



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 19 APRIL 2016**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

5 Planning Committee - 11 April 2016 3 - 6

14 Executive - 12 April 2016 7 - 12

Date: Friday 15 April 2016

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register



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PLANNING COMMITTEE

Monday 11 April 2016

Present:

Councillor Bialyk (Chair)

Councillors Spackman, Buswell, Denham, Edwards, Lyons, Newby, Raybould and Williams

Apologies:

Councillors Choules, Prowse and Sutton

Also Present:

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

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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PLANNING APPLICATION NO. 16/0081/03 - LAND TO REAR OF FIVE ACRES, EXETER ROAD, TOPSHAM, EXETER

The Principal Project Manager (Development) (MH) presented the application for development comprising change of use to Golf Driving Range including erection of an eight bay plus two training bay driving range building incorporating reception and tractor store, associated flood lighting, 2m high mesh security fencing and 10m high netting, associated car parking and access.

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

Mrs Collingwood spoke against the application. She made the following points:-

- own and run Collingwoods Bed & Breakfast at Broom Park Nurseries;
- 12 years ago had a successful business running a Market Garden and a Farm Shop but had to diversify to run a bed and breakfast following supermarkets and large garden centres taking on many of the same lines but at a lower cost;
- the bed and breakfast has a shared boundary to this development. Being our only income this small business supports tourism by attracting national and international customers who also assist the local economy and are open throughout the year;
- accommodate a variety of clients including the elderly and those with disabilities, some of whom retire to bed early and value the relaxed and peaceful atmosphere;
- the proposed development could have a devastating effect on our livelihood and future in Topsham;
- appreciate that some objections raised have been overcome by recent amendments but feel that the noise factor and the lighting still remains relevant objections to our business and our home; and
- request refusal of the application.

Mr Butler spoke in support of the application. He made the following points:-

- speaking in capacity as President of the Exeter Golf and Country Club;
- the driving range is destined to become the property of the Golf Club in due course. The Club have entered in to a formal; agreement with Heritage Homes for them to develop the existing practice ground at Newcourt for housing. Part of the Agreement required Heritage Homes to provide a replacement practice facility;
- the outcome will release much needed funds for the Golf and Country Club to invest in much needed sporting facilities to benefit its 5,000 members; and
- approval of the application will enable the Club to take a further step towards securing the Club's future at Countess Wear for many years to come.

Responding to Members queries, he confirmed that low compression balls would be used on the driving range and that the flood lights would be turned off at 8.30pm. He stated that it was the firm intention of the Club to strictly manage the use of the facility to ensure that neighbours were not disturbed and it was acknowledged that the Club already worked hard to maintain good relations and did not cause problems for the neighbourhood. With regard to the early morning collection of balls from the Range by tractor, he agreed that the Club would adhere to an appropriate time. Given concern expressed by a Member, this would be conditioned.

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

RESOLVED that planning permission for development comprising change of use to Golf Driving Range including erection of an eight bay plus two training bay driving range building incorporating reception and tractor store; associated flood lighting, 2m high mesh security fencing and 10m high netting, associated car parking and access be **APPROVED**, subject to the following conditions:-

- 1) C05 - Time Limit – Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on the 11th January, 19th and 29th March 2016 (*dwg. nos. 01 Rev 3.7, 02 Rev B and UKS11463_1*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- 4) C57 - Archaeological Recording
- 5) No development shall take place within the application site until the means of construction of foundations and formation levels for the road and parking area have been agreed in writing by the Local Planning Authority. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that disturbance to important archaeological remains is minimised.

