware of this with the information. He could understand the frustration when the matter was referred by Devon County Council to Exeter City Council. We are a District Council and not scientists, however he felt it was incumbent on his colleagues to make themselves aware of the information.

Gabriele Simons responded and commented that the information was under the control of the media. She felt some fear that the Government and the technology industry had nothing positive to say about 5G but instead appeared to be bulldozing ahead despite the implications. She urged Members to undertake their investigations into 5G research and this new and untested research will affect us. She was particularly concerned about the carcinogenic effects on children whose brains were still developing. She was happy to share any documents and discuss the matter further with Members.

William Wilson

As a former medical scientist I am very worried about the health effects of 5G telecommunications infrastructure. In a question put to Devon CC regarding this Councillor Roger Croad indicated that this was a district council responsibility and that he takes advice from PHE (Public Health England) who in turn follow the guidelines of the International Committee on Non-Ionising Radiation Protection (ICNIRP). However ICNIRP do not protect the public's health because they refuse to recognise the harmful non-thermal (i.e. biological) effects of Radiofrequency (RF) radiation, despite thousands of peer-reviewed articles from many respected scientists spanning many years. 5G may be much more dangerous in part because of the densification of mobile base stations required by this technology, its phased array antennae and very short wavelength. There have been NO SAFETY TESTS. For many years Lloyds of London and other insurers have refused to insure for illness caused by continuous long term low RF radiation.

QUESTION

Since the effects of 5G frequencies are unknown, untested and uninsurable will Exeter City Council adopt the Precautionary Principle and not proceed with the deployment of 5G infrastructure?

UNESCO definition of the Precautionary Principle

" When human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm"

RESPONSE – *Councillor Foale advised that the Council will not proceed with the deployment of 5G infrastructure as this is not its role. Telecommunications infrastructure for mobile phones was provided by the telecommunications operators who are licensed by central Government. He added his frustration that last year a number of telegraph poles were springing up in the city, and Exeter City Council were not consulted on this. He reiterated the view that the City Council and Members of the Scrutiny committee were not afraid to ask questions about this matter.*

William Wilson responded and stated that he was pleased to hear that. He was concerned also that the ICNIRP organisation were determining whether this was safe and yet refusing to acknowledge all of the research. The deployment of 5G was forming a familiar pattern whether the technology was shale fracking or the releasing of toxins into the air. He felt there was a lack of any sense of responsibility against men, women and children and the money justified the means to an end. He suggested this was insane.

Tere Wells (Mrs)

QUESTION -

If ECC are not responsible for the deployment of further WiFi/EMF radiation across Exeter and that the ruling comes from a higher more senior authority, ie Government level, will that higher authority release them from their responsibility of Duty of Care & Due Diligence that they are unable to apply, in writing ?

RESPONSE – Councillor Foale said that the questioner would have to ask a higher authority, although it seems unlikely.

Given that each Councillor is responsible for the collective decision of the Council with any matter in hand, how does this higher ruling relate to the local public Health & Safety Policies regarding Exeter's population?

RESPONSE – Councillor Foale again, you would have to ask the higher authority. He referred to the concern raised in respect of the Telegraph poles by the Council and also by the Member of Parliament even though we as a Council were unable to say no. Half of the telegraph poles have since been removed.

Member would be discussing this matter at Scrutiny Committee in full in November and if there are any concerns these will come back to the attention of Members through the Executive and if deemed necessary will bring this to the attention of our Member of Parliament and take the appropriate action. He said as before it would have to be to a higher authority.

Tere Williams made a response and said that as her family and she was concerned about unborn babies and smaller children with their smaller body health body mass and skills and there was no independent research on brain body health. She referred to the petition which had been signed by over 200 scientists and people were calling for an independent study and progression of a peer review study and effects on children. She said that she would like the City Council to acknowledge this. The documents were a benefit to all to read.

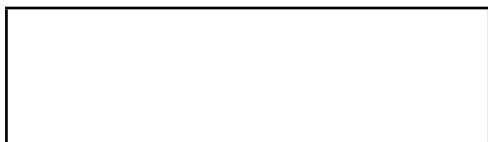
She circulated a leaflet which she asked Members to read

Wendy Brooking

QUESTION

In preparation for the councillors having a potential discussion about 5G at the next scrutiny meeting, following the presentation of a large petition from Exeter residents, could the councillors commit to informing themselves on the subject by looking at the following 5G space appeal from doctors and scientists. Thank you in advance for your due diligence:

<https://www.5gspaceappeal.org/the-appeal>



THE APPEAL — 5G Space Appeal

Even before 5G was proposed, dozens of petitions and appeals by international scientists, including the Freiburger Appeal signed by over 3,000 physicians, called for a halt to the expansion of wireless technology and a moratorium on new base stations. In 2015, 215 scientists from 41 countries communicated their alarm to the United Nations (UN) and World Health Organization (WHO).

