



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **COUNCIL CHAMBER, COUNTY HALL, TOPSHAM ROAD, EXETER on TUESDAY 19 APRIL 2022 which commences at 6.00pm, at which you are hereby summoned to attend.**

This meeting is open to the public and those addressing the Council under the public speaking provisions in agenda item 3, but any members of the public wishing to attend the meeting should contact the Democratic Services Team committee.services@exeter.gov.uk in advance. Priority will be given to those addressing the Council under the public speaking provisions.

The public are asked to follow any signage displayed which is to keep staff and visitors safe within the workplace. This includes good hygiene measures, handwashing, using the sanitisers/wipes provided and respecting others personal space. In addition, if you have COVID-19 or any of the main COVID-19 symptoms, we respectfully ask that you do not attend the meeting.

The recording of the meeting will be uploaded onto YouTube as soon as possible.

If you have an enquiry regarding any items on this agenda, please contact John Street, Corporate Manager Democratic & Civic Support on 01392 265106.

The following business is proposed to be transacted:-

	Pages
1 Minutes	
To approve and sign the minutes of the Extraordinary and Ordinary meetings held on 22 February 2022 and the Extraordinary meeting held on 10 March 2022.	5 - 34
2 Official Communications	
3 Public Questions	
Details of questions should be notified to the Corporate Manager Democratic and Civic Support at least three working days prior to the meeting - by 10am on Tuesday 12 April 2022. Further information and a copy of the procedure are available from Democratic Services (Committees) (Tel: 01392 265115) with details about speaking at Council to be found here: Public Speaking at Meetings .	

To receive minutes of the following Committees and to determine thereon:-

4 Planning Committee - 21 February 2022	35 - 46
5 Planning Committee - 28 March 2022	47 - 54
6 Strategic Scrutiny Committee - 17 March 2022	55 - 62
7 Customer Focus Scrutiny Committee - 31 March 2022	63 - 68

8	Combined Strategic Scrutiny and Customer Focus Scrutiny Committee - 30 March 2022	69 - 112
9	Audit and Governance Committee - 9 March 2022	113 - 118
10	Harbour Board - 14 March 2022	119 - 122
11	Executive - 4 April 2022	123 - 128
12	Questions from Members of the Council under Standing Order No. 8.	

Question from Councillor K. Mitchell to the Portfolio Holder for City Development

Following the reassurances given by the Portfolio Holder at the Extraordinary Council meeting on the 22nd February 2022, can Councillor Morse please confirm:-

- A) How many of the 160 backlogged Planning Enforcement cases have now been closed?
 - B) How many new Planning Enforcement cases have been opened since the Extraordinary Council meeting?
 - C) How many Planning Enforcement cases in total currently remain open?
- And finally,
- D) How confident is the Portfolio Holder that all of the original 160 backlogged cases will be resolved by the time the temporary Planning Enforcement post expires?

Question from Councillor Hannaford to the Leader

The recent survey of 1,500 local women in Exeter, by the Safety of Women At Night (SwaN) has found that over 85%, felt unsafe or very unsafe, walking alone at night in the city centre.

Can the Leader of the City Council please comment on these truly concerning findings?

Local women said that they would feel safer in Exeter city centre if there was an increased police presence, more affordable transport, enhanced CCTV coverage, and better lighting.

Can the Leader of the City Council please update Members on the work the Deputy Leader has been doing on these matters, with others, including in her role as Exeter's local Councillor Police Advocate and a member of the Devon and Cornwall Police and Crime Commissioner Panel? Specifically, what progress has been made to secure more women police officers patrolling the city centre?

Does the Leader share my concerns that the service cuts announced by Stagecoach to local bus services at night, make women more vulnerable, as they are waiting even longer for buses?

Is there an update for Council regarding the work being done by the local Community Safety Partnership and Exeter University, to develop an Exeter Safety of Women At Night Charter?

Can the important issue of women's safety in Exeter, including general public safety, drink spiking, toxic masculinity, misogyny and domestic violence and sexual abuse, be properly included in the Council's scrutiny work programme, and robustly reflected in the Council's corporate plan?

Date: Thursday 7 April 2022

Karime Hassan MBE
Chief Executive & Growth Director

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EXTRAORDINARY MEETING OF THE COUNCIL

HELD AT EXETER COLLEGE

Tuesday 22 February 2022

Present:-

The Right Worshipful the Lord Mayor Councillor Trish Oliver (Chair)

Councillors Allcock, Atkinson, Begley, Bialyk, Branston, Buswell, Denning, Foale, Ghusain, Hannaford, Harvey, Holland, Jobson, Leadbetter, Lights, Martin, A, Mitchell, K, Mitchell, M, Moore, D, Moore, J, Morse, Newby, Pearce, Sheldon, Sills, Sparkes, Sparling, Sutton, Vizard, Wardle, Warwick, Williams, Wood and Wright

1

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs Henson, Quance and Packham.

2

PUBLIC QUESTIONS

The Lord Mayor reported the receipt of a question from a member of the public.

Mr Cox to Councillor Bialyk, Leader.

A CCTV room, manned, managed, properly could save lives. You claim "safe city", but too often run it neglectfully after acquiring almost £500,000 to support safer streets. Why is funding not found to man adequately to keep everyone safe, in turn confirming that lives matter more than money?

Response

The Deputy Leader, Councillor Wright, on behalf of the Leader responded that the Safer Streets funding was a one off capital grant from the Home Office and not an ongoing revenue funding - meaning that it could not be used for staffing and salaries. Funding had been spent on updating and expanding the CCTV equipment and infrastructure to give better coverage, improve images and recordings facilities and to make the system simpler and more efficient for our controllers to operate. This would improve the detection of crime and anti-social behaviour and improve the quality of evidence gathered to aid the police.

The Council always aimed to have two people in the control centre which was achieved for the vast majority of the time, however, due to instances of unexpected sickness it was not always able to achieve that.

In order to guarantee two members of staff for 24 hours a day, 7 days a week accounting for unforeseen sickness and absence, five members of staff needed to be employed. This created an additional funding need of £155,550 per year.

Currently, there was insufficient revenue funding to employ the five additional staff members required to guarantee a minimum of two people in the control room on

every shift, but continued ways to achieve this, would be addressed, one of which was to continue talks with the Police and Crime Commissioner for Devon and Cornwall.

The Deputy Leader thanked Mr Cox and acknowledged the work that he and his family were doing to help shape ongoing discussions and partnerships across the City.

The Lord Mayor invited Mr Cox to ask a supplementary question.

Mr Cox stated that he could only respond with his immediate thoughts as he had not been appraised of the response prior to the meeting. He referred to an email he had sent to Members further detailing a number of his concerns including the failure to ensure the CCTV system was fully operational at all times and that the control centre was adequately staffed.

Referring to the detail set out in the response that a comprehensive staffing of the control centre would require five staff at a cost of £155,000, he urged the Council to commit itself to making this investment. Following on from the tragedy of the loss of his daughter Lorraine, he believed that the incident may have exacerbated the fears many already had about safety in the city centre, particularly at night. It was paramount therefore for the Council to commit itself to such funding to restore residents' confidence that the city was safe, that the vulnerable were protected and that such an incident could not occur again.

He further referred to the importance of Exeter's night time economy, the role the University played in that economy and, more importantly, the safety of its students, some of whom could also be considered as vulnerable, which were further reasons for the Council to commit to full investment in safety measures.

In conclusion, he invited Members to unite and join him and others in the Supporting Safer Streets Campaign and a march on Sunday 6 March 2022 to raise funds and awareness for the campaign.

The Lord Mayor thanked Mr Cox for addressing the Council and referred to further conversations that would be taking place on the issues raised.

The Leader advised that City Council officers would be preparing a detailed response to Mr Cox's email. He also stated that the seriousness of the matter was recognised and that he and his colleagues understood the issues raised and would continue to meet with him to discuss these matters. He thanked Mr Cox for attending and speaking at Council.

3

BUDGET 2022/23

Minutes 4 (General Fund/HRA Estimates and Capital Programme 2022/23), 5 (Capital Strategy 2022/23), 6 (The Prudential Code for Capital Finance in Local Authorities (Incorporating the Annual Statement of Minimum Revenue Provision) and 7 (Treasury Management Strategy Report 2022/23) of the meeting of the Combined Strategic Scrutiny and Customer Focus Scrutiny Committees held on 10 February 2022 were taken as read and noted.

Minute 8 (Council Tax Base and NNDR 1 2022/23) of the meeting of Executive held on 11 January 2022 was taken as read and adopted.

The Leader moved, and Councillor Wright seconded, the resolution as set out in the agenda and circulated papers in respect of the Council Tax for Exeter for 2022/23.

The following alternatives had been submitted by the Progressive Group and the Conservative Group respectively:-

Alternatives to the proposed budget by the Progressive Group – received Monday 14 February 2022

Proposal 1

Proposed by Cllr K. Mitchell

Seconded by Cllr M. Mitchell

That the Council employ a full time Planning Enforcement Officer Grade G in 2022/23.

The total cost of this post including the market surcharge and on costs is £41,196.00.

The cost of this additional post be found by the Council introducing a charging regime for its Pre Application Advice Service to developers.

Using a system similar to Plymouth City Council in regard to a major development deemed to be 10 properties or more, the scale of charges is £2,028-£3,728. There is a higher negotiated scale of charges for developments involving more than 150 properties.

Last year, the Council was involved in pre application advice regarding 26 “major developments”. Therefore, using the Plymouth scale, the income that Exeter could have raised last year would have been a minimum of £52,728.

Councillor K. Mitchell, as a co-leader of an opposition group and in moving the first alternative, made the following points:-

- a planning enforcement officer would contribute to developers taking planning conditions more seriously;
- there was currently a back log of approximately 160 planning enforcement cases and an increasing number of residents were concerned about the flouting of Planning Committee conditions;
- public confidence in the planning system was vital and a key element was knowing that the City Council would quickly investigate and enforce planning breaches;
- a need for a Planning Enforcement Officer has been longstanding as recognised by the employment of a temporary Agency Officer for a six month period costing the Council £43,000. The proposal for a permanent post would cost £41,196 per annum to be funded by charging for major pre-application advice;
- major applications are defined as more than 10 dwellings or more than 1,000 square metres of floor space. For larger developments of 150 plus dwellings or larger than 4 hectares, a higher fee can be negotiated; and
- a charging scheme should more than cover the cost of a permanent planning officer.

Councillor M. Mitchell, in seconding the first alternative, made the following points:-

- an effective and efficient enforcement policy is vital for planning decisions to be robustly enforced;
- many other local planning authorities employ planning enforcement officers;
- planning officers, who already work within tight timeframes, should not be expected to enforce planning conditions;
- the employment of the temporary agency enforcement officer to deal with the backlog is an admission that there is a problem and the Council should therefore employ its own full time enforcement officer, paying less for a full time employee for 12 months than the cost of an agency employee for 6 months;
- a charging regime should be introduced for pre-application advice that is currently available to developers free of charge. It should be based on Plymouth City Council's scale of charges. The income raised would be in excess of that required to fund this post;
- many developers are involved in multi-million pound schemes and already pay Community Infrastructure Levy (CIL) and other charges related to their development. An additional charge would not therefore be a deterrent; and
- a free pre-application service will continue to be provided for those involved in smaller scale applications.

Councillor Bialyk, speaking as Leader, stated that the Budget had been developed in the preceding months and that it was difficult to take on board suggested changes at this stage. He advised that responses to the suggestion would be made by the relevant Portfolio Holder as part of the Budget speech. He stated that his Group would not be supporting the alternative.

The first alternative of the Progressive Group was put to the vote and LOST.

Proposal 2

Proposed by Cllr D. Moore

Seconded by Cllr A. Sparling

That the Council employ a full time Scrutiny Programme Officer Grade H post in 2022/23. The total cost of this post including on-costs is £42,828.

The purpose is to support the Scrutiny Programme Board, the Scrutiny Committees, officers and Councillors to improve the efficiency and effectiveness of the Council's scrutiny function and contribute towards the Council's objective of being a well-run Council.

The cost of the post for 2022/23 to be met from Housing Revenue Account unallocated funds of £4,282.80 and from the General Fund Final Settlement of £38,545.20. Total funding £42,828.

Councillor D. Moore, as a co-leader of an opposition group and in moving the second alternative, made the following points:-

- a well-run Council is only as good as its scrutiny process and a key role is to hold the Executive to account;
- support is required to progress a work plan as the Council no longer has a Scrutiny Programme Officer to progress important issues such as food waste collection, the cost of St. Sidwell's Point, the net zero activity, air quality and issues suggested by the Council Housing and Development Advisory Board. A Scrutiny Programme Officer would also be able to help and support members of the public wanting to come forward to ask questions;

- funding for one year is proposed from the slightly higher than expected final settlement from Government and a small percentage allocated from the HRA unallocated budget; and
- on-going funding could be identified from reviewing the Senior Management Board as part of the One Exeter process as well as a review of Council non-scrutiny boards and committees, possibly by introducing a scrutiny role for them, including representation by external members to strengthen partnership working.

Councillor Sparling, in seconding the second alternative, made the following points:-

- welcome the progress made over the past year on setting the scrutiny agenda, but the level of scrutiny activity has not followed this progress;
- with the introduction of a combined committee, work by the individual scrutiny committees has been delayed, such as work on those at risk of homelessness and/or victims of domestic abuse which a Scrutiny Programme Officer could have progressed; and
- a Scrutiny Programme Officer would drive reviews, especially those delayed, and improve opportunities for feedback and follow up from meetings.

Councillor Bialyk, speaking as Leader, stated that the Budget had been developed in the last few months and that it was difficult to take on board suggested changes at this stage. He advised that responses to the suggestion would be made by the relevant Portfolio Holders as part of the Budget speech. He stated that his Group would not be supporting the alternative.

The second alternative of the Progressive Group was put to the vote and LOST.

Alternatives to the proposed budget by the Conservative Group – received Wednesday 16 February 2022

Proposed by Cllr A. Leadbetter

Seconded by Cllr A. Jobson

Alternative to the Budget

In Exeter there are over 5,600 exempt dwellings in respect of occupation mostly by students if those properties were subject to Council Tax at Band B, this would provide the Council with an additional £725,000 of annual income. It is time the legislation was changed to permit this because it is clear from tonight's resolution that tough decisions have to be made.

However, the Conservative Group does not support the budget as set by the Labour administration.

The Conservative Group proposes the following amendment:

- provision should be made for the roll out of re-cycling of food waste across the City as a matter of urgency and without further delay. There should be support given to a programme to better educate residents as to what can be re-cycled;
- from the 15% Community element of CIL there should be a programme to refit and update the City's play parks - such work to be completed within two years. The Connect and Well-being budgets to be reduced accordingly;

- (c) the feasibility study for the Wonford Community Centre should be reduced to £250,000 and the refurbishment of the Wonford Centre should be budgeted for the year 2022/23 with no further delays;
- (d) the funding from the saving in the above feasibility budget should be used for corridors and smaller green spaces for wildflower planting; and
- (e) provision should be made for the Exeter City Council Car Parks to offer free parking on the 1st Sunday in each month.

Councillor Leadbetter, as leader of an opposition group, in moving the alternative, made the following points:-

- accept that the Government has made year on year cuts in support to Local Government, however Exeter benefits from significant income streams as evidenced from flagship projects such as the new bus station and St. Sidwell's Point, although these have led to increased debt repayments;
- the amendment seeks contributions to other areas of the city such as parks and open spaces not just the city centre;
- the roll-out of the new food waste collection service should be brought forward; and
- a re-allocation of part of the budget to support every day services would be of greater benefit to Exeter's citizens.

Councillor Jobson, in seconding the alternative, made the following points:-

- a change in legislation is required to remove Council Tax exemptions for students, both in houses in multiple occupation and Purpose Built Student Accommodation. If these properties were charged at Band D, an extra £725,000 per year could be raised which would contribute towards improved services for the wider Exeter population;
- Exeter's re-cycling rate of 28% compares unfavourably to East Devon's 60%. A full roll out of the food waste collection service should be timetabled before the end of this financial year with the kerbside glass collection rolled out by the end of the 2023/24 financial year;
- a greater percentage of CIL monies should be earmarked for the refurbishment of play parks and the provision of up to date equipment and this should be timetabled over the next two years. Greater use of play areas, by parents and children alike, would contribute to improved health and well-being;
- clear objectives for the Wonford Centre should be established quickly through reducing the scope and cost of the feasibility study. Savings would be achieved in the current financial year which would go towards the development of the scheme;
- health and wellbeing of citizens can be further improved by wild flower planting across the city and additional street cleaning; and
- footfall in the city centre fell during the Pandemic and offering free Sunday car parking would further support its growth back to pre-Pandemic level.

Councillor Leadbetter commended the alternative to Council.

Councillor Bialyk, speaking as Leader, advised that his Group would be opposing the suggestions and stated that responses to them would be made by the relevant Portfolio Holders as part of the Budget speech.

The alternative of the Conservative Group was put to the vote and LOST.

The Leader, in presenting his Budget speech, detailed the following:-

- a balanced budget for the next financial year was proposed, the Medium Term Financial Plan identifying a need to reduce the budget and increase income generation to address a £7.65 million budget shortfall by the end of March 2025, to be delivered through the One Exeter work programme. This work would focus on key priorities - delivering a Net Zero Carbon City and building great neighbourhoods, a healthy and inclusive city, a place where people want to live, to work and to visit and a city of community and great quality of life;
- Exeter is the city with the second highest growth in population in the UK, the second lowest claimant count rate in the UK and with average salaries above those of the South West;
- the Our Exeter Works hub opened in the city centre in April 2021 to support individuals affected by the Pandemic, with over 200 people helped. The Devon Youth Hub offers targeted employment and training advice to people aged 16-24;
- the City Council is a Kickstart Gateway Organisation supporting 90 young people into a kickstart placement, some within the Council, and the skills agenda for Exeter supports careers in the construction industry through the Building Greater Exeter Partnership;
- the Exeter Grants Programme aims to support community groups and organisations to reduce disadvantage and inequality, improve health and wellbeing and increase individual and community resilience;
- the Grants team has distributed 8,486 grants to businesses totaling nearly £50 million. Test and Trace Support Payments have been distributed to 709 households in receipt of benefit - a total of £354,500. A further 468 low income workers received £234,000 to support them while self-isolating, including 184 parents who received £92,000 to allow them to stay at home;
- smaller ward grants help fund projects, including support for different cultures in Exeter;
- the Household Support Fund, administered since November, helped more than 550 low income families with the cost of essentials. More than £180,000 was awarded towards food, fuel and other essentials with £150,000 paid out in Discretionary Housing Payments;
- consultation on the strategic options for the new Local Plan have commenced, highlighting important issues around place-making in the city, Net Zero, biodiversity, connectivity and active travel. Communities, neighbourhoods and businesses will all be able to engage in the consultation process;
- Ian Collinson, the new Director of Planning and Development, joins in April from his current role at Homes England, giving renewed impetus to the Liveable Exeter programme, which is focused on delivering a series of new sustainable neighbourhoods and communities within Exeter and building on the Garden City principles to deliver up to 12,000 new homes over the next 20 years;
- £1.6 million Government funding was secured to progress the Council housing retrofit programme and 370 properties will be completed by April 2022 with another 250 properties targeted for completion during 2022/23;
- the Council's Extra Care housing scheme, Edwards Court, named in honour of former Leader Peter Edwards, provides 53 one and two bedroom flats;
- the Council's development company, Exeter City Living, continues to set new standards for housing in Exeter, lifting residents out of fuel poverty;
- a new Tenants and Leaseholders Group, known as Tenants' Voice, has been introduced, a new Residents' Involvement Strategy created and a Council Housing and Development Advisory Board is operational. A review of the Tenancy Policy and Strategy will occur and a new Neighbourhood Strategy will be introduced;

- a Council-owned residential property company will be formed to assist people who do not qualify for Council housing;
- the frontline homeless service provides assessment and emergency accommodation. The Council has purchased 16 new units of accommodation under the Rough Sleeper Accommodation programme, and has been awarded an additional £2.5 million for a further 32 units. The Council has worked with a new housing provider, Exeter City Community Trust, to obtain over £500,000 Government funding for supporting homeless people into housing;
- a pilot housing and support project has been established with Colab for vulnerable women fleeing domestic violence;
- the Council works with the Exeter Homelessness Partnership to improve the integration of services for local homeless and vulnerably housed people;
- the refuse and re-cycling service has been maintained and expanded and the first phase of the food waste collection service to 1,300 properties in Alphington rolled out;
- tree planting continues city-wide, with more than 680 trees planted last year;
- major investment has included:-
 - £140,000 on playing pitch improvements in Pinhoe;
 - £233,000 on the Welcome Back Fund for the High Street;
 - £482,000 for the Community Safety Partnership; and
 - £72,500 to tackle crime against women at night.
- the Council funds Citizen's Advice Exeter, Exeter Connect and Wellbeing Exeter;
- new facilities have been provided in Heavitree and Belmont Park and work continues with the community in Pinhoe to examine the options for a new hub;
- the Strategic Fund has helped transform community buildings and spaces across the city including the Positive Light Projects in Sidwell Street, Exwick Community Centre and Sidwell Street Bakehouse/Cookery School;
- a Net Zero Carbon City by 2030 remains the top priority and a New Net Zero team has been established within the Council. A grant of £661,500 from the Public Sector Decarbonisation Fund enabled an upgrade of the Council's building management system, which will lead to further reductions in carbon footprint. Work continues with the Centre of Energy and Environment at the University of Exeter to create a Corporate Carbon Reduction Plan to meet the Net Zero 2030 commitment;
- construction has started on the £3.5 million Water Lane Smart Grid and Storage Project and the fleet of electric vehicles will be charged using electricity generated and stored by the Council;
- a £500,000 upgrade to the Council's CCTV infrastructure;
- a new Columbarium will be created within Higher Cemetery in Heavitree;
- major improvements are planned for the Corn Exchange to increase its capacity and create a top class city centre theatre and entertainment venue;
- the Custom House team works with Exeter Canal and Quay Trust in developing a range of cultural events and the Red Coats Guided tour service has resumed;
- Exeter continues to be a city of culture and is an UNESCO City of Literature;
- a community based arts organisation was recently appointed to consult with residents and artists on creating a new Public Art Strategy for Exeter;
- large events to be held include Pride, Respect, the Exeter Marathon and Winter Wonderland and Exeter will celebrate the Queen's Jubilee in June;
- traffic to the Visit Exeter website increased by 66% in 2021 and is almost 10% up on pre-Pandemic levels and Great Western Railway are match funding a new £10,000 campaign to encourage visits to Exeter by train;

- an integrated approach to leisure, health and wellbeing, in partnership with “Live and Move”, the Sport England Local Delivery Pilot, will help with the Council’s key priorities of promoting active and healthy lives and building great neighbourhoods, while working to reduce health inequalities across the city;
- outstanding Leisure facilities are run in-house. Since the re-opening of the Riverside Leisure Centre pool in July 2021, the Centre has received over 800,000 visits;
- together with the new Bus Station opened in July 2021, the £50 million investment in St. Sidwell’s Point is the biggest single investment the Council has made in a generation. St Sidwell’s Point will be one of the best facilities of its kind anywhere in Europe and this Passivhaus, low-energy building is defining standards in the leisure industry;
- £750,000 has been committed towards the next stage of work on the Wonford Wellbeing Centre, which will see the re-development of the existing sports centre;
- a balanced budget is again proposed although, by increasing the Council Tax by the maximum £5 available, the Council will only have a small increase in the amount available to spend on services;
- the proposed budget identifies £1.3 million of reductions and the Council is still generating nearly £3 million more in Business Rates Growth than the Government believes is needed to provide vital services in Exeter;
- the Council has been awarded a further £1.362 million in New Homes Bonus taking the total earned to close to £29 million. The scheme is to be modified and the Government is still intent on overhauling the Business Rates retention scheme; and
- further reductions of £6.35 million will be required over the next two years to balance the budget.

It was proposed to approve both the revenue estimates and capital programme for the year 2022/23 to result in the setting of a District Council Tax of £170.05 for a Band D property. This would be an increase of £5 a year for a Band D property, less than 10 pence a week. By comparison, the County precept would rise by £45.18 a year or 87 pence a week, the Police by £10 a year or 19 pence a week and the Fire by £1.79 a year or 3 pence a week.

Therefore the Band D Council Tax would be split as follows:-

Exeter City Council	£170.05
Devon County Council	£1,556.46
Devon & Cornwall Police	£246.56
Devon & Somerset Fire and Rescue Service	£91.79
Making a total bill of:-	£2,064.86

Councillor Foale, as the Portfolio Holder for Transformation and Environment, thanked staff for their dedication and work and referred also to the successive Government cuts over the years and for the need for over £7.5 million savings to be sought in the next three years.