- 6) No other part of the development hereby approved shall be commenced until the full technical details of the site access onto Exeter Road have been approved in writing by the Local Planning Authority.
Reason: To provide a safe and suitable access is achieved and protect the function of the primary cycle route, in accordance with paragraphs 32 and 41 of the National Planning Policy Framework.
- 7) No part of the development that is a distance greater than 15.0 metres from Exeter Road shall be commenced until the proposed vehicle access onto Exeter Road has been provided in accordance with details agreed under condition 6. The access to be retained for those purposes at all times.
Reason: To ensure that a safe and suitable access is achieved and protect the function of the primary cycle route, in accordance with paragraphs 32 and 41 of the National Planning Policy Framework.
- 8) C35 - Landscape Scheme
- 9) Construction work shall not take place outside the following times: 8am to 6pm (Monday to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of the amenity of occupants of nearby buildings.
- 10) Unless otherwise agreed in writing by the Local Planning Authority the use hereby approved (including ball collection and maintenance activities) shall not be carried on other than between the hours of 08.00am and 09.00pm Mondays to Fridays and 09.00am to 09.00pm on Saturdays and Sundays.
Reason: So as not to detract from the amenities of the near-by residential properties.
- 11) Unless otherwise agreed in writing by the Local Planning Authority the flood lighting hereby approved associated with the use of the driving range shall only be used between the hours of 08.00am and 08.30pm Monday to Friday and 09.00am and 08.30pm Saturdays and Sundays.
Reason: So as not to detract from the amenities of the near-by residential properties.
- 12) The development hereby approved shall be implemented in accordance with the recommendations and mitigation measures set out in Section 6 and 7 of the submitted Ecological Assessment (Sunflower International Ecological Consultancy) dated March 2016.
Reason: To ensure that the development proceeds in a manner that appropriately mitigates any potential ecological impact associated with the development.
- 13) The boundary fencing and netting hereby approved shall be erected in accordance with further detailed drawings which shall be submitted to and approved in writing by the Local Planning Authority prior to their erection. The details will be expected to demonstrate that the boundary treatments will be erected inside of existing boundary hedgerows to facilitate their retention, that the fencing incorporate features to ensure wildlife can still obtain access across the site, and that the netting incorporates appropriate features to aid its detection by bats. Thereafter the boundary treatments shall be erected strictly in accordance with the approved details.
Reason: In the interests of the visual amenity of the area and to ensure that the detailed design of the boundary treatments are acceptable.

- 14) No part of the development hereby permitted shall be commenced until a programme of percolation tests have been carried out in accordance with BRE Digest 365 Soakaway Design (2007), and the results approved in writing by the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with particular focus placed on the locations of the proposed soakaways and permeable surfaces.
Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible.
- 15) No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage management plan has been submitted to, and approved in writing by, the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. This detailed permanent surface water drainage management plan will be informed by the programme of approved BRE Digest 365 Soakaway Design (2007) percolation tests, in accordance with the principles set out in the Proposed Infrastructure Layout (Drawing No. 0100, Rev. P1, dated March 2016).
Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible, and is managed in accordance with the principles of sustainable drainage systems.

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

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

29 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

30 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party will be held on Tuesday 19 April 2016 at 9.30am, comprising Councillors Bialyk, Buswell and Edwards. The following site inspection will be on 10 May 2016 at 9.30 a.m., Councillors attending to be advised.

31 **COUNCILLORS CHOULES, BUSWELL AND WILLIAMS**

The Chair reported that this would be the last Planning Committee meeting for Councillors Choules, Buswell and Williams who were standing down at the May elections. He and Committee Members paid tribute to their hard work for the Council as well as their service as Members of this Committee.

(The meeting commenced at 5.30 pm and closed at 6.06 pm)

Chair

EXECUTIVE

Tuesday 12 April 2016

Present:

Councillor Edwards (Chair)
Councillors Denham, Hannaford, Morse, Owen, Pearson and Sutton

Also present:

Deputy Chief Executive, Assistant Director Finance, Corporate Manager Property, Museums Manager, Economy and Tourism Manager, Principal Project Manager (Place Making) and Democratic Services Manager (Committees)

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DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

48

LEISURE COMPLEX AND BUS STATION PROGRAMME BOARD MINUTES - 17 MARCH 2016

The minutes of the Leisure Complex and Bus Station Programme Board meeting held on 17 March 2016 were submitted.

RESOLVED that the minutes of the Leisure Complex and Bus Station Programme Board meeting held on 17 March 2016 be received and, where appropriate, adopted.

49

OVERVIEW OF REVENUE BUDGET 2015/16

The report of the Assistant Director Finance was submitted advising Members of the overall projected financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2015/16 financial year after nine months. Members were advised that there were no supplementary budget requests this quarter. The General Fund showed a projected underspend of £1,368,724 and the HRA a projected underspend of £2,959,182.