RESPONSE – Councillor Foale said that this information was circulated to Councillors, who will also be advised that it does not supersede or override national planning policy guidance or the permitted development rights enjoyed by telecommunications operators. He added that this matter was the subject of a petition and following a referral from Council in October, the matter would be considered at this Scrutiny Committee on 7 November in a thorough manner.

Wendy Brooking made a response and wished to raise some key points that 5G had an effect on all living creatures that 5G degrades all bio systems and people's health was equally important. She referred to impartial evidence to back the statements she had made.

The Chair thanked the questions for their contributions and reassured them that this subject was the subject of a petition which would be referred to Place Scrutiny Committee from Council to be held on 15 October.

A Member asked if they could agree what action would be taken would be taken to help inform the debate as there seems to be a number of sources of additional information. She would also speak the Chair.

Councillor Atkinson proposed that the matter be discussed at the next meeting in Cllr Pattinson seconded the proposal. The matter was voted upon and agreed.

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CORPORATE SERVICES SCRUTINY COMMITTEE

Thursday 26 September 2019

Present:

Councillor Sheldon (Chair)
Councillors Buswell, Hannaford, Mrs Henson, Mitchell, M, Moore, D, Quance, A, Vizard and Warwick

Apologies:

Councillors Lamb

Also present:

Chief Finance Officer and Democratic Services Officer (MD)

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MINUTES

The minutes of the meeting held on 27 June 2019 were taken as read, approved and signed by the Chair as correct, subject to the following amendments:-

Minute 22 – A Member requested an update on when the requested information regarding instances of modern slavery in Exeter and how they compared to other areas will be provided from the Policy Officer.

Minute 24 – A Member raised the question on the availability of the Pinhoe Community Hub receipts and when the receipts would be made available.

29

DECLARATIONS OF INTERESTS

No declarations of disclosable interest were made.

30

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19

No questions from members of the public were received.

31

QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER

20

No questions from Members were received.

32

OVERVIEW OF THE GENERAL FUND REVENUE BUDGET

The Chief Finance Officer presented the report for the Overview of General Fund Revenue Budget for the first quarter, which advised Members of the overall projected financial position of the General Fund Revenue Budgets for the 2019/20 financial year after three months. He highlighted that the reports had been split into the HRA and General Fund reports to make them more appropriate to provide

information to Members and that the report also sought approval of additional expenditure for the financial year.

The Chief Finance Officer discussed the financial summary, which predicted that there would be an under spend of £120,500 against a revised budget of £19,966,520 and included the supplementary budgets of £1,394,660, which had been approved by Council in July 2019 for the first quarter. The General Fund budget was on track against the original budget projections. The projected year-end balance would be £3,822,992, which was above the £3 million minimum requirement set by Council in February 2019 and there were no significant issues to highlight in the report.

He referred Members to the request for approval for a supplementary budget totalling £493,930, which would be added to the 2019/20 budget and would be financed from CIL, earmarked reserves and the General Fund working balance. He noted that there would be a reduction of £3,744,492 to the projected General Fund working balance as a result. It was explained that the term virement was used for the transfer of funds from one financial account to another and that any transfers of budgets above £40,000 or between Directors' areas of responsibility would require Council approval.

The Chief Finance Officer explained that the Fair Funding and Business Rate reviews had been delayed by Central Government for a year and that as a result of the work already done, there was a likelihood of one off Funds being added to the General Fund reserves in next year's budget.