Councillor Morse, as the Portfolio Holder for City Development, made the following points:-

- it was anticipated that the backlog of enforcement cases would be cleared during the six month employment of an agency worker, assisted by the newly appointed Planning Solicitor; and

- discussions would be held with the Planning Team to free up officer time to focus on more enforcement cases.

Councillor Wood, as the Portfolio Holder for Leisure and Physical Activity, made the following points:-

- despite Government cuts, the Council continues to invest significantly in discretionary services;
- St. Sidwell's Point is a radical, ground breaking development setting a standard for the leisure sector across the country;
- the re-design of the Wonford Community Centre as a Health and Wellbeing Hub will achieve improved integration with the community;
- the Riverside Leisure Centre is in full use and all Leisure services have been successfully brought in-house; and
- the "Live and Move" Programme will encourage more active lifestyles.

Councillor Harvey, as the Portfolio Holder for Environment and City Management, made the following points:-

- although one vehicle has been obtained, the roll out of the food waste collection service has not progressed as quickly as hoped as a further vehicle is awaited and should be delivered in May. There had also been difficulties in recruiting drivers. An update report will be presented to the Customer Focus Scrutiny Committee on 31 March 2022;
- the £3.5 million Water Lane Smart Grid and Storage Project will provide a renewable energy supply to the Council's Operations Depot at Exton Road and support the future electrification of the Council's operational fleet;
- although the City Council is the collection authority, it works with its partners - Devon County Council as the dispersal authority and the Environment Agency on standards;
- there has also been a delay in the Government announcing further guidance on re-cycling, including the Deposit Return Scheme;
- CIL monies continue to be invested in funding play area improvements such as the West Garth Road play area. However, delays in the supply chain have limited progress in this area;
- removal of bins from Cathedral Green led to a reduction in the litter problem;
- re-wilding has been introduced as an alternative to grass cutting;
- discussions are ongoing with Devon County Council to achieve a balance between car parks and off street parking charges; and
- work has continued on combating Ash Die Back.

Councillor Ghusain, as the Portfolio Holder for Communities and Culture, stated that the Budget continued to support grass root community and art projects and the enthusiasm, innovation and community spirit of those who participate was to be applauded.

Councillor Williams, as the Portfolio Holder for Supporting People, made the following points:-

- welcome support for nearly 8,500 businesses to the value of £50 million during the Covid pandemic; and
- a bid was being prepared to secure three years' worth of funding for services targeting an end to rough sleeping in the city by 2025 and a new homelessness strategy for the city is to be co-produced with stakeholders would be launched in the Autumn.

A number of Members welcomed and commended the budget proposals as an ambitious and balanced approach to the serious challenges faced by the Council, referring to some of the many achievements. The following were highlighted:-

- the contribution of £260,000 to the YMCA development for 26 self-contained one-bed units that will be opening shortly to residents which was an excellent affordable housing solution for young people in the city;
- the varied approach to providing housing through the Council retaining its own housing stock, the Council's Extra Care housing scheme at Edwards Court, Exeter City Living, the Liveable Exeter Strategy, the retrofit programme and the commitment to Passivhaus standards; and
- the work on the grants programme in response to the Covid pandemic, provided lifelines to businesses, residents and those self-isolating.

Councillor D. Moore, as a co-leader of an opposition group, made the following points:-

- all Members agree that the Net Zero 2030 agenda is a priority;
- support for social justice is also important, especially with rising inequalities and low incomes across the city, particularly in the St David's Ward;
- commend the work of the Council Housing and Development Advisory Board and ask for the minutes of the meeting to be made more widely available;
- concern that rents may not be affordable as part of the proposed Residential Property Company;
- a focus on discretionary services should be maintained, especially in deprived area with a continued focus on graffiti removal and anti-social behaviour;
- increasing the debt level results in higher repayments, funds which could be better used to support discretionary services;
- welcome the start on the Net Zero agenda; but hope that all schemes will be assessed for their carbon impact during construction, as well as through their life cycle;
- there was a need for a more transparent scrutiny process, particularly in respect of the Liveable Exeter Place Board as the scope of the Board has drifted and expanded since it was established. This will become relevant for those schemes identified for the River and Quay and Riverside Valley Park areas;
- cuts in the community grants over the last three years are regrettable as the community sector plays a vital role in fostering inclusivity and reducing inequality; and
- welcome further dialogue to help achieve the necessary £6.5 million cuts and request additional meetings for Group Leaders with the Leader.

Councillor Leadbetter, as the leader of an opposition group, acknowledged the significant work the Council was doing for the city as set out in the Budget speech. He also referred to the number of grants being made by the Government which had enabled many of the initiatives to be brought forward. Referring to the necessary cuts being made, he urged that support should continue for the disadvantaged such as the homeless and street attached within the Budget. He asked for better communication with Members on the preparation of the Budget.

Councillor Wright, in seconding the proposal, referred to the outstanding work being undertaken by the Council, as referred to in the Budget speech, in spite of on-going cuts and to the support and hard work of Council staff, making particular reference to the Housing and Democratic Services teams. She urged Members to take full advantage of the training opportunities available.

In conclusion, the Leader thanked the Portfolio Holders for their support and the Chief Executive & Growth Director, the Directors and all Council staff for their work. He undertook to hold meetings with the Group Leaders. Notwithstanding the current Government proposals for levelling up and increasing productivity and employment, Exeter had been working on these areas for the last 10 years and continued to do so. The Council was levelling up for the citizens of Exeter, delivering for everyone in the city, in collaboration with partners, to ensure Exeter remained a city to be proud of.

The Leader commended the budget and the recommendations set out in the papers.

In accordance with Standing Order 30, a named vote on the Resolution, as set out in the agenda papers, was recorded, as follows:-

Voting for:-

Councillors Allcock, Atkinson, Begley, Bialyk, Branston, Buswell, Denning, Foale, Ghusain, Hannaford, Harvey, Lights, Martin, Morse, Pearce, Sheldon, Sills, Sutton, Vizard, Wardle, Warwick, Williams, Wood and Wright.

(24 Members)

Voting against:-

Councillors K. Mitchell, M. Mitchell, D. Moore, J. Moore and Sparling

(5 Members)

Abstain:-

The Lord Mayor
Councillors Holland, Jobson, Leadbetter, Newby and Sparkes

(6 Members)

Absent:-

Councillors Mrs Henson, Quance, Packham and Pearson.

(4 Members)

The Resolution was CARRIED:-

RESOLVED:-

- (1) That the following, as submitted in the Estimates Book, be approved:-
 - (a) the Revenue estimates for 2022-2023;
 - (b) the Capital programme for 2022-2023;
 - (c) the Treasury Management Strategy for 2022-2023;

- (d) the Prudential indicators for 2022-2023 (incorporating the Minimum Revenue Provision Statement);
- (e) the Capital Strategy for 2022-2023.
- (2) that it be noted that, at the meeting of the Executive on the 11 January 2022, the Council calculated the figure of 37,666, as its council tax base for the year 2022-2023 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 made under Section 33(5) of the Local Government Finance Act 1992;
- (3) that the following amounts be now calculated by the Council for the year 2022-2023 in accordance with Sections 31A of the Local Government and Finance Act 1992:-
- (a) £111,826,010 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2)(a) to (f) of the Act;
- (b) £105,420,892 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act;
- (c) £6,405,118 being the amount by which the aggregate at (3)(a) above exceeds the aggregate at (3)(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year;
- (d) £170.05 being the amount at (3)(c) above divided by the amount at 2 above, calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its council tax for the year;

(e) Valuation Bands

A	B	C	D
£113.37	£132.26	£151.16	£170.05
E	F	G	H
£207.84	£245.63	£283.42	£340.10

Being the amount given by multiplying the amount at (3)(d) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (4) That it will be noted that, for the year 2022-2023, Devon County Council, the Office of the Police and Crime Commissioner for Devon and Cornwall and the Devon and Somerset Fire and Rescue Authority have stated the following amounts on precepts issued to the Council, in accordance with Section 83 of the Local Government Act 2003, for each of the categories of the dwellings shown below:-

Devon County Council

A	B	C	D
£915.06	£1,067.57	£1,220.08	£1,372.59

E	F	G	H
£1,677.61	£1,982.63	£2,287.65	£2,745.18

Devon County Council - Adult Social Care

A	B	C	D
£122.58	£143.01	£163.44	£183.87

E	F	G	H
£224.73	£265.59	£306.45	£367.74

Office of the Police and Crime Commissioner for Devon and Cornwall

A	B	C	D
£164.37	£191.77	£219.16	£246.56

E	F	G	H
£301.35	£356.14	£410.93	£493.12

Devon and Somerset Fire and Rescue Authority
Valuation Bands

A	B	C	D
£61.19	£71.39	£81.59	£91.79
E	F	G	H
£112.19	£132.59	£152.98	£183.58

- (5) That, having calculated the aggregate in each case of the amounts at (3)(e) and (4) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby set the following amounts as the amounts of council tax for the year 2022-2023 for each of the categories of dwellings shown below:-

Valuation Bands

A	B	C	D
£1,376.57	£1,606.00	£1,835.43	£2,064.86
E	F	G	H
£2,523.72	£2,982.58	£3,441.43	£4,129.72

(The meeting commenced at 6.00 pm and closed at 8.25 pm)

Chair

COUNCIL
HELD AT EXETER COLLEGE

Tuesday 22 February 2022

Present:-

The Right Worshipful the Lord Mayor Councillor Trish Oliver (Chair)

Councillors Allcock, Atkinson, Begley, Bialyk, Denning, Foale, Ghusain, Hannaford, Harvey, Holland, Jobson, Leadbetter, Lights, Mitchell, K, Mitchell, M, Moore, D, Moore, J, Morse, Newby, Pearce, Sheldon, Sills, Sparkes, Sparling, Sutton, Vizard, Wardle, Warwick, Williams, Wood and Wright

1

APOLOGIES

Apologies for absence were received from Councillors Mrs Henson, Quance and Packham.

2

MINUTES

The minutes of the meeting of the Council held on 14 December 2021 were moved by the Leader, Councillor Bialyk and seconded by the Deputy Leader, Councillor Wright taken as read, approved and signed as correct.

3

OFFICIAL COMMUNICATIONS

The Lord Mayor passed on her condolences, and those of Council Members, to the family and friends of Ivor Doble who had passed away. He was a popular and well-known figure in Exeter, known for both his role as Chairman of Exeter City Football Club and within the local business community through his well-established jewellery businesses.

The Lord Mayor also reported the following:-

- Exeter's recognition in a national survey as being the second cleanest city in the country and also the second highest ranked location having pride in its neighbourhoods, a testament to the hard work of all of those involved in caring for the city and why, each year, every Lord Mayor recognises and hosts the sweepers' lunch; and
- the attendance on her behalf by Councillor Mrs Henson at a Choral Evensong service in the Cathedral on 6 February 2022.

The Lord Mayor passed on her congratulations and those of Members to the Chief Executive & Growth Director, Karime Hassan, who had been made a Member of the British Empire (MBE) for services to Local Government in the New Year's honours list.

The Lord Mayor advised that she had attended the following:-

- the Holocaust Memorial Service on 27 January 2022, with the Leader, Honorary Aldermen and the Chief Executive & Growth Director in a moving service in Exeter Cathedral;

- an exhibition at the Guildhall on 6 February 2022 to mark the 70th accession to the throne of Queen Elizabeth II;
- the King's Squad passing out parade and the formal opening of the CTCRM's new outdoor social area on 3 February 2022 at Lympstone Marine Camp, having had the honour of meeting Rear Admiral Jude Terry OBE; and
- the re-opening of the McDonalds restaurant at Marsh Barton on 3 February 2022, at which, David Shawyer, the franchisee of McDonalds Exeter, had made a contribution of £2,000 in aid of the Lord Mayor's charity, "Inclusive Exeter".

The Lord Mayor also advised of the regular coffee mornings at the Guildhall in aid of "Inclusive Exeter", the next being held on 26 February 2022 and to her intention to attend a Fairtrade Coffee Morning also in the Guildhall on 5 March 2022. She reminded Members of the Lord Mayor's Curry Evening at the Ganges Restaurant, Fore Street, Exeter on 8 March 2022 in support of her charity.

The Lord Mayor thanked Councillors for taking lateral flow tests prior to the meeting.

4

PUBLIC QUESTIONS

The Lord Mayor reported that there were no further questions from the public, the question from Mr Cox having been received and responded to at the Extraordinary meeting of Council immediately preceding this meeting.

5

LICENSING COMMITTEE - 1 FEBRUARY 2022

In the absence of the Chair from this meeting and as the Deputy Chair had not attended the Licensing Committee on 1 February 2022, the minutes of the Licensing Committee were presented by Councillor Warwick, a Member of the Committee, and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 1 February 2022 be received.

6

COMBINED STRATEGIC SCRUTINY AND CUSTOMER FOCUS SCRUTINY COMMITTEE - 10 FEBRUARY 2022

The minutes of the Combined Strategic Scrutiny Committee and Customer Focus Scrutiny Committee of 10 February 2022 (with the exception of minute numbers 4, 5, 6 and 7 which had been considered at the Extraordinary Council meeting immediately preceding this meeting) were presented by the Chair of the meeting, Councillor Denning, and taken as read.

The Chair reported that the second resolution of Min. No. 7 should read "that a recommendation be made to the Executive and Council that Link Group include consideration of the climate impacts of investments and banking activity within their advice provided to Council". The minute would be amended accordingly when the next meeting of the Combined Strategic Scrutiny Committee and Customer Focus Scrutiny Committee is held.

RESOLVED that the minutes of the Combined Strategic Scrutiny and Customer Focus Scrutiny Committee held on 10 February 2022 be received.

STRATA JOINT EXECUTIVE COMMITTEE - 19 JANUARY 2022

The minutes of the Strata Joint Executive Committee of 19 January 2022 were presented by the Leader and Chair of the Joint Committee, Councillor Bialyk, and taken as read.

In respect of **Minute No. 6 (Terms of Reference)**, the Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried unanimously.

In respect of **Minute No. 8 (Strata Business Plan)**, the Leader undertook to respond to a question from a Member who, in making reference to the three Strata partnership authorities having declared a climate emergency, asked whether the new business plan would include an assessment of the carbon emissions of the business activities and measures to offset the impact of Climate Change.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried unanimously.

RESOLVED that the minutes of the Strata Joint Executive Committee held on 19 January 2022 be received and, where appropriate, adopted.

EXECUTIVE - 11 JANUARY 2022

The minutes of the Executive of 11 January 2022 (with the exception of minute number 8 which had been considered at the Extraordinary Council meeting immediately preceding this meeting) were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 6 (Strategic Case for the Exeter Development Fund)**, the Leader, in response to a Member's question seeking clarification as to whether the Council would be looking at how retro-fitting would be undertaken for non-Council owned property, reported that it was the Council's intention to form a retrofit company at a time when it was appropriate to do so.

The Leader added that:-

- it was not currently the intention to develop business cases through Exeter City Living in respect of a consultancy company and a retrofit company because of limitations on resources; and
- important elements in forthcoming reports to Executive and Council on the Exeter City Living Business Plan 2022-23 and a Business Case for the creation of a Residential Property Company would seek to progress the green skills agenda.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 7 (2022/23 Budget Strategy and Medium Term Financial Plan)**, the Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried.

In respect of **Minute No. 9 (Housing Rents and Service Charges 2022/23)**, the Deputy Leader and Portfolio Holder for Council Housing Development and Services in response to a Member's question, advised that it was not possible to delay implementing the rent rise by a quarter to allow people to pay winter fuels bills as the HRA budget had been approved by Council. It had also been considered by the

Council Housing and Development Advisory Board. Officers however would be available to advise and offer support to those Council tenants on universal credit or not in receipt of benefits but on low incomes to help them to combat rises in the cost of living.

The Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried.

In respect of **Minute No. 10 (Local Council Tax Support Scheme 2022-23)**, a Member welcomed the support being provided through the scheme for the vulnerable and low paid in the city.

The Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried unanimously.

In respect of **Minute No. 13 (Options Report for Rennes House)**, the Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 14 (Edwards Court Options Report)**, the Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried unanimously.

RESOLVED that the minutes of the Executive held on 11 January 2022 be received and, where appropriate, adopted.

9

EXECUTIVE - 8 FEBRUARY 2022

The minutes of the Executive of 8 February 2022 (with the exception of minute number 20 which had been considered at the Extraordinary Council meeting immediately preceding this meeting) were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 19 (Organisational Change Programme: One Exeter)**, the Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 21 (Capital Strategy 2022-23)**, the Leader, referring to a question raised by a Member at the Executive on 8 February 2022 in respect of community asset transfer, undertook to ensure that a response was provided.

The Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried.

In respect of **Minute No. 22 (The Prudential Code for Capital Finance in Local Authorities (Incorporating the Annual Statement of Minimum Revenue Provision))**, the Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 23 (Treasury Management Strategy Report 2022/23)**, the Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried.

In respect of **Minute No. 24 (Wonford Health and Well Being Centre Feasibility Proposal)**, a Member requested clarification on part of a response she had received from the Leader to her question at Executive on 8 February 2022 in

respect of the carbon impact of demolition and construction in bringing forward the proposal. The Leader asked that this request be put to him in writing.

The Portfolio Holder for Leisure and Physical Activity welcomed the proposal for the Health and Wellbeing Centre which would be of great benefit to the local community.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 25 (Exeter Local Plan: Issues Consultation Summary Report)**, the Portfolio Holder for City Development, in response to a Member's question, confirmed that the new Local Plan would help support the Council's approach, through Exeter City Living and its own house building programme, to help achieve carbon reduction and neutrality targets within Net Zero Exeter 2030 ambitions.

In respect of **Minute No. 26 (Annual Pay Policy Statement 2022/23)**, the Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 27 (Gender Pay Gap Report)**, the Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried unanimously.

In respect of **Minute No. 28 (Review of the Council's Contaminated Land Strategy)**, the Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried unanimously.

In respect of **Minute No. 29 (Proposed Variation of the Public Spaces Protection Order)**, the Portfolio Holder for Transformation and Environment stated that, since the introduction of the Public Spaces Protection Order (PSPO), issues around homelessness, the street attached and anti-social behaviour remained significant. There had been 12 homeless related deaths since the PSPO had been introduced and it was estimated that there were approximately 500 individuals in the city who were extremely vulnerable. The life expectancy for homeless men and women was estimated at 45 and 43 years respectively.

In response to a Member's query on recording and monitoring the use of the PSPO on those with no fixed abode, the Portfolio Holder for Transformation and Environment confirmed that this was a Police role and that liaison took place with the City Council on this matter.

During discussion the following points were made:-

- anti-social behaviour such as aggressive begging, illegal encampments, urinating in doorways and abandoned bedding had a detrimental impact on the quality of life of the city;
- businesses had contacted the Council seeking sufficient resources to enforce the PSPO;
- there was a distinction between people sleeping rough and those who were street attached;
- particular areas of the city centre could be intimidating to the public and discourage them from coming to the city centre, especially during the evening and at night time;

- age profiles were maintained for younger persons identified as homeless/living on the street to ensure that they were not already affected; and
- it was important to maintain a balance between respecting the human rights of those with complex needs whilst not compromising the safety and enjoyment of the city for the wider public.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 30 (Authorisation of Legal Services Officers to attend the Magistrates' and County Courts and Changes to the Scheme of Delegation for Legal Services)**, the Leader moved and Councillor Wright seconded the recommendation and following a vote, the recommendation was carried unanimously.

RESOLVED that the minutes of the Executive held on 8 February 2022 be received and, where appropriate, adopted.

10

CHANGE IN MEMBERSHIP - HARBOUR BOARD

The Lord Mayor reported that Simon Adams has been put forward as a Member of the Exeter Harbour Board taking the place of Paul Labistour who had passed away last year.

11

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

Councillor Wardle, seconded by Councillor Pearce, moved a Notice of Motion in the following terms

“This Council is concerned to learn from Stagecoach about the reductions to bus services in Exeter from 24 January 2022 and also from South Western Railway (First Group) to broadly half the number of trains and make a change of trains at Salisbury necessary for passengers to and from London Waterloo from 17 January 2022, noting that these reductions are apparently due to staff shortages related to Covid.

However, this Council also notes the imminent lifting of restrictions by HM Government and the encouragement to employees to return to their workplaces rather than working from home. These developments, along with the continuing expansion in the area, are very likely to encourage car usage to at least pre-Covid levels and, in consequence, a rise in congestion and emissions running counter to Council policies on carbon reduction.

This Council considers that radical solutions are needed to public transport in Exeter in addition to the reversal of the above named cuts. It calls for a wide ranging examination by the Exeter City Council Transport Working Group of the possibilities, for example, of Council run bus services (as existed in Exeter 1904-1970), bus and train performance contracts, electric buses, a city wide tram system, emission charging for road vehicles and workplace parking levies to fund transport improvements.”

In presenting his Motion, Councillor Wardle, highlighted the following:-

- South Western Railway First Group had re-instated the hourly train service to Waterloo;
- Stagecoach had reduced their day to day service in Exeter and the service remained expensive and unreliable;
- Government support for bus transport was set to be reduced and it was unknown what support would be available for a Bus Service Improvement Plan;
- increasing car usage post Covid and the continuing housing expansion in the area were likely to increase car usage to at least pre-Covid levels leading to a rise in congestion and carbon emissions contrary to Net Zero Exeter 2030 ambitions;
- further new towns were planned in the travel to work area and the former Greater Exeter Strategic Partnership had planned for 53,262 houses across 38 sites;
- figures from the 2021 Census would be published shortly and needed to be assessed in respect of transport issues, which could be undertaken by Exeter City Futures in conjunction with the University of Exeter; and
- the Reading bus service was run by the local authority and Nottingham's tram system was funded by a Workplace Parking Levy. Exeter should also investigate solutions to transport issues.

Councillor Harvey, the Chair of the Exeter Transport Working Group, made the following points:-

- the Government was set to withdraw 30% of funding to Bus Companies;
- Devon County Council was looking to reduce support for concessionary fares due to a lack of take up which could result in further reductions in services. Rail Companies had also suffered a downturn during the Pandemic;
- the Pinhoe Access Strategy highlighted the need for improved bus services; and
- the remit of the Transport Working Group was to influence Devon County Council as the Highway Authority to seek true alignment with the City Council's own transport visions.

Councillor Sparling referred to the importance of ensuring that the safety of women and vulnerable groups getting around the city, especially at night, would also be an important consideration and that other issues should not take precedence.

Councillor Harvey gave an assurance that this would be the case.

The Leader referred to the Transport Act 1968 that had enabled municipal bus companies to transfer ownership to the National Bus Company; the 1985 Transport Act which had deregulated the bus industry in the UK; and to Stagecoach's unsuccessful bid for funding for electric buses. He also referred to the competing demands on the Council's limited resources.

Councillor Pearce, in seconding the motion, emphasised the need for an improved frequency in the bus service, cheaper fares and carbon friendly vehicles.

Councillor Wardle, in commending the motion to Council, expressed his concern that the views of many seemed to suggest that public transport in the city was in a poor state. He asked that the matter be considered by the newly created Exeter Transport Working Group in conjunction with the Highways Authority.

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

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

In accordance with Standing Order No. 8, the following question was put by
Councillor D. Moore to the Leader

**Exeter City Council is a member organisation of Exeter City Futures (ECF).
Who will be appointed on behalf of the Council to the Exeter City Future's
Board - now that the Council's nominated Board member has been seconded
to lead ECF?**

The Leader advised that he had given consideration to the matter of the Council's appointment to Exeter City Futures. He fully intended to have the Council fully represented and, like many other decisions on Council appointments to Boards, would be determined by Council following the upcoming local elections.

Councillor D. Moore, asked a supplementary question as to whether the Leader would have a discussion with her and the other Group Leaders about what is considered best practice and that the Council should consider setting up a Shareholder Advisory Committee to oversee the work of the Council's representatives on its own and other significant companies?

The Leader asked for the request to be emailed to him for consideration.

(The meeting commenced at 8.35 pm and closed at 9.46 pm)

Chair

EXTRAORDINARY MEETING OF THE COUNCIL

HELD AT COUNTY HALL

Thursday 10 March 2022

Present:-

The Right Worshipful the Lord Mayor Councillor Trish Oliver (Chair)

Councillors Allcock, Atkinson, Begley, Bialyk, Branston, Denning, Foale, Hannaford, Harvey, Mrs Henson, Holland, Jobson, Lights, Mitchell, K, Mitchell, M, Moore, D, Morse, Packham, Pearce, Sheldon, Sparkes, Sparling, Sutton, Vizard, Wardle, Warwick, Williams, Wood and Wright

4

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Buswell, Ghusain, Leadbetter, Martin, J. Moore, Newby and Quance.

