



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 17 JULY 2007**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

	Pages
1. Minutes	
To sign the minutes of the Ordinary Meeting held on 17 April 2007 and the Annual Meeting held on 15 May 2007.	1 - 12
2. Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3. Planning Committee - 23 April 2007	13 - 22
4. Planning Committee - 21 May 2007	23 - 34
5. Planning Committee - 25 June 2007	35 - 48
6. Licensing Committee - 12 June 2007	49 - 54
7. Scrutiny Committee - Community - 5 June 2007	55 - 66
8. Scrutiny Committee - Economy - 7 June 2007	67 - 74
9. Scrutiny Committee - Resources - 20 June 2007	75 - 82
10. Standards - 27 June 2007	83 - 86
11. Final Accounts Committee - 26 June 2007	87 - 88
12. Executive - 19 June 2007	89 - 98
13. Executive - 3 July 2007	99 - 112

14. Notice of Motion by Councillor Newby under Standing Order No. 6

“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.”

15. Notice of Motion by Councillor Edwards under Standing Order No. 6.

“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.”

16. Notice of Motion by Councillor M. A. Baldwin under Standing Order No. 6.

“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.’”

A plan of seating in the Guildhall is attached as an annex.

Date: 10 July 2007

Philip Bostock
Chief Executive

NOTE: Members are asked to sign the Attendance Register

Agenda Item 1

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 17 April 2007

The Right Worshipful the Lord Mayor (Cllr Shiel)

The Deputy Lord Mayor (Cllr Winterbottom)

Councillors D Baldwin, M G Baldwin, M A Baldwin, Bond, Boyle, Branston, P Brock, S Brock, Choules, Cole, Mrs Danks, Dixon, Edwards, Mrs Evans, Fullam, Gale, Hannaford, Mrs Henson, Hobden, Lyons, Martin, Mills, Mitchell, D J Morrish, Mrs Morrish, Newby, Newcombe, Noble, Pettinger, Robson, Shepherd, H Slack, R Slack, P A Smith, R Smith, Sterry and Wadham

17.

PETITION

Councillor Mitchell submitted a petition on behalf of members of the Powderham Crescent Residents' Association and other residents of St James requesting the Council to introduce Supplementary Planning Guidance to restrict further multi-occupancy accommodation within the area and this was referred to the Planning Committee.

18.

MINUTES

The minutes of the Special and Ordinary meetings of Council held on 20 February 2007 were taken as read and signed as correct.

19.

PLANNING COMMITTEE

(a) Planning Committee - 19 February 2007

The minutes of the meeting of the Planning Committee held on 19 February 2007 were taken as read.

Members declared the following personal (*prejudicial) interests:

COUNCILLOR	MINUTE
Bond	29* (parents own the property)
Mrs Henson	29* (knows a relative of the applicant)
Martin	21*, 22*, 23*, 24*, 25* (member of Haven Banks Management Committee)
Newby	21*, 22*, 23*, 24*, 25* (member of Haven Banks Management Committee) and 29 (knows a relative of the applicant)

RESOLVED that the minutes of the meeting of the Planning Committee

held on 19 February 2007 be received.

(b) Planning Committee (Special) - 26 February 2007

The minutes of the meeting of the Special Planning Committee held on 26 February 2007 were taken as read.

Members declared the following personal (*prejudicial) interests:

COUNCILLOR	MINUTE
Boyle	40 (employee of Devon County Council)
Martin	40 (employee of Devon County Council)
Mills	40* (employee of Devon County Council)

RESOLVED that the minutes of the meeting of the Special Planning Committee held on 26 February 2007 be received.

(c) Planning Committee - 19 March 2007

The minutes of the meeting of the Planning Committee held on 19 March 2007 were taken as read.

In relation to Min 44 (Planning Application – 54 and 56 St Leonard’s Road), Cllr Winterbottom reported that he had referred to the flats “possibly” generating 21 cars.

RESOLVED that the minutes of the meeting of the Planning Committee held on 19 March 2007 as amended be received.

20.

LICENSING COMMITTEE

(a) Licensing Committee (Special) - 27 February 2007

The minutes of the meeting of the Special Licensing Committee held on 27 February 2007 were taken as read.

RESOLVED that the minutes of the meeting of the Special Licensing Committee held on 27 February 2007 be received.

(b) Licensing Committee (Special) (1) - 2 March 2007

The minutes of the meeting of the Special Licensing Committee (1) held on 2 March 2007 were taken as read.

Members declared the following personal (*prejudicial) interests:

COUNCILLOR	MINUTE
Danks Sterry	30* (applicant known to her) 31* (applicant known to her, member of Whipton ward and driver of taxi she often uses)

RESOLVED that the minutes of the meeting of the Special Licensing Committee (1) held on 2 March 2007 be received.

(c) Licensing Committee (Special) (2) - 2 March 2007

The minutes of the meeting of the Special Licensing Committee (2) held on 2 March 2007 were taken as read.

RESOLVED that the minutes of the meeting of the Special Licensing Committee (2) held on 2 March 2007 be received.

(d) Licensing Committee - 20 March 2007

The minutes of the meeting of the Licensing Committee held on 20 March 2007 were taken as read.

RESOLVED that the minutes of the meeting of the Licensing Committee held on 20 March 2007 be received.

21. SCRUTINY COMMITTEE - COMMUNITY - 27 FEBRUARY 2007

The minutes of the meeting of the Scrutiny Committee – Community held on 27 February 2007 were taken as read.

Members declared the following personal interests:

COUNCILLOR	MINUTE
Cole Lyons	24 (tenant of City Council leaseholder) 16 (allotment next to golf range)

RESOLVED that the minutes of the meeting of the Scrutiny Committee – Community held on 27 February 2007 be received.

22.

SCRUTINY COMMITTEE - ECONOMY - 1 MARCH 2007

The minutes of the meeting of the Scrutiny Committee – Economy held on 1 March 2007 were taken as read.

A member declared the following personal interest:

COUNCILLOR	MINUTE
Choules	18 (employee of Exeter University)

RESOLVED that the minutes of the meeting of the Scrutiny Committee – Economy held on 1 March 2007 be received.

23.

SCRUTINY COMMITTEE - RESOURCES - 14 MARCH 2007

The minutes of the meeting of the Scrutiny Committee – Resources held on 14 March 2007 were taken as read.

RESOLVED that the minutes of the meeting of the Scrutiny Committee – Resources held on 14 March 2007 be received.

24.

STANDARDS COMMITTEE - 28 FEBRUARY 2007

The minutes of the meeting of the Standards Committee held on 28 February 2007 were taken as read.

RESOLVED that the minutes of the meeting of the Standards Committee held on 28 February 2007 be received.

25.

EXECUTIVE

(a) Executive - 13 March 2007

The minutes of the meeting of the Executive held on 13 March 2007 were taken as read.

Members declared the following personal interests:

COUNCILLOR	MINUTE
P Brock	28 (member of Devon County Council)
Gale	26 (Grants Committee Min 4(2) - wife employed by Northcott Theatre)
Hannaford	28 (member of Devon County Council)
Hobden	28 (member and Portfolio Holder of

Lyons	Devon County Council) 26 (Grants Committee Min 7 – belongs to Woodcraft Folk)
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In relation to Minute 39 (City Centre Enhancements and Canal Basin Improvement), Cllr P Smith clarified that he had drawn attention to the importance of providing adequate toilet facilities at the Canal Basin rather than in the Quay area as stated.