In response to questions from Members, the Chief Finance Officer explained that

- There would be savings made during the financial year from surplus income which would be transferred to the General Fund reserves to support savings required for 2020/21;
- The term for 'Capitalisation of Officer time' was used when charging for a person's time in respect of building assets.
- There would be a likely impact to the net income from car parking, following the introduction of the Carbon Neutral City Policy, which was being considered by Senior Management as part of the ongoing project;
- The net figure for the Financial Services team would show a saving for the first half of the year while using agency staff. There was a national issue for recruiting qualified accountants based on public sector salaries. Currently two roles had been successfully filled, but additional recruitment agencies were being considered and the option for market supplementing salaries was being addressed;
- Debt write offs were legitimate debts that could not be collected and any error amounts would be cancelled. The total Council tax bill write offs would impact only 8% on Exeter City Council, however there were no Key Performance Indicators (KPI's) to compare Exeter City Council against other authorities;
- The reported debt for the Civic Ceremonials, related to the shop next to the Guildhall and the difficulty in finding suitable tenants to let the shop. The debt would likely be written off, but was considered to be a one off issue. The main issues affecting the Civic Ceremonials budget would be for filling roles in this

department and costs of postage in elections. The layout and wording for this budget will be amended by the finance team to clarify the budget issues;

- Additional information on potential changes for the waterways budget would be provided to Members;
- The areas of risk was a new section in the report which highlighted risks outside of the Council's control and could impact on the budgets. The Planning Services Revenue budget figure related to issues with Planning which was a similar issue affecting the rest of Devon;
- There were no other unaccounted General Fund or HRA funds, and they had been reported correctly;
- The closure of the public conveniences had initially reduced the budget, but following the public conveniences consultation and the temporary re-opening of toilets, it had increased slightly over budget, but a confirmation of the budget increase would be provided to Members;
- The Environment and City Management budget transferred in relation to Clifton Hill was the set aside for business rate costs for empty properties and demolition of Clifton Hill. These budgets would be transferred to Corporate Property;
- The City Point redevelopment had been approved last year and the budget was located under the Corporate Property budget for Environment and City Management in the report;
- The Chief Finance Officer would seek clarification from the Council Tax team and respond to Members regarding the level of prosecution for residents who did not pay Council Tax;
- Data for the car parking revenue and the Thursday parking tariff impacts would be provided to Members;
- The report explained the key variances in the budgets and did not cover all issues, however details on the cost for removing travellers and litter collection would be provided to Members;
- A risk rating of each of the areas of budgetary risk would be added to future reports.

Councillor Hannaford moved and was seconded by Councillor Mitchell to add an additional recommendation that consideration be made in relation to paragraph 9.7, subject to consultation with Human Resources and the Trade Union; was voted for unanimously.

The Chair moved and was seconded by Councillor Hannaford to add the additional recommendation to remove the shop attached to the Guildhall from that budget to Corporate Property in relation to paragraph 9.5; was voted for unanimously.

The Corporate Services Scrutiny Committee noted the report and requested Executive and Council to note and approve:

- (1) The General Fund forecast financial position for the 2019/20 financial year;

- (2) The supplementary budgets of £493,930 and budget virements as detailed in paragraph 9.10;
- (3) The outstanding Sundry Debt position as at June 2019;
- (4) The creditors' payments performance;
- (5) Consideration to be made in relation to paragraph 9.7, subject to consultation with Human Resources and the Trade Union; and
- (6) To remove the shop attached to the Guildhall from that budget to Corporate Property in relation to paragraph 9.5.

33

GENERAL FUND CAPITAL MONITORING

The Chief Finance Officer presented the report which advised Members of the current position in respect of the Council's revised annual capital programme and the anticipated level of deferred expenditure into future years. The report also sought Member approval to amend the Annual Capital Programme. Capital expenditure was a significant source of risk and uncertainty, with cost variances, delays and changes to larger complex capital projects.

Members were informed of the changes made to the Capital Programme since the previous meeting, in June 2019, and the Chief Finance Officer commented on the available capital receipts for the General Fund for 2019/20 which as at 30 June 2019 stood at £5,431,708. He reported on those variances and issues concerning expenditure in respect of those schemes being deferred to 2020/21.

The Chief Finance Officer highlighted the completed schemes during the first quarter detailed in the report and advised that there was a request for an additional budget of £600,000 to be funded from the Transformation Fund to support the agile and flexible working project at the Civic Centre.

In response to questions from Members, the Chief Finance Officer explained:-

- The budget and timetable implications to the City Point Development, following the recent unearthed Roman artefacts discovered on site were not currently known, but would be investigated and reported to Members;
- The Riverside Insurance payment meant that the budget would be increased, to cover the figure detailed in the report and would require Council approval;
- The available resources for Community Infrastructure Levy (CIL) funded projects would be identified as they moved forward, but the New Homes bonus resources available was now a small figure;
- The cost for the planned works against the Pyramids, Leisure Centre Enhancements and Sport Facilities Refurbishment schemes was in addition to the original amount of £4.5 million and included in the underspend figures for the four schemes detailed in the report.

