

## THE MEETING OF EXETER CITY COUNCIL

Guildhall  
Tuesday 17 July 2007

The Right Worshipful the Lord Mayor (Cllr H Slack)

The Deputy Lord Mayor (Cllr Choules)

Councillors D Baldwin, M A Baldwin, Bond, Boyle, Branston, P Brock, S Brock, Cole, Coates, Mrs Danks, Dixon, Edwards, Mrs Evans, Fullam, Gale, Hannaford, Mrs Henson, Lyons, Martin, Mitchell, Moore, D J Morrish, Mrs Morrish, Newby, Newcombe, Newton, Noble, Pettinger, Prowse, Robson, Sheldon, Shepherd, Shiel, P A Smith, R Smith, Sterry, Wadham and Winterbottom

33.

### MINUTES

The minutes of the meeting of the Ordinary Meeting of Council held on 17 April 2007 and the Annual Meeting held on 15 May 2007 were taken as read and signed as correct.

34.

### OFFICIAL COMMUNICATIONS

The Lord Mayor announced the recent death of Past Mayor and Alderman Ivy Johns and the Council stood for a minute's silence in memory of her. Councillors paid tribute to Alderman Johns who represented Wonford as a Councillor for 17 years and served as Mayor of the City in 1981.

35.

### PLANNING COMMITTEE - 23 APRIL 2007

The minutes of the meeting of the Planning Committee held on 23 April 2007 were taken as read.

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 23 April 2007 be received.

36.

### PLANNING COMMITTEE - 21 MAY 2007

The minutes of the meeting of the Planning Committee held on 21 May 2007 were taken as read.

In relation to Minute 67 (Declarations of Interest), the minute numbers indicated on the table were amended as follows:

<b>COUNCILLOR</b>	<b>MINUTE</b>
Choules	68 (employee of Exeter University)
Lyons	72 (trustee of Exeter Municipal Charities)
D J Morrish	72 (trustee of Exeter Municipal Charities)

Members declared the following personal (\*prejudicial) interests in relation to the minutes and left the meeting where appropriate:

COUNCILLOR	MINUTE
Branston	68* (lives in the area)
Choules	68 (employee of Exeter University)
Lyons	72 (trustee of Exeter Municipal Charities)
D J Morrish	72 (trustee of Exeter Municipal Charities)
Winterbottom	72 (trustee of Exeter Municipal Charities)

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 21 May 2007, as amended, be received.

37.

#### **PLANNING COMMITTEE - 25 JUNE 2007**

The minutes of the meeting of the Planning Committee held on 25 June 2007 were taken as read.

Members declared the following personal (\*prejudicial) interests and left the meeting where appropriate:

COUNCILLOR	MINUTE
Boyle	84 (employee of Devon County Council)
PJ Brock	84 (member of Devon County Council) and 85* (knows the applicant)
Fullam	85* (knows the applicant)
Hannaford	84* (member of Devon County Council Development Control Committee) and 85* (knows the applicant)
Martin	84 (employee of Devon County Council)
Moore	90* (member of Unison)
DJ Morrish	84* (was Portfolio Holder for Environment (including waste management) on Devon County Council until 2005 during discussion of waste policy)
Newcombe	84 (member of Devon County Council) and 85* (knows the applicant)
PA Smith	85* (co-applicant)
Wadham	85* (knows the applicant)

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 25 June 2007 be received.

38.

#### **LICENSING COMMITTEE - 12 JUNE 2007**

The minutes of the meeting of the Licensing Committee held on 12 June 2007 were taken as read.

A member declared the following personal (\*prejudicial) interest and left the meeting where appropriate:

<b>COUNCILLOR</b>	<b>MINUTE</b>
Sterry	79* (knows applicant)

**RESOLVED** that the minutes of the meeting of the Licensing Committee held on 12 June 2007 be received.

39.

#### **SCRUTINY COMMITTEE - COMMUNITY - 5 JUNE 2007**

The minutes of the meeting of the Scrutiny Committee – Community held on 5 June 2007 were taken as read.

A member declared the following personal (\*prejudicial) interest and left the meeting where appropriate:

<b>COUNCILLOR</b>	<b>MINUTE</b>
Moore	39* (on Homechoice register)

In respect of Minute 32 (Priorities for the Forthcoming Year), the Leader invited the Scrutiny Committee – Community, in liaison with Planning service officers to explore ways to expedite the provision by developers of play facilities on housing developments.

**RESOLVED** that the minutes of the meeting of the Scrutiny Committee – Community held on 5 June 2007 be received.

40.

#### **SCRUTINY COMMITTEE - ECONOMY - 7 JUNE 2007**

The minutes of the meeting of the Scrutiny Committee – Economy held on 7 June 2007 were taken as read.

Members declared the following personal interests:

<b>COUNCILLOR</b>	<b>MINUTE</b>
Choules	29 and 32 (employee of Exeter University)
Hannaford	27 (resident of Cowick Street)

**RESOLVED** that the minutes of the meeting of the Scrutiny Committee – Economy held on 7 June 2007 be received.

41. **SCRUTINY COMMITTEE - RESOURCES - 20 JUNE 2007**

The minutes of the meeting of the Scrutiny Committee - Resources held on 20 June 2007 were taken as read.

**RESOLVED** that the minutes of the Scrutiny Committee – Resources held on 20 June 2007 be received.

42. **STANDARDS - 27 JUNE 2007**

The minutes of the meeting of the Standards Committee held on 27 June 2007 were taken as read.

**RESOLVED** that the minutes of the meeting of the Standards Committee held on 27 June 2007 be received and, where appropriate, adopted.