In relation to Min 42 (Appointments to Outside Bodies) Cllr Dixon was appointed to replace Cllr Shepherd on the Royal Devon and Exeter Healthcare NHS Trust Council of Governors.

RESOLVED that the minutes of the meeting of the Executive held on 13 March 2007 be received.

(b) Executive - 27 March 2007

The minutes of the meeting of the Executive held on 27 March 2007 were taken as read.

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

COUNCILLOR	MINUTE
Cole	53 (member of Local Government Pension Scheme)
P Brock	54* (member of Devon County Council)
Hannaford	54 (member of Devon County Council)
Hobden	54 (member of Devon County Council)
Martin	54* (employee of Devon County Council within Exeter)
Mills	54* (employee of Devon County Council within Exeter)
Newcombe	54 (member of Devon County Council)

In relation to Minute 54 (Expenditure on the Council's Submission for Unitary Exeter) a named vote was called for in accordance with Standing Order 27(1), and voting was as follows

Voting for:

The Lord Mayor (Cllr Shiel), the Deputy Lord Mayor (Cllr Winterbottom), Councillors D. Baldwin, MA Baldwin, MG Baldwin, Bond, Boyle, Branston, Choules, Danks, Dixon, Edwards, Mrs Evans, Gale, Mrs Henson, Lyons, D J Morrish,

Mrs Morrish, Newby, Robson, Shepherd, H A Slack, R Slack,
R Smith and Sterry

(25 members)

Voting against:

Councillors S Brock, Cole, Fullam, Hannaford, Hobden,
Mitchell, Newcombe, Noble, Smith and Wadham

(10 members)

The recommendation was agreed.

In relation to Minute 56 (Proposal to Establish the Role of Honorary Recorder) the title “Honorary Recorder” was corrected to “Recorder”.

RESOLVED that the minutes of the meeting of the Executive held on 27 March 2007 as amended be received.

(The meeting commenced at 6.05 pm and closed at 7.30 pm)

Chair

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 15 May 2007

The Right Worshipful the Lord Mayor (Cllr Shiel)
The Deputy Lord Mayor (Cllr Winterbottom)
Councillors D Baldwin, M A Baldwin, Bond, Boyle, Branston, P Brock, S Brock, Choules, Coates, Cole, 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, H Slack, R Smith, Sterry and Wadham.

27.

ELECTION OF LORD MAYOR

RESOLVED on the nomination of Councillor Lyons, seconded by Councillor MA Baldwin, that Councillor Slack be elected Lord Mayor of the City for the ensuing Municipal Year.

The Lord Mayor was invested with her Robe and Chain of Office, made her Declaration of Acceptance of Office, took the Chair and returned thanks.

28.

APPOINTMENT OF DEPUTY LORD MAYOR

RESOLVED on the nomination of Councillor Boyle, seconded by Councillor DJ Morrish, that Councillor Choules be appointed Deputy Lord Mayor of the City for the ensuing Municipal Year.

The Deputy Lord Mayor was invested with his Robe and Chain of Office, made his Declaration of Acceptance of Office and returned thanks.

29.

VOTES OF THANKS

RESOLVED that the Council record its appreciation for the able and courteous manner in which Councillor Shiel and Mrs Shiel have discharged the duties of Lord Mayor and Lady Mayoress during the past year.

Councillor Mrs Henson presented, on behalf of the Council, the retiring Lord Mayor's and retiring Lady Mayoress' Badges.

The retiring Lord Mayor returned thanks.

RESOLVED that the Council record its appreciation for the able and courteous manner in which Councillor Winterbottom and Mrs Winterbottom have discharged the duties of Deputy Lord Mayor and Deputy Lady Mayoress during the past year.

The retiring Deputy Lord Mayor returned thanks.

30.

APPOINTMENT OF LEADER OF THE COUNCIL

RESOLVED that Councillor Edwards be appointed Leader of the Council for the ensuing Municipal Year.

31.

APPOINTMENT OF THE EXECUTIVE

RESOLVED that the Council's Executive be appointed as follows for the ensuing Municipal Year:-

Councillor	Portfolio or Group
Edwards	Leader, Budget and Strategic Vision
Dixon	Business Transformation and Human Resources
Baldwin, D.	Housing and Social Inclusion
Boyle	Environment and Leisure
Shepherd	Sustainable Development and Transport
Sheldon	Economy and Tourism
Smith, P.A.	Liberal Democrat
Mrs Henson	Conservative
Mrs Morrish	Liberal

32.

APPOINTMENT OF COMMITTEES ETC.

The Chairs of the Planning, Grants and Licensing Committees were contested and the Lord Mayor called on the Members of the respective Committees to vote separately on these positions.

Since there was an equality of votes in respect of the Planning Committee, the Lord Mayor declared that the appointment would be referred to the first meeting of that Committee.

In respect of the Grants and Licensing Committees, appointments were made as set out on the attached schedule.

RESOLVED that:-

- (1) the positions of Chair and Deputy Chair of the Planning Committee be referred to that Committee for decision; and
- (2) the membership of the other Committees etc, Chairs and Deputy Chairs, as shown at Appendix "A" to these minutes, be agreed.

(The meeting commenced at 7.25 pm and closed at 8.30 pm)

Chair

APPENDIX A

EXETER CITY COUNCIL

EXECUTIVE, SCRUTINY AND OTHER COMMITTEES ETC. 2007/2008

EXECUTIVE (9)

Edwards, P.W.(Chair)	Morrish, Mrs J.
Baldwin, D.	Sheldon, G.N.
Boyle, C.	Shepherd, P.J.
Dixon, V.A.	Smith, P.A.
Henson, Mrs Y.A.C.	

PORTFOLIO HOLDERS

Edwards, P.W.	Leader, Budget and Strategic Vision
Dixon, V.A.	Business Transformation and Human Resources
Baldwin, D.	Housing and Social Inclusion
Boyle, C.	Environment and Leisure
Shepherd, P.J.	Sustainable Development and Transport
Sheldon, G.N.	Economy and Tourism

SCRUTINY - RESOURCES (13)

Morrish, D.J. (Chair)	Newcombe, A.V.
Choules, M. (Deputy Chair)	Noble, B.C.
Branston, R.A.	Prowse, G.J.
Brock, P.J.	Robson, L.S.
Coates, J.H.	Smith, Mrs R.
Cole, N.S.	Sterry, H.R.
Martin, I.J.	

Employee Liaison Forum (5)

Dixon, V.A. (Chair)	Noble, B.C.
Choules, M.	Prowse, G.J.
Morrish, D.J.	

SCRUTINY - COMMUNITY (13)

Baldwin, M.A. (Chair)	Mitchell, K.J.
Robson, L.S. (Deputy Chair)	Moore, K.
Bond, A.G.	Newcombe, A.V.
Branston, R.A.	Newton, L.
Brock, Mrs S.R.	Shiel, N.
Choules, M.	Winterbottom, J.W.
Danks, Mrs M.E.	

SCRUTINY - ECONOMY (13)

Fullam, A.A. (Chair)	Moore, K.J.
Martin, I.J. (Deputy Chair)	Pettinger, P.G.D.
Choules, M.	Prowse, G.H.
Coates, J.H.	Sterry, H.R.
Evans, Mrs M.E.	Winterbottom, J.W.
Gale, C.G.	Wadham, P.R.
Hannaford, R.M.	