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

- (1) The revision of the annual capital programme to reflect the reported variations detailed in 9.1 and Appendix 1; and
- (2) The additional budget request detailed in 9.7.

The Chief Finance Officer presented the Housing Revenue Account (HRA) Budget Monitoring report which advised Members of the overall financial position for the 2019/20 financial year after three months. The report provided an overview of the budgetary over/under-spends reported to the Corporate Services Scrutiny Committee and highlighted areas of risk, and budgets that were vulnerable to factors beyond Council control.

Members were informed of the HRA records expenditure and income relating to council dwellings and the provision of services to tenants. During this period, the total budget variances showed that there would be a net deficit of £1,453,485 in 2019/20, which represented a movement of £117,070 compared to the revised budgeted deficit of £1,336,415 for 2019/20.

The Chief Finance Officer commented on depreciation charges and how they related to valuation and maintenance of properties. Each year, the charge depreciated against the properties and impacted HRA funding as Council houses did not have the same accountancy value as the private sector. He confirmed that there were no projected variances reported at the end of the first Quarter.

In response to questions from Members, the Chief Finance Officer explained:-

- The £105,000 sundry land maintenance tree inspector figure, did not include re-planting of trees. An additional budget was being setup for replanting of trees in the city and to potentially capitalising trees as an asset;
- The surrendering back to Ministry of Housing, Communities & Local Government (MHCLG) related to selling right to buy houses, of which 75% of the Capital receipts were given back to Central Government, when the Council was unable to spend them in line with the regulations and equates to £2.5million;
- Zebcat was a European Union (EU) funded energy efficiency project for retrofitting older homes. EU projects had a detailed claiming system and was being checked, but additional information on the project would be provided to Members.

Councillor Moore moved and was seconded by Councillor Hannaford to add an additional recommendation for the HRA Budget to recognise the importance of re-planting trees and an allocation for tree planting to be included in the budget, and was voted for unanimously.

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

- (1) The HRA forecast financial position for 2019/20 financial year; and
- (2) The revision of the HRA Capital Programme to reflect the reported variations detailed in Appendix 4; and
- (3) The HRA Budget to recognise the importance of re-planting trees and an allocation for tree planting be included in the budget;

The Chief Finance Officer presented the report of the Council's Annual Health and Safety Report for 2018. Exeter City Council had the intention to be an exemplar of health and safety practice by continually improving its health and safety management systems and remain transparent with its approach to health and safety. He discussed the progress in meeting the statutory obligation for employees' safety and health at work and the progress in managing work-related stress. Members' attention was given to the reduction in the number of reportable accidents by 50% from the number reported in 2017, advising that the 16 incidents were reported in 2017 and halved to only eight in 2018.

In response to questions from Members, the Chief Finance Officer advised:-

- Trade Unions would have been consulted on the health and safety report, however the concerns from Members on there being no mention of the Unions in the report would be fed back to Environmental Health and Licensing Manager;
- Details of potential stress related to agile and flexible working and monitoring staff wellbeing after its conclusion, would be requested from Environmental Health and Licensing Manager;
- The provision of a bollard on the pavement in front of the Customer Service Centre was recommended following discussions with other agencies and was being managed by the Civic Centre Manager;
- The Health and Safety Committee developed action plans and recommendations for health and safety matters, ensuring significant issues were raised and delivered;
- The absence of an Equality Impact Assessment in the report will be raised with the Environmental Health and Licensing Manager;
- Volunteer Staff who may require a separate approach to health and safety would be discussed with the Environmental Health and Licensing Manager;
- The changes to operational procedures involving the refuse lorry incident, detailed in the report, would be provided to Members in full;
- The risk assessment for kerbside recycling had been considered by the Place Scrutiny Committee and was included as part of the overall project.

Councillor Sheldon moved and was seconded by Councillor Hannaford to add an additional recommendation - for the Chief Executive & Growth Director and the Leader of the Council to be named as joint owners of the report, and was voted for unanimously.

The Corporate Services Scrutiny Committee noted the Report and requested that:-

- (1) The Executive notes the content of the Annual Health and Safety report; and
- (2) The Chief Executive & Growth Director and the Leader of the Council to be named as joint owners of the report.