Scrutiny Committee – Resources considered the report at its meeting on 16 March 2016 and its comments were reported.

RECOMMENDED that Council approve the:-

- (1) General Fund forecast financial position for the 2015/16 financial year;
- (2) HRA forecast financial position for 2015/16 financial year;
- (3) the outstanding Sundry Debt position as at December 2015; and
- (4) the creditors' payments performance.

CAPITAL MONITORING STATEMENT TO DECEMBER 2015

The report of the Assistant Director Finance was submitted to update Members on the current position in respect of the Council's revised annual capital programme and to advise Members of the anticipated level of deferred expenditure into future years. The report also sought approval to amend the annual capital programme in order to reflect the reported variations.

Members were advised that the revised capital programme for the current financial year was £19,175 million, and during the first nine months of the year, the Council spent £10,271 million on the programme, which equated to 53.6% of the revised programme.

Scrutiny Committee – Resources considered the report at its meeting on 16 March 2016 and its comments were reported.

RECOMMENDED that Council notes and approves:-

- (1) the revisions to the capital programme detailed in paragraph section 8.1;
and
- (2) the revision of the annual capital programme to reflect the reported variations detailed in paragraphs 8.4 and 8.5.

ADVERTISING WITHIN CAR PARKS & PUBLIC REALM

The report of the Corporate Manager Property was submitted to update Members on the potential for earning advertising income within car parks and some public open space. Members were advised that this proposal had been developed from an initiative from the Income Generation Task and Finish Group and their remit to explore new income streams.

Councillor Hannan, having given notice under Standing Order no.44, spoke on this item. She stated that she was representing the residents of Priory Ward whom together with herself, had concerns regarding the impact that advertising hoardings would have on King George V Playing Fields as it fronted onto Bridge Road and Ludwell Valley Park and Northbrook Golf Course as they fronted onto Topsham Road. Any hoardings would detract from this attractive gateway to the city and these areas should be protected.

Councillor Robson, having given notice under Standing Order no.44, spoke on this item. She had concerns that advertising hoardings would attract graffiti and could cause safety issues in car parks with people hiding behind them. She also agreed that the attractive entrance to the city along Topsham Road should be protected.

Councillor Wardle, having given notice under Standing Order no.44, spoke on this item. He stated that he supported Councillors Hannan's and Robson's comments and also questioned the strength of the Northbrook Golf Course bank to support a large advertising hoarding as it had given way some years ago.

Members discussed the principle of advertising and, whilst acknowledging that many of the sites would require advertising consent, they had concerns regarding taking this proposal forward and the negative impact it could have upon the public realm in the City. Whilst recognising the work officers had put into this report, the Leader proposed that the report be withdrawn and this was supported by Members.

Scrutiny Committee – Resources considered the report at its meeting on 16 March 2016 and its comments were reported.

RESOLVED that the report be withdrawn.

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ST NICHOLAS PRIORY - STRUCTURAL REPAIR AND FUTURE OPERATION

The report of the Museum Manager and Culture Lead was submitted which had been produced in response to the structural condition of St Nicholas Priory and to Members' request for a review of its income generating potential. The report considered the present condition of the Priory, which had Ancient Scheduled Monument and Grade I Listed Building status and proposed a course of action to address this. It also reviewed current and potential future uses and management arrangements and proposed further steps towards identifying a sustainable future for the building.

The Portfolio Holder for Health and Place commented that the gardens outside St Nicholas Priory had been cleared by a group of volunteers from the local community and it was now a beautiful garden.

Members supported the way forward proposed.

The Portfolio Holder for Economy and Culture proposed an additional recommendation that St Nicholas Priory should remain open for public access. This was agreed by Members.

Scrutiny Committee – Resources considered the report at its meeting on 16 March 2016 and its comments were reported.

RECOMMENDED that Council approve:-

- (1) a capital budget of £115,000 to address urgent structural repair and building conservation issues at St Nicholas Priory; and

RESOLVED that:-

- (2) the Arts Council England be approached about the de-accreditation of the site as a museum;
- (3) further discussion with potential partners about community management of St Nicholas Priory be approved;
- (4) a follow up report be produced for decision once partnership negotiations are at a stage when they can be formalised; and
- (5) St Nicholas Priory should remain open for Public Access.