PLANNING COMMITTEE (13)

Option 1 (Labour Group proposal)

Lyons R.C. (Chair)	Morrish, D.J.
Choules, M. (Deputy Chair)	Newby, R.C.
Brock, P.J.	Robson, L.S.
Fullam, A.A.	Shepherd, P.J.
Henson, Mrs Y.A.C.	Shiel, N.
Mitchell, K.J.	Wadham, P.R.
Moore, K.J.	

Option 2 (Liberal Democrat Group proposal)

Wadham, P.R. (Chair)	Moore, K.J.
Choules, M. (Deputy Chair)	Morrish, D.J.
Brock, P.J.	Newby, R.C.
Fullam, A.A.	Robson, L.S.
Henson, Mrs Y.A.C.	Shepherd, P.J.
Lyons R.C.	Shiel, N.
Mitchell, K.J.	

Planning Member Working Group (8)

Choules, M. (Chair)	Newby, R.
Lyons, R.C.	Shepherd, P.J.
Mitchell, K.J.	Shiel, N.
Morrish, D.J.	Wadham, P.R.

Area Working Parties

Northern (4)

Brock, P.J.	Mitchell, K.J.
Henson, Mrs Y.A.C.	Moore, K.J.

Southern (4)

Lyons, R.C.	Newby, R.C.
Morrish, D.J.	Shepherd, P.J.

Western (4)

Fullam, A.A.	Wadham, P.R.
Vacant	Vacant

GRANTS COMMITTEE (8)

Robson, L.S. (Chair)	Gale, C.G.
Bond, A.G.	Lyons, R.C.
Brock, Mrs S.R.	Martin, I.J.
Evans, Mrs M.E.	Pettinger, P.G.D.
Leader (ex-officio)	

LICENSING COMMITTEE (12)

Branston, R.A. (Chair)	Smith, P.A.
Cole, N.S.	Smith, Mrs R.
Danks, Mrs M.E.	Shepherd, P.J.
Gale, C.G.	Sterry, H.R.
Newby, R.C.	Robson, L.S.
Noble, B.C.	Wadham, P.R.

Licensing Sub-Committees (3 + substitute)

Licensing Sub-Committees A, B, C and D - membership to be drawn from Licensing Committee members above.

STANDARDS COMMITTEE (6 + 2 independent members)

Sterry, H.R. (Chair)	Hannaford, R.M.
Branston, R.A.	Morrish, D.J.
Choules, M.	Winterbottom, J.W.

Independent Members

Kirby, Prof. B.	Mimmack, Mr A.
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FINAL ACCOUNTS COMMITTEE (5)

Edwards, P.W.(Chair)

Baldwin, D.

Baldwin, M.A.

Cole, N.S.

Morrish, D.J.

EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE (13)

(4 City Councillors)

Evans, Mrs M.E.

Cole, N.S.

Gale, C.G.

Shepherd, P.J.

(9 County Councillors)

Brock, P.J.

Foggin, O.M.

Hannaford, R.M.

Hobden, S.M.

Leadbetter, A.R.

Newcombe, A.V.

Owen, J.

Spence, Mrs S.M.

Westlake, R.A.

Agenda Item 3

PLANNING COMMITTEE

Monday 23 April 2007

Present:-

Councillor Hazel Slack (Chair)

Councillors Lyons, P Brock, Mrs Henson, Mills, Mitchell, Moore, D J Morrish, Newby, Shepherd and Wadham

Also Present

Director Economy and Development, Head of Planning Services, Planning Solicitor, Development Control Manager, Planning Technician (CJ) and Member Services Officer (SJS)

53

MINUTES

The minutes of the meetings held on 19 February 2007, 26 February 2007 and 19 March 2007 were taken as read and signed by the Chair as correct.

54

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

55

PLANNING APPLICATION & CONSERVATION AREA CONSENT - 07/0463/03 & 07/0464/14 - SUNNINGDALE AND PART GLENHAYES, PRINCE OF WALES ROAD, EXETER

The Head of Planning Services presented these applications for planning permission for student accommodation consisting of 12 cluster flats providing 48 bedrooms and conservation area consent for the demolition of Sunningdale, a detached property. The proposal was for a 3 storey building with 3 car parking spaces of which 2 were for disabled drivers.

A previous application on this site had been refused and an appeal had been lodged against this decision. This application had been scaled down and pulled away from the boundary. The number of bedrooms had been reduced by 10 to 48.

The proposal was for a T shaped building and the materials to be used were natural render and slate on the roof.

The Head of Planning Services reported that 18 further letters of objection had been received. The additional planning issues that they raised were difficulty of refuse collection and unsustainable design and materials. In total 55 letters of objection had been received.

The Planning Solicitor confirmed that the applicants had submitted a unilateral undertaking, which covered the management of the development including student

behaviour and addressed Members' concerns raised when the previous application was refused regarding the management and control of the accommodation.

The Head of Planning Services stated that as the building had a neutral effect on the conservation area. The recommendation was for approval of the planning permission and conservation area consent.

Councillor Cole attended the meeting and spoke on this item having given notice under Standing Order No. 44. She made the following points:-

- concerns regarding the demolition of a sound building and its replacement with student accommodation
- this was an area with a high density of students, which led to noise and nuisance disturbances
- not sure that a unilateral undertaking would tackle the day to day problems that would arise from this proposal
- as the development was car free, this would cause parking problems in the surrounding area as students would still bring their cars
- the grass area at the front of the building could be used for parties
- this was a large student development, which would add to the problems already created by the high density of students in the area
- she asked the Committee to refuse the application.

In answer to Members' questions Councillor Cole confirmed that although students should not bring cars to the University some did and this then caused parking problems on the campus and in the surrounding areas.

Mr D Knowles (representing the residents of Kingsgate) spoke in opposition to the application. He made the following points:-

- large density of students already in the area, which caused noise nuisance issues during term time
- during holiday periods the area was like a 'ghost town'
- a unilateral undertaking would not control the noise and nuisance element of the development
- asked the Committee to reject the application.

Mr B Simons (agent) spoke in support of the application. He made the following points:-

- this application was the result of 12 months of negotiations with the Planning Department
- the height, scale and mass had been reduced
- it was now 50% of the size of the original scheme and was 10 beds less than the previous refusal
- a unilateral undertaking had been volunteered and submitted by the applicant to control the management of the accommodation
- electric gates with key pad control would be installed to prevent cars being brought on to the development
- CCTV would be installed which would be monitored by the University.

In answer to Members' questions Mr Simons clarified that Sunningdale was structurally sound and that there were only 2 disabled plus one other parking spaces proposed on site. He confirmed that he could not speak on behalf of the applicant

with regards to the withdrawal of the current appeal, though he believed this was likely.

Members discussed the applications. Some Members considered that this application was an improvement on the previous scheme with regards to the height, scale, massing and design.

The Local Ward Member raised concerns regarding the over concentration of students in the area and the negative impact this proposal had on the locality and its residents. He questioned why a property that had a neutral effect on the conservation area should be demolished.

Some Members also had concerns regarding the enforcement of the unilateral undertaking and the density of students within the locality.

The Planning Solicitor confirmed that the Council would be able to take enforcement action should the unilateral undertaking be breached since there would also be a tenancy agreement between the owners and the students requiring compliance with the management scheme.