(The meeting commenced at 5.30 pm and closed at 7.06 pm)

Chair

DRAFT

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AUDIT AND GOVERNANCE COMMITTEE

Wednesday 18 September 2019

Present:-

Councillors Foggin, Hannaford, Henson, D, Mrs Henson, Lamb, Mitchell, M, Pattison and Sheldon

Also Present

Chief Finance Officer, Deputy Chief Finance Officer, Audit Manager (HP) and Democratic Services Officer (MD)

Also Present

Geraldine Daly – Key Audit Partner, Grant Thornton

22

APPOINTMENT OF A CHAIR

Councillor Hannaford was appointed as the Chair of the Audit and Governance Committee for this meeting, following a nomination and seconded by Councillor Foggin. The nomination was put to and won by a unanimous vote by the Members.

23

APOLOGIES

Apologies were received from Councillors Wardle, Atkinson and Warwick.

24

MINUTES

The minutes of the meeting held 24 July 2019 were taken as read, approved and signed by the Chair as correct, subject to the following amendment:-

Minute 15 – The Chief Finance Officer would proceed with signing the statement, subject to confirmation about the compliance with the regulatory standards, as set by the Regulator for Housing in England to conform to consumer standards.

25

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interests were made.

26

EXTERNAL AUDITORS INTERIM FINDINGS REPORT

Geraldine Daly, Key Audit Partner from Grant Thornton, presented the External Auditors interim findings report, informing Members that the audit began in August 2019 following a delay caused by resource issues and that the report provided key messages that the Audit and Governance Members would need to know.

Members were referred to the report, where it was noted that there were a number of audit adjustments that had been agreed with officers and that recommendations based on the audit work had been raised, which would not be adjusted. Geraldine Daly discussed the value for money arrangements at Exeter City Council, which were considered to have satisfactory arrangements and that the procurement issues were no longer a concern and could be removed. She commented on the group accounts and materiality level, highlighting that it would be £1,950,000 for the group amount and £1,800,000 for the Council amount. Materiality for the Council

had been set at 1.8% of the prior year's gross expenditure and it was required that group accounts are prepared, in which the same 1.8% was applied.

Members were referred to the significant audit risk findings and noted that the improper revenue recognition and risk of fraud was not considered to be a significant risk, with there being little incentive for staff to engage in such activity. Issues had been identified with the Management override controls, which would be disclosed at the conclusion of the audit work. No issues had been raised on the land and buildings valuation, and any risks related to price changes in commercial properties across a financial year and how the market was assessed.

The Chief Finance Officer and Geraldine Daly discussed the valuation of the pension fund net liability, which had initially been identified as a significant risk based on the £114 million deficit in the Authority's balance sheet at 31 March 2018. However, audit work since this time had not identified any issues, but discussions with officers would be ongoing.

Members were provided an overview on the potential impact from the McCloud court appeal, which had ruled on age discrimination in judge and firefighter pension schemes and could potentially increase the pension liabilities by £1.629 million and result in an increase in service costs of £132,000 for the 2019/20 year. Officers considered that the ruling was not material for Exeter City Council and would be considered for future years' actuarial valuations. Grant Thornton, who had an obligation to report anything over £50,000, had suggested that the accounts be amended to include the £1.629 million. The Chief Finance Officer explained that the decision had occurred after the accounts had been completed, but the outcome would not impact the tax payer. The £1.629 million figure equated to a change of 0.7% and would not affect the General Fund reserves, however a disclosure note would be added to the Statement of Accounts. A letter of representation would be issued at the end of the audit process to be signed by the Audit and Governance Committee

Members were informed that the liability was controlled by regulations set by Central Government, and when the new regulations come into effect, more information could be disclosed.

Should the amount of errors identified in the accounts go over £1.8 million then an adjustment to the accounts would be made. The Chief Finance Officer confirmed that most other Local Authorities were in the same situation and had not adjusted accounts at this time. He considered that the figure did not warrant a change at this time and should there be any further issues in the future, the accounts would be amended accordingly. Members were satisfied with this recommendation.