5

LEE MOTTRAM

The Lord Mayor passed on her condolences, and those of Council Members, to the family and friends of former Exeter City Councillor Lee Mottram. He had passed away at the weekend following a battle with cancer. He had served as a Conservative Councillor representing the Duryard ward from 2010 to 2015.

Councillor Sutton spoke of her memories of Lee who, like her, had been elected to the City Council on the same day on 10 September 2010. She recalled how Lee had used his professional expertise as a landscape gardener to ask probing questions at Committees. Councillor Sutton referred to his great sense of humour and highlighted his support to her at a difficult time and how he had raised money for a cancer charity in a bike ride to Paris. It was a great sadness that he had himself fallen victim to cancer at a young age and she passed on her heartfelt condolences to his wife and family.

6

PUBLIC QUESTIONS

The Lord Mayor reported the receipt of a question from a member of the public.

Question from Cynthia Thompson to Councillor Bialyk, Leader.

Mrs Thompson was unable to be present and her question was read out by the Corporate Manager Democratic and Civic Support.

Mrs Thompson

Is the Section 151 Officer able to say how the Intra Loans and any transfer of land made by Exeter City Council to its private development company/subsidiary private companies are not perceived as a distribution of assets and, to date, what amount is owed to Exeter City Council by its private development company?

Response

Exeter City Living is a 100% wholly owned subsidiary of the Council. Any transfer of land at an under-value would increase the value of the investment in the Company by that amount thus not creating a distribution. From a Corporation Tax point of view, Local Authorities sit outside the Corporation Tax regime and therefore this is not applicable.

However, it is important to note two things:-

- where land is sold at an undervalue, it is likely to need Secretary of State approval (as in the case of Clifton Hill) and there is a wider public benefit consideration; and
- all loans are transacted using state aid indicated rates of interest and therefore there is no distribution of assets.

The value of debt outstanding was £8.926 million.

7 **NOTICE OF MOTION BY COUNCILLOR BIALYK UNDER STANDING ORDER NO. 6**

The Leader, Councillor Bialyk, seconded by Councillor Packham, moved a Notice of Motion in the following terms:-

“That this Exeter City Council, condemns and cannot condone the actions of the Russian Government in invading the independent sovereign state of Ukraine. This Council condemns all acts of aggression against any state against another and its people.

This Council resolves that:-

- Exeter stands in solidarity with the people of Ukraine and the Council agrees to immediately suspend its civic relationship with Yaroslavl;
- it be noted that the Leader of the Council will write to Vadym Prystaiko, the Ukrainian Ambassador to the United Kingdom, offering the City’s support for the people of Ukraine in these difficult times;
- it be noted that the Leader of the Council has written to the Home Secretary advising her that Exeter has always been a City which welcomes refugees from all over the world in their hour of need, and it would support the acceptance of Ukrainian refugees and urges the UK Government to consider an urgent review into the criteria to be applied to those Ukrainian citizens who are seeking asylum in the UK; and
- appropriate arrangements be made, in co-operation with Inclusive Exeter, to extend and engage support for the Ukrainian community in Exeter.”

Councillor K. Mitchell moved an amendment in the following terms:-

“Exeter City Council supports efforts within Local Government to divest from Russian investments/assets and will seek to encourage other local authorities to do so.”

Councillor D. Moore seconded the amendment.

Councillor Bialyk accepted the amendment for inclusion in the Notice of Motion, which became the substantive motion.

In presenting the Motion, Councillor Bialyk, as Leader, referred with pride to his Ukrainian heritage and how he, with others, had responded with great horror, two

weeks ago, to the news of the invasion of this independent country by the Russian Government.

At a vigil held in Bedford Square he had spoken to Russian members of the Exeter Yaroslavl Twinning Association who were also expressing their concerns and opposition to the invasion. The intention to suspend the civic relationship with Exeter's twin city was to emphasise to the authorities in Yaroslavl that Exeter wished to show its solidarity with the people of the Ukraine and opposed the attempt to conquer a democratic country. He also emphasised that it was not a direct protest to the people of Yaroslavl with whom many warm relationships had been enjoyed by Exeter citizens over the years.

He referred to the genuine outpouring of emotion and the wonderful response he had received from the citizens of Exeter and beyond offering their support. Many groups and organisations in the city had been galvanised to assist and some individuals were already providing assistance to Ukrainians at its borders with its neighbouring countries. Inclusive Exeter, the Lord Mayor's Charity, was taking a leading role in this work, and he encouraged all to assist where possible.

In referring to the adversities suffered by Ukraine during World War II, he stated that the current crisis was bringing back memories to many who could remember that period or were told stories of it. From a personal point of view, he referred to his relatives who were heading for the Ukraine border to seek sanctuary, first in the Netherlands, and then in the UK. Like many, they were leaving behind their family, some of whom had stayed to take up arms against the invaders.

He was proud of Exeter's response and urged Members to unanimously support the Motion.

During the discussion, the following points were raised:-

- all should show solidarity and support for Ukraine and its citizens who only wanted to stay in their country and homes and not flee from the tyranny and horrors of war. Like the Leader, a Member had direct knowledge, through Ukrainian relatives living in the UK, of the suffering endured by their friends and family. It was wonderful to see support in Exeter and she urged Exeter to stand with Ukraine;
- the City Council possessed a long history and tradition of working together during a crisis;
- many would have been shocked at the harrowing scenes in Ukraine which they would not have expected to witness in their lifetime. Continued pressure should be placed on the Government to free up the bureaucratic processes to ensure that urgent support could be given to the refugees seeking sanctuary in this country;
- a Member, who had made many visits to Yaroslavl, stated that she had found the citizens to be very friendly and was of the view that many of them were unaware of the true nature of the conflict;
- previous support had been made by the city to Syrian and Afghanistan refugees and the City Council, with Devon County Council and community groups, would similarly support Ukrainians seeking sanctuary;
- a Member, who had visited Russia, was concerned for the safety and liberty of the thousands of Russian citizens who were opposing this unjust war;
- Devon County Council was committed to provide support;
- ordinary citizens were showing support and solidarity, which was not being adequately matched by the Government;

- although, given a previous invasion of Crimea in 2014, a Member was not surprised by Russia's action he was shocked at its ferocity; and
- the people of Yaroslavl had previously opposed the Russia First movement and had elected as their Mayor an opponent of Putin's authoritarian juggernaut.

Councillor K. Mitchell, speaking as a co-leader of an opposition group and in supporting the Motion, stated that Exeter had always come together at a time of need. He had visited both Ukraine and Russia and had found the people friendly and hospitable.

Councillor Packham, in seconding the Motion, urged all to stand in solidarity with the people of the Ukraine and was proud of the UK for its continued defence of democracy and freedom and opposition to the illegal invasion and ongoing atrocities. She praised the bravery of those Russian citizens risking their lives and freedom in standing against the Putin regime. She welcomed the Leader's letter to the Home Secretary and urged the Government to commit to providing as much help as possible to Ukrainians coming to the UK. She praised the work of Inclusive Exeter in seeking to offer all support possible.

The Lord Mayor thanked Members for their comments and referred to messages passed on to Ben Bradshaw MP in solidarity with the Ukrainian people. She also referred to the launch of a sponsorship scheme by the Government to make sure that Ukrainians, who have been forced to flee their homes, have a route to safety in the UK and inviting charities, businesses and community groups to come forward to sponsor Ukrainians who do not have already established family ties to the UK. Inclusive Exeter would be participating in the scheme.

Councillor Bialyk, in summarising, thanked Members for their comments and reiterated many of their sentiments. He was proud of the humanity shown and the willingness of Exeter to provide help and sanctuary to the dispossessed and victims of war and emphasised that Exeter stood with Ukraine.

On being put to the vote the following was CARRIED unanimously:-

"That this Exeter City Council, condemns and cannot condone the actions of the Russian Government in invading the independent sovereign state of Ukraine. This Council condemns all acts of aggression against any state against another and its people.

This Council resolves that:-

- Exeter stands in solidarity with the people of Ukraine and the Council agrees to immediately suspend its civic relationship with Yaroslavl;
- it be noted that the Leader of the Council will write to Vadym Prystaiko, the Ukrainian Ambassador to the United Kingdom, offering the City's support for the people of Ukraine in these difficult times;
- it be noted that the Leader of the Council has written to the Home Secretary advising her that Exeter has always been a City which welcomes refugees from all over the world in their hour of need, and it would support the acceptance of Ukrainian refugees and urges the UK Government to consider an urgent review into the criteria to be applied to those Ukrainian citizens who are seeking asylum in the UK;
- appropriate arrangements be made, in co-operation with Inclusive Exeter, to extend and engage support for the Ukrainian community in Exeter; and

- Exeter City Council supports efforts within Local Government to divest from Russian investments/assets and will seek to encourage other local authorities to do so.”

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

In accordance with Standing Order No. 8, the following questions had been put by Councillor D. Moore to the Leader

- 1 **can the costs to date for the development of the business case for the proposed residential property company be confirmed?; and**
- 2 **can an estimate be given of the expected cost for the production of the full business plan for this proposed company?**

As both questions related to Minute Number 43 of the Executive Committee meeting of 28 February 2022, the minutes of which were on the agenda for this Extraordinary Council meeting, both questions would be taken at that point in the meeting.

9 **EXECUTIVE - 28 FEBRUARY 2022**

The minutes of the Executive of 28 February 2022 were presented by the Leader, Councillor Bialyk, and taken as read.

In respect of **Minute No. 37 (Urgent Decision – Exeter City Council’s Response to the Devon Climate Citizens Assembly)**, the Leader, replying to a Member’s belief that the City Council’s letter in response to the resolutions of the Devon Climate Assembly was incorrect with regard to the fact that the Council is upgrading council house homes to the PAS 2035 retrofit standard not the Passive house retrofit standard known as EnerPHit, undertook to correct any inaccuracy.

Councillor Wood declared a non-pecuniary interest and left the meeting during consideration of the following item.

In respect of **Minute No. 38 (Pinhoe Community Hub Business Proposal)**, the Portfolio Holder for City Management stated that the reference in the minute to the Pinhoe Hub Trustees having raised £750,000 towards the project was incorrect. The Trustees had, instead, made a commitment to match fund Council support for the project. He added that the Hub was a community led project arising from the need to maintain a library service for the area and in response to the significant increase in housing numbers in recent years.

The Leader, in response to a Member’s enquiry relating to questions submitted by another Member at the Executive, advised that:-

- he would speak with the Member in respect of whether the Council would assist with ongoing running costs if these could not be raised from others sources as this was an issue to be addressed as the Business Case was brought forward; and
- he would obtain information relating to the ownership of the existing Library land.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 40 (Local Government (Access to Information) Act 1985 – Exclusion of Press and Public)**, the Lord Mayor reminded Members that an objection had been received in relation to Minutes 42 and 43, being considered under Part 2. She advised that Members should have regard to the representations made and the Council's written response, as set out in the Executive Agenda, dated 28 February 2022, when making a decision as to whether to move to Part 2.

The Leader moved and Councillor Wright seconded the recommendation that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Minutes 41, 42 and 43 on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part I, of Schedule 12A of the Act.

Following a vote, the recommendation was carried.

The Director Corporate Services declared an interest in Minute Numbers 42 and 43 below as a Director of Exeter City Living and the Exeter City Group and left the meeting during consideration of the following items.

In respect of **Minute No. 41 (Hamlin Gardens Housing Scheme)**, a Member sought deferral of a decision on this matter to re-assess the costs of the project in view of the significant increase in the previously approved budget and subsequent inflationary increases since the identification of the revised budget.

The Deputy Leader and Portfolio Holder for Council Housing Development and Services referred to the impact of both Brexit and the Covid 19 Pandemic on materials availability and costs as well as skills shortages in the industry coupled with a buoyant market, all of which had necessitated an increase in the original budget. Any further delay to re-assess budget figures would lead to a further increase in costs. It was imperative therefore to proceed with the scheme as quickly as possible.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 42 (Exeter City Living Business Plan 2022-23)**, a Member, referring to differences in unit numbers for certain schemes between the report and the Business Plan, the uncertainty over Government Plans for the New Homes Bonus scheme and inflationary increases since the Business Plan had been produced, sought the deferral of the report to assess the costs.

The Leader advised that the housing units referred to were indicative only and that the final numbers sought would be detailed in the respective planning applications. The report had been put to an Extraordinary Council meeting in order to seek approval to proceed as quickly as possible with the Council's stated ambitions of providing much needed housing in the city and building sustainable communities and neighbourhoods.

The Leader moved and Councillor Wright seconded the recommendations and following a vote, the recommendations were carried.

In respect of **Minute No. 43 (A Business Case for the Creation of a Residential Property Company, and in accordance with Standing Order No. 8, the following questions were put by Councillor D. Moore to the Leader.**

1 can the costs to date for the development of the business case for the proposed residential property company be confirmed?;

The Leader advised that the total expenditure to date on the Business Case production project is £102,348.75. This was in line with the budget forecast approved by Council previously.

However, this included £4,578.75 of 'internal costs' of the Commercial Finance Manager and therefore excluded internal Exeter City Council/Exeter City Living transfers. The external expenditure to date was £97,770.

2 can an estimate be given of the expected cost for the production of the full business plan for this proposed company?

The Leader advised that, once the Business Case was approved, Exeter City Council would need to confirm the scope of the sites/homes to be included within a formal Business Plan. The number of homes/sites and complexity of matters in the operational solution would influence the cost to produce the Business Plan. At this stage it was not possible to estimate the cost without the extent of the scope being known and confirmed.

Councillor D. Moore, referring to a point she had made at the Executive meeting, stated that the proposal would fail the people of Exeter, especially St. David's and other city centre wards, forcing people to move out of Exeter in order to find a home. It would also drive others to poor quality rented accommodation as people would be priced out of the rental market or drive up rents as other landlords saw what rents could be achieved in an already over inflated market. Councillor D, Moore stated that housing need was well evidenced and the length of the waiting list often referred to, showed the need for affordable homes to rent in Exeter.

Councillor D. Moore stated that, if the homes provided were to have rents appropriate for the area, in St. David's, where a one bed flat could cost £700-800 per month, many people would be unable to afford this level. Councillor D. Moore stated that the proposal was not a good use of Council funds and did not help those who needed an affordable home to rent.

Another Member supported the views expressed by Councillor D. Moore.

Councillor D. Moore called for a named vote in accordance with Standing Order 27. This was supported.

The Portfolio Holder for City Development responded that a Residential Property Company was one of many strands the Council was employing to solve the city's housing problems. It would provide a much needed additional element to complement the City Council's own housing stock, the housing stocks of other social providers in the city, the Council's housing build programme and the policy of seeking 35% affordable housing in new private housing developments. It would provide many who could not afford to buy their own property the opportunity to remain in their community within quality homes and with a responsible landlord.

Other Members supported the proposal as an innovative and imaginative solution to the ongoing housing crisis in Exeter. It sought to level up the traditional rented market and to lead the way for other landlords to provide quality housing on a fair and protected tenancy basis. It was also an opportunity to respond locally to the

national housing crisis which had been exacerbated by the Covid 19 Pandemic and housing trends such as holiday lets and Airbnb.

The Leader commended the recommendations referring to other Devon District Council's who were seeking to learn from the approach adopted by Exeter.

The Leader moved and Councillor Wright seconded the recommendations.

In accordance with Standing Order 27, a named vote on the recommendations, as set out in the agenda papers, was recorded, as follows:-

Voting for:-

Councillors Allcock, Atkinson, Begley, Bialyk, Branston, Denning, Foale, Hannaford, Harvey, Lights, K. Mitchell, M. Mitchell, Martin, Morse, Pearce, Sheldon, Sparkes, Sutton, Vizard, Wardle, Warwick, Williams, Wood and Wright.

(24 Members)

Voting against:-

Councillors D. Moore and Sparling

(2 Members)

Abstain:-

The Lord Mayor
Councillors Mrs Henson, Holland and Jobson

(4 Members)

Absent:-

Councillors Buswell, Ghusain, Leadbetter, Martin, J. Moore, Newby, Pearson.
Quance and Sills

(9 Members)

The recommendations were CARRIED.

RESOLVED that the minutes of the Executive held on 28 February 2022 be received and, where appropriate, adopted.

(The meeting commenced at 6.00 pm and closed at 7.47 pm)

Chair

PLANNING COMMITTEE

Monday 21 February 2022

Present:-

Councillor Emma Morse (Chair)

Councillors Williams, Bialyk, Denning, Lights, Martin, A, Mitchell, M, Moore, D, Sparkes and Sutton

Apologies

Councillors Branston, Buswell and Mrs Henson

Also Present

Service Improvement Lead for City Development, Principal Project Manager (Development) (MD), Development Manager Highways and Transport and Democratic Services Officer (HB)

1 MINUTES

The minutes of the meeting held on 15 November 2021 were taken as read, approved and signed by the Chair as correct.

2 DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

3 PLANNING APPLICATION NO. 19/1709/FUL - LAND AT PINBROOK COURT, PINHOE ROAD/VENNY BRIDGE ROAD, EXETER

The Principal Project Manager and Acting Major Projects Team Leader presented the application for the Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works - (Further Revised Plans).

The Principal Project Manager and Acting Major Projects Team Leader described the layout and location of the site through the site location plans, aerial view and site photos. Previously, there had been a number of buildings on the site that had been used for employment purposes, but these were demolished before the application was submitted in 2019.

The report set out the following key issues:-

- the principle of development;
- access and impact on local highways and parking provision;
- parking, design and landscape;
- impact on amenity of surroundings and trees and biodiversity;
- contaminated land;
- impact on air quality;
- flood risk and surface water management;
- sustainable construction and energy conservation; and
- development plan, material considerations and presumption in favour of sustainable development.

The Principal Project Manager (Development) and Acting Major Projects Team Leader provided the following additional detail:-

- Gross External Area of 1,997 square metres/Gross Internal Area of 1,900 square metres and a Sales Floor of 1,200 square metres;
- car park with 104 parking spaces, including seven disabled spaces and two electric vehicle charging spaces;
- a vehicle access off Venny Bridge;
- pedestrian/cycle access off Pinhoe Road next to store entrance;
- a new signalised junction at Pinhoe Road and Venny Bridge;
- Toucan crossings (pedestrian and cycle usage) installed across Pinhoe Road and Venny Bridge at junction;
- staff and customer cycle parking - proposed condition 18 requires additional parking for cargo bikes and facility for electric bikes; and
- soft landscaping - proposed condition 13 requires tree planting as part of soft landscape works.

The Principal Project Manager and Acting Major Projects Team Leader further reported that the proposal passed the main town centre uses sequential test, but failed the flood risk sequential test, however this was considered to be outweighed by the sustainability benefits, which were considered to carry significant weight in the overall planning balance. The proposal would include Sustainable Drainage Systems (SUDS) reducing the risk of flooding on the site and downstream.

The site was located within walking/cycling distance of a large number of new and existing dwellings and the planned improvements to the Pinhoe Road/Venny Bridge junction making it signalised and incorporating Toucan crossings which was supported by the Highways Authority. This would make the junction safer for all users despite a predicted impact on traffic flows along Pinhoe Road in the PM peak in 2024.

The proposal would bring a vacant, brownfield site back into use and generate up to 40 permanent jobs and its accessibility would support the Council's ambition of the City becoming net zero carbon by 2030.

The Development Manager Highways and Transport responded as follows to Members' queries:-

- the impact of an additional set of traffic lights combined with those at both the Sainsbury's and Aldi junctions had been taken into account in considering the viability, including the consideration of the safety of pedestrians and cyclists;
- both Toucan junctions would allow a full crossing movement for pedestrians and cyclists; and
- generally, new superstores did not generate more traffic but re-distribute existing traffic and what redistribution took place would have the impact of similarly redistributing pollution.

The Principal Project Manager and Acting Major Projects Team Leader responded as follows to Members' queries:-

- whilst there could be some queuing of vehicles into the store there was some distance from the car park to residential houses and pollution would therefore be dissipated;
- full consultation was undertaken on the various revised schemes including the weekly and press lists, on site notices and the web;

- in respect of air quality, the Air Quality Assessment was based on the Traffic Impact Assessment which had taken into account cumulative traffic impact; and
- it was the intention to amend condition 18 to increase the number of cycle parking from 12 (six for staff and six for visitors) spaces to comply with the Sustainable Traffic Supplementary Planning Document.

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

- given the increase in population, a new retail outlet is welcome, however the proposed location is poor;
- in spite of junction improvements, pedestrian safety may still be compromised;
- potential dangers to pedestrian and vehicles crashing into the Chancel Lane brick bridge;
- do not agree with the statement in respect of the failure of the flooding sequential test being overcome by the wider material benefits of the scheme;
- insufficient bus stops in the area and there is no bus service to the site;
- a 10% excess of capacity on the roads is not acceptable on balance; and
- further consultation would have been appropriate.

He responded as follows to Members' queries:-

- consider that air pollution in the area will not be improved as a result of increased traffic standstill at the junction and unforeseen rat runs to the M5; and
- offering local experience of the area rather than technical evidence.

Victoria George-Taylor spoke in support of the application. She raised the following points:-

- provides a new signalised junction at Venny Bridge and Pinhoe Road which will address the existing safety issues for all users and mitigate against the impact of the development. The junction will prioritise pedestrian and cycle movements through providing new Toucan crossings across Pinhoe Road and Venny Bridge;
- the application will bring back into use a vacant brownfield site which Lidl have owned for two years;
- if approved, the new store will create 40 jobs at the site;
- the store will be within walking distance of new housing to the south of Pinhoe Road, as well as to existing residential areas, therefore offering opportunities for sustainable travel;
- though the application fails the flooding sequential test it will improve the site which had been previously laid to hard standing and provided no attenuation for surface water. The proposed scheme includes SUDS to manage surface water run off which will reduce the risk of flooding on the site and downstream. There is therefore no negative impact and the failure of the flooding sequential test is overcome by the wider material benefits of the scheme;
- the design of the store has been amended, to push the building back into the site to respect the existing building line on Pinhoe Road and to include brick elevations in line with the local vernacular. Soft landscaping, including replacement trees, will also be provided;
- it is not considered that the concentration of retail units in a particular area could be considered a robust reason for refusal;
- Lidl's external legal team believe that the report and recommendation is robust and defensible to third party challenge in all regards; and
- no objections have been received from any statutory consultee.

She responded as follows to Members' queries:-

- vehicles servicing the store had been fully tracked and, as the larger articulated lorries would have difficulty in manoeuvring around the junction, smaller vehicles would be used;
- only Lidl owned vehicles would serve the store, including vehicles removing waste;
- it would be made clear to contractors at construction stage to approach only via the main road - this would be a direct route from the Lidl depot on the outskirts of the city;
- as the site was not within the Air Quality Management Area the national planning policy framework in respect of cumulative air quality impact had not been relevant; and
- Sheffield stainless steel bicycle racks would be supplied and consideration would be given to increasing the number. Facilities for Cargo-bikes would also be considered.

Members expressed the following views:-

- previous use of site was for smaller units, a large store offered an improved use;
- improved crossings for cyclist and pedestrians is to be welcomed as is the provision of cycle storage on site which, hopefully, can be increased;
- site is accessible from a number of surrounding homes by means of pleasant walking routes;
- the provision of a third large retail store is welcome and appropriate given the significant increase in housing in the area; and
- regard had been made to green travel and the proposal is sustainable.

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

The recommendation was moved and seconded and, following a vote, was carried unanimously.

RESOLVED that planning permission be granted for the Construction of Class E(a) foodstore (Use Classes Order 2020, previously Class A1) with associated parking, landscaping and access works - (Further Revised Plans), subject to the following conditions.

1. Standard Time Limit – Full Planning Permission

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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

2. Approved Plans

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

- Site Location Plan (18052 AD_100_Rev A)
- Proposed Site Layout (18052 AD_110 V)

- Proposed Building Plan (18052 AD_111 D)
- Proposed Roof Plan (18052 AD_112 E)
- Proposed Elevations (18052 AD_113 F)
- Proposed Boundary Treatments (18052 AD_114 Q)
- Proposed Site Finishes (18052 AD_115 P)
- Proposed Landscape Design & Specification (18052 AD_116 J)
- Proposed Street Scene (18052 AD_123 F)
- Proposed Site Layout (For Environment Agency) (18052 AD_210 H)
- Proposed Pinhoe Rd/ Venny Bridge Signalised Junction Arrangement (103226-SK-012 F)

Reason: To ensure the development is constructed in accordance with the approved plans, unless modified by the other conditions of this permission.