43. **FINAL ACCOUNTS COMMITTEE - 26 JUNE 2007**

The minutes of the meeting of the Final Accounts Committee held on 26 June 2007 were taken as read.

**RESOLVED** that the minutes of the meeting of the Final Accounts Committee held on 26 June 2007 be received.

44. **EXECUTIVE - 19 JUNE 2007**

The minutes of the meeting of the Executive held on 19 June 2007 were taken as read.

Members declared the following personal interests:

<b>COUNCILLOR</b>	<b>MINUTE</b>
Choules	73 (employee of Exeter University)
Sheldon	69 (registered at Southernhay Surgery)

**RESOLVED** that the minutes of the meeting of the Executive held on 19 June 2007 be received and, where appropriate, adopted.

45. **EXECUTIVE - 3 JULY 2007**

The minutes of the meeting of the Executive held on 3 July 2007 were taken as read.

A member declared the following personal interest:

COUNCILLOR	MINUTE
Gale	83 (re Minute 9 of Grants Committee) - wife is Secretary of Exwick Community Association

With reference to Minute 97 (Appointments to Outside Bodies), the recommended nominations indicated in the schedule were approved, together with the following additional appointments:-

BODY	TERM OF OFFICE	REPRESENTATIVE
Local Government Association South West Branch	1	Cllr MA Baldwin
Lord Mayor of Exeter's Appeal Fund	1	Cllr Coates

In respect of the Exeter Social, Health and Inclusion Partnership (SHIP) – Member Forum, it was agreed to review membership of the Partnership.

**RESOLVED** that the minutes of the meeting of the Executive held on 3 July 2007 be received and, where appropriate, adopted.

46.

#### **QUESTIONS UNDER STANDING ORDER 8**

In accordance with Standing Order No 8, Councillor PA Smith submitted questions in relation to:

- (1) the steps being taken to deal with staff shortages in the Planning Department;
- (2) the steps that had been taken to overcome the staff bottleneck in Architectural Design in Capital and Revenue Projects; and
- (3) the figures for the first six months of 2007, 2006 and 2005 for Mooring income for boats in the Canal Basin, and the level of non-payers in financial terms

to which the Leader of the Council responded.

47.

#### **NOTICE OF MOTION BY COUNCILLOR NEWBY**

A member declared the following personal interest in the matter:

COUNCILLOR	MINUTE
Hannaford	Member of Devon Fire and Rescue Authority

In accordance with Standing Order No 6, Councillor Newby submitted a Notice of Motion in the following terms:

“ I wish to propose to this Council that a request be made to the Fire Service Authority that an elected member from Exeter City Council be granted a place on said Committee to represent this Council and the residents of this growing and prosperous City to ensure that fire safety issues affecting the City are not compromised.”

Councillor Newby requested and Council agreed to the withdrawal of the Notice of Motion from this meeting.

48.

#### **NOTICE OF MOTION BY COUNCILLOR EDWARDS**

Members declared the following personal (\*prejudicial) interests and left the meeting where appropriate:

COUNCILLOR	INTEREST
PJ Brock	Member of Devon County Council
Hannaford	*Member of Devon County Council Development Control Committee which would be considering the application
Martin	Employee of Devon County Council
DJ Morrish	*was Portfolio Holder for Environment (including waste management) on Devon County Council until 2005 during discussion of waste policy
Newcombe	Member of Devon County Council

In accordance with Standing Order No 6, Councillor Edwards submitted a Notice of Motion in the following terms:

“This Council supports the stance taken by the City Council’s Planning Committee in objecting to the planning application for the proposed incinerator in Grace Road South unless all its concerns are fully addressed. In particular, this Council objects strongly to planning permission being granted unless:-

- (1) “best endeavours” are used to market the energy produced; and
- (2) suitable continuous sampling equipment is used to provide information on dioxin and furans emitted, beyond the minimum standards required by the Environment Agency, in order to protect the local environment from pollution and to provide public reassurances.

This Council instructs officers to provide information to members of the County Council Planning Committee on these issues so that they can make an informed decision.”

Councillor Edwards reported that the application was due to be heard by Devon County Council’s Development Control Committee on 18 July and negotiations were continuing with Viridor Waste Management Ltd. Whilst the request for “best endeavours” to be used to market the energy produced had been accepted, agreement had not yet been reached in relation to suitable sampling equipment.

The Notice of Motion was put to a vote, unanimously agreed and referred to Devon County Council’s Development Control Committee.

49.

#### **NOTICE OF MOTION BY COUNCILLOR MA BALDWIN**

In accordance with Standing Order No 6, Councillor MA Baldwin submitted a Notice of Motion in the following terms:

“I wish to propose an amendment to Scrutiny Procedure Rule 6.1 in the Constitution of the Council concerning the selection of Scrutiny Chairs and Deputy Chairs. The Rule states that ‘Where one group has majority control of the Council one of the Chairs will be drawn from members of a minority group with the Deputy Chair of that committee being from the majority group. The other two committees shall have a majority group Chair and a minority group Deputy Chair.’

I propose the following amendment:

‘Where one group has majority control of the Council the Chairs and Deputy Chairs will be drawn from members of the minority groups.’”

Councillor MA Baldwin requested an amendment to the proposed wording in the last sentence of the Notice of Motion to read “Where one group has majority control of the **Executive**, the Chairs and Deputy Chairs will be drawn from members of the minority groups.”

The Notice of Motion was referred to a meeting of Group Leaders and the Executive for consideration.

(The meeting commenced at 6.00 pm and closed at 7.10 pm)

Chair