DEVON AUTHORITIES STRATEGIC WASTE COMMITTEE

The report of the Assistant Director Environment was submitted advising Members of the proposal to replace the Devon Authorities Waste Reduction and Recycling Committee (DAWRRC) with a new strategic waste management committee. The recommendation was that the City Council elected to join this new committee, known as the Devon Authorities Strategic Waste Committee (DASWC).

The Portfolio Holder for Health and Place supported this replacement Committee which would provide a more strategic joined up approach to waste and recycling in Devon.

Members welcomed this new strategic committee and hoped that the Committee would be able to attract commercial sponsorship which could be used to engage with residents to encourage recycling.

RECOMMENDED that Council approves:-

- (1) electing to join the Devon Authorities Strategic Waste Committee from 29 June 2016;
- (2) the Portfolio Holder for Health and Place representing Exeter City Council on the Committee; and
- (3) the Portfolio Holder for Health and Place nominating another elected member to attend on occasions when he or she is not available.

AMENDMENTS TO THE SCHEME OF DELEGATION

The report of the Corporate Manager Democratic and Civic Support was submitted setting out proposals to amend the Scheme of Delegation to Officers, Deputies for Delegated Powers and any further relevant amendments to the constitution to match a change in management arrangements with regards to the Human Resources Unit.

RECOMMENDED that Council approve:-

- (1) the changes to the Scheme of Delegation to Officers and Deputies for Delegated Powers as set out in the appendices to this report; and
- (2) any further amendments to the Constitution arising from the change of the management of the Human Resources Unit to the Corporate Manager Legal Services.

COMPULSORY PURCHASE ORDER

The report of the Assistant Director City Development was submitted seeking authority to make a Compulsory Purchase Order for Queen's Crescent Garden. This report updated an Executive resolution of 20 November 2012 informing Members of progress on the production of a Neighbourhood Development Plan for Exeter St James and to seek agreement to the Council's response to the consultation process and to granting delegated powers to take the process forward.

Members were advised that an additional budget of £18,000 would be added to the Council's capital programme.

The Portfolio Holder for Health and Place stated that St James' Forum had already started working to improve Queens Crescent Garden and he supported the way forward.

In response to a Member, the Principal Project Manager (Place Making) stated that he currently could not give a timeframe for when the Compulsory Purchase Order would be complete.

Members welcomed the proposal.

RECOMMENDED that Council approves:-

- (1) granting of delegated authority to the Assistant Director City Development in consultation with Corporate Manager Legal, to make a Compulsory Purchase Order in respect of land at Queen's Crescent Garden and, in association with the Portfolio Holder City Development to take necessary action to decide whether to proceed with compulsory purchase; and
- (2) a capital budget of £18,000 be added to the capital programme.

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

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

57 **STAFFING WITHIN ECONOMY AND TOURISM**

The report of the Economy and Tourism Manager was submitted providing a business case for the review and change in staffing levels within the Economy Team to address current and future demand on the service.

Members were advised that the changes were to ensure there was sufficient staffing resource to address current and future demand on the Economy and Tourism service and to raise the profile of the city regionally, nationally and internationally for inward investment, business relocations, visitor promotion and to gain additional business events within the city all of which were related to the development of the knowledge economy.

The Portfolio Holder for Economy and Culture supported the way forward and commented that the proposal reflected feedback from the Growth and Marketing Exeter Task and Finish Group.

RESOLVED that:-

- (1) the business case for the Economy Team restructure as set out in the report be agreed and the Economy and Tourism Manager be authorised to proceed to the first consultation stage in accordance with the Councils Management of Organisational Change Policy;

- (2) the additional budget that may be required to employ two additional members of staff and to re-evaluate two existing posts, be noted. The additional budget of £58,789 and £91,318, (which includes all on-costs) dependant on job evaluation; and
- (3) the termination of funding and providing a staffing resource to the Heart of Devon Tourism Partnership be approved. This would enable the Council to be able to raise the profile of Exeter regionally, nationally and internationally to gain additional day, business, leisure weekend visitors, and additional business events to the city.

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

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 19 April 2016.