Pre-commencement Details

3. Contaminated Land

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 store shall not commence trading until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: In the interests of the amenity of the users of the building hereby approved. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.

4. Watercourse Maintenance Plan

No development shall be commenced until a Watercourse Maintenance Plan for the open Pin Brook adjoining the rear of the site has been submitted to and approved in writing by the Local Planning Authority. This plan shall include remediation works to remove vegetation, extend the concrete scour protection and improve the condition of the wall to maintain its long-term durability. The agreed works are to be completed prior to the occupation of the approved store.

Reason: To ensure the watercourse is maintained to an appropriate standard in the interests of reducing the risk of flooding. These details are required pre-commencement as specified to ensure that the Plan is fit for purpose and can be implemented prior to the occupation of the store.

5. Surface Water Drainage

No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- a) A detailed drainage design based upon the approved LiDL Pinbrook Flood Risk Assessment (Report Ref. HLEF75035, Rev. 9, dated 17 March 2021);
- b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted;
- c) Proposals for the adoption and maintenance of the permanent surface water drainage system;
- d) A plan indicating how exceedance flows will be safely managed at the site.

The building hereby permitted shall not commence trading until the works have been approved and implemented in accordance with the details under (a) - (d) above.

Reason: The above condition is required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.

6. District Heating Network

Unless it is agreed in writing by the Local Planning Authority prior to commencement of development that it is not viable or feasible to do so, the building hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that its internal systems for space and water heating are capable of being connected to the local decentralised energy district heating network. Prior to occupation of the development, the necessary on site infrastructure (including pipework, plant and machinery) for connection of those systems to the network in a manner agreed in writing by the Local Planning Authority shall be put in place.

Reason: To ensure that the proposal complies with Policy CP13 of Councils Adopted Core Strategy and paragraph 157 of the NPPF (2021) in the interests of delivering sustainable development. If it is not viable or feasible this information must be agreed by the Local Planning Authority prior to commencement of development to explore alternative solutions resulting in the same or better carbon reduction in accordance with Policy CP13.

7. BREEAM

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall achieve a BREEAM excellent standard (minimum 70% score) as a minimum. Prior to commencement of development, the developer shall submit to the Local Planning Authority a BREEAM design (interim) stage assessment report, to be written by a licensed BREEAM assessor, which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required, the developer shall provide, prior to the commencement of development of the building, details of what changes will be made to the building to achieve the minimum standard for the approval of the Local Planning Authority to be given in writing. The building must be completed fully in accordance with any approval given. A BREEAM post completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

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

8. Construction Method Statement

No development (including ground works) shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The document 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.
- f) Wheel washing facilities.
- g) Measures to monitor and control the emission of dust and dirt during construction.
- h) No burning on site during construction or site preparation works.
- i) Measures to monitor and minimise noise/vibration 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 of the Local Planning Authority.

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

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

9. Waste Audit Statement

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

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that building operations are carried out in a sustainable manner.

During Construction

10. Unsuspected Contamination

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 for the protection of future occupiers and of controlled waters.

Pre-Specific Works

11. Materials

Prior to the construction of the building hereby approved (not including the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

Reason: In the interests of good design and the character and appearance of the area, in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021).

Pre-trading

12. Biodiversity Enhancement Plan

Prior to the commencement of trading from the store hereby approved, a Biodiversity Enhancement Plan (BEP) for the site shall be submitted to and approved in writing by the Local Planning Authority. The BEP shall be implemented as approved.

Reason: In the interests of biodiversity and good design in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies LS4 and DG1 of the Local Plan First Review and paragraphs 130 and 180 of the NPPF (2021).

13. Detailed Landscaping Scheme

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

Reason: In the interests of good design in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review and paragraphs 130 and 131 of the NPPF (2021).

14. LEMP

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

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.

- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) On-going monitoring and remedial measures for biodiversity features included in the LEMP.

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

The landscape on the site shall be managed in accordance with the approved LEMP.

Reason: In the interests of biodiversity and good design in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies LS4 and DG1 of the Local Plan First Review and paragraphs 130 and 180 of the NPPF (2021).

15. Noise Barrier

Prior to the commencement of trading from the store hereby approved, details of the noise barrier referred to in paragraph 6.2 of the submitted Noise Impact Assessment (Ref. 7984/ARD) (October 2019) shall be submitted to and approved in writing by the Local Planning Authority. The barrier shall be constructed prior to occupation of the development and maintained at all times thereafter.

Reason: In the interests of the amenity of neighbouring properties.

16. Access 1

The store hereby approved shall not commence trading until the vehicular access points and footway on Pinhoe Road / Venny Bridge as indicated on Drawing Number 103226-SK-012 F ('Proposed Pinhoe Rd / Venny Bridge Signalised Junction Arrangement') have been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a safe and suitable access in accordance with paragraphs 108 and 110 of the NPPF (2021) and Policy CP9 of the Core Strategy.

17. Access 2

The store hereby approved shall not commence trading until the vehicular access on Venny Bridge as indicated on Drawing Number 103226-SK-012 F ('Proposed Pinhoe Rd / Venny Bridge Signalised Junction Arrangement') has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a safe and suitable access in accordance with paragraphs 108 and 110 of the NPPF (2021) and Policy CP9 of the Core Strategy.

18. Cycle Parking

The store hereby approved shall not commence trading until cycle parking for staff and customers has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. This shall include cycle parking for cargo bikes and a facility for electric bikes, as well as normal bicycles. The cycle parking shall be maintained at all times thereafter.

Reason: To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review, the Sustainable Transport SPD and paragraph 112 of the NPPF (2021).

19. Travel Plan

The store hereby approved shall not commence trading 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 SPD.

20. Electric Vehicle Charging Points

The store hereby approved shall not commence trading until the two electric vehicle charging parking spaces shown on drawing number 18052 AD_110 V ('Proposed Site Layout') have been provided in accordance with details of the charging points previously submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging parking spaces/points shall be maintained at all times thereafter.

Reason: To ensure that this aspect of the application is delivered and in the interests of encouraging sustainable travel in accordance with the Sustainable Transport SPD and paragraph 112 of the NPPF (2021).

21. CCTV

Prior to the commencement of trading from the store hereby approved, a strategy for the distribution and management of CCTV on the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include the location and design of CCTV cameras, which should be integrated in an unobtrusive manner. The strategy shall be implemented as approved prior to the commencement of trading and maintained thereafter.

Reason: In order to help prevent/detect crime, disorder and anti-social behaviour in accordance with the advice of the Police Designing Out Crime Officer and saved Policy DG7 of the Exeter Local Plan First Review.

Post Occupancy

22. Restrict Sale of Comparison Goods

The net retail floor space of the store hereby approved shall be limited to 1,200 sq m. No more than 20% of the net retail floor space of the store hereby approved shall be devoted to the sale and display of comparison goods.

Reason: To maintain the premises as a foodstore selling predominantly convenience goods in accordance with the information submitted with the application, including the sequential test where the catchment area of the premises was limited to that of a medium sized foodstore, in the interests of the vitality of centres in the City and sustainable development.

23. Plant Noise Limits

The total mechanical building services plant on the site shall not exceed the cumulative noise limits in Table 7 of the submitted Noise Impact Assessment (Ref. 7984A/RD) (October 2019).

Reason: To ensure that noise-sensitive development in the vicinity will not be adversely affected by the building services plant, in accordance with saved Policy EN5 of the Local Plan First Review.

24. Opening Hours

Retail sales shall not be carried out on the site except between the hours of 08:00 and 22:00 on Monday to Saturday, and 10:00 and 17:00 on Sundays.

Reason: In the interests of the amenities of nearby residential properties.

25. Delivery/Waste Collection Hours

No vehicular movements nor any loading or unloading of vehicles shall take place on the site except between the hours of 07:00 and 23:00 on Monday to Saturday, and 08:00 and 18:00 on Sundays and Bank or Public Holidays.

Reason: In the interests of the amenities of nearby residential properties.

26. Environment Agency Parking Area

The area within the car park shown hatched on drawing number 18052 AD_110 V ('Proposed Site Layout') shall not be used for staff or customer parking at any time. 'No parking' signage shall be placed next to this area prior to the occupation of the development and maintained at all times thereafter.

Reason: To ensure that this area is available at all times to Environment Agency maintenance staff requiring access to the Pin Brook culvert debris screen, in the interests of reducing flooding.

27. Showers, lockers and space to dry clothes

The building hereby approved shall include showers, lockers and space to dry clothes for staff.

Reason: To accord with paragraph 5.3 of the Sustainable Transport SPD in the interests of sustainable travel.

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

The report of the Deputy Chief Executive was submitted.

RESOLVED that the report be noted.

5 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 15 March 2022 at 9.30 a.m. The Members attending will be Councillors M. Mitchell, D. Moore and/or Councillors Morse and Williams as necessary.

(The meeting commenced at 5.30 pm and closed at 6.28 pm)

Chair

DRAFT

PLANNING COMMITTEE

Monday 28 March 2022

Present:-

Councillor Emma Morse (Chair)

Councillors Williams, Bialyk, Denning, Hannaford, Mrs Henson, Lights, Mitchell, M, Moore, D and Sutton

Also Present

Service Lead for City Development, Principal Project Manager (Development) and Acting Major Projects Team Leader (MD), Planning Solicitor, Development Manager Highways and Transport and Democratic Services Officer (HB)

7

MINUTES

The minutes of the meeting held on 21 February 2022 were taken as read, approved and signed by the Chair as correct.

8

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

9

PLANNING APPLICATION NO. 21/0020/OUT - LAND OFF PENDRAGON ROAD, EXETER

The Principal Project Manager and Acting Major Projects Team Leader presented the outline planning application for a residential development of up to 100 dwellings and associated infrastructure (All matters reserved except access) - Revised plans and additional information received.

The Principal Project Manager and Acting Major Projects Team Leader described the layout and location of the site through the site location plans, aerial views and photos of the site and panoramic views from and to other parts of the city, the report presented setting out the following key issues:-

- impact on Landscape Setting, character and local distinctiveness of the hill to the north of the city;
- loss of open space;
- access and impact on local highways and parking provision;
- affordable housing;
- design;
- impact on trees and biodiversity;
- archaeology;
- contaminated land;
- impact on air quality;
- flood risk and surface water management;
- sustainable construction and energy conservation; and
- CIL, development plan, material considerations and presumption in favour of sustainable development.

The Principal Project Manager (Development) and Acting Major Projects Team Leader provided the following additional detail:-

- the proposal was to develop up to 100 dwellings on the site with associated infrastructure. An illustrative layout drawing had been provided indicating 64 dwellings constructed on the west field and 36 dwellings constructed on the east field with public open space indicated on the upper parts of the site to the north of the housing;
- the site was unallocated lying within the Landscape Setting area shown on the Core Strategy Key Diagram and on the Proposals Map of the Local Plan First Review. The southern part of the site and hedge-bank to the south were part of a Site of Nature Conservation Interest (SNCI);
- a “Fringes Study” of 2007 indicated the housing use capacity;
- the site was part of the North Exeter Wooded Hills and Meadows ‘Habitat Reservoir’ of the Green Infrastructure Study and of the Green Infrastructure Strategy - Phase II;
- the access plans showed two access points into the site from Pendragon Road for vehicles and pedestrians. Another pedestrian/cycle access was proposed from/to Mile Lane in the southwest corner of the site where there was an existing informal access. Roads and footways led from the access points into each field; and
- in February 2022 the applicant had offered to provide 50% of the dwellings as affordable housing, whereas previously the offer had been 35% in accordance with Policy CP7.

The Principal Project Manager and Acting Major Projects Team Leader in conclusion stated that the application was recommended for refusal for the reasons set out in Section 18 of the report. He confirmed that no additional reasons for refusal were recommended regarding the access arrangements following confirmation by Devon County Council in its role as Local Highway Authority that access details could be dealt with by planning condition. In respect of drainage, the Principal Project Manager and Acting Major Projects Team Leader considered that this could also be dealt with by planning condition despite no response from Devon County Council in its role as Lead Local Flood Authority to a re-consultation.

Responding to a query from a Member regarding pedestrian and cyclist safety, the Development Manager Highways and Transport advised that the environment around the accesses to the development would be suitable for all users.

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

- the development has caused huge concern among residents of Beacon Heath with over 220 objections with a group of residents meeting every Sunday night for over a year to discuss their concerns;
- it is regrettable to oppose an application which includes affordable housing given that social housing waiting lists are growing. To provide housing would require compromises on biodiversity, public open space and the environment and create irrecoverable harm. It is an inappropriate and unsustainable place to build;
- in terms of harm to the landscape character, this application is one in a series that has come forward in recent years to develop the distinctive, rural northern hills, the most recent being on land adjacent to Celia Crescent which was refused. The ridgeline is subject to protection from harm in several policy documents including paragraph 4 of the Core Strategy;

- the two fields concerned in this application– “the bus stop fields”- are situated on especially sensitive land on this ridgeline. They occupy an elevated position and enjoy long distance views across the city to the Exe Estuary. They have a strong rural character and are sandwiched between two valley parks - Mincinglake to the West and Savoy Hill to the East - and adjoin the ancient, rural greenway of Mile Lane which, alongside Mincinglake, is a designated Site of Nature Conservation Importance (SNCI);
- the site lies within landscape setting land and classified as Zone 3 within the 2007 Exeter Fringes Study, meaning it has “no capacity for housing because of its prominence, rural character and intrinsic sensitivity”. This character and distinctiveness of the site are therefore protected from harm under Policy CP16, which was confirmed as carrying full weight by the Pennsylvania appeal decision of January 2022. The development would protrude beyond the natural urban edge of the city, disrupt hitherto expansive countryside views from the site’s neighbouring country parks and effectively destroy part of the city’s rural back drop. There are parallels to be drawn between both sites and therefore the appeal decision is a material consideration;
- in terms of the loss of open space, private land can also be recognised as publicly accessible space in planning terms. Such is the case for this site, which has been freely used by residents for recreation for generations;
- some residents have described walking on these fields for over sixty years and had not recalled seeing a fence around the land in all this time. That was, until January 2021, when the planning application was submitted. The fields are an important sanctuary for residents, providing space from claustrophobic flats and helping with physical and mental health;
- with a growing population, green spaces are under growing strain and piecemeal development chips away at their ecological value setting a dangerous precedent;
- the site is a biodiversity haven and an important wildlife corridor for the neighbouring Mincinglake Valley Park and the southern hedgebank is part of a SNCI. Surveys of protected species found at least 11 bat species using the site for foraging and commuting. The fields are also home to a broad array of established trees;
- significant harm will be caused by the removal of many trees to create accesses from Pendragon Road. The removal of trees from the southern treed hedgebank would weaken the applicant’s proposed mitigation of creating dark buffer areas to maintain connectivity for bats;
- in terms of harm to the environment and social sustainability, the high hills in this part of the city, coupled with the scarcity of local amenities and unreliable public transport, mean that any housing development in this area will necessarily be car-led as evidenced by the applicant’s Transport Statement with two parking spaces being provided per house conflicting with Local Plan Policy T10 which imposes a maximum of 1.5 spaces per dwelling. The Highways Authority also commented that the Transport Statement underestimated the number of additional peak hour movements that would be generated by this development. Devon Highways state that, given the climate emergencies declared by both the City and County Council’s, regard should be had to promote sustainable transport modes;
- the Exeter Cycling Campaign highlights that the cycling infrastructure referenced in the Transport Statement is 700 metres away from the site on Beacon Lane, requiring a journey down the narrow roads of King Arthur’s or Lancelot;
- although there may be a bus stop near the site a private company cannot be relied on to make this application sustainable;
- this development will create more congestion and emissions and undermine Net Zero goals and would be against Core Strategy objectives that seek to limit the use of fossil fuels, encourage walking and cycling and reduce car dependency;

- social sustainability will not be improved. The local infrastructure is at its limit, as it is struggling to accommodate a high-volume of already approved developments. The local secondary school is full and GP surgeries are concerned that they will be unable to sustain care without significant infrastructure investment;
- there is a responsibility towards current and future residents that well-connected, healthy and sustainable communities are built to reflect the Council's strategic priorities to build great neighbourhoods;
- the development would put further strain on already overstretched amenities, would harm the Council's Net Zero goals, undermine plans for increasing wellbeing and active travel, and fly in the face of the longstanding commitment to steer development away from the rural ridgeline. These aims will be achieved through the Council's Liveable Exeter Programme. With brownfield sites clearly identified, approving greenfield development now would clearly be contrary to the sequential approach committed to under Policy H1;
- the Pennsylvania appeal was dismissed despite the city not having a full five year housing supply. Similarly, the threat this development poses to the landscape, biodiversity, open space and the environment significantly outweigh its limited benefits; and
- affordable housing should be delivered on previously developed land, where residents are connected to the city and its amenities and not isolated on top of a hill without means of transport or sense of community.

Dr Clare Maudling spoke against the application. She raised the following points:-

- representing the views of the Beacon Heath community to voice their concerns about the loss of green space, the detrimental effect on the visual landscape of the city, biodiversity and the valley parks, the exacerbation of existing pressure on local services and amenities and the car-centric nature of the development;
- the community of Beacon Heath have used the fields for generations for recreation and wellbeing. "Bus stop fields" also provides a valuable wildlife corridor between the Mincinglake and Savoy Hill Valley Parks;
- recently, gates and fencing were erected and the vegetation stripped and cut;
- with Exeter growing every year, green space is increasingly valuable and development on a wildlife corridor and wellbeing space should be refused;
- building on this site will destroy the green skyline of the city;
- transport difficulties will result and the site is not suitable for green travel, being at the top of a hill making walking and cycling difficult;
- amenities are not within walking distance and some are no longer operational;
- additional traffic on already busy and congested roads will exacerbate existing problems and public transport links are not as good as stated;
- residents are also aware that schools and GP surgeries are already at capacity and are concerned about the detrimental effect that further housing will have;
- the development takes Exeter further away from its targets in improving health, reducing pollution and meeting Net Zero 2030;
- while the offer of additional social and affordable housing is welcome, the application does not uphold City Council housing standards; and
- the people of Beacon Heath urge the Council to stay true to their heritage and continue to provide housing which meets the aim of a 'Liveable Exeter' by refusing this application.

Cathryn Newberry, who had wished to speak in support of the application, was unable to attend. Her statement below was read out by the Chair:-

- the land is, and has always been, privately owned and been in the same family since the 1950's and had been actively farmed with stock grazing on both fields. At that time, the only entry was through Mile Lane, a one farm gateway;
- it was not until the homes were built on the estate that the anti-social behaviour began. Youths breaking into the fields, drug taking and riding motor bikes etc. around the fields, generally causing nuisance and damage and it is on public record that the Police were called on many occasions regarding this. Harvesting carried out was disrupted by fire overnight which was classed as criminal damage by the Police;
- after gates and new fencing were provided at great expense they were broken down time again. The Police attitude was if it was repaired it would be damaged to gain entry and anti-social behaviour would continue. The land has been impossible to farm since;
- the local public have Mincinglake Park, which is a vast and well managed area - why do they consider our 17.75 acres of land should belong to them too? The local residents should bear in mind the homes they live in were fields back in the fifties;
- the land is very poor-quality agricultural land, more suitable to building new homes, especially affordable homes rather than building homes on good quality agricultural land as is happening around the City of Exeter; and
- if the Council insist no homes, not even affordable homes so desperately needed, be developed on this land what is the way forward to be? Solar Panels or Wind Turbines perhaps?

Members expressed the following views:-

- offer of 50% affordable housing raises the question of why other developers are unable to exceed the 35% affordable housing policy and whether such an offer in this case is economically viable;
- the location of the suggested affordable homes was unclear and could be concentrated in one area rather than distributed throughout the site;
- applicant has failed to meet the concerns of the Devon and Somerset Fire and Rescue Service;
- inadequate bus service for the area;
- development will increase air pollution as it is a car-centric development with two cars per dwelling exceeding the policy standard and few improvements are offered towards biodiversity;
- play areas are poorly located;
- topography of the area is unsuitable and those living there would be within an isolated community; and
- the City Council has always sought to protect the green hills around Exeter.

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

The recommendation was moved and seconded and, following a vote, was carried unanimously.

RESOLVED that outline planning application for a residential development of up to 100 dwellings and associated infrastructure (All matters reserved except access) - Revised plans and additional information received be **REFUSED** for the following reasons:-

1. The proposed development conflicts with Policy CP16 of the Exeter Core Strategy and saved Policies H1 and LS1 (in so far as it require proposals to maintain local distinctiveness and character) of the Exeter Local Plan First Review 1995-2011, as it would significantly harm the character and local

distinctiveness of the hills to the north of Exeter, and the landscape setting of the City by breaching the natural boundary feature (the tree'd hedgebank north of Pendragon Road) that forms the clear edge to the urban area and being an incongruous, piecemeal development into the rural hinterland of the City on a greenfield site that has a strong rural character contributing significantly to the character and local distinctiveness of the hills to the north of the City. The proposed development would therefore also be contrary to paragraphs 130 c) and 174 a) b) of the National Planning Policy Framework (2021).

2. The open space on the site fulfils a valuable recreational, community, ecological and amenity role to local residents and visitors and its loss would harm the character of the area. Replacement open space of equivalent or better quantity and quality would not be secured in a suitable location, therefore the proposed development conflicts with saved Policy L3 of the Exeter Local Plan First Review 1995-2011 and paragraph 99 of the National Planning Policy Framework (2021).
3. The access roads into the site would have a significant impact on the tree'd hedgebank along the southern boundary of the site and the Site of Nature Conservation Interest that connects Mincinglake Plantation County Wildlife Site to the west and Savoy Hill County Wildlife Site to the east along the southern edge of the site, through the removal of sections of hedgebank and trees, and lighting from the development. The proposed development is therefore contrary to Policy CP16 of the Exeter Core Strategy which protects the biodiversity value of all sites of local conservation importance, including Sites of Nature Conservation Interest, and saved Policy LS4, which only allows harm to such sites if the need for the development is sufficient to outweigh nature conservation considerations. The need does not outweigh the nature conservation considerations in this case.
4. The access roads into the site would have a significant impact on the tree'd hedgebank along the southern boundary of the site and therefore would not integrate into the existing landscape of the City including its natural features and ecology. They would not be sympathetic to the character of the area or its sense of place. The proposed development therefore conflicts with saved Policy DG1 c) of the Exeter Local Plan First Review 1995-2011, paragraph 4.4 (III) of the Residential Design Supplementary Planning Document and paragraph 130 c) of the National Planning Policy Framework (2021) requiring developments that are sympathetic to local character and history, including landscape setting.
5. In the absence of a Section 106 legal agreement in terms that are satisfactory to the Local Planning Authority which makes provision for the following matters:
 - 35% affordable housing (at least 25% First Homes, 70% social rented and the remaining balance as intermediate).
 - Public open space, including LAPs indicated on illustrative layout.
 - Management company to manage/maintain public open space on the site including LAPs.
 - £395,000 toward mitigation measures in Pinhoe Area Access Strategy 2019 Addendum.
 - Up to £5,000 for Traffic Regulation Order.
 - £3,558.75 per dwelling towards new secondary school provision at South West Exeter.
 - £584 per dwelling towards patient space at GP surgeries.

- £370 per bedroom (excluding the first bedroom) to fund the improvement and additional maintenance of the existing off-site play area at Pendragon Road Play Area.
- £112 per bedroom (excluding the first bedroom) towards the improvement and additional maintenance of Pendragon Road MUGA.

the proposal is contrary to Exeter Core Strategy Policies CP7, CP9 and CP18, Exeter Local Plan First Review 1995-2011 saved policies L4 and DG5, Exeter City Council Affordable Housing Supplementary Planning Document 2014, Exeter City Council Sustainable Transport Supplementary Planning Document 2013 and Exeter City Council Public Open Space Supplementary Planning Document 2005.

10

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Deputy Chief Executive was submitted.

RESOLVED that the report be noted.

11

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

12

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 15 March 2022 at 9.30 a.m. The Members attending will be Councillors Morse, Sparkes and Sutton as necessary.

(The meeting commenced at 5.30 pm and closed at 6.20 pm)

Chair

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STRATEGIC SCRUTINY COMMITTEE

17 March 2022

Present:

Councillor Barbara Denning (Chair)

Councillors Allcock, Branston, Hannaford, Jobson, Mitchell, K, Moore, J, Pearce, Sheldon and Vizard

Apologies:

Councillors Newby and Buswell

Also present:

Chief Executive & Growth Director, Service Lead - Net Zero, Commercialisation, Skills, Business and City Centre and Democratic Services Officer (SLS)

In attendance:

Councillor Philip Bialyk	- Leader
Councillor Bob Foale	- Portfolio Holder for Transformation & Environment
Councillor Rachel Sutton	- Portfolio Holder for Net Zero Exeter 2030

1 **Minutes**

The minutes of the meeting held on 18 November 2021 were taken as read, approved and signed by the Chair as correct.