Geraldine Daly highlighted the prior period adjustment which was below the level set for material amounts, was in Grant Thornton's view unnecessary and the Council did not need to make an adjustment following an error identified in the 2018/19 financial statements relating to a home improvement loan as it was not a material amount. The Chief Finance Officer stated that it was a matter relating to money that was owed to the Council under the IFRS 9 and was unable to get back. As this impacted on money owed to the Council he felt it appropriate to provide the adjustment on significance grounds, whilst acknowledging the fact that it was below the monetary value of materiality. To avoid any impact on how the accounts were read by the public, he would amend the Management response in the report to provide a clearer explanation.

Geraldine Daly provided an overview on value for money and procurement follow up work, which was considered to be adequate, but had made a recommendation to develop an action plan against which progress and remedial action could be taken.

In response to Members' questions, the Chief Finance Officer and Geraldine Daly explained

- The term 'adjustment' used in the report referred to financial adjustments;
- The valuation of land and buildings, was the land, buildings, plant and equipment owned by the Council. The owned buildings that were commercially leased were re-valued each year;
- There were no concerns for democratic accountability in the governance arrangements for Exeter City Group Limited;
- Grant Thornton were required to remain independent for their audit work and were required to demonstrate this in the report with their fees for transparency;
- The report was marked as 'draft' until it was presented to the Audit and Governance Committee, where it would then be the final version.
- Recommendations on the pension liability would be brought back to Members once they had been completed.

Members thanked the external auditor and requested that the external audit report be provided to Members sooner.

The Audit and Governance Committee noted the External Auditors interim findings report.

27

INTERNAL AUDIT PROGRESS REPORT

The Audit Manager (HP) presented the report on the internal audit work carried out during the period 1 April 2019 to 30 June 2018, advising Members on the overall progress against the Audit Plan, which had been approved by the Audit and Governance Committee on 13 March 2019 and reported on any issues that would require Member consideration. She explained that progress against the annual audit plan was on target, however there would be a reduction in the number of productive audit days, to allow the audit office to attend the agile and flexible working workshops and have an impact on delivering the full plan. Should there be an issues, then the audit plan would be reassessed and reported back to the Audit and Governance Committee.

Members were referred to Appendix A in the report, which detailed the progress of the 2019/20 Audit Plan to date and it was highlighted that that the three reports marked as final, were the Creditors – duplicate payments, Environmental Health – Warm-up grants and Disabled Facilities Grant. The Audit Manager (HP) commented on the progress update for outstanding action completed, noting that the CIL/Section 106 had been completed since the report was published and that an update would be issued to Members.

The Audit Manager referred Members to the action plan, presented in Appendix B, which highlighted the proposed measures to monitor and improve Governance arrangements and noted the changes to the organisational structures and that the Procurement Team was now fully established and the next phase would be to ensure that contract management is an integral part of the procurement cycle.

In response to Members' questions, the Audit Manager (HP) and the Chief Finance Officer explained:-

- There were no concerns for the progress on the audit plan work;
- It was not usual practice to hold a database of data relating to the audit plan work for Members to access. Until work was completed, it was considered to be appropriate to disclose the information ahead of presenting to Members at the Audit and Governance Committee. However Members were welcome to visit the Civic Centre and read reports with the Audit Managers.

The Audit and Governance Committee noted the Internal Audit Report for the first quarter of 2019/20.

28

CORPORATE GOVERNANCE RISK REGISTER SUMMARY PAPER

The Chief Finance Officer presented the report paper which advised the Audit and Governance Committee of the progress on the review of the updated Corporate Risk Register. He explained that updated register would be focussed on strategic risks and remove operational risks. A draft list of strategic risks had been created following ongoing work and would be presented to the Strategic Management Board (SMB) at a meeting in October 2019, and will be presented to Members as a part 1 item at the December Audit and Governance Committee.

The SMB recognised that the risk landscape had become more complex and that effort from both the SMB and Audit and Governance Committee was needed to focus on managing the most significant risks to the council. This approach would avoid time being spent on discussing operational risks that should be managed at a service level. The Chief Finance Officer referred Members to the summary paper, to note the strategic risks identified from the progress work undertaken by the Strategic Management Board and the Council's insurer – Zurich.

In response to questions from Members, the Chief Finance Officer responded that:-

- Homeless sleepers and residents with complex needs would be raised with the Strategic Management Board, to consider if the risk should be included under Counter Terrorism and Community Cohesion;
- Issues of cyber terrorism would be categorised under the risk for Information Governance and Cyber Security;
- The Sport England Delivery Pilot was considered to be a reputational risk , in the event that the Sport England partnership no longer proceeded;
- Risks concerning Brexit would be added for the review by the SMB at the meeting in October to see if it should be included on the risk register. Consideration would be taken on the potential impacts to the care sector and similar areas. Since the work to the register began, the risk likelihood of there being a no deal Brexit, had increased, and would be raised with the SMB.