The Head of Planning Services confirmed that a condition could be applied requiring approval of details of landscaping of the amenity area to the front of the property to ensure that this area was not used for recreational purposes such as parties.

RESOLVED that planning permission for redevelopment to provide 12 student flats, bicycle store, refuse area, parking and associated works be approved subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C36 - No Trees to be Felled
- 5) C37 - Replacement Planting
- 6) C57 - Archaeological Recording
- 7) C70 - Contaminated Land
- 8) Notwithstanding Condition 2, no work shall commence on site under this permission until details of the following have been submitted to and approved in writing by the Local Planning Authority:-
 - a) full elevational and sectional details of the development to a scale of 1:20 and 1:5 to include details of:-
 - i) windows, including colour, materials, cills, headers and reveals;
 - ii) the roof ridge, hip detailing, eaves, verges, rainwater goods, canopies and external doors;
 - b) provision of refuse storage; and
 - c) external lighting

Reason: To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development within the St David's Conservation Area and in relation to adjoining buildings.

- 9) Construction work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of residential amenity.
- 10) No part of the development hereby approved shall be brought into its intended use until the off-street parking and servicing facilities shall have been provided in accordance with the requirements of this permission and retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 11) No part of the development hereby approved shall be occupied until a travel pack has been provided informing all residents of the car free status and the location of all local and main shopping, leisure and public transport facilities and shall include timetables, as appropriate, all in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.
Reason: To ensure that all occupants of the development are aware of the car free status.
- 12) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials during the construction period, in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.
Reason: In the interests of public safety and to avoid obstruction of and damage to the adjoining highway.
- 13) Approval of a landscaping scheme before commencement of the development.
Reason: In the interests of local amenity.

RESOLVED that conservation area consent for demolition of dwelling be approved subject to the following conditions:

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) C58E - Contract Prior to Demolition

(Report circulated)

He confirmed that the proposal sought to close one of the existing accesses and widen the remaining access. A footpath would be provided in the front of the development and this would require the removal of an established hedgerow and its replacement with a bank on which landscaping was proposed.

This was an outline application including layout, scale and means of access. The proposal was for 6, 3 bed flats and 5, 2 bed flats with 11 parking spaces, the development would cause no overlooking. The scale and massing of the proposal was considerably greater than the existing dwelling.

The trees on the site although mature were not covered by a Tree Preservation Order.

The applicant had written commenting on the circulated report and he asked that the following be brought to the attention of Members:-

- there was no established legal ownership to the southern boundary of the site and there could be potential for planting in the area between the application site boundary and the access into the Taddyforde Estate
- at least half of the new planting to New North Road would be of semi mature species thereby creating an instant greening effect
- the southern gable to the development effectively fronts open space and would not have an overbearing effect on dwellings within the Taddyforde Estate.

The Development Control Manager confirmed that given the uncertainty over the ownership of the land there was no guarantee that the applicant was entitled to undertake landscaping on it. The potential for planting mature stock given the proximity of the car parking to the site boundary was limited and it would take time for mature landscaping to establish itself. He also stated that the circulated report acknowledged that the scheme was not detrimental to the amenities of near neighbours.

The recommendation was for refusal.

Councillor Hobden attended the meeting and spoke on this item having given notice under Standing Order No. 44. She made the following points:-

- no logical reason why this dwelling should be demolished
- the proposal would harm the character and appearance of the area
- the development was overbearing in an area where the dwellings were in spacious plots
- do not agree with the comments of the Director of Environment, Economy and Culture as the access on to a busy highway would not be suitable for the volume of vehicles which 11 flats could generate
- a consultation process was proposed on the area being designated as a conservation area
- endorsed the recommendation of the planning officer.

Mrs Cushing (representing local residents) spoke in opposition to the application. She made the following points:-

- recognised there was housing need in the city but this was not a brownfield site
- this area of the city had a unique character rather like that of a small village

- no buildings in the area were over 2 storey high
- 1 St Thomas Lane would be overlooked
- this proposal would be overbearing and intrusive.

Mr Jones (agent) spoke in support of the application. He made the following points:-

- this was an outline application and the final appearance would be subject to a reserved matters application
- the ridge height would be the same as the existing property
- the proposal would give the appearance of a 2 storey building and it would be set down into the site
- the development would not be overbearing
- the proposed access would improve highway safety of the present accesses.

Mr Jones clarified that the development was a mixture of 2 and 3 bedroom flats.

Members felt that this was a leafy unspoilt road into the city, the property currently on the site was of good architectural merit and the proposal would be out of keeping with the street scene.

RESOLVED that planning permission for redevelopment to provide 11 self-contained flats, parking, access to highway and associated works (external appearance and landscaping reserved for future consideration) be refused for the following reason:

- 1) The application is contrary to Policy CO6 of the Devon Structure Plan 2001-2016 and Policies DG1, DG4 and DG6 of Exeter Local Plan First Review 1995-2011 because:
 - i) the scale and massing of the proposed building would result in an overdevelopment of the site in terms of the appearance of the development in relation to the scale and character of the area;
 - ii) by reason of its scale and massing and the removal of existing mature vegetation to the site frontage the development would appear discordant and out of character with the street scene.

(Report circulated)

57

APPROVAL OF RESERVED MATTERS - 07/0050/02 & 07/0051/02 - UNITS 2 & 3, LAND NORTH OF EDF ENERGY BETWEEN PINN LANE & JUNCTION 29 (M5), EXETER

The Head of Planning Services presented these applications for units for office use, parking, access to highway and associated works.

The land was allocated for employment use in the local plan and these applications were for reserved matters, outline permission having been granted in March 2006.

The Head of Planning Services reported that one further letter of objection had been received stating that the application was premature pending further consideration of sustainable methods of accessing the site. The letter also called for the closure of Pinn Lane to vehicular traffic.

He confirmed that these matters were not relevant to consideration of these applications, which were for reserved matters only, the principle of the development having already been established.

The recommendation was for approval of the applications noting that on page 17 of the report 'condition 7' should read condition 6.

In answer to a Member's question, the Head of Planning Services confirmed that the parking provision was in accordance with the local plan policy and there would have been a Transport Assessment when outline approval was granted.

RESOLVED that planning permission for detached three storey building (2424sq.m.) for office use (Class B1), parking, access to highway and associated works (approval sought of reserved matters on Ref. No. 05/1053/01 granted 09 March 206) for siting, design, landscaping and external appearance be approved subject to the following conditions:

- 1) All conditions imposed on notice of outline approval (ref no. 05/1053/01) are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 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 8 January 2007 (dwg. nos. 06097 L01.00 P2, L01.10 P6, L02.00 P2, L02.01 P2, L02.02 P2, L02.03 P1, L03.01 P1 and L04.00 P1) and 30 March 2007 (dwg. no. 2395/L/02A), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Unless otherwise agreed in writing, no work shall commence on site under this permission until details of the following have been submitted to and approved in writing by the Local Planning Authority in respect of each phase:-
 - a) full elevational and sectional details of the development to a scale of 1:20 and 1:5 to include details of:-
 - i) windows, cills, headers and reveals, including materials and fixing methods; and
 - ii) all details of parapets, eaves, verges, rainwater goods, louvres, canopies and external doors.
 - b) all boundary treatments.
Reason: To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development.
- 4) No part of the development hereby approved shall be brought into its intended use until the off-street parking and any other vehicular access facility required for the proposed building by this permission have been completed and are available for use.
Reason: To ensure that adequate access and off-street parking facilities are available for the traffic attracted to the site.