2 **Declaration of Interest**

No declarations of pecuniary interest were made.

3 **Questions from the Public Under Standing Order 19**

No questions from members of the public were received.

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

In accordance with Standing Order 20, the following questions were submitted by Councillor Jobson in relation to the Board of Exeter City Futures Community Interest Company (ECFCIC). The Chief Executive & Growth Director Karime Hassan answered the questions as a representative of the Board of Exeter City Futures and the responses are included in italics below -

The Board of Exeter City Futures CIC

1. Has there been a Board Meeting of Exeter City Futures (either in person or remote) between 24 November 2020 and 2 January 2022? If so, when and why have the Minutes not been published?

Two meetings have been held on 13 December 2021 and 3 March 2022. For the most part of the period of the Covid pandemic they did not have Board meetings. The minutes were published and on the Exeter City Futures web site and the site map would be made easier to navigate. Members of the Exeter City Futures team could also supply any necessary copies on request.

2. If not has there been a Board Meeting of Exeter City Futures since 2 January 2022? If so, when was it held and when will the Minutes be published?

There had been a Board meeting and the minutes for the Board meeting were published.

3. Has a new Director been appointed to represent Devon County Council (DCC)?

It was anticipated that Dave Black, the Head of Transport at Devon County Council who had attended the Board meeting on 13 December 2021 would have become the new Director of ECF to replace Jamie Hlland. Companies House had not been informed about the change yet but the records would be updated as soon as possible. He understood that Mr Black was not now taking up that place but he was optimistic that a replacement Board member would be appointed soon. He added that Lisa Roberts, the Vice Chancellor of Exeter University had joined the Board as a Director and that was a boost and indication of support from one of the city's main institutions to help deliver the Net Zero agenda. The University, had brought forward their target date for their strategy for Net Zero 2035 to 2030 to coincide with that of the city.

A Member updated Members and stated that it was a matter of public record that Mr Black was due to retire from the County Council shortly.

4. If so, when were they appointed and has the paperwork gone to Companies House?

Once the appointment was made to the Board, the information would be sent to Companies House to update their records.

5. If not, is DCC planning on making a new appointment?

The appointment would be made as soon as possible following discussions.

Councillor Jobson agreed that it was important that members of the public could access such information such as the Board minutes easily and she welcomed the responses.

Finances (All Information in the Questions is in the Public Domain)

1. Exeter City Futures Community Interest Company (CFVIC) was allocated a start-up budget from Exeter City Council (ECC) at the Executive Meeting in February 2016. Did ECFCIC receive this sum? If so when, as no figures appear in the published accounts for the period to December 2017 or was this sum only received in the year to end December 2018 there being a figure for prepayments and accrued income of £49,108.

ECFCIC did not receive this sum directly, the £50,000 budget was set aside towards Council expenditure incurred to help facilitate the start-up and promotion of the Exeter City Futures programme. In 2016/17 £23,160 was incurred and this was disclosed in the Council's published accounts on page 74. The balance was carried forward and spent in 2017/18.

2. In 2019 Exeter City Futures Community Interest Company (ECFCIC) bid for and was awarded a grant of £200,000 from Central Government. Was that sum directly received into the ECFCIC bank account or via some other body? How was it distributed? There is no reference to such sum in either the 2019 accounts or the accounts published in December 2021? If received on what has it been spent?

Devon County Council managed the overall One Public Estate Programme and awarded the Funds via ECC. ECFCIC provided quarterly grant claims (backed by invoices), ECC paid the ECFCIC the invoice and then reclaimed from DCC. It was important for Members to note that the Government tend to require that there is a Section 151 Officer to take responsibility for grant funding and therefore do not allocate the funds directly.

The £200,000 was received from the One Public Estate and in order to prepare the master plan for the St David's Station site which was one of the strategic sites in the Liveable Exeter vision. The governance structure had been set up and included Exeter University, Exeter College, Devon County Council, Network Rail, and Exeter City Council. It should be noted that Network Rail were obliged in respect of the franchise with Great Western Railway (GWR) to deliver a number of parking spaces currently allocated in the front of the Station, which offered a challenge to deliver viability on this project. Work on the masterplan paused until such issues were resolved, which has meant that funding of £147,000 remained outstanding.

3. In 2020 ECFCIC bid for £840,000 from Central Government. It is understood that £350,000 was awarded. Was that sum directly received into ECFCIC bank account or via some other body? How was it distributed? There is no reference to such sum in either the 2019 accounts or the accounts published in December 2021? If received, on what has it been spent?

The full £840,000 was awarded over two years. The accountable body was Exeter City Council and the Council received £380,000 on 1 March 2021 and £470,000 on 15 February 2022. The funds were being paid over to ECFCIC in arrears on the production of an invoice. This was the Exeter City Fund, which Scrutiny will be looking at shortly. This was a significant sum which would be used to model the cost of delivering the entire Liveable Exeter programme in order to get to the Net Zero agenda. The One Public Estate were with the Exeter Development Fund testing an initiative that might be nationally replicated, and although a final decision had yet to be made on the Fund being used in Exeter, there was the opportunity for modelling of the viability of this development to help achieve these big ambitions, and help the City Council access that funding.

Councillor Jobson asked a supplementary question and whether there was scope within the Executive or Scrutiny to get regular reports on how the modelling will be done and preferably before any big decisions are made.

The Chief Executive & Growth Director welcomed the opportunity for Members to scrutinise through a structured programme of scrutiny meetings to understand the Exeter Development Fund model, and consider how to deliver the kind of development that they all would like to aspire to. No decisions would be taken other than through the Council's formal Committee processes. They would also be asking all the other partners including Exeter University, Devon County Council, Exeter College and the Royal Devon & Exeter Hospital to engage with the Exeter City Futures team.

4. A grant of £250,000 was to be received from the Heritage Lottery Fund? Was that sum received? There is no reference to such sum in the accounts published in December 2021? If received - on what has it or is it being spent?

The Chief Executive & Growth Director stated that £250,000 was awarded to Exeter City Futures from the National Lottery Community fund to help with the mission to deliver on Net Zero. The fund was broken down into four packages with a financial statement included as part of the submission. The funding would go directly into a separate account belonging to Exeter City Futures for work that had been identified, and would be paid in six months tranches based on the initial budget. Currently, the account was slightly underspent due to the impact of Covid, and the National Lottery Fund had given a further six months in recognition of activities that may have paused.

Councillor Jobson asked a supplementary question on whether the ECFCIC accounts are audited. She recalled seeing an auditor's signature on the Company's House published web site and so she asked whether the report would be available or if it would not be in the public domain.

The Chief Executive & Growth Director would make enquiries and report back to Members.

Question to the Leader

1. Would the Leader please confirm that Exeter City Futures CIC, which has either statutory power or policy-making authority, can do no more than make recommendations directly to Exeter City Council as to how Net Zero 30 can be achieved? Can the Leader confirm that all such recommendations will be fully debated by the membership of Exeter City Council?

The Chief Executive & Growth Director at the invitation of the Leader offered the following response -

Exeter City Futures was a Community Interest Company and could not take decisions that bind Exeter City Council. All decisions impacting on those areas of the Council would be taken to the Executive and Council. It was noted that the Council had no powers to enforce decisions upon partner organisations as they have their own decision making process. Other Councils may follow consideration of the Exeter Development Fund model to bring together institutions to create a single vision and rethink of the way to plan and take decisions collectively about how to align to deliver the Net Zero agenda to develop clean energy. He would be happy to make a presentation to a future Committee outlining the work of Exeter City Futures are doing with the secured funding of £1.2m to deliver the city's Net Zero agenda.

The Chair thanked the Chief Executive & Growth Director for the responses.

Councillor Hannaford asked a question of the Leader raising his concern of the announcement of the closure of Clarendon House by the Department Work and Pensions, (DWP) which included the city's Job Centre. He had hoped to present this matter as an emergency resolution, but would address the matter by way of a question to the Leader.

Councillor Hannaford read out a statement in the following terms:-

- concern about the shock announcement by the Department of Work and Pensions to close Exeter's Clarendon House that includes Job Centre Plus.
- that these proposals do not include any relocation measures for the staff and essential services.
- this move was particularly outrageous during an international economic crisis, that will see people in Exeter coping with spiralling living costs, state benefits in effect cut as they are not inflation linked, and our city ready and willing to take in refugees who will also need additional employment support.
- it was essential that people in Exeter and the surrounding area have access to customer facing transactions to receive professional help, support and advice during times of unemployment, distress and disability, and educational, training and skills advice to secure employment.
- to register concern that nationally all 12,000 Universal Credit Advisors have to now reapply for their own jobs once their temporary contracts run out, which could lead to additional financial hardship for vulnerable people during the cost of living crisis during the transition period.

He asked for the Leader of the Council to seek an urgent meeting with all relevant parties, including the regional Department of Work Pensions representatives, staff and unions, Devon County Council, and local Members of Parliament. He asked that this meeting should consider amongst other matters, the decision to close this employment hub, the possible transition period, potential future alternative sites, and Job Centre Plus provision for the Exeter travel to work area.

The Leader responded and in referring to the statement prepared by Councillor Hannaford confirmed he would make arrangements to convene a meeting with all of the relevant parties as requested. He would also send a letter based on the statement and add his own concerns because the service offered a place for individuals to obtain information and resolve any benefits enquiries and would deny access to some of those services. He thanked Councillor Hannaford for raising this matter.

Councillor Hannaford asked a supplementary question if the Leader thought the closure could lead to extra pressure on our services. He acknowledged that Exeter Works Hub had been a great success, but the Council should not shoulder the burden alone and the full suite of professionals should be asked for their support.

The Leader responded and stated that the Council would continue to do more than is expected, with ever decreased resources.

5 Portfolio Holder Update

Councillor Foale, Portfolio Holder Transformation & Environment provided an introduction and update on areas within his Portfolio having met with the Directors of Finance, Transformation and Net Zero and the Service Lead - Environmental Health and Community Safety. He invited the Service Lead – Net Zero & Business to present some detail on the work being undertaken to help the city's economy recover from the Covid pandemic.

The Service Lead – Net Zero & Business referred to the challenges faced by the city over the past two years, predominantly on those impacted by the Covid-19 restrictions, and impact on businesses. A briefing note was circulated providing relevant information, data and an overview of the current situation in relation to key

areas of Exeter's economy, as well as setting out those challenges, and the responses that have been provided by the City Council and its partners.

The key areas were highlighted as –

- **Retail Trade:** a recent Centre for Cities report provided insights and comparisons of Exeter's city centre to other national city centres, citing Exeter with the 8th lowest shop vacancy rate at 12.9% (June 2021). During the pandemic, neighbourhood shopping areas had fared more favourably than the High Street. The biggest retail casualty in Exeter had been in fashion retail. Exeter was identified as having the 12th highest share of spending online between 2019 and 2021, an area where spending has bounced back.
- **Business openings and closures:** there had been over 47 shop closures, with these mainly being national high street chains. In comparison, 59 businesses have opened in the city, the majority being independent shops using locally sourced goods. Demand for vacant units in the city centre remained positive, with units owned by the City Council being let very quickly, whilst some larger units demanding high rents remained vacant.
- **City centre parking:** Exeter city car parks had been effected during the pandemic with many people working from home. Ticket sales remain 16% down on pre pandemic levels, which continued to have an impact on income levels of the service managing car parks. Work continues to be undertaken by InExeter and Visit Exeter to attract people into the city centre.
- **City Centre Footfall:** this has moved in line with national restrictions being imposed and lifted with footfall decreasing by 5.3%, lower than the south west figure of 18.6% and the national figure of 22%. Exeter was awarded Government funding through the Reopening High Street Safely Fund and the Welcome Back Fund to provide a focus to attract people back into the city. The Net Zero and Business team were about to embark on a refresh of the contents and recommendations of the City Centre Strategy in the light of the challenges to the labour market and workforce requirements of businesses in the city. The opening of St Sidwell's Point was keenly awaited to continue to drive up footfall.
- **Labour Market:** the impact of the end of the national furlough scheme has not been felt as anticipated, but was one of the reasons why Exeter Works was established in partnership with Exeter Chamber of Commerce. It supports residents and the business community in the city with advice, and guidance for those seeking jobs, careers and training. The Council's Skills and Inclusivity Manager continues to work on the challenges of the labour market with Job Centre Plus. The team continues to raise awareness with schools, the college and university of the need to retain graduates in the city and have been working with employers to raise the sector.
- **Business support:** support was administered through the Net Zero and Business team, with the Government providing business grants and business support interventions with over 8,733 awards totalling £50 million, as well as a final Discretionary Business Exceptional Hardship Fund post pandemic.
- **Housing:** house prices have risen by 18% since 2016 and there has been a challenge in sourcing rental accommodation for those moving into the area. Efforts continue to be made across Devon to support key workers in sourcing rental accommodation.

In conclusion, the Net Zero and Business team welcomed the positive signs in the economy of the city, but continue with a watching brief on emerging data and information to target their work accordingly.

The Service Lead – Net Zero & Business and City Centre responded to the following Members' questions:-

- the city was still an attractive and affordable place for relocation with a real change in recent years, with high growth around digital and tech businesses, as well as environmental science.
- the Member's comment that there were professional colleagues who had difficulties securing accommodation was noted. The increase of Airbnb and second homes was having an impact and had the potential to hold back the growth. She would circulate information on the average rental level to Members.
- recognition of the need to ensure as many residents can benefit from the city's growth as possible with a continuation of looking at support through access to the benefits of careers advice education and training.
- the Service Lead - Environmental Health and Community Safety has been continuing to look at how the city centre can evolve to attract more families into the city centre and extend the day time retail economy into the evening in the city centre.

The Service Lead – Net Zero & Business would circulate information on Graduate retention which had been comparable to other cities. There had been an increase from 2019 to 2020 with graduates remaining in the city and also information relating to the effect of Brexit, on economic activity in the city with an impact within the health and social care sectors.

The Chief Executive & Growth Director in responding to a Member's question on putting forward a request for a BID for St Thomas, extending out from the Exe Bridges to the Alphington corridor, reminded Members that the focus of the business team was now on education and skills. The Service Lead – Net Zero & Business added that they were about to begin work on a refresh of the City Centre Strategy and she would raise this matter.

The Chair thanked the Portfolio Holder and the Service Lead – Net Zero & Business for their work which has shown that Exeter make all the efforts for inclusion.

6 **Forward Plan of Business**

Members noted the Forward Plan.

The meeting commenced at 5.30 pm and closed at 7.05 pm

Chair

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CUSTOMER FOCUS SCRUTINY COMMITTEE

31 March 2022

Present:

Councillor Matthew Vizard (Chair)
Councillors Mitchell, M, Allcock, Atkinson, Denning, Mrs Henson, Pearce, Sparkes, Sparling, Wardle and Warwick

Apologies:

Councillor Begley

Also present:

Director Net Zero Exeter & City Management, Service Lead Housing Needs & Homelessness, Waste Collection Manager and Democratic Services Officer (HB)

In attendance:

Councillor Bialyk	Leader
Councillor Wright	Deputy Leader and Portfolio Holder Council Housing Development and Services
Councillor Harvey	Portfolio Holder City Management
Councillor Ghusain	Portfolio Holder Communities and Culture
Councillor Williams	Portfolio Holder Supporting People

Councillor D. Moore attending under Standing Order No. 20.

1 **Ian Quance**

The Chair referred to the recent passing of Ian Quance who had been a Member of this Scrutiny Committee. He referred to his many qualities and passed on his condolences, and those of Committee Members, to Ian's family and friends. Members observed a minute's silent reflection.

2 **Minutes**

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 2 December 2021 were taken as read, approved and signed by the Chair as correct.

3 **Declarations of Interest**

No declarations of interest were made by Members.

4 **Questions from the Public under Standing Order No. 19**

No questions from members of the public were received.

5 **Homelessness Strategy Task and Finish Working Group Briefing Paper**

The Chair introduced the circulated terms of reference prepared by Councillors Denning and M. Mitchell for a Homelessness Task and Finish Working Group in order to review the current position regarding homelessness in Exeter and the impact of recent changes in Government policy, such as changes in Universal Credit entitlements

It was proposed that the review would input into the development of the Exeter Homelessness Strategy 2022-2025 as well as monitoring the development plan for the Strategy to ensure that all relevant stakeholders were appropriately engaged. As part of the development of the Strategy, it would review any Government changes in policy that lead to a negative impact on people's ability to maintain their accommodation and ensure that any appropriate mitigations that are within the Council's resource availability are included in the Homelessness Strategy.

The paper set out the suggested terms of reference and process for the Task and Finish Working Group, the Group to be chaired by the Deputy Chair of this Scrutiny Committee with six Members to be nominated by Group Leaders.

Customer Focus Scrutiny Committee noted the terms of reference with Group Leaders to be asked to nominate Members after the May Elections when new memberships of Committees were known. The Scrutiny Programme Board would be asked to set out a timescale for the review.

6 **Questions from Members of the Council under Standing Order No. 20**

In accordance with Standing Order No. 20, the following questions had been submitted by Councillor D. Moore and had been circulated in advance to Members of the Committee. In the absence of Councillor D. Moore at this point in the meeting, the questions were read out by Councillor Sparling. The responses of the Portfolio Holder are set out in italics.

Questions to the Portfolio Holder for City Management - Councillor Harvey

Councillor D. Moore

The Council has again won the contract from Devon County Council for weed control on the city's streets. Please can the Portfolio Holder provide the following information:-

A. The quantity of glyphosate that will be used to deliver this contract this year and for each of the previous two years.

Response

The Devon County Council highways contract covers two fixed sprays per annum over an approximate distance of 1,300 miles of public highway. The spray rate is specifically calibrated for the correct application at 8kph over that fixed distance, and therefore there is no significant variance in glyphosate levels used year on year. The Council reduced the spraying frequency from three sprays down to two sprays in 2020 and the results were acceptable. The Council continued with two sprays in 2021 and levels of use were approximately 648 litres for the full contract, this is based on driver recorded litres used. The base data for 2020 is available but usage levels were not calculated due to ongoing staffing shortages as a result of the pandemic, but levels will be similar to 2021.

B. Outside of this contract, the quantity of glyphosate used by the Council this year, and for each for the past two years, and what measures you plan to reduce its use.

Response

As with question A, no final usage figures have been collated for 2020 (although the base data has been recorded) as the priority was on service continuity over the Pandemic. The Council have steadily reduced glyphosate usage outside of the highways contract over the last few years, from a high of 195 litres in 2017 to an estimated 90 litres in 2020 and down to 60 litres in 2021. There have also been no changes in efficacy or the costs of alternatives on the market since the last review in 2020 and they remained financially unsustainable in relation to current revenue budgets. With recent rises in the cost of glyphosate this may have changed and we will review this again later in the year when resources allow. This will be reported to this Committee in October.

Question to the Portfolio Holder for City Management - Councillor Harvey

Councillor Sparkes

How successful was the scheme whereby residents could opt out of weed spraying entirely on their street? Do you know the numbers that signed up?

The Director Net Zero and City Management responded that he did not have the exact figures but understood that the scheme had not been particularly successful.

7 Food Waste Collection: A Timeline of Plans and Decision making

The Director Net Zero Exeter and City Management presented the update report on Food Waste Collection. The report included as an appendix the report on Exeter Combined and Kerbside Recycling Services Comparison produced in June 2021 by Apse solutions. The Director's report set out the following:-

- timeline, original plans and how the Council got to where it is now;
- impact - the outbreak of the Covid-19 Pandemic;
- impact - shift in shopping and waste habits;
- impact - vehicle testing and planning review;
- impact - the HGV/LGV driver crisis;
- decision to retain the current service model with added food waste collection;
- benefits of retaining co-mingled collections and added food waste;
- how the first phase of the food waste service is performing;
- next steps and challenges; and
- other related projects.

The Waste Collection Manager advised that the collection of food waste in the pilot area of Alphington had commenced and was progressing well. The service would start tipping in the City Council yard from 7 April 2022, in new sealed food waste skips, rather than a long trip to Greendale. This would free up some time and would allow the service to be extended to include additional streets in Alphington as soon as possible. He also referred to recruitment challenges and necessary upgrades to the depot.

The following responses were given to Members' queries:-

- due to a number of issues, it was difficult to anticipate when the full roll-out of the scheme would commence and how many rounds would be added. Future rollout was dependent on the availability of drivers, vehicles, tipping facilities and on the announcement of legislation and Government funding;

- at present, only small food waste skips were being used at the depot in compliance with the Council's environmental operating permit. The larger permanent food waste bays were being designed now by a specialist who would be retained to oversee the procurement and project management of the new facility, including securing a licence from the Environment Agency. The Environment Agency set high standards with regard to odour and fly/pest control and a sealed drainage system was required by the Agency to prevent food liquors etc. seeping into the water courses and sewers;
- in respect of the timescale for delivery, the Pandemic had caused a significant delay, added to which was the time it took to procure vehicles. Although vehicles were now rented, the cost of purchasing a single electric refuse vehicle was in the region of £470,000. It had not been possible to commit to obtaining new vehicles before assessing the impact of the proposed changes to waste and recycling collections which are subject to a much delayed Government consultation. The design of the vehicles would be progressed following the Government announcement in respect of waste collection generally, including the Deposit Return Scheme, although there was no indication when an announcement would be made. Once the uncertainty relating to the Government announcement was resolved, work could commence on re-purposing existing refuse vehicles if possible or purchasing new ones, as it would only be then when container size could be specified;
- the difficulty in recruiting additional drivers and loaders had been exacerbated by the imminent retirement of two staff members. Although the private sector hourly rates for drivers were similar to those of the Council, the longer hours on offer were often more attractive to employees, especially a younger cohort. For loader positions, the Council was competing against the rapidly expanding warehousing and logistics industry, where good rates of pay and the indoor nature of many of these jobs was very appealing;
- recruitment was also hampered by the high level of vacancies in the overall job market;
- although the current re-cycling rate of 27% was low, it was anticipated that it would rise to over 50% with the full implementation of the rollout. Whilst the current North Devon rate was 53%, this reflected a greater volume of residual waste collected. Future reports on the City Council service would reflect these metrics;
- the City Council charged other authorities for the use of its Materials Reclamation Facility (MRF) thereby generating a profit from the separated materials. This has had to stop for the time being as the MRF was too unreliable to guarantee the service. The proposed investment would modernise the MRF, increase throughput, improve recovery rates and make this service viable again;
- although the national pay scale was used, the individual rate for loaders/drivers was not nationally agreed. The pay rates for agency loaders was broadly similar, but greater for drivers. The number of agency staff had been reduced during the Pandemic for safety reasons and this level was being maintained; and
- the report included a schedule of frequently asked questions which will be included on the City Council web site as the most appropriate means of updating the public on the progress of the rollout.

The Portfolio Holder for City Management referred to issues around extended producer responsibility relating to the huge volume of packaging involved in food etc. deliveries to supermarkets etc. which was being examined by the Government. Because of the uncertainty surrounding the many issues referred to, he urged patience regarding the full rollout and asked all to commit to the agreed system and not seek an alternative which would incur additional costs and, potentially, reputational damage.

Customer Focus Scrutiny Committee noted the report and thanked the Director, the Waste Collection Manager and the Cleansing Services Team for their work.

8 **Exeter's Clear Streets Charter Review**

The Director Net Zero Exeter and City Management presented the report on the Exeter Clear Street Charter Review. The Charter had been adopted by Devon County Council and Exeter City Council in 2018 and the report set out the responsibilities of both and who manages which issue.

The highest profile issue was advertising boards (A Boards) which were one of the most common annoyances for disabled people. A Boards were managed under highway legislation by the County Council as Highway Authority. No business had a right to put an obstruction on the public highway but the County and City Councils had recognised the need for businesses to advertise, especially in the current climate and, due to the reduced levels of pedestrian activity following the lock down, there had been a reluctance to enforce too strongly the promotion of businesses in the city centre.

The Deputy Chair referred to a statement and photographs provided by Peter Hill and circulated to Members, Peter, a former Councillor, having submitted a question to the previous meeting of this Committee on this issue. Peter had also raised the issue of the Street Charter and, specifically, A Boards at the January meeting of the Exeter Highways and Traffic Orders Committee (HATOC). The County Council's Neighbourhood Highways Manager had advised that, with levels of pedestrian activity increasing after the Pandemic, targeted inspections in the city centre would be increased to identify and remove obstructions.

