

## EXECUTIVE

Date: Monday 28 February 2022  
Time: 5.30 pm  
Venue: Guildhall, High Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

Due to the current social distancing restrictions brought about by the Corona Virus outbreak, any members of the public wishing to attend the meeting, please contact the [Democratic Services Team](#) in advance as there is limited capacity for public attendance. Priority will be given to those addressing the Committee under the public speaking provisions.

The recording of the meeting will be uploaded onto YouTube the following day.

If you have an enquiry regarding any items on this agenda, please contact Mark Devin, Democratic Services Officer on 01392 265477.

### *Membership -*

Councillors Bialyk (Chair), Wright (Deputy Chair), Foale, Ghusain, Harvey, Morse, Sutton, Williams and Wood

## Agenda

### Part I: Items suggested for discussion with the press and public present

#### 1 **Apologies**

To receive apologies for absence from Committee members.

#### 2 **Minutes**

To approve and sign the minutes of the meeting held on 8 February 2022.

(Pages 5 -  
14)

#### 3 **Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

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

**RECOMMENDED** that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of items 9, 10 and 11 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 of Part I, Schedule 12A of the Act.

**5 Questions from the Public Under Standing order No. 19**

To receive questions relating to items on the Agenda from members of the public and responses thereto.

Details of questions should be notified to the Corporate Manager Democratic and Civic Support by 10.00am at least three working days prior to the meeting. For this meeting, any questions must be submitted by 10:00am on Wednesday 23 February 2022.

Further information about speaking at a committee can be found here: [Speaking at a Committee](#)

**6 Urgent Decision – Exeter City Council’s response to the Devon Climate Citizens Assembly**

To note the Urgent matter of the response from Exeter City Council for the Devon Climate Emergency team. Member feedback was sought to form the response from Exeter City Council to respond back to the Devon Climate Assembly by 27 January. Due to the timings of the response and Exeter City Council’s meeting dates it was not possible for the Executive to consider a draft response in advance of its submission. The response to the consultation has been treated as an urgent matter. (Pages 15 - 20)

In accordance with the Council’s Constitution, it has been discussed with the Leader, the Portfolio Holder for Net Zero Exeter 2030 and the Chair of the Strategic Scrutiny Committee, and the Executive is now invited to note the response to the Devon Climate Assembly which has been submitted and dealt with under emergency provisions.

A copy of the response letter is appended to the agenda for noting the urgent matter.

**7 Pinhoe Community Hub Business Proposal**

To consider the report of the Director of Culture, Leisure and Tourism. (Pages 21 - 54)

**8 Annual Infrastructure Funding Statement 2021**

To consider the report of the Deputy Chief Executive. (Pages 55 - 82)

## **Part II: Items suggested for discussion with the press and public excluded**

Representations have been received in respect of items 10 and 11, in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, in that the items of business should be determined in the public section of the meeting for the following reasons

- (1) Item 10 should be heard in public as it relates to proposed development for which Exeter City Council as both local planning authority and owner of Exeter City Living Limited, may grant itself planning permission or permission in principle pursuant to regulation 3 of the Town and Country Planning General Regulations 1992. As such, Paragraph 9 of Part 2 of Schedule 12A of the Local Government Act 1972 prevents this information from being exempt information by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, and should be disclosed to the public.
- (2) Item 11 should be heard in public as it relates to proposed development by a residential property company for which Exeter City Council as both local planning authority and owner of Exeter City Living Limited, may grant itself planning permission or permission in principle pursuant to regulation 3 of the Town and Country Planning General Regulations 1992. As such, Paragraph 9 of Part 2 of Schedule 12A of the Local Government Act 1972 prevents this information from being exempt information by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, and should be disclosed to the public.

Any decision taken by Exeter City Council Executive to hear these items in private may mean that subsequent decisions taken in respect of this item would be unlawful and ineffective, may amount to maladministration, and may be subject to challenge through legal proceedings by any person affected by the decision, or by intervention by the external auditor, thereby placing Exeter City Council at risk.

Neither report relates to an application for planning permission. The first report concerns a business plan, with the second concerning a business case. Both reports contain information relating to the financial or business affairs of the respective companies, as described in paragraph 3 of Part 1 of Schedule 12 A to the Local Government Act 1972.

Paragraph 10 of Part 2 Schedule 12A of the Local Government Act 1972, states that information which falls into paragraphs 1-7 of Part 1 Schedule 12A of the Local Government Act 1972 is exempt information if, and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The proposed reasons for the exemption is that it is in the public interest to maintain the confidentiality of the company's business plan and business case respectively. The recommendation that these items are taken under Part 2, will be maintained.

In accordance with Regulation 5, Paragraph 5, Part 2 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 concerning the procedures prior to private meetings, the details of the representations received have been included on the agenda with the statement of response to the representations. The agenda has been published with five clear working days ahead of the meeting, in line with legislation.

### **9 Hamlin Gardens Housing Scheme**

To consider the report of the Deputy Chief Executive.

(Pages 83  
- 92)

### **10 Exeter City Living Business Plan 2022-23**

To consider the report of the Chief Executive & Growth Director.

(Pages 93  
- 296)

11 **A Business Case for the Creation of a Residential Property Company**

To consider the report of the Chief Executive & Growth Director.

(Pages  
297 - 544)

**Date of Next Meeting**

The next scheduled meeting of the Executive will be held on **Monday 4 April 2022** at 5.30 pm at the Guildhall.

**A statement of the executive decisions taken at this meeting will be produced and published on the Council website as soon as reasonably practicable.**

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265115 for further information.

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