- 5) In accordance with details that shall have previously been submitted to and approved by the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains onto any County Highway.
Reason: In the interests of public safety and to prevent damage to the highway.
- 6) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials during the construction period in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of public safety and to avoid obstruction of and damage to the adjoining highway.

RESOLVED that planning permission for detached three storey building (1511 sq. m.) for office use (Class B1), parking, access to highway and associated works (approval sought of reserved matters on Ref. No. 05/1053/01 granted 09 March 206) for siting, design, landscaping and external appearance be approved subject to the following conditions:

- 1) All conditions imposed on notice of outline approval (ref no. 05/1053/01) are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 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 8 January 2007 (dwg. nos. 06138 L01.00 P2, 06097 L01.10 P6, 06138 L02.00 P1, 06138 L03.01, and 06138 L04.00 P1) and 30 March 2007 (dwg. no. 2402/L/01A), as modified by other conditions of this consent.
- 3) Unless otherwise agreed in writing, no work shall commence on site under this permission until details of the following have been submitted to and approved in writing by the Local Planning Authority in respect of each phase:-
 - a) full elevational and sectional details of the development to a scale of 1:20 and 1:5 to include details of:-
 - i) windows, cills, headers and reveals, including materials and fixing methods; and
 - ii) all details of parapets, eaves, verges, rainwater goods, louvres, canopies and external doors.
 - b) all boundary treatments.**Reason:** To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development.
- 4) No part of the development hereby approved shall be brought into its intended use until the off-street parking and any other vehicular access facility required for the proposed building by this permission have been completed and are available for use.

Reason: To ensure that adequate access and off-street parking facilities are available for the traffic attracted to the site.

- 5) In accordance with details that shall have previously been submitted to and approved by the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains onto any County Highway.
Reason: In the interests of public safety and to prevent damage to the highway.
- 6) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials during the construction period in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of public safety and to avoid obstruction of and damage to the adjoining highway.

(Report circulated)

58

PLANNING APPLICATION - 07/0473/03 - 19 FOX ROAD, EXETER

The Head of Planning Services reported that amended plans had been received in respect of this application and asked that the Planning Committee defer the application to allow reconsultation and consideration of these plans.

RESOLVED that this application be deferred.

(Report circulated)

59

PLANNING APPLICATION - 07/0524/03 - 41 ATTWYLL AVENUE, EXETER

The Development Control Manager presented this application for a 2 storey side and ground floor extension. A previous application on this site had been refused; this application addressed those reasons for refusal.

The recommendation was for approval.

RESOLVED that planning permission for two storey side and ground floor rear extension 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 9 March 2007 (*dwg. no. 2 Revision A*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials

4) The windows on the side elevation of the extension shall be fitted with obscure glazing and permanently retained in situ unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of the adjacent property.

(Report circulated)

60 **PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND WITHDRAWN APPLICATIONS**

The report of the Head of Planning Services was submitted.

RESOLVED that the report be noted.

(Report circulated)

61 **ENFORCEMENT PROGRESS REPORT**

The Head of Planning Services presented the report updating Members on enforcement matters.

RESOLVED that the report be noted.

(Report circulated)

62 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(Report circulated)

63 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party will be held on Tuesday 8 May 2007 at 9.30 a.m.

64 **DATE OF NEXT MEETING**

The next meeting of the Planning Committee will be held on Monday 21 May 2007 at 5.30pm.

(The meeting commenced at 5.30 pm and closed at 7.50 pm)

Chair

Agenda Item 4

PLANNING COMMITTEE

Monday 21 May 2007

Present:-

Councillor Rachel Lyons (Chair)

Councillors Choules, P Brock, Mrs Henson, Mitchell, Moore, D J Morrish, Newby, Robson, Shepherd, Shiel and Wadham

Also Present

Director Economy and Development, Head of Planning Services, Planning Solicitor, Planning Technician (CJ) and Member Services Officer (SJS)

65

ELECTION OF CHAIR

RESOLVED that Councillor Lyons be elected Chair for the ensuing Municipal Year.

66

ELECTION OF DEPUTY CHAIR

RESOLVED that Councillor Choules be elected Deputy Chair for the ensuing Municipal Year.

67

DECLARATIONS OF INTEREST

Members declared the following personal (*prejudicial) interests:-

COUNCILLOR	MINUTE
Councillor Choules	66 (Employee of Exeter University)
Councillor Lyons	70 (Trustee of Exeter Municipal Charities)
Councillor D.J. Morrish	70 (Trustee of Exeter Municipal Charities)

68

PLANNING APPLICATION - 07/0424/03 - LAND AT ROWANCROFT, FORE STREET, HEAVITREE, EXETER, EX1 2QQ

Councillor Choules declared a personal interest as an employee of Exeter University.

The Head of Planning Services presented this application for a development to provide 61 self-contained flats for students in 3 storey blocks, providing a total of 219 bed spaces.

The development was in a conservation area and in the grounds of a locally listed Victorian House. The site adjoined 6 Bicton Place and had views towards hills north of Exeter.

Two previous applications had been refused on the grounds of the scale and massing being inappropriate in the locality.

The Head of Planning Services reported that in response to concerns highlighted in the report regarding impact on trees, revised plans had been submitted which reduced the size of the proposed building closest to Rowancroft and deleted the parking spaces and cycle parking along the boundary of the site with the Roman Catholic Church and in the southeast corner of the site. This resulted in a reduction in the number of parking spaces to serve the site as a whole to 20. The revised plans were considered to overcome the concerns regarding proximity of the development to existing trees and vegetation.

The formal comments of the County Director of Environment, Economy and Culture had not been received. However it was understood that notwithstanding the reduction in the level of parking provision on the site there would not be any objection on highway grounds.

A further representation had been received on behalf of the Bicton Place Residents Association relating to the late submission of revised plans, lack of consultation over such plans with local residents and consequent denial of opportunity for further comment. The representation requested that consideration of the application was deferred to allow for re-consultation to facilitate comment on the changes by local residents.

The development was to be in the form of traditional 3 storey buildings and the materials proposed to be used were zinc cladding with brick and render, with a grey concrete tiled roof.

The Head of Planning Services stated that the main issues with this development were the design in a conservation area, relationship to adjoining properties (in particular 6 Bicton Place) and the density. The proposal was now 41 metres from the boundary with 6 Bicton Place, an internal street scene had been created and two internal open areas, one retaining the openness and the views to the hills north of Exeter and the roof was now pitched instead of flat therefore reducing the bulk and the number of student beds had been reduced to 219.

The Head of Planning confirmed that this development would bring the total number of student bed spaces in the entire complex at Rowancroft to about 370.

The Planning Solicitor reported that due to concerns regarding the management of the proposed scheme, the applicants had confirmed their agreement to enter into a Section 106 Agreement. A draft had been agreed which provided for the following:-

- the development would be restricted to student accommodation to be managed by resident staff;
- the development would be run according to a management scheme to be approved in advance by the Council, with students being bound to it by their tenancy agreements;
- a contact number would be displayed publicly and responded to at all times;
- parking permits would only be issued for the number of spaces provided, and no one without a permit would be permitted to park on site, or bring a vehicle to the development.

The recommendation was for approval subject to no objection being received from English Heritage and from the County Director of Environment, Economy and

Culture, completion of the Section 106 Agreement, and additional conditions regarding refuse storage arrangements, archaeology and provision of nesting boxes.