The Director advised that one of the City Council's most important contributions to the Charter was the design of public open spaces, for example, a contrast in the colour of paving where there is a change of level. These principles had been adopted on recent developments at the bus station and St Sidwell's Point and would be continued for the development of CityPoint. The City Council, through its street cleansing crews, also flagged up issues for action. The Director also referred to the criteria for electric charging points to ensure they were not a hazard and advised that information on the Charter was disseminated via the County Council website.

Customer Focus Scrutiny Committee noted the report.

9 **Forward Plan of Business**

Members noted the Forward Plan.

The meeting commenced at 5.30 pm and closed at 6.37 pm

Chair

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COMBINED STRATEGIC SCRUTINY AND CUSTOMER FOCUS SCRUTINY COMMITTEES

30 March 2022

Present:

Councillors Atkinson, Allcock, Denning, Hannaford, Jobson, Mitchell, K, Mitchell, M, Moore, J, Pearce, Sheldon, Sparkes, Sparling, Vizard and Warwick

Apologies:

Councillors Begley, Branston, Sills and Wardle

Also present:

Chief Executive & Growth Director, Democratic Services Team Leader and Democratic Services Officer (HB)

In attendance:

Councillor Bialyk	Leader
Councillor Harvey	Portfolio Holder City Management
Councillor Sutton	Portfolio Holder Net Zero Exeter 2030

Councillor D. Moore attending under Standing Order No. 20.

8 **Appointment of Chair**

RESOLVED that Councillor Denning be appointed Chair of the meeting.

9 **Minutes**

Subject to the amendment of the second resolution of Min. No. 7 to read “that a recommendation be made to the Executive and Council that Link Group include consideration of the climate impacts of investments and banking activity within their advice provided to Council”, the minutes of the meeting of the Combined Strategic Scrutiny and Customer Focus Scrutiny Committees held on 10 February 2022 were taken as read, approved and signed by the Chair as correct.

10 **Declarations of Interest**

No declarations of discloseable pecuniary interest by Members were made.

11 **Exeter Development Fund**

The Chair welcomed Roli Martin, Project Manager and Elaine Anning, Operations Director of Exeter City Futures and Gavin Bridge Director of Spatia to the meeting.

The Chief Executive & Growth Director introduced the proposed scrutiny process for the Exeter Development Fund. Members were asked to perform a critical friend role for the Council’s Executive in examining and highlighting the merits and risks associated with the City Development Fund ahead of the full Business Case being presented to the Executive for consideration later in 2022. It would help provide a

good understanding of the reasons that led to the exploration of an alternative approach to managing the task of delivering Liveable Exeter.

The current session would be the first of four and would examine why a different approach to business as usual may be required to deliver the Liveable Exeter Transformational Housing Programme and to work on a City Development Fund. The remaining sessions would cover the economic case for pursuing a City Development Fund, Governance and Risk, and finally, the Business Case in detail.

Roli Martin explained that, following Exeter's selection for the One Public Estate Programme as a Model City Development Fund, Exeter City Futures (ECF) had been tasked to lead in its delivery with the involvement of a range of public sector partners with the Net Zero 2030 ambitions embedded within the programme. It was the intention for the Development Fund to fit strategically with the Exeter Vision 2040 and the Council's corporate priorities.

Learning lessons from elsewhere: External witnesses

The Chief Executive & Growth Director spoke on behalf of Andy Wood, Service Lead – Growth, Development and Prosperity, East Devon District Council on the challenges of delivering the community aspirations for Cranbrook against the limitations of the current system. Presentation attached to the minutes.

The Chief Executive & Growth Director detailed the protracted timeline from the initial concept set out in 1991 with a vision to provide a self-contained community as an urban extension of the city with a full array of infrastructure through to the imminent adoption of the Cranbrook Development Plan Document in 2022. In spite of the roles of both the Devon Structure Plan and the East Devon Local Plan there had been significant shortcomings in achieving the original concept because of the lack of public sector controlled land and each phase of the town being brought forward within a commercially driven model.

The presentation set out what had been delivered including phase 1 affordable housing at 30%, the first 1,000 homes including 199 social rent properties and 101 shared ownership with 15% affordable housing in the expansion areas, seven retail units, a rail station and a country park. In spite of the recession, thousands of homes had been delivered, assisted by Homes England grant support. There remained infrastructure problems and the absence of a town centre was a significant issue. To help meet shortcomings, the Town Council precept was comparatively high.

The Chief Executive & Growth Director summarised the learning points from the Cranbrook experience:-

- need for a clarity of vision over a long period;
- local leadership to support community development including the Town and District Councils;
- continued financial support;
- importance of working with a range of external partners to ensure infrastructure delivery and also for health, education etc. issues to be addressed;
- a town builder rather than a commercial builder delivery model - many examples, such as Monkerton and Hill Barton in Exeter, where there is an absence of community facilities such as local shops;
- land ownership is critical to control the type of development and gear it towards the needs of the community;
- infrastructure led approach;

- a Master developer role such as the Duchy of Cornwall development in Dorchester;
- recognition that a mixed and balanced community is hard to achieve; and
- future proof, for example, the Cranbrook development possessed fibre connectivity to all properties.

Councillor D. Moore, having given notice under Standing Order No. 44, attended the meeting and spoke on this item. She asked the following questions, the responses to which are set out in italics.

Based on the learning from Cranbrook, why is private sector finance better than Public Works Loan Board (PWLB) especially given the direction of interest rates and inflation?

Response

It is only better in some scenarios. Where the whole programme can be funded by PWLB and Councils are prepared to take that financial obligation on, then PWLB is an ideal financing source given its low rate. However, the whole programme and local plan includes land, local infrastructure and net zero transformation that includes the whole public sector, all of whom do not have access to PWLB. The scale of ambition and the pace at which development needs to happen does not lend itself to a programme funded by PWLB alone. PWLB can be used to augment the overall finance package where possible. However, the process for releasing PWLB funding can be too siloed and piecemeal to serve the overall plan for the city and the Masterplanning/design/carbon-free transformation plan. Equally, the Fund overall needs to be able to compete for sites with the private sector development market (which does not have the same net zero ambitions for the city. Their ambitions typically start with profit first) and hence must have access to agile finance to manage that competitive environment. This is best served by large scale private finance from institutional investors.

Why is the inclusion of Council and other public sector assets necessary to underwrite this fund?

Response

Public sector assets have ultimately underwritten all city developments, either through historic sales into the private sector with the land lost forever, or through leveraging public assets to bring development forward. When developments go wrong, the quality and placemaking suffers and sustainability is dropped from the agenda in favour of ring fencing private equity and its profit in the process. Only when equity is owned by the public sector, whose ambition is quality, placemaking and sustainability as a priority, can the switch in outcomes be achieved. To ensure private sector equity is the base case structure, the Fund needs either cash or assets in exchange for that equity. In this case, the public sector land provides that exchange.

From your experience in Cranbrook please can you tell us the most important things you have learned about the role or framing of the Local Plan and any Master Planning to ensure infrastructure delivery?

The Chair read out the response below provided by Andy Wood.

Response

- *vision - setting an ambitious vision upfront is critical. Without this do not be surprised if you become part of someone else's vision;*
- *statutory policies and proposals are fundamental - in the first phases of Cranbrook the Masterplan and design codes were left to the developer consortium to produce. This did not work. It has taken East Devon District Council over five years to get to the point to be able to adopt a statutory Development Plan Document to guide the expansion of the town from 3,500 to circa 8,000 homes;*
- *viability and deliverability will be heavily scrutinised - it will feel that the cards are stacked against you in both respects. The Council had to come forward with a proposal for a revolving infrastructure fund or lose a further £9 million of infrastructure (or put another way at least another primary school) from its critical infrastructure list. The list had already been paired back considerably and these were not just nice to have items. The £9 million figure reflected the difference in the cost of capital to the public and the private sectors; and*
- *beyond planning - too much is expected of the planning system as a regulatory function. Policies and proposals will not necessarily implement themselves. Council's have to be tenacious and entrepreneurial to achieve challenging objectives. This includes securing investment which is critical to future place making.*

The following responses were given to Members' queries:-

- regarding impact on existing infrastructure, different challenges existed in terms of providing the necessary infrastructure for greenfield and brownfield sites. It would be necessary to build a community identity for the former, whereas Liveable Exeter sites, such as Marsh Barton and Water Lane, would benefit from existing infrastructure. The nearest existing community to Cranbrook is Rockbeare; and
- Section 106 Agreements were considered a better approach than CIL to delivering strategic infrastructure requirements.

Gavin Bridge spoke as an experienced retail estate developer based in Bristol. He stated that he was familiar with the challenges of delivering place making, mixed used developments to a high environmental standard. He highlighted the following:-

- important to differentiate between house builders and developers. The former will focus solely on houses whilst the latter look to sustainable, mixed use developments incorporating a range of uses;
- the top six house building firms dominate greenfield developments and offer about seven housing types which are replicated throughout the country. They often meet the minimum requirements such as building regulations and seek to produce profits in the region of 20%;
- house builders rarely offer a range of tenure unlike developments brought forward by or with local authorities. The latter offer a place making approach and a custodial element to help generate a sense of community ownership aiming to provide a mix of high quality, mixed tenure sustainable homes;
- Spaita look to work with the public sector to seek creative solutions and a range of tenure types with not all properties for sale on the open market. It commits to a Master Plan approach and aims at bringing forward developments quickly;
- Spaita can offer greater flexibility with a willingness to develop on brownfield and city centre sites with uses such as retail, office, hotel, community facilities and

affordable housing included in the mix of solutions offered. Cinema and supermarkets options are generally for out of town locations;

- house builders can land bank and bring forward a development at their own pace, again to maximise profits;
- Spatia utilises institutional investors/pension funds, including where possible global funding solutions, to bring forward developments; and
- a development fund approach can enable profits achieved on certain sites being used to subsidise other developments in less affluent parts of a city and/or to bring forward infrastructure, thus combatting silo tendencies in cities.

The following responses were given to Members' queries:-

- a Master plan approach, allied to public sector land ownership, can set targets for sustainable developments which is becoming increasingly attractive to those fund managers seeking ethical investments;
- Spatia, like the Council, had brought forward Passivhaus solutions. Higher standards are set industry wide through Building Research Establishment Environmental Assessment Method (BREEAM), and District Heating Networks offer other sustainable solutions;
- different funding solutions from a variety of sources can be used at different times in a development;
- local authority involvement can bring a longer term place making premium and can facilitate brownfield developments;
- agree that the various housing solutions evolved throughout the last century and approaches this century have failed to involve communities. Engagement is increasingly seen as the preferred way forward. House builders who focus on profit maximisation often fail to engage on place making, infrastructure provision and the sustainable needs of communities;
- Spatia's preference is to work with public sector partners to maximise community benefits from their land ownerships;
- self-build is a further option to add into the mix;
- Homes England support not always the solution but can be encouraged to invest in brownfield developments; and
- consultation with communities is regarded as best practice with younger generation involvement through technology.

Strategic Business Case

Roli Martin, Project Manager Exeter City Futures, presented the strategic business case. Presentation attached to the minutes. He highlighted the following:-

- the case had emerged from UK Regional and City Ambitions as part of the Levelling Up White Paper and Government objectives of building back better with regard to Climate Change, Net Zero and COP26 as well as the Business, Energy and Industrial Strategy (BEIS) Plan for a Green Industrial Revolution;
- the Department for Levelling Up, Housing and Communities had set out a range of measures to revolutionise the planning industry to enshrine equality, beauty and sustainability in the heart of local decision-making;
- Exeter's ambitions included healthy active citizens, reduced congestion and enhanced mobility, building better housing and neighbourhoods, clean, sustainable urban growth, densification of communities and delivery of 15 minute neighbourhoods;
- vision in Exeter is to provide 12,000 homes in 20 years as part of the city's urban densification plans, delivered and supported through a combination of finance from public sector partners and institutional lenders and led by Exeter City

Futures. This is regarded as a necessary way forward as the private sector development market was not delivering in a way to align with the city's vision for the next two decades;

- challenges to the vision include the pace of delivery, influence of the private sector seeking quick delivery and profit maximisation, legislation verses ambition and urban sprawl;
- costs:-
 - land and preparation costs - £1,544,727,622;
 - construction costs - £3,270,822,822; and
 - total of £4,815,550,443;
- costs to be met through a sustainable finance development vehicle owned and controlled by the public sector with place making as the ultimate goal. The Fund would be professionally run by a Master developer with all profits kept within the fund and re-cycled back into city projects;
- public sector funding of viability gaps can be achieved through local infrastructure provision, Section 106 contributions and CIL and Net Zero policy costs; and
- the City Development Fund is proposed as an alternative to business as usual through joint ventures with private sector and Government agencies or outright sale of land.

The following responses were given to Members' queries:-

- meeting the Net Zero 2030 target will be challenging and will require the commitment of other city institutions such as the University and Hospital who face their own difficulties, particularly with supply chains. Liveable Exeter looks at alternative approaches to build, such as retrofitting as part of carbon neutral goals with the City Council's commitment evidenced by the St Sidwell's Point Leisure Centre;
- need to balance commercial returns against the delivery of the carbon agenda, health and well-being and social outcomes;
- in view of the high level of housing need, the intention is to provide the required homes as quickly as possible. There is money in the system but the entire Government UK budget for housing would be needed to deliver the whole Liveable Exeter project;
- the Development Fund rationale includes Government match funding for land purchase as an equity investment to achieve a dividend which is preferable to the Government grant aiding housing projects;
- institutional funders and pension funds are prepared to invest in brownfield sites;
- densification relates to social options such as living and working in the same neighbourhood and not to built structures. Developments will be urban design led with a range of building solutions;
- it will be a holistic approach across the city and will dovetail with the Local Plan;
- a key issue will be to engage with local communities with greater buy in anticipated from younger generations, such an example would be tasking Exeter College with a departmental art project to re-design the St. David's Station forecourt;
- the strategy, whether progressing or not, would hopefully disrupt the market and challenge the mind-set of the private sector to encourage the development of new, sustainable communities and desirable neighbourhoods to live and work;
- the Development Fund is new, innovative and backed by the One Public Estate, an approach which, if going forward, could be replicated nationwide; and

- the future will see a move away from the reliance on fossil fuels which will inevitably require different solutions. Spaces currently taken up by cars will be freed up for alternative use.

The Chair thanked Roli Martin, Elaine Anning and Gavin Bridge for their presentations and Members for their interesting and thought provoking questions.

In conclusion, the Chief Executive & Growth Director stated that the next session on the economic case would directly address viability issues.

The meeting commenced at 5.30 pm and closed at 7.28 pm

Chair

DRAFT

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Cranbrook: 10 years in

30th March 2022

An aerial photograph of a suburban town. The town is characterized by dense residential areas with red-tiled roofs, interspersed with green lawns and trees. The town is surrounded by a patchwork of green agricultural fields, some of which are divided by stone walls. A winding road or path is visible through the town, and a larger road with a roundabout is seen on the right side. The overall scene depicts a typical suburban development in a rural or semi-rural setting.

Commercially driven model

No public sector controlled land

Is there market failure?



DEVON
COUNTY COUNCIL

DEVON COUNTY STRUCTURE PLAN
**NEW AND EXPANDED
COMMUNITIES IN DEVON**
A DISCUSSION PAPER



FIRST REVIEW CONSULTATION DRAFT August 1995

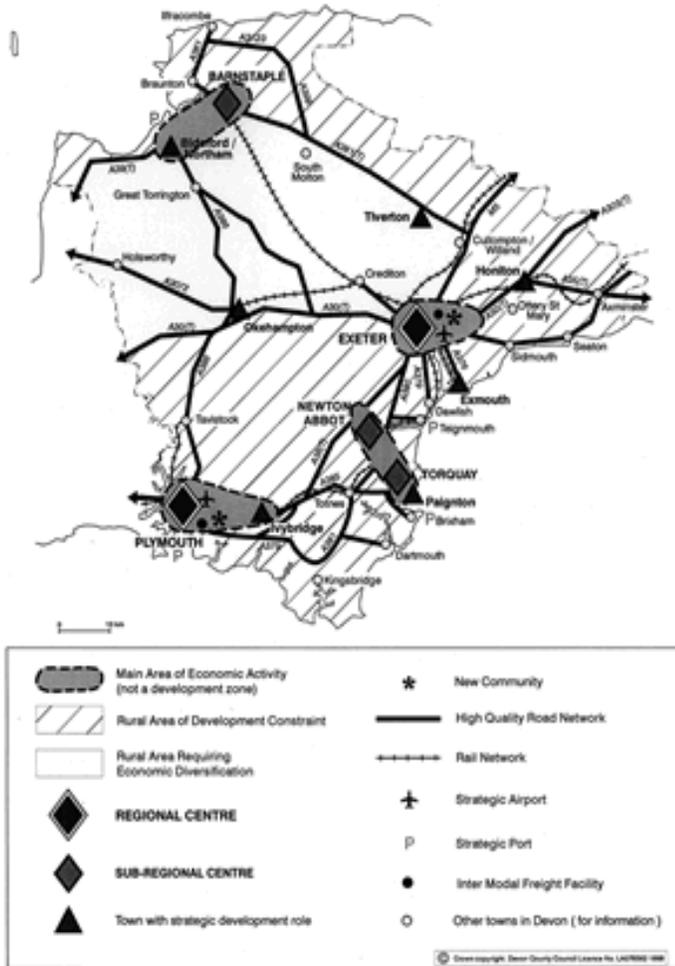
Page 79





Vision for Cranbrook:

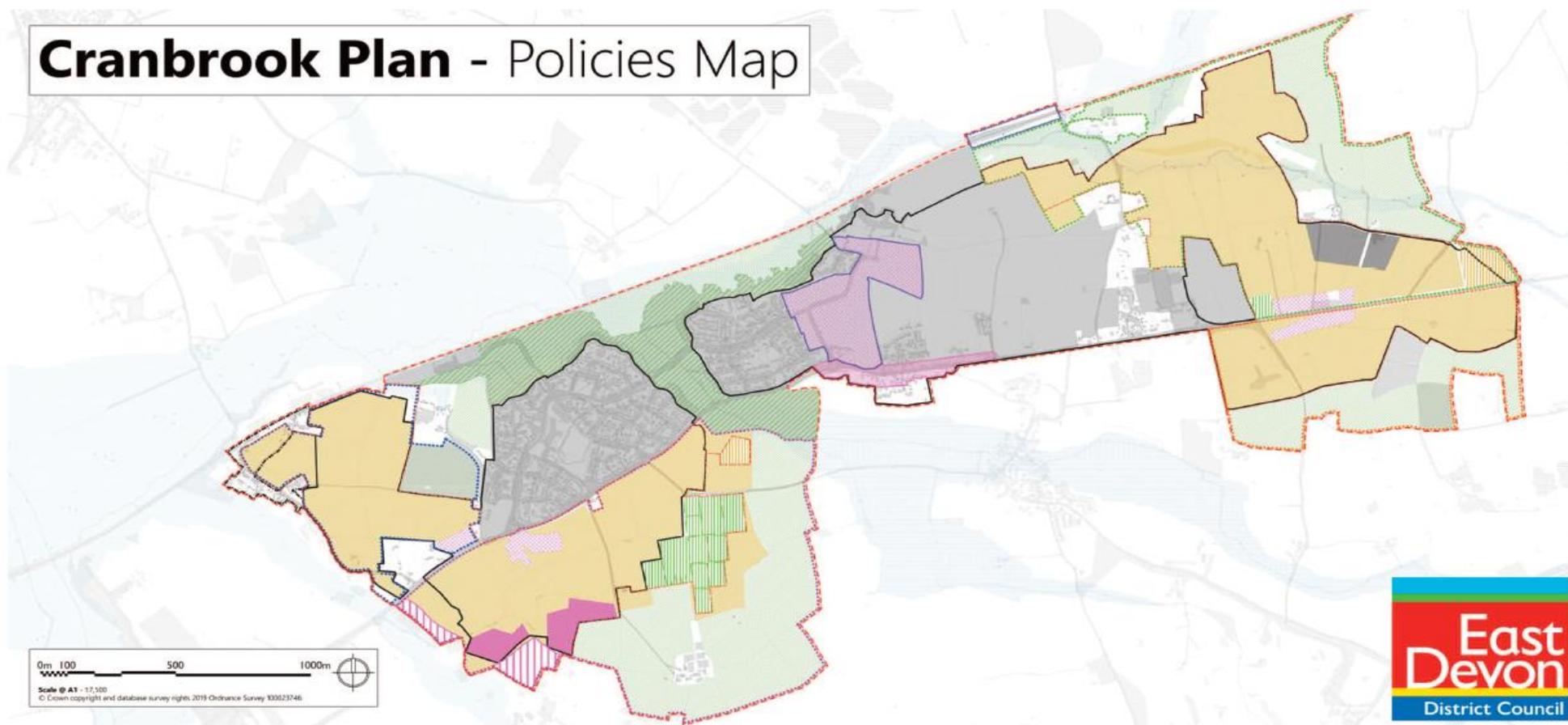
Sustainable, vibrant, attractive town which combines the rich urban fabric of historic Devon service centre or market town whilst meeting the needs of 21st Century lifestyles.



- 1991** - Initial concept
- 1995** - Devon Structure Plan
- 2006** - East Devon Local Plan to 2016
- 2007** - Growth Point designation
- 2010** - OPP for 2,900 homes
- 2011** - RMs for 1,120 homes
- 2012** - Successful launch
First residents move in
- 2016** - East Devon Local Plan to 2031
- 2022** - Circa 2,700 occupations
Cranbrook Plan adoption
Live applications for circa 4,000 homes



Cranbrook Plan - Policies Map



Key

Strategic policies

- | | | |
|--|---|---|
|  CB2 Bluehayes Expansion Area, including SANGS |  CB3 CB4 Gypsy and Traveller allocations |  CB8 Built Up Area Boundary of Broadclyst Station |
|  CB3 Treasbeare Expansion Area, including SANGS |  CB3 Employment land allocation |  CB10 Land safeguarded for second station |
|  CB4 Cobdens Expansion Area, including SANGS |  CB3 CB4 Sports Pitches |  CB14 Land safeguarded for energy use |
|  CB5 Grange Expansion Area, including SANGS |  CB4 Cobdens education land |  CB15 Delivery of Suitable Alternative Natural Green Space |
|  CB2 CB3 CB4 CB5 Non-specific use allocations |  CB8 Built Up Area Boundary of Cranbrook | |

Non-strategic policies

-  CB22 Cranbrook Town Centre
-  CB23 Residential Development in the Town Centre and Neighbourhood centres
-  CB24 London Road commercial and retail proposals

For information

-  Flood Zone 2
-  Existing Cranbrook outline permission
-  Cranbrook Plan area
-  Allocations boundary
-  Cranbrook Country Park

What's been delivered so far?



Page 88

- 7 retail units (with post office counter)
- 3 play areas
- 2 schools
- Parsonage
- Community centre
- GP practice
- Rail station
- Bus service
- Co-bike dock
- Allotments
- Country Park
- Pub
- Playing pitches



The town with no centre: Will new town Cranbrook ever realise its potential and finally be completed?

Signs advertising the town centre still stand tall, but the land remains empty



Exclusive

Where is Cranbrook's town centre?

🕒 PUBLISHED: 12:31 23 July 2019 | UPDATED: 10:11 30 July 2019 | Beth Sharp



Cranbrook town centre site on Court Royal. Ref mhc:SO 19T1 8768. Picture: Terry Ife

Cranbrook was promised a town centre. But where is it?

10 year review: what are the lessons?

1. Clarity of vision
2. Local leadership
3. Sustained financial support
4. Beyond planning
5. Understand the delivery model
6. Control of land is key
7. Infrastructure-led approach
8. Importance of master developer role
9. Mixed and balanced communities are hard to achieve
10. Look forward and future proof

#5 Understand the delivery model

Page 28



House builders not town builders?

Stewardship model?



