

## **COUNCIL**

Tuesday 23 July 2019

### **Present:-**

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

33

### **APOLOGIES**

Apologies for absence were received from Councillors Begley and Wood.

34

### **MINUTES**

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

35

### **OFFICIAL COMMUNICATIONS**

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

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

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

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

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

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

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

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

36

#### **PLANNING COMMITTEE - 15 APRIL 2019**

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

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

37

#### **PLANNING COMMITTEE - 24 JUNE 2019**

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

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

38

#### **LICENSING COMMITTEE - 28 MAY 2019**

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

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

39

**PEOPLE SCRUTINY COMMITTEE - 6 JUNE 2019**

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

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

40

**PEOPLE SCRUTINY COMMITTEE - SPECIAL - 26 JUNE 2019**

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

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

41

**PLACE SCRUTINY COMMITTEE - 13 JUNE 2019**

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

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

42

**PLACE SCRUTINY COMMITTEE - SPECIAL - 18 JUNE 2019**

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

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

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

43

**PLACE SCRUTINY COMMITTEE - SPECIAL - 25 JUNE 2019**

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

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

44

**CORPORATE SERVICES COMMITTEE - 27 JUNE 2019**

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

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

45

#### **EXECUTIVE - 11 JUNE 2019**

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

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

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

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

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

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

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

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

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

46

#### **EXECUTIVE - 9 JULY 2019**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**RESOLVED** that:-

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

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

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

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

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

Through Active Environments and Travel programme:

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

Through Active School Communities

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

Through Active Workplaces

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

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

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

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

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

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

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

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

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

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

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

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

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

Members supported the policy.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47

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

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

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

*Councils therefore resolves:*

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

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

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

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

Members debated the proposed Motion.

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

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

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

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

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

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

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

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

48

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

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

*Exeter City Council notes that:*

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

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

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

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

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

49

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

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

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

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

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

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

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

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

Chair