Councillor Gale attended the meeting and spoke on this item having given notice under Standing Order No. 44. He made the following points:-

- 370 students on this site was too many
- this proposal would increase traffic in an area of Exeter where pollution was already high
- students would bring cars to the site and thus exacerbate the parking problem in Heavitree
- mass and scale was too large and not suitable for a conservation area
- as Homefield Road was on lower ground, the proposal had an overbearing effect giving the impression of a 4 storey development
- residents of Heavitree had serious concerns regarding this development
- would the accommodation be used for holiday lets as St Luke's was?
- asked the Committee to refuse this application.

The Director Economy and Development confirmed that the Section 106 Agreement would restrict use of the accommodation to students use only.

Mr A Kerswell (representing local residents) spoke in opposition to the application. He made the following points:-

- special attention should be placed on the fact that the development was in a conservation area
- the footprint was larger than the previous refusals
- the development would cause noise pollution
- students would bring cars and cause parking problems in the surrounding roads
- access and egress would be difficult due to the narrow access
- the amount of lighting would cause light pollution
- if this was social housing and not student accommodation it would not be given permission
- asked the Committee to refuse the application

Mr D Allen (Registrar of Exeter University) spoke in support of the application. He made the following points:-

- the proposal had been reduced to 220 bed spaces; this was a reduction of 25% from the original application
- it was the council's policy to encourage university controlled accommodation
- it was the intention of the university to retain St Luke's campus
- the existing student accommodation housing 150 students would be refurbished, therefore bring the total number of students on the site to 370
- parking would only be allowed if a student was granted a permit
- the university would do all in its power to prevent students from bringing a car to the city
- there would be a senior mentor for students on site and a disciplinary code
- the Section 106 Agreement prevented the accommodation being let in holiday time for conferences.

In answer to Members questions Mr Allen confirmed that unless a student had an allocated parking permit they would be effectively barred from bringing a car and that the university had powers under the licence agreement with students to enforce this ban. He confirmed that the university had a Green Travel Policy, which all students were made aware of and encouraged to take part in. The university had a target of reducing its carbon footprint by 2% a year and it subsided the D route bus service.

Mr Allen confirmed that they do take action against students who cause anti social behaviour and had the power to evict students. Most of the students accommodated at this new development would be studying at St Luke's and this accommodation would not be used for summer schools.

The Local Ward Member recognised that there should be student accommodation on this site and that the scheme had been reduced. However he felt that it was still out of keeping with the conservation area and was unsympathetic to the surrounding locality. It would increase the parking problems in the vicinity as with only 20 parking spaces on site students would look to park their cars in the surrounding area.

Some Members were of the opinion that the development was not in keeping with the setting and questioned the materials to be used in particular the concrete roof tiles. Other Members of the Committee welcomed this revised application. They felt that it was quality purpose built managed student accommodation that would be virtually car free and in an ideal location near to St Luke's campus.

The Head of Planning Services confirmed that the roof materials to be used would be conditioned to secure a natural material.

RESOLVED that planning permission for development to provide 61 self-contained flats for students in 3 storey blocks, alteration to parking layout, pedestrian access to highway and associated works be approved subject to no objection being received from English Heritage and the County Director of Environment, Economy and Culture, a Section 106 Agreement restricting the scheme to student accommodation and setting out arrangements for management and policy, and the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C12 - Drainage Details
- 4) C17 - Submission of Materials
- 5) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping scheme will be expected to maximise the wildlife potential of the site through the creation of

appropriate environments and selection of plants in the light of the Extended Phase 1 Habitat Survey submitted as part of the application. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 6) C36 - No Trees to be Felled
- 7) C37 - Replacement Planting
- 8) C38 - Trees - Temporary Fencing
- 9) C70 - Contaminated Land
- 10) No construction works shall take place within the site before 07.30 hours on weekdays, and 08.00 on Saturdays nor after 18.30 hours on weekdays and 13.00 hours on Saturdays nor at any time on Sundays or Bank or Public Holidays.
Reason: To protect the amenities of nearby residents.
- 11) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of the dwelling/building(s), in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority.
Reason: In the interests of the visual amenities of the area and the residential amenities of the occupants of surrounding properties.
- 12) Prior to the commencement of the development hereby approved detailed plans to a scale of not less than 1:50 of the proposed layout, landscaping, street furniture and lighting of the proposed new open space in front of Rowancroft shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter this space shall be completed strictly in accordance with the approved drawings and within a timeframe that shall also be previously agreed in writing by the Local Planning Authority.
Reason: To ensure that the quality of the new open space is appropriate and makes a positive contribution to the character and appearance of the Conservation Area.
- 13) No development shall take place within the site until a written scheme of archaeological work has been submitted and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.
- 14) Prior to the commencement of the development hereby approved detailed plans of the proposed refuse storage facilities to serve the development shall be submitted to, and be approved in writing by, the Local Planning

Authority. The approved refuse storage facilities shall be provided prior to first occupation of any part of the buildings and thereafter be retained to serve the development at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that appropriate refuse storage facilities are provided to serve the development.

15) Prior to the commencement of the development hereby approved plans/details depicting the incorporation of bird/bat nesting boxes within the scheme shall be submitted to, and be approved in writing by, the Local Planning Authority. The agreed provisions shall then be erected prior to the first occupation of any part of the building and thereafter be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the scheme makes appropriate provision to maximise the wildlife value of the site.

69

PLANNING APPLICATION & LISTED BUILDING CONSENT- 07/0520/03 & 07/0521/07 - ST ANNES WELL BREWERY, 18 LOWER NORTH STREET, EXETER, EX4 3ET

The Head of Planning Services presented these applications for planning permission and listed building consent for change of use to a hotel and restaurant.

This was a Grade II listed building in the St David's conservation area. The proposal was for a 33 bedroom hotel with restaurant and conference facilities. The building was in 3 parts of varying heights and it was proposed to link these by glazed walkways.

The Head of Planning Services reported that discussions had been held with the applicant's agent concerning the impact of the proposed alterations on the fabric of the building. As a result of clarification, the Council's conservation officer was now satisfied that the proposal did not have an adverse impact on the building's historic and architectural importance. As a result of this an additional condition was recommended on both applications regarding submission and approval of works details.

The County Director of Environment, Economy & Culture raised no objection to the proposal subject to the addition of two conditions on the planning application regarding a basic travel plan and off-street parking facilities.

A site layout plan had been received showing an acceptable level of cycle parking and refuse storage provision. However, this plan only showed the situation if the proposed residential accommodation on the brewery car park was constructed. It was recommended that a plan showing the layout if the car park was not developed should be secured prior to approval of the scheme. It was therefore requested that approval of the scheme be delegated to the Head of Planning Services subject to receipt and consideration of this plan.

The recommendation was for approval of the planning application to be delegated to the Head of Planning Services subject to receipt and consideration of plan regarding cycle parking and refuse storage provision should the adjacent scheme not take place

and the additional conditions as requested by the conservation officer and the County Director of Environment, Economy & Culture.

The recommendation for the listed building consent was approval subject to an additional condition as requested by the conservation officer.

Members' felt that this was a positive scheme, although they raised concerns regarding the hours of construction and asked that as the building was of historic interest a plaque should be placed in the building to inform visitors of its history.