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

(The meeting commenced at 5.30 pm and closed at 6.46 pm)

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EXECUTIVE

Tuesday 10 September 2019

Present:

Councillor Bialyk (Chair)

Councillors Sutton, Foale, Ghusain, Harvey, Leadbetter, Mitchell, K, Morse, Pearson and Wright

Also present:

Chief Executive & Growth Director, City Solicitor & Head of HR, Director (DB), Director (J-PH), Service Lead Housing Assets and Democratic Services Officer (MD)

83

MINUTES

The minutes of the meeting held on 9 July 2019, were taken as read, approved and signed by the Chair as a correct record.

84

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

85

CITYPOINT - PARIS STREET AND SIDWELL STREET REGENERATION

The Director (DB) presented the report on the progress of plans for the wider development of the former Bus & Coach Station and adjoining areas of Paris Street and Sidwell Street and to seek authority for the City Surveyor to take the next steps to progress the redevelopment proposition. There had been substantial work undertaken to move the development forward and the next step would be to enter into a joint ownership and land promotion agreement, to bring the development forward in a comprehensive manner. These agreements were especially valuable during periods of economic uncertainty.

Members were referred to the design plans in the report, noting the proposed developments on the land would include: office spaces, luxury and budget hotels, built to rent housing, retail space, multi-purpose performance venue and the new Civic Centre and Bus Station.

Councillor D Moore, having given notice under Standing Order No.44, spoke on this item. She had submitted three questions relating to city centre business. The Leader provided responses, which are appended to these minutes.

In response to a Member's question, the Chief Executive & Growth Director explained that the advantage of the proposed joint arrangements, would be to ensure that the development would be deliverable. There was the risk, that should any partner organisation decide to back out as a joint partner, then the development would be delayed. Market research testing had identified that there was a great interest from various brands, including blue chip companies to build in Exeter. A joint working practice would support the Council's vision of delivering a high quality development and joint partnership arrangements was considered to be the best approach to move the project forward.

The Chief Executive & Growth Director discussed national funding issues, and that despite these issues, Exeter City Council was continuing to address sustainability and testing working practices, to enable the development of Grade A. office and accommodation space during a period of financial uncertainty.

Members expressed their satisfaction on the progress of the work undertaken and the recommendations to move the development forward.

RESOLVED that:-

- (1) The progress to date on bringing forward the Citypoint site be noted; and
- (2) The City Surveyor be authorised, in consultation with the Leader and the Chief Executive & Growth Director, to negotiate and enter into a joint ownership and land promotion agreement with the other main land owners on the site.

86

CORPORATE PROPERTY HEALTH AND SAFETY COMPLIANCE

The Director (DB) presented the report, on Corporate Property Compliance which sought approval for funding to achieve the required levels of statutory Health and Safety compliance. He explained that the objectives of establishing the Corporate Property service was to identify and address failures in property Health and Safety compliance. There had been numerous areas of Health and Safety non-compliance and issues identified and that although progress had been made in several areas, the existing approved budgets were insufficient to deliver the proposed work to address the identified risks outlined in the report.

Members were referred to the report, which highlighted the work and the costs involved to deliver the scheme and informed that the recommendations had been developed from the health and safety assessments, undertaken by Corporate Property Compliance.

In response to questions from Members, the Director (DB) explained:-

- The property inspections had been part of ongoing assessments, which had collected results and collated them to form a single piece of work;
- The inspections were undertaken using in-house resources and fire risk assessments. There had been a focus on prioritising spending to challenge the previous issue of under investment in the properties.

RECOMMENDED that Council be requested to approve the £650,000 estimated budget requirement, for undertaking fire risk compliance works that will mitigate the current identified risks to the Council and building users in operational and commercial properties.

87

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

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

ADVERTISING AND ETHICAL FRAMEWORK ADOPTION

The Director (J-PH) presented the advertising report which sought to trial a single point booking system for existing and new advertising opportunities and to adopt an ethical advertising framework linked to the council's corporate priorities for officers to work to. The report requested approval to allow digital advertising on the remaining city centre screens as part of an existing Devon County Council/Exeter City Council contract. Having a single point system would centralise the advertising opportunities for Exeter City Council and increase the sources of income, commercial opportunities and revenue.