#6 Control of land



#7 Infrastructure-led approach

St Martin's Primary School
September 2012



Cranbrook Education Campus
September 2015

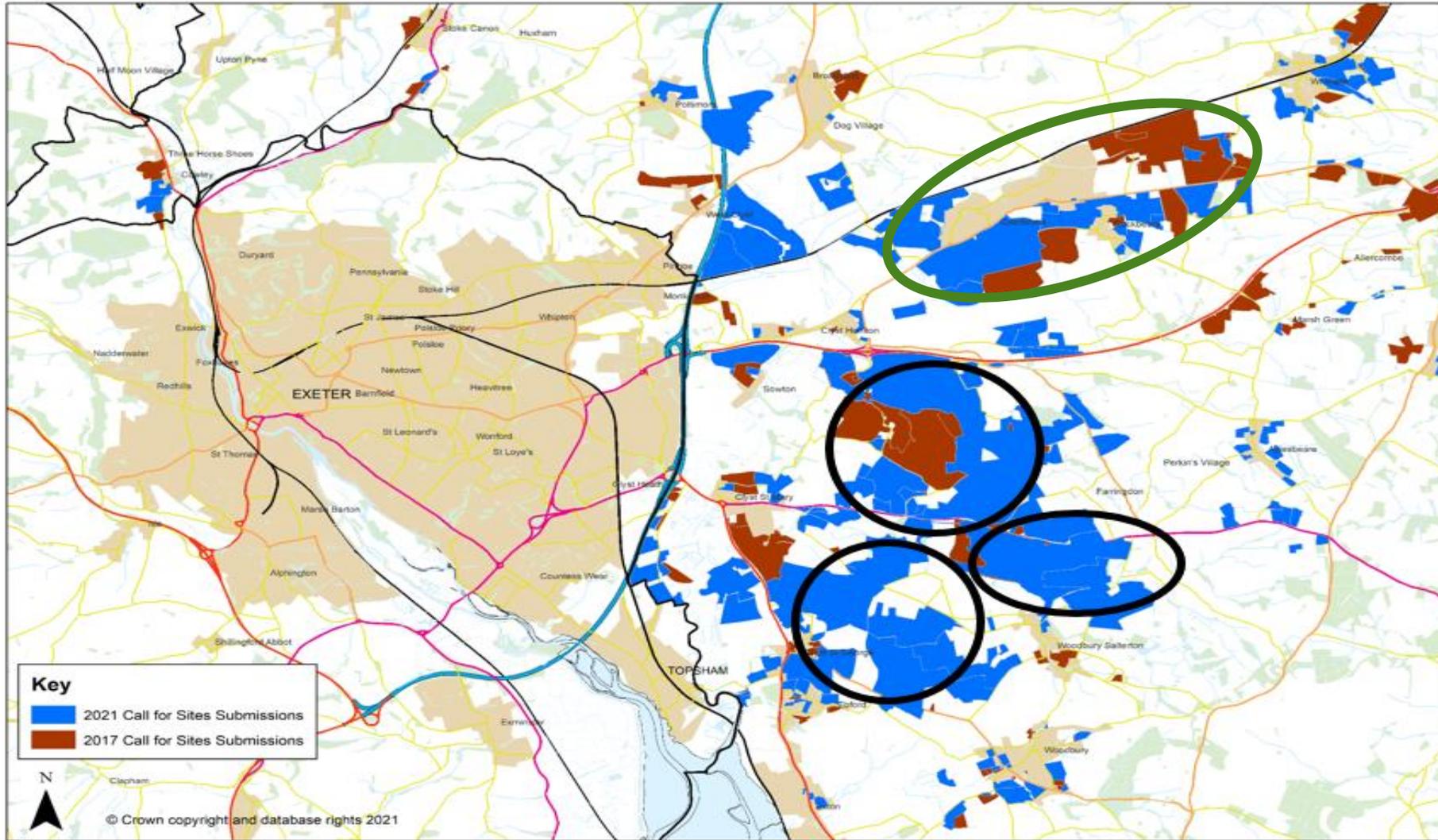
Is there market failure?

- Land acquisition
- Asset investment/endowment
- District heating investment – with social fund
- Local revolving infrastructure fund

Total cost = £70m

Phase 1 affordable housing = 30%

Expansion areas = 15%





Thank you



Andy Wood
Service Lead

Growth, Development and Prosperity
East Devon District Council



Exeter Development Fund

30 March 2022

Contents

01 Introduction

02 UK Regional & City Ambitions

03 Exeter's Ambition

04 Growth Ambition in Exeter

05 Conceptual Vision in Exeter

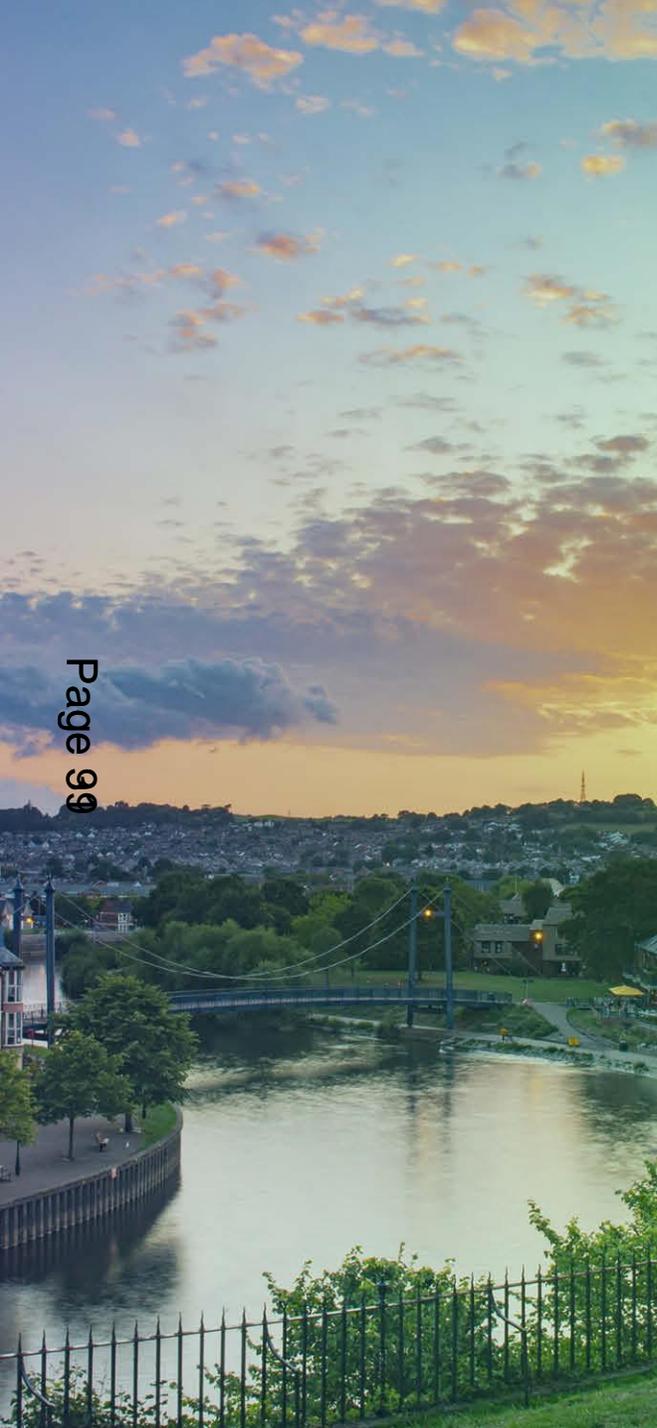
06 Challenges to the Vision

07 Costs of Growth

08 Meeting the Cost of Growth

09 BAU on Viability

10 Achieving Growth: Options



Introduction



Exeter Development Fund



Plagge 100

➤ UK Regional & City Ambitions

- Levelling Up White Paper
- Climate Change, Net Zero & COP26
- Central Gov't Objectives: Build Back Better
- BEIS Plan for a Green Industrial Revolution
- Department for Transport



➤ UK Regional & City Ambitions

➤ DLUHC

set out a range of measures to revolutionise the planning industry to enshrine quality, beauty and sustainability in the heart of **local decision-making** across the country from city centres to rural villages.

Exeter's Ambition

By 2050, 66% of the world's population is expected to be living in cities.

Exeter's Ambition



Healthy
active
citizens



Reduced
congestion
and enhanced
mobility



Building better
housing and
neighbourhoods



Growth Ambition in Exeter



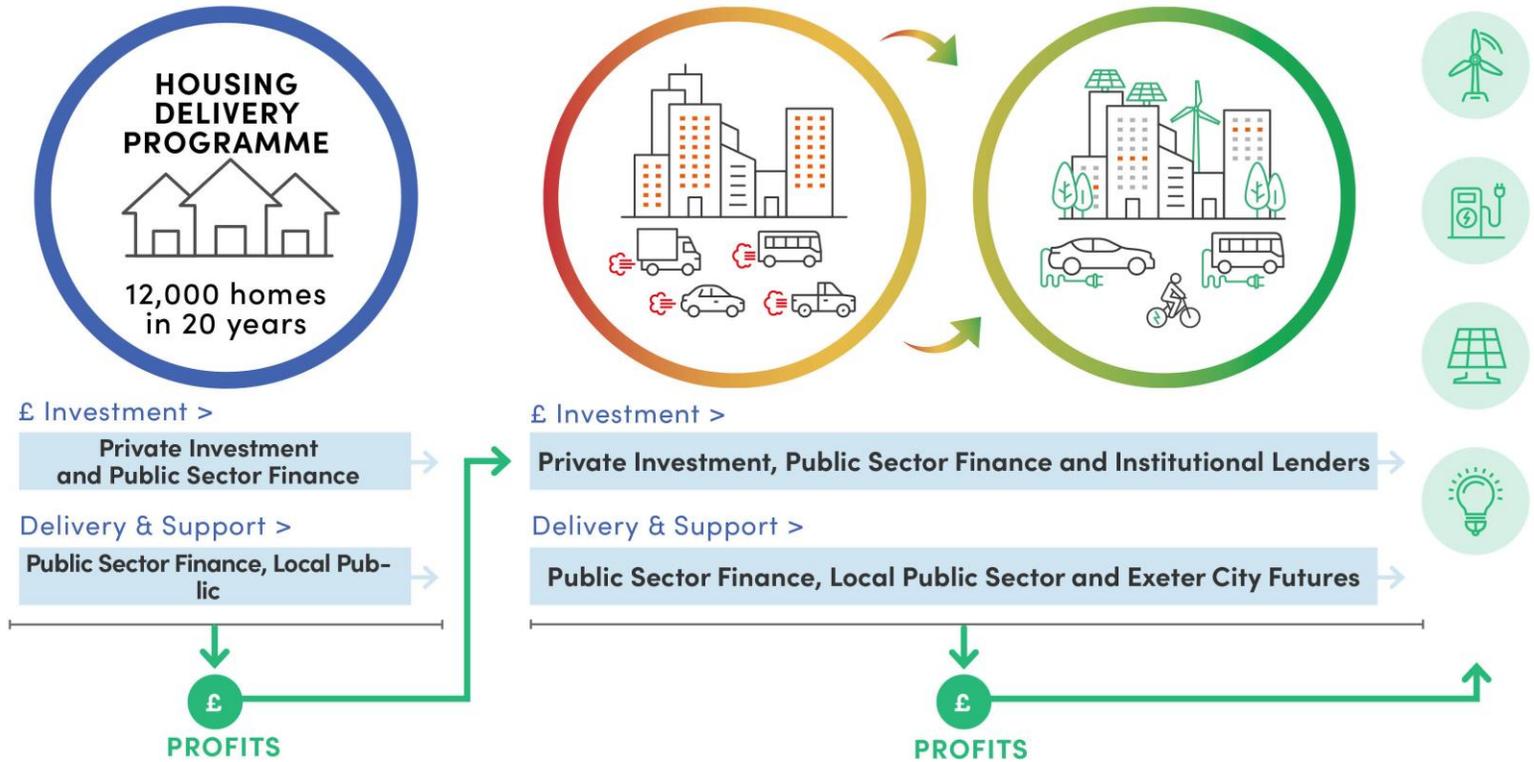
What does clean, sustainable, urban growth look like?



What comprises densification of communities and delivery of 15 min neighbourhoods?



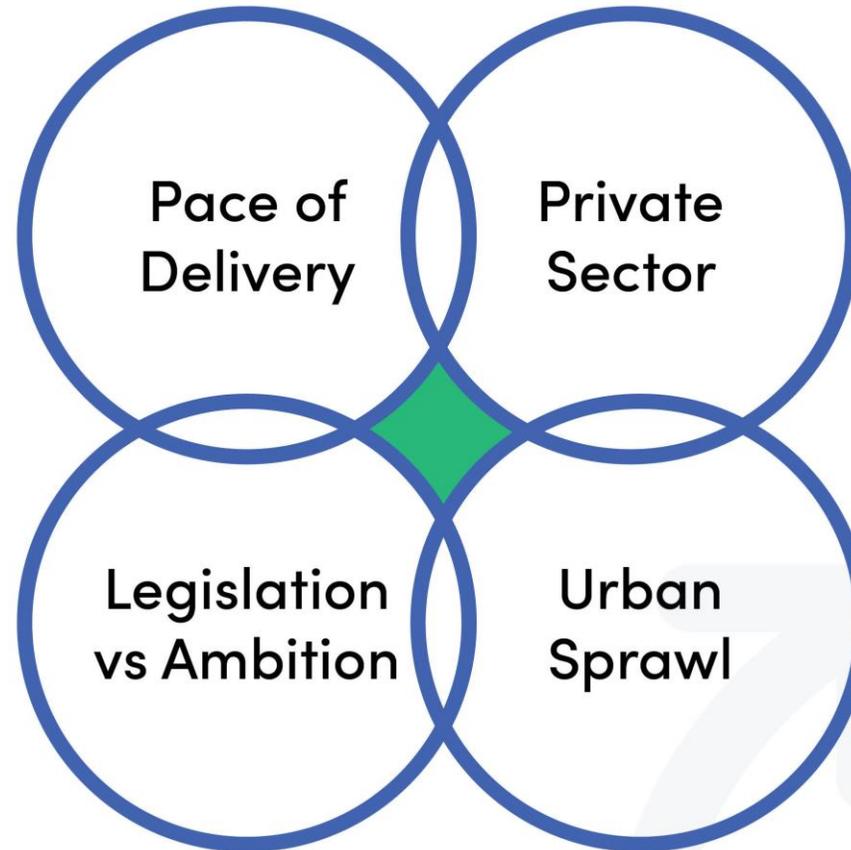
➤ Conceptual Vision in Exeter



Clean Growth: Leveraging Property for Transport and Energy Transition



➤ Challenges to the Vision





Page 397

➤ Costs of Growth

➤ Total Land & Preparation Costs

£1,544,727,622

➤ Total Construction Costs

£3,270,822,822

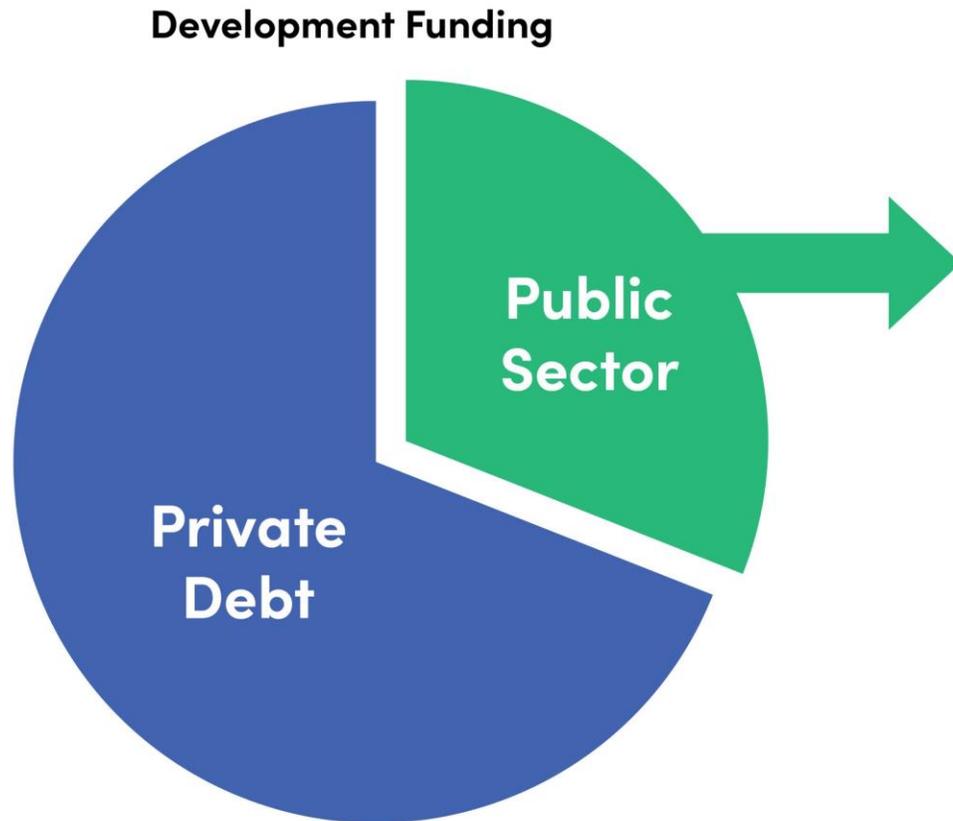
Total Cost: £4,815,550,443



➤ Meeting the Cost of Growth

- Publicly Owned
- Impact Driven
- Professionally Run
- Locally Retained Profits

➤ BAU on Viability



Viability Gap Funding:

1. Local infrastructure
2. S106 Contributions/CIL
3. Net Zero policy cost



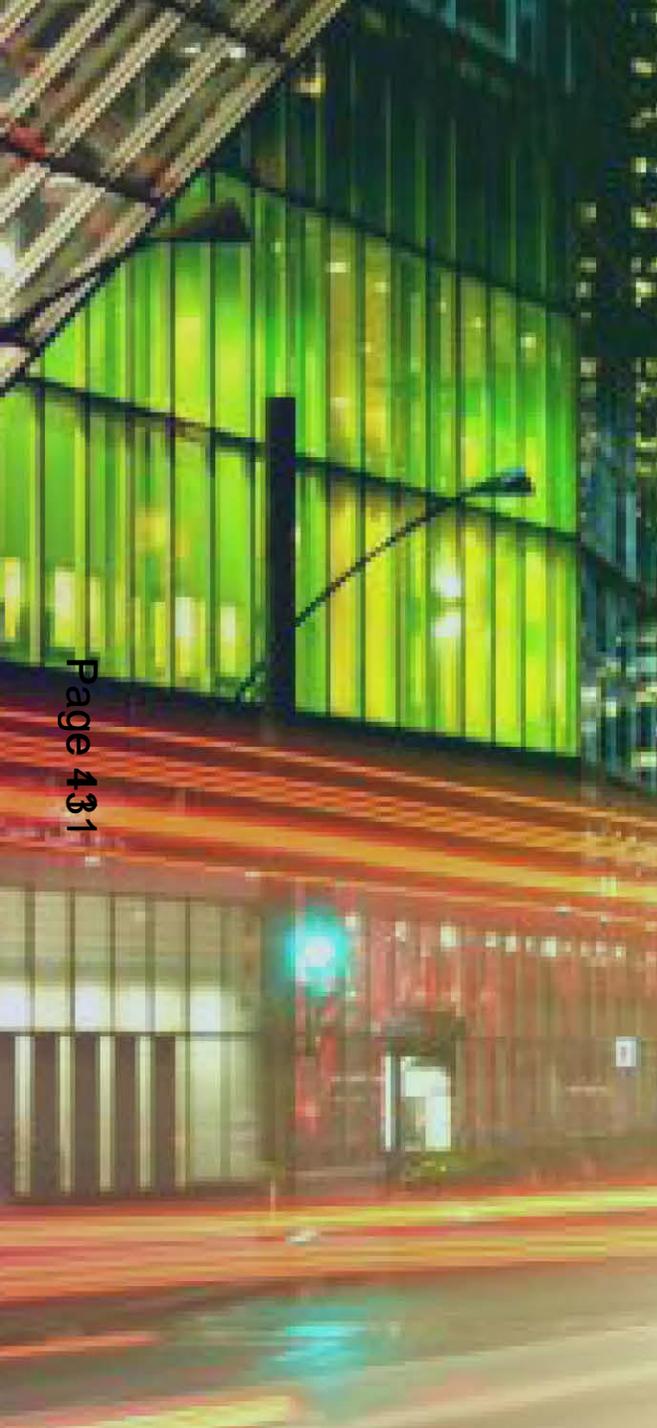
➤ **Achieving Growth: Options**



How can we as a group/city region meet the costs of the required growth?



How do we best work with private investors and developers to leverage finance and leading edge skillsets?



➤ **Achieving Growth: Options**

- Selling land outright
- BAU – Joint ventures with private sector and govt agencies and variations thereon
- Development Fund



Page 42



Exeter
CityFutures

AUDIT AND GOVERNANCE COMMITTEE

Wednesday 9 March 2022

Present:-

Councillor Tony Wardle (Chair)

Councillors Atkinson, Begley, Jobson, Mitchell, M, Moore, D, Pearce, Sparkes and Warwick

Apologies:-

Councillors Hannaford, Martin and Quance

Also Present:-

Director Finance, Audit Manager (HP), and Democratic Services Officer (SLS)

Julie Masci Engagement Lead Grant Thornton (External Auditors)

1

MINUTES

The minutes of the meeting held on 1 December 2021 were taken as read, approved and signed by the Chair as correct.

2

DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interests were made.

3

AUDIT FINDINGS REPORT 2020/21

The Engagement Lead, Grant Thornton presented the audit findings arising from the statutory audit of the Council's group and financial statements for the year ending 31 March 2021. The audit had been substantially completed and Grant Thornton were now able to proceed to issue an unqualified audit opinion for the authority as set out in Appendix D of the circulated report. Additional work, including around the Council's land and buildings valuation process had been raised, and an updated action plan at Appendix A had concluded those final areas of work. The Engagement Lead in responding to a Member's question, confirmed that the Value for Money element of the audit work would be concluded within six weeks, with a report presented to the next meeting.

The Engagement Lead responded to the following Members' questions:-

- timescales for future audit work would continue to be discussed with the Council's Strategic Management Board highlighting any further impact from the post scheduling of work from this year's Audit. Government have recognised the increased levels of work required in this regard and have arranged an emergency consultation to consider proposed cost base changes to avoid the need for formal land and building valuations. The statutory deadline for completion of accounts for the coming year has been extended until November 2022.
- an annual Disclosure of Interests made by the Council's senior officers, now required a nil return and would be completed by those officers with decision making capacity, which included from Service Lead up to Director and Chief Executive & Growth Director level.

The Audit and Governance Committee noted the report on Audit Findings from the Exeter City Council (External Auditor), Grant Thornton.

INTERNAL ANNUAL AUDIT PLAN 2022/23

The Audit Manager (HP) presented the annual Internal Audit Plan for 2022/23, attached as an appendix and presented to the meeting, which required Member approval. The report provided confirmation that the appropriate risk management matrix had been used to formulate the plan, with feedback received from the Council's Strategic Management Board on priorities and concerns as well as feedback from Members.

The Audit Manager responded to Members' questions in the following terms:-

- the scope of the Health and Safety audit was agreed with the Health and Safety Group and covered all related processes and procedures and relevant legislation. They would be asked to consider the Clean and Safe Policy in relation to council housing, with a request to include all of the areas suggested by the Member.
- the scope of a Leisure audit covered the usual range of operations found in a leisure centre including health and safety and finance. An initial report had been produced for the Riverside Leisure Centre and future reports would be undertaken for each individual leisure centre.

The Director Finance clarified the role of Internal Audit and stated that monitoring of key financial controls were included to provide assurance about the internal control framework. Income would be a significant part of a leisure service audit, and whilst financial viability would be outside of the scope of internal audit work, it was included as a significant part of the One Exeter Programme.

- the audit for Sport England and Wellbeing Exeter included the governance arrangements, as well as providing assurance of the internal control environment and all financial aspects of the partnership which related to the City Council.

The Director Finance concluded that where any partners were spending their finances directly, the City Council had no authority to review their procedures, but any funding received through Exeter City Council and spent on behalf of the partners would be included within the audit.

A Member wished to thank Internal Audit for the important role undertaken for the Council.

RESOLVED that the Audit and Governance Committee approve the annual Internal Audit Plan for 2022/23.

INTERNAL AUDIT PROGRESS REPORT

The Audit Manager (HP) presented the detail of Internal Audit work carried out during the period 1 October to 31 December 2021. A summary of progress against the Annual Audit Plan for 2021/22 was included at Appendix A to the report presented to the meeting, and an action plan of the governance issues identified had been included at Appendix B. Members were advised on the overall progress and that the Plan was on target with no significant issues associated with the audit work undertaken throughout the year. Additional time had been allocated in the 2022/23 plan for a further follow up on the Equality and Diversity audit.

In response to a Member's question, relating to Appendix B and further clarification of the term 'enhanced process in relation to scrutiny' as detailed in the Internal Audit report on Corporate Governance, the Audit Manager advised that a copy of the report was emailed to Members on 11th January 2022. She sought approval to circulate a response to all Members of the Audit and Governance Committee.

RESOLVED that: the Internal Audit progress report for the third quarter of the year to 2021/22 be noted.