The Head of Planning Services confirmed that an hours of construction condition would be placed on any approval and that he would pass the Members request on to the applicants regarding the erection of some interpretation material.

RESOLVED that planning permission for change of use from office, gymnasium and residential (Classes B1, D2 & C3) to hotel and restaurant (Classes C1 & A3), alterations to include roof extension for link at second floor level, rooflights on north elevation, glazed enclosure on upper ground floor on north & west elevations, window on lower ground floor on west elevation and associated works be delegated to the Head of Planning Services subject to the receipt and consideration of a plan showing the layout of cycle parking and refuse storage if the adjacent car park was not developed and the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - a) full details of how existing cast iron columns will be integrated into the design and layout of the building;
 - b) full details of the glazed screen to the upper ground floor level, including materials and glazing pattern;

Reason: Insufficient information has been submitted with the application and in the interests of the character and appearance of the grade II listed building.
- 7) No part of the development hereby approved shall be commenced until a basic Travel Plan with a view to reducing dependence for access by private motor car has been submitted to, agreed and approved in writing by the Local Planning Authority.

Reason: To reduce dependency on access by private motor vehicles in view of the location of the site.

8) No part of the development hereby approved shall be brought into its intended use until the off-street parking facilities have been identified and marked out in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for that purpose at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

9) No construction works shall take place within the site before 07.30 hours on weekdays, and 08.00 on Saturdays nor after 18.30 hours on weekdays and 13.00 hours on Saturdays nor at any time on Sundays or Bank or Public Holidays.
Reason: To protect the amenities of nearby residents.

RESOLVED that listed building consent for external alterations to include window, glazed enclosures, roof extension, rooflights and internal alterations to walls be approved subject to the following conditions:

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) C15 - Compliance with Drawings
- 3) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - a) full details of how existing cast iron columns will be integrated into the design and layout of the building;
 - b) full details of the glazed screen to the upper ground floor level, including materials and glazing pattern;**Reason:** Insufficient information has been submitted with the application and in the interests of the character and appearance of the grade II listed building

70 **PLANNING APPLICATION - 07/0322/03 - 95 ALPHINGTON ROAD, EXETER, EX2 8JD**

The Head of Planning Services presented this application for change of use to one, one bed flat and one, two bed flat.

The proposal included the erection of a rear exterior staircase.

The Head of Planning Services stated that the existing use was as a single dwelling house and there was no record of the property's use being changed to a house in multiple occupancy (HMO). He confirmed that the applicant should establish the use as a HMO by obtaining a certificate of lawful use.

He reported that the County Director of Environment, Economy & Culture recommended that the permission be refused for the reason of inadequate parking provision.

The recommendation was for refusal.

In answer to a Member's question, the Head of Planning Services confirmed that the onus was on the applicant to provide the evidence that was needed to apply for a certificate of lawful use.

Miss Wetherell (applicant) spoke in support of the application. She circulated a certificate and photographs in support of the application to Committee Members and raised the following points:-

- did not understand the need to apply for a certificate of lawful use
- the information circulated demonstrated that the property had been used as an HMO since 1993
- the previous owner would be willing to sign a declaration to confirm the property had been a HMO since 1993
- the property was very run down
- parking would not be an issue as there was not any parking in the locality
- the house was large enough to accommodate two flats.

The Head of Planning Services advised Members and the applicants of the options available when taking a decision on this application.

The applicant confirmed that she would withdraw the application.

Members noted that the application was withdrawn.

71

PLANNING APPLICATION - 07/0473/03 - 19 FOX ROAD, EXETER, EX4 8NB

The Head of Planning Services presented this application for a conservatory. This application had been deferred from the last Planning Committee to allow the applicant to submit revised plans.

The recommendation was for approval.

RESOLVED that planning permission for white PVCu conservatory on rear elevation be approved subject to the following conditions:

- 1) 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 ensure compliance with sections 91-92 of the Town and Country Planning Act 1990 (as amended).
- 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 18 April 2007 (*dwg. nos.099-49361 A*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The conservatory hereby approved shall not be occupied until all windows on the southern elevation of the conservatory have been fixed and obscure glazed to a level of obscurity equivalent to Pilkington Level 5. The windows shall be permanently retained as such at all times thereafter.
Reason. In the interests of residential amenity.

72

**PLANNING APPLICATION - 07/0052/07 - LIVERY DOLE ALMSHOUSES,
MAGDALEN ROAD, EXETER, EX2 5DT**

Councillors Lyons and D.J. Morrish both declared a personal interest as Trustees of Exeter Municipal Charities.

The Head of Planning Services presented this listed building application for a replacement sign. Vandals had damaged the previous sign and the material proposed to be used would be aluminium, which was a more robust material than wood.

The recommendation was for approval.

RESOLVED that planning permission for external alterations to provide sign on south boundary wall 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 9 January 2007, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The lettering and colour shall match the previously approved sign (Ref. 04/2176/07) unless otherwise agreed in writing with the Local Planning Authority.
Reason: To allow the Local Planning Authority to assess the detailed aspects of the scheme and to ensure that local distinctiveness and good design are maintained in the locality.

73

**PETITION TO COUNCIL REQUESTING SUPPLEMENTARY PLANNING
GUIDANCE RESTRICTING MULTI OCCUPANCY IN PARTS OF ST
JAMES WARD**

The report of the Head of Planning was submitted, informing Members of a petition presented to Council on 17 April 2007 by Councillor Mitchell.

Members noted the report.

74

**PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND
WITHDRAWN APPLICATIONS**

The report of the Head of Planning Services was submitted.

RESOLVED that the report be noted.

(Report circulated)

ENFORCEMENT PROGRESS REPORT

The Head of Planning Services presented the report updating Members on enforcement matters. He confirmed that the play equipment at 51 Beacon Heath had been moved from the paddock area to the garden.

RESOLVED that the report be noted.

(Report circulated)

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(Report circulated)

SITE INSPECTIONS – ROTA FOR VISITS

RESOLVED that the circulated rota of site inspections, be approved.

(Schedule circulated)

AREA WORKING PARTIES – SCHEDULE OF DATES

The Chair reminded Members that if they were unable to attend a meeting of an Area Working Party in order to ensure a quorum it was important to arrange an exchange with another Member of the Committee.

RESOLVED that the following appointments to Area Working Parties, together with the circulated schedule of meetings, be approved:-

- (a) **Northern** - Councillors Brock, P.J, Mrs Henson, Mitchell and Moore.
- (b) **Southern** - Councillors Lyons, Newby, Morrish, Robson and Shepherd
- (c) **Western** - Councillors Choules, Fullam, Shiel and Wadham.

(Schedule circulated)

PLANNING MEMBER WORKING GROUP -SCHEDULE OF DATES

The schedule of the Planning Member Working Group was presented.

Members noted the schedule.

(Schedule circulated)

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 12 June 2007 at 9.30 a.m. The Councillors attending will be Fullam, Mrs Henson and Lyons.

DATE OF NEXT MEETING

The next meeting of the Planning Committee will be held on Monday 25 June 2007 at 5.30pm.

(The meeting commenced at 5.30 pm and closed at 7.45 pm)

Chair

Agenda Item 5

PLANNING COMMITTEE

Monday 25 June 2007

Present:-

Councillor Rachel Lyons (Chair)

Councillors Choules, P Brock, Fullam, Mrs Henson, Moore, D J Morrish, Newby, Robson, Shepherd and Wadham

Also Present

Director Economy and Development, Head of Planning Services, Head of Environmental Health, Planning Solicitor, Development Control Manager, Planning Technician (CJ) and Member Services Officer (SJS)

82

MINUTES

The minutes of the meeting on 23 April 2007 were read and signed as correct record by the Chair.