The Director (J-PH) highlighted for Members' attention to the following:-

- The banner advertising, which had limited spaces available could increase revenue to the Council;
- Changes in digital technology to amend agreements in advertising on digital monoliths and digital bus shelters across the city;
- Changes to advertising arrangements in the Exeter Citizen and improvement to the advertisement opportunities.

Members discussed the proposals and welcomed the adoption of an ethical framework, which would allow the Council to have a good balance of advertising in the city and which could be monitored.

RECOMMENDED that Council approves:

- (1) That a single point of advertising booking is established within the Communications, Tourism and Culture team to obtain better value;
- (2) That the responsibility for Citizen Advertising is in-sourced within the existing Communications, Tourism and Culture Team;
- (3) That Exeter City Council will not seek to exploit its position to offer advertising at a cost which undercuts locally available market rates;
- (4) That a report is brought back to council within a year with measurable outcomes, should a permanent resource from created revenue be required;
- (5) That the ethical advertising framework attached to the report presented to the meeting, aligned to corporate priorities, is adopted;
- (6) That officers explore additional income generation opportunities through advertising and sponsorship; and
- (7) That Members approve the joint Devon County Council/Exeter City Council approach to digital advertising in high street locations;

BUSINESS CASE FOR THE REVIEW OF STAFF STRUCTURE IN HOUSING ASSETS

The Portfolio Holder for Council Housing Development & Services and the Service Lead Housing Assets presented the report which set out the draft business case for the review and the re-structuring of the Housing Assets service area. Following the appointment of the Service Lead Housing Assets, it had been identified that there were a number of key functions that had been overlooked and a resourcing shortfall to cover the Council's statutory and contractual obligations.

The Portfolio Holder for Council Housing Development & Services stated that the proposal to restructure the assets team would follow the Council's Organisational Change Policy.

The Service Lead Housing Assets explained that the restructure Business Case included in the report proposed a new post of Social Housing Delivery Lead which will oversee the delivery of the HRA Development Programme. Furthermore, the Business Case also set out a structure to ensure that all business critical areas were fully resourced including compliance and contract management.

RESOLVED that the Executive agree to the draft proposal for the restructuring of the Assets Team to enable meaningful consultation with affected employees and Trade Unions in accordance with the requirements of the Council's Organisational Change Policy.

(The meeting commenced at 5.30 pm and closed at 6.13 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 15 October 2019.

SEATING IN THE GUILDHALL

Agenda Annex

		Deputy Lord Mayor Councillor Mrs Henson (C)	Chief Executive & Growth Director	Lord Mayor Councillor Holland (C)	Corporate Manager Democratic/Civic Support	City Solicitor & Head of HR	
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Democratic Services Officer				Director	Chief Finance Officer	Director
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Councillors	Councillors	Councillors		Councillors	Councillors
Warwick (L)	Sheldon (L)	Bialyk (L)		Leadbetter (C)	Mitchell, K.J. (LD)*
Vizard (L)	Hannafor (L)	Sutton (L)			
Oliver (L)	Foggin (L)	Pearson (L)		Newby (C)	Mitchell, M.N.(LD)*
Atkinson (L)	Owen (L)	Morse (L)	TABLE	Pierce (C)	Moore, D.F. (G)*
Pattison (L)	Packham (L)	Foale (L)			
Branston (L)	Sills (L)	Wright (L)		Henson, D. (C)	Moore, J.M. (I)*
Lyons (L)	Lamb (L)				

Cllr Quance, I (L)	Cllr Quance, A.A. (L)	Cllr Begley (L)	Cllr Buswell (L)	Cllr Harvey	Cllr Wood (L)	Cllr Ghusain (L)	Cllr Williams (L)	Cllr Wardle (L)
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L: Labour: 29
C: Conservative: 6
LD: Liberal Democrat: 2*
G: Green 1*
I: Independent 1*
*** Known as the**
Progressive Group

Portfolio Holders

Bialyk:	Leader,
Sutton:	Deputy Leader and Climate & Culture
Morse	Supporting People
Wright:	Council Housing Development and Services
Harvey:	Environment and City Management
Foale:	City Development and Planning
Pearson :	Leisure and Physical Activity
Ghusain :	Equalities, Diversity and Communities

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