6

CODE OF CORPORATE GOVERNANCE 2022/23

The Director Finance presented the report, which set out an overview of the proposed Code of Corporate Governance for 2022/23, and confirmed there had been no changes this year to the Code. The document, which underpinned the Annual Governance Statement (AGS) set out the Governance arrangements for the Council, and performance against which is set out in the Annual Governance Statement which would be presented at the next meeting of the Audit and Governance Committee.

The Director Finance also responded to a number of issues raised by a Member which included potentially extending the scope of the work of the Code in relation to the governance arrangements and partnership working. He undertook to work together with Internal Audit throughout the year and would offer a further update of the Code, during the next financial year. The Chartered Institute of Public Finance and Accountancy (CIPFA) had recognised the need for more guidance around governance arrangements for local authority companies. A draft Internal Audit report on partnerships had included arrangements for more informal meetings, including the Council Housing and Development Advisory Group (CHAD) and the governance relationship with the Council's external partner companies. The Code of Corporate Governance offered statutory guidance, but there was always the opportunity to tailor that to need, and reflect that local authorities worked in ever more complicated ways and therefore considered that the arrangements were covered within the Code of Corporate guidance.

RECOMMENDED that the Audit and Governance Committee support and Council approve the Code of Corporate Governance for 2022/23.

7

REVIEW OF CORPORATE GOVERNANCE RISK REGISTER

The Audit Manager (HP) presented the report which advised the Audit and Governance Committee of the Council's risk management process and provided an update of the Corporate Risk Register to enable the Committee to monitor and review the Council's risks. There were no new risks added or deleted from the Risk Register during the last quarter, but updates had been provided from the Strategic Management Board (SMB).

The Director Finance replied to a Member's enquiry that a dedicated Net Zero Risk Register would be presented to this meeting. He confirmed that interviews had taken place recently and the team would be in place shortly. He anticipated that the Service Lead for Net Zero and her team would be in a position to report to the next meeting of the Audit and Governance Committee in July.

The Audit Manager presented the following responses to a Member's questions obtained from the lead officer associated with monitoring each risk.

- *Risk 2: Business Continuity:*
The Ukraine situation had escalated since the Council's Risk Register was reviewed and prepared. It was noted that adequate mitigation in respect of cyber-attacks had resulted in the removal from the Corporate Risk Register. There was no specific or different cyber security risk identified over and above the probing of the Council's systems and phishing attacks that happen on a daily basis. The Council's security measures were constantly reviewed and improved and these included ICT technical controls, Council awareness and training. The Council had taken part in training with Strata colleagues from East Devon and Teignbridge Councils at the National Cyber Security Centre to test cyber security capability and defences. Teignbridge and Exeter Councils had also secured funding from the Local Government Association and appointed industry experts to undertake a systematic review of cyber security arrangements which will be completed within the next few months.
- *Risk 3: Carbon Neutral 2030:*
A question on the future presentation of a dedicated Risk Register for Carbon Net Zero 2030 had been answered earlier in the meeting. Members were advised that the Net Zero team were waiting on the City Council's Carbon Reduction Plan from South West Energy and the Environment Group (SWEEG) and for a GreenHouse Gas (GHG) baseline inventory, (commissioned from SWEEG) which once approved will form a baseline from which the corporate Risk Register will be developed;
- in demonstrating how the Exeter Net Zero Plan 2030 goal will be achieved, officers would need to assess the situation once all information from SWEEG regarding the Council's position had been received and digested. In relation to the external Net Zero work, Exeter City Futures would produce a clear goal oriented development plan with the aim of a relaunch and a clear position statement, which was anticipated in early summer, and
- the City Council's Carbon Reduction Plan, commissioned from SWEEG, will include Scope 3 emissions and any action plan would include the direct actions the Council could take in relation to Scope 3 emissions, which was likely to initially focus on the Council's procurement and supply chains. The GHG baseline for Exeter City Council commissioned from SWEEG does not include Scope 3 emissions at this stage given the limited ability to be able to take direct action. Exeter City Futures had a key lobbying and influencing role for the city in relation to regional and national policy, which has been the initial focus for Exeter City Futures in relation to Scope 3 emissions.

The Member requested that a copy of the responses be sent separately.

The Director Finance also responded to the following Member's questions -

- *Risk 6: Financial Sustainability:* As and when the reductions were proposed, and if appropriate, an equalities impact assessment would be carried out to set out the full impact of any potential cuts in services. It was important to note that delivering a balanced budget was the legal responsibility of Council. There would be difficult decisions to be taken, but if funding was being reduced, there would be a need to reduce Council delivery accordingly.
- *Risk 8: Exeter Liveable Programme:* The greatest challenge facing the Exeter Development Fund, would be that each public body would have its own requirements for protecting publically owned assets, and it was not a good use of limited resources to make an assessment on every potential asset.

Consideration of the Fund would be critical to enable the Council to make the necessary decision as to whether it was in the best interests of the taxpayer to participate. A full options appraisal, as with any potential disposal would review any potential income losses against the value of benefit available. There was a real opportunity to test the potential using Central Government funding, but any decisions would be presented to Council and be accompanied by a detailed analysis of the financial and non-financial impacts.

In relation to a Member's comment on independent financial advice being sought by the Council on the likely performance of the Exeter Development Fund. A comparison of the income losses could be to financial or non-financial benefit and there may be occasions when an asset will be relinquished for other benefits and that is the very nature of a public body. Some of the Council's work was not necessarily financial or profit driven. The outcome of the report was awaited with interest to understand whether independent advice to support the Council in respect of the Fund was required, and if indeed that advice was needed then that would be obtained.

The Director Finance noted a Member's comment that the social value return to the people of Exeter should be considered and confirmed that benefits other than just a financial analysis, would be considered when weighing up any impact or potential loss.

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

(The meeting commenced at 5.30 pm and closed at 6.20 pm)

Chair

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EXETER HARBOUR BOARD

Monday 14 March 2022

Present:-

Councillor David Harvey (Chair)
Councillors Allcock, Pearce and Leadbetter
Simon Adams, Anthony Garratt, Owen Michaelson and Steve Sitch

Apologies:-

Andrew May, Richard Eggleton, Councillors Buswell and Sparkes

Also Present:-

Engineering, Waterways and Parking Service Manager (SC) Harbour Master (GF) and Democratic Services Officer (SLS)

Rex Frost, Chair of Exeter Ports Users Group

1 MINUTES

The minutes of the meeting held on 27 September 2021 be taken as read and signed by the Chair as a correct record.

2 DECLARATIONS OF INTEREST

No declarations of discloseable pecuniary interest were received.

3 PUBLIC QUESTION TIME

It was noted that there were no public questions and the Chair welcomed questions at future meetings.

4 EXETER PORT HARBOUR USERS GROUP UPDATE

Rex Frost, Chair of the Exeter Port Users Group, attended the meeting and provided a verbal update on activities and matters of interest to the Exeter Port Users Group (EPUG). He reported that they had held their last EPUG meeting in November 2021, with the Harbour Master and several of the City's waterways staff in attendance.

He acknowledged and commented on a number of issues:-

- the intent to mark the channel up to the Motorway bridge at Topsham.
- the forthcoming plan to carry out a pollution spillage exercise on the Estuary as this has not been done for many years.
- that should there be any future intention to impose Harbour Dues, that it should be acknowledged that there would be little opportunity to derive harbour income from properties such as car parks and slipways which allow access to the River Exe, as these have historically been the responsibility of other Councils so that avenue is blocked. The EPUG had discussed the option that future funding might be possible through a surcharge on access points considered to spread the load of harbour costs.
- at a recent meeting of the Exe Estuary Management Partnership, the Environment Agency representative had referred to the protection systems on Dawlish Warren would only be in place until 2040, with some withdrawn in 2030. The Environment Agency plans only ensure that road and rail

systems on the river banks could cope with sea level changes and flooding, but there was no plan to account for changes caused in the river itself. They felt the effect of the Warren on the Estuary was significant. The Group hoped that the Board would seek comment from the Environment Agency and Government on ways to protect or adapt businesses and facilities in the next few years.

The Chair thanked Mr Frost for the update.

5

HARBOUR BOARD VISIONING EVENT REVIEW

The Engineering, Waterways and Parking Service Manager reported on the Visioning event held in January, when a number of fundamental issues including the development of a Vision Statement and Mission Statement, identifying six core values and four key objectives were explored. The detail was included in the circulated report. The event had also offered the Board the opportunity to network in an informal setting as well as meet with members of the waterways team.

An update on a number of actions identified was given:-

- Officers to progress a report in support of funding for the Harbour Revision Order which was recognised as a fundamental aim of ensuring Port Marine Safety Code compliance (The Chair stated that the Harbour Board did not have a dedicated budget and any expert technical advice needing significant funding would require Council agreement).
- Discussions had continued on an agreement with Teignbridge District Council to provide the Designated Person for an initial period of time.
- Officers to identify options to deliver a Safety Management system.
- To clarify the relationship between the Board and the City Council's Executive.

A Board Member paid tribute following the sad and untimely death of former Board member Paul Labistour. They welcomed Simon Adams as a new member.

Board Members thanked officers for organising the Visioning event which had consolidated the purpose of the Board and recognised the interests of the many individuals and businesses associated with the river and canal.

The Chair would ensure that the purpose of the Board was embedded in the Council's processes and systems.

The report was noted.

6

HARBOUR MASTER'S REPORT

The Harbour Master, provided an update on the circulated report. He introduced the Canal Manager, Colin Acton who was present at the meeting as an observer. The waterways teams have been very busy but particularly since Christmas carrying out a number of necessary maintenance tasks including vegetation clearance on the canal banks and general repairs. The Heritage Harbour aspiration has meant some additional tasks needing to be completed before the start of the season, with the next three weekends being crucial to the canal team.

The Harbour Master responded to a number of questions:-

- Exeter Canal was not connected to any other waterways but there was a

growing realisation and support in principle for paying for use of some of the city's waterways. Repairs were expensive and if an arrangement could be made with organisations such as Inland Waterways then charges would only be made for a particular stretch of water.

- the recent bad weather had resulted in a number of boats breaking free from their moorings and a future registration of boats and database would be particularly helpful in such circumstances.
- an extension of the channel markers in Topsham to the Retreat Boatyard was being made at a cost of £6,500 will improve what is currently an unmarked channel. Topsham River Commissioners (TRC) had purchased six red and one green marker buoys as markers to signpost the channel. TRC were giving the buoys prominent names including one after local yachtswoman Kate McCabe. An exhibition at Topsham Museum was also being held on the history of the canal.

The Chair referred to the effort being made to engage visitors, ensuring their safety and wellbeing as well as ever more innovative ways to identify an income stream for use of the waterways. He also referred to the number of incidents requiring assistance from the team, citing the rescue of a man from a sinking boat and suffice to say that the team were there once again to save lives and money. He also responded to a Board Member's comment on factoring in a strategy or work plan for the Board to timetable future business to ensure that their duty was being met as well as looking at opportunities for maximising income and improving health and safety, and stated that the process had not been clarified, but it would be approved by the Executive and Council. The matter would be discussed with the Director and Service Lead.

The report was noted.

7

UPDATE ON PREVIOUS HARBOUR REVISION ORDER

The Engineering, Waterways and Parking Service Manager, presented a briefing paper on the Previous Harbour Revision Order (HRO) as a member of the Board had requested an update on this matter. The previous HRO application in 2008 was made on the basis of a move from a traditional Municipal Port status to that of a Trust Port model. Any future HRO application would now be aimed at helping Exeter City Council to operate the existing Municipal Port more effectively rather than passing responsibility to a Trust Port model. It would also help enable the Council to reach compliance with the Port Marine Safety Code.

There was the opportunity to look at this in a completely different way and the appointment of a Harbour Master, and formation of the Harbour Board were all components of this process. The next steps would include consultation with the Board's participation and agreement culminating in a formal report to the Executive and Council for their consideration at some point in the future. A scoping report will be brought to the next meeting of the Board for Members' views and comments.

In response to a Board Member's comment, the Engineering, Waterways and Parking Service Manager advised that it was anticipated that the likely cost of achieving a HRO would be in the region of £75,000.

The report was noted.

8

SCOPE FOR IMPROVED SUSTAINABILITY WITHIN THE ESTUARY

The Engineering, Waterways and Parking Service Manager, presented a briefing paper following a request for information from a Board Member on the scope for

improved sustainability within the Estuary including the potential for wind turbines within the Estuary. Improved sustainability would be a desirable direction in view of the Council's key aims to meet Net Zero targets by 2030. The process would involve many stakeholders as well as landowners, leaseholders and the Environment Agency. The Harbour Master had engaged with Plymouth University and discussed renewable options, including investigating an electric engine for Topsham Ferry and charging point options. Exeter University also had the capacity for the design and testing of such engines in a marine environment and there could be scope for future charging points at the buoy store, and at the canal basin.

Board Members raised the following matters:-

- issues relating to wind turbines included acquiring the necessary planning permission and the viability of a commercial operation;
- tidal stream technology;
- wind generators and solar array farms could create issues for bird migrating routes; and
- welcome the opportunity to work with the local universities.

The Chair responded to a Board Member's question and stated that the City Council had an overarching ambition to meet a Net Zero target by 2030. This included the Chief Executive & Growth Director who had been seconded part time to work with the Exeter City Futures team, and the City Council's Net Zero team whose role included looking internally across the City Council's estate and operations. The Council's Corporate Energy Manager was also working toward achieving the Net Zero 2030 target.

Board Members referred to the need to ensure future sustainability of the waterways with local stakeholders, including amongst others the Water Sports Association and Exeter Port Users Group. An on-line form or drop box was suggested to allow contributions to the conversation. The Chair commented on the need for cooperation and understanding of the various interests and local wildlife and the impact of opening up the countryside to larger numbers of visitors.

It was noted that the Engineering, Waterways and Parking Service Manager would investigate options and conduct an exercise to gather comments and suggestions for a more sustainable approach to the Estuary. He would report back to Members in due course.

The report was noted.

9

HARBOUR BOARD APPOINTMENTS

The Engineering, Waterways and Parking Service Manager confirmed that he would commence the process for recruitment of two external Board Members for a further term. A Board Member was allowed to sit a maximum of two terms with any current member at the end of their first term of office also able to apply. Candidates would be considered by a panel consisting of the Chair, the Harbour Master and himself. The successful candidates, once confirmed would be invited to the next Board meeting in June.

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

Chair

EXECUTIVE

Monday 4 April 2022

Present:

Councillor Bialyk (Chair)

Councillors Wright, Foale, Ghusain, Harvey, Morse, Sutton, Williams and Wood

Apologies:

Councillors Leadbetter and Moore, D as opposition Leaders

Also present:

Councillor K. Mitchell (as an opposition group Leader)

Councillor Vizard speaking on item 6 (Minute No. 47 below)

Also present:

Director Finance, Corporate Manager Democratic and Civic Support and Democratic Services Team Leader

44

MINUTES

Councillor Wood declared a non-pecuniary interest and left the meeting during consideration of the following item.

The minutes of the meeting held on 28 February 2022, were taken as read, approved and signed by the Chair as correct, subject to the following amendment:-

Minute 38 – The Portfolio Holder for City Management stated that the project had been developed in response to concerns over the loss of library facilities which had expanded to encompass the development of other services and that **“the Trustees had made a commitment to raise £750,000, to match Council funding to support the project”**.

45

DECLARATIONS OF INTEREST

Members declared the following interests:-

- Councillor Wood - Minute. 44 - non pecuniary interest.

46

QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

A member of the public, Mrs Thompson, submitted the following question, related to Minute No. 44. Mrs Thompson was unable to be present and her question was read out by the Democratic Services Team Leader:-

- As the Portfolio Holder for City Management stated that the figure of £750,000 having been raised by the Pinhoe Hub Trustees was incorrect. Could the Portfolio Holder clarify the actual figure raised by the Pinhoe Hub Trustees?

The Leader responded that the Portfolio Holder for City Management had corrected Minute No. 38 (as stated above), to say that the Trustees had made a commitment to raise £750,000, to match Council funding to support the project. The Leader referred to the Pinhoe Community Hub Business Plan, which indicated that funding would be made through use of CIL (Community Infrastructure Levy), Section 106

money and locally raised funding. The correction to the minutes had therefore, answered the question from Mrs Thompson.

47

ADDITIONAL STAFFING AT CONTROL CENTRE

The Executive received the report to recruit three additional, full time staff members at the Council's Control Centre, to ensure there were suitable staffing provisions in place to proactively monitor city centre CCTV, and to support improvements to public safety.

Particular reference was made to the total cost of £87,000 to the Council in this financial year, which would come from the additional unbudgeted funding received from the Government's final settlement which also totalled £87,000. Members were reminded of the requirement for longer term spending reductions and this extra cost would form part of this going forward.

Councillor Vizard, having given notice under Standing Order No. 44, spoke on this item, thanking the Executive for the opportunity to speak. He referred to the full Council meeting on 22 February 2022, where Members heard from Mr Tony Cox, who was the father of Lorraine Cox, who had been murdered in Exeter, and had spoken passionately at the meeting on the tragic events.

Councillor Vizard passed on Mr Cox's apologies for the evening, and stated that he had gotten to know Mr Cox over the past year, and many Members had accompanied him on the memorial walk for Lorraine Cox, to raise money for the Devon Rape Crisis and abuse services which had exceeded their £4,000 target and had raised £6,348. The walk was to raise awareness for the campaign for safer streets and to end violence towards women.

Mr Cox had called on the Council to find funding to ensure the £550,000 investment to upgrade and extend the existing CCTV coverage was supported with funding for additional CCTV staff. Mr Cox felt that a minimum of two staff needed to be on duty at any given time to ensure suitable cover and support the upgrading of the CCTV, to better protect residents.

Councillor Vizard in concluding, welcomed the recommendation in the report, thanking the Director of Finance for finding the £87,000, which was a compelling reason to spend on the service, despite current financial pressures. Councillor Vizard also expressed his thanks to the Deputy Leader and Portfolio Holder for Council Housing Development and Services for the hard work that had been undertaken and with the community safety partnership and safety for women at night, and hoped the recommendation would be supported at full Council on 19 April 2022.

Councillor K. Mitchell, as an opposition leader, spoke on the item and welcomed the report and supported the recommendation. Like other Councillors, he had been moved by Mr Cox at the Council meeting in February 2022, and was pleased funding had been found. He highlighted his support and emphasised the importance of cross party support. He expressed his thanks to the Deputy Leader and Portfolio Holder for Council Housing Development and Services for the hard work that had been undertaken to bring this forward.

The Portfolio Holder for City Development stated that as a local Councillor to Mr Cox, she had spent time with him, debating how to address violence against women. The need for CCTV coverage in the city was important and she supported the recommendation. However, additional CCTV, wouldn't solve the larger issue of violence against women and that work would need to be continued at all levels.

The Deputy Leader and Portfolio Holder for Council Housing Development and Services highlighted that the Council didn't have to provide CCTV services, but chose to provide it for the people of the city. The service was discretionary and the Council had been fortunate to receive the £550,000 grant to improve CCTV services. By partnering with the Safety of Women at Night (SWAN) charter, it been beneficial in providing further support, and signs would be erected for any concerned women to call the contact centre, if they felt unsafe.

She expressed her thanks to the Portfolio Holders for supporting the work, and to Mr Cox and his family for the work they had been doing. The work undertaken highlighted the Council's commitment to safety and more work was being undertaken to further improve safety in the city.

The Leader commented that this was a supplementary spend, which demonstrated that the City Council did listen to residents to make changes in the city and was pleased that there would be cross party support.

RECOMMENDED that Council approve the recruitment of 3 additional full time equivalent staff, in order to increase the capacity to proactively monitor city centre CCTV.

48 **OVERVIEW OF GENERAL FUND REVENUE BUDGET 2021/22 - QUARTER 3**

The Executive received the report which advised Members of the overall financial position of the General Fund Revenue Budgets for the 2021/22 financial year after six months.

Particular reference was made to the budget projection, which showed a significant underspend with a significantly lower than expected take from the General Fund balance and to the challenges faced by the Council in delivering projects which were outside the control of officers. A number of supplementary budget requests would be expected at the end of the financial year.

Members noted that the projected underspend would cover the supplementary budget requests and there were areas of income that were still a challenge, following the Covid Pandemic. An ear-marked reserve was in place to help off-set pressures for both the current and 2022/23 financial years.

The Director Finance referred to the supplementary budget requests for approval and confirmed that they related to grants received from Government to be incorporated into the budget and would not impact the General Fund balance.

In response to a question raised by a Member, the Director Finance explained that the current year underspend was a challenge, caused by difficulties in the construction industry and subsequent delays in service delivery. The Council's accountants continued to challenge Service Leads where there was a particular underspend in their budgets, however, this year the challenge in underspending was a larger economic issue.

RECOMMENDED that Council notes and approves (where applicable):

- (1) the General Fund forecast financial position for the 2021 financial year;
- (2) the supplementary budgets as detailed in paragraph 8.12 of the report;
- (3) the outstanding Sundry Debt position as at December 2021; and
- (4) the creditors payments performance.

2021/22 GENERAL FUND CAPITAL MONITORING STATEMENT - QUARTER 3

The Executive received the report on the current position of the Council's revised annual capital programme, and advised Members of the anticipated level of deferred expenditure into future years. The report also sought Member approval to amend the annual capital programme in order to reflect the reported variations.

Particular reference was made to the budget which currently stood at £100 million, with only £12.9 million spent, and was recognised as the lowest percentage spend in any one year. The same challenges from the delay of goods and services deliveries had impacted on the Capital Monitoring programme and there would be a significant carry forward expected for the Capital Programme due to the issues faced from the construction market in delivering tenders.

In response to a question raised by a Member, the Director Finance explained that there were two projects for CCTV improvements. Funding had been received from the safer streets funding which was used for CCTV improvements. Members had also approved a separate capital project to deliver CCTV improvements, funded by the Council, which had been carried forward in the Capital Programme for a number of years.

RECOMMENDED that Council approves:-

- (1) the revision of the annual Capital Programme to reflect the reported variations detailed in 8.1 and in Appendix 1 of the report; and
- (2) the additional budget detailed in 8.6 of the report.

2021/22 HRA BUDGET MONITORING REPORT - QUARTER 3

The Executive received the report on the financial position of the HRA Revenue and Capital Budgets for the 2021/22 financial year after nine months. Members were referred to the highlighted areas of risk, shown in the report, which identified vulnerable budgets due to factors beyond the Council's control and could result in potential deviations from budget. Members noted that the budgets were being closely monitored by officers.

Particular reference was made to there being little movement within the HRA (Housing Revenue Account) budget and was in line with the approved budget, with a £20,000 variance. It was expected that at the end of the financial year, there would be a likely impact on the HRA Capital Programme, which would impact on the HRA with a potential for an under-spend.

In response to a question raised by a Member, the Director Finance explained that in 2008, central Government announced a project to deliver new Council homes across the country, which was partially funded by central Government. There were a number of stipulations, which included for any projects being self-financing and held separately from the HRA. Exeter City Council made a successful bid to deliver a number of Passivhaus homes in the city, which were still self-financing.

RECOMMENDED that Council notes and approves (where applicable):-

- (1) the HRA forecast financial position for 2021/22 financial year; and
- (2) the revision of the HRA Capital Programme to reflect the reported variations detailed in Appendix 4 of the report.

FREEDOM OF THE CITY

The Executive received the report which set out a proposal to offer the Freedom of the City to Mr Philip Bostock in recognition of his civic service to the city of Exeter, particularly as a former Chief Executive of the Council. The proposal met the criteria for nominations as set down in 2018.

Members welcomed the proposal and considered it to be a well-deserved honour.

RECOMMENDED to Council that:-

- (1) the title of Honorary Freeman of the City Status be conferred on Philip Bostock; and
- (2) the Right Worshipful the Lord Mayor be requested to convene an Extraordinary Meeting of the Council to be held on the rising of the Ordinary Meeting on 19 April 2022, for the purpose of passing the appropriate resolution under Section 249 of the Local Government Act 1972.

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

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

53 **MEMBER TRAINING**

The Executive received the report which provided a quarterly update on the progress of work on Members' training and also included Members' attendance and feedback for the sessions attended from 5 January 2022 to present.

Particular reference was made to the good work undertaken by the Councillor Development Steering Group on enhancing training and development opportunities for Councillors and on the Members' Induction Programme ahead of the intake of new Councillors after the May 2022 elections. The Councillor Development Steering Group had been addressing training for both current and new Members and was looking at the use of online training to enhance specific training requirements.

RESOLVED that the Executive note the Members' Training report.

(The meeting commenced at 5.30 pm and closed at 6.03 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 19 April 2022.

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