83

DECLARATIONS OF INTEREST

Members declared the following personal (*prejudicial) interests:-

COUNCILLOR	MINUTE
Councillor P.J. Brock	84 (Member of Devon County Council) 85* (knows the applicant)
Councillor Fullam	85* (knows the applicant)
Councillor Moore	90*(Member of Unison)
Councillor D.J.Morrish	84*(previously expressed an opinion on this application)
Councillor Wadham	85* (knows the applicant)

84

PLANNING APPLICATION NO - 07/0927/25 - DEVON WASTE MANAGEMENT, EXETER TRANSFER STATION, GRACE ROAD SOUTH,

Councillor D. J. Morrish declared a prejudicial interest as he had previously expressed an opinion on this application and left the meeting during consideration of this item.

Councillor P.J. Brock declared a personal interest as a Member of Devon County Council.

The Head of Planning Services presented this application which was a consultation from Devon County Council regarding the proposed energy from waste incinerator at Grace Road.

It was understood that Devon County Council's Development Control Committee would undertake a site inspection on 27 June 2007 before determining the application at its meeting on 18 July 2007.

The footprint of the proposal was greater than the existing building and would measure approximately 83 metres by 37 metres, with a height of 27 metres. The flue would be 65 metres tall. The materials to be used were cladding in light and dark grey and green and the design was contemporary. The existing incinerator had been on the site since 1970 and was shut down in 1996, since when it had been used as the Exeter Waste Transfer Station.

The Head of Planning Services reported that two late items had been received. The agents for Viridor Waste Management Ltd had responded to the earlier version of the report that was presented to the Planning Member Working Group. Exeter Friends of the Earth had sent in an information sheet that urged the City Council to object to the incinerator. The County Waste Manager had responded to this submission. All the material received would be forwarded to Devon County Council as the determining planning authority for the application.

The Head of Planning Services informed Members that national and local planning and waste policies required sustainable waste management in accordance with a hierarchy of reduction, reuse, recycling and composting using waste as a source of energy and only disposal as a last resort.

It was anticipated that the annual capacity of the proposal would be 55,000 to 60,000 tonnes and it was the intention that as residual municipal waste reduced through increased recycling, commercial waste would be taken to the site.

There would be an input into the facility of 16.3MW of potential energy in the waste of which about 13MW was identified as recoverable, about 3MW as electricity and about 10MW as heat energy. Electricity produced would be used by the plant and the surplus exported to the National Grid.

The Head of Planning Services outlined the main issues in the recommendation asking that Devon County Council required a Section 106 Agreement to:-

- ensure best endeavours were made to market the energy produced
- establish a support and liaison group and annual reporting arrangements involving the local community and Exeter City Council representatives
- ensure reasonable endeavours were made to recycle the bottom ash

Viridor had agreed to establish a local liaison group with annual reporting and confirmed that they would make 'reasonable' endeavours to market the energy produced and recycle the bottom ash.

He also stated that the City Council required a condition to ensure that the facility complied with the proximity principle. The distance needed to reflect the existing catchment of the waste transfer station that Devon County Council officers indicated was about 15kms for residual municipal and commercial waste. Viridor's letter referred to 'a majority of waste derived from a 40km radius'. This catchment area was too wide.

The Head of Planning Services stated that the City Council considered it absolutely essential that a planning condition provided for the fitting, use and public reporting of results from an AMESA (or agreed equivalent) continuous sampling system on the flue stack to provide information on dioxins and furans in non steady state

conditions and to enable mitigation procedures to be developed. The system would complement not duplicate Environment Agency PPC controls and provided additional comfort to objectors.

Viridor requested that the Environment Agency be consulted in advance should such a requirement be under consideration. The City Council would welcome involvement in any such discussions.

The Head of Planning Services stated that the proposed consultation response to Devon County Council was as per the circulated report with a request for an additional condition that no pre-sorted recyclables were incinerated on site.

Councillor P Smith attended the meeting and spoke on this item having given notice under Standing Order No. 44. He made the following points:-

- was aware of the need to step up the waste hierarchy
- the proximity principle was important but the transport issues within Exeter should be taken into account
- Anglers that used the canal had raised concerns regarding possible pollution
- there should be continuous sampling
- 30 parking spaces on the site was too high as the site was on 2 bus routes
- the traffic that this proposal would generate would be considerably less than at present
- welcomed a local liaison group
- supported officer's recommendation to Devon County Council.

John Hammond (representing Friends of the Earth and South West Sustainable Wastes Management Campaign) spoke against the application. He circulated a paper 'the risks of another Incinerator in Exeter'. He raised the following points:-

- a contract to dispose of waste through an incinerator was not the way forward
- was opposed to the burning of waste in any form
- Exeter City Council had a Zero Waste Strategy, therefore an incinerator of this size was inappropriate, as residual waste should reduce over the coming years
- Incinerators produced a highly toxic fly ash which would need to be transported to a licensed landfill site
- Viridor were not forward thinking they should look at alternative methods such as Mechanical Biological Treatment
- to achieve a Zero Waste Strategy Exeter City Council should practice food waste collections and pay as you throw schemes.

Howard Ellard (applicant) spoke in support of the application. He circulated a short note. He raised the following points:-

- the plant would take municipal waste although this could be replaced with commercial waste as the percentage of recycling increased
- the emissions would be monitored regularly by the Environment Agency via continuous sampling
- the bottom ash would be used in the construction process.

In answer to Members' questions, Mr Ellard confirmed that the toxic fly ash would be transported to the nearest available site which was in Gloucester. He confirmed that the catchment area would be between 15 to 40 kms.

Members discussed the application. They supported the officer's consultation response and welcomed the generation of energy from waste, which they felt was a positive way forward. They supported the requirement for an AMESA or other continuous sampling system. Members raised concern regarding the catchment area and supported the recommendation for about a 15 km area.

RESOLVED that Devon County Council is advised that

1) Exeter City Council request that apart from standard conditions such as landscaping, archaeology, external lighting etc, more specific conditions should be imposed set out below: -

- i) A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and emissions of noise and dust. This should include details of the phasing and timing of work to minimise noisy activities on Saturdays and measures that will minimise the impact of construction traffic on the local road network, including parking. The CEMP should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during this phase of the development, in order to discuss forthcoming work and its environmental impact.
- ii) An Environmental Management Plan for the commissioning phase shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of operation of the facility, and adhered to subsequently at all times. This should include a programme for monitoring and mitigation of noise emissions and emissions to air, including the deposition of airborne pollutants using AMESA or another continuous sampling system to be agreed in writing by the Local Planning Authority. The pollutants that are monitored should include, but not be limited to, dioxins and NO₂. Monitoring locations should be both on and off-site, and should be chosen based on prevailing wind direction and the location of predicted maximum concentrations in the air quality impact assessment.
- iii) A piling method statement shall be submitted and agreed in writing by the Local Planning Authority prior to the commencement of development, containing details of the methods used in order to control noise and vibration, and adhered to during the construction period. Given the location of the site adjacent to other properties, which will be occupied during the hours of construction, the use of silent piling methods should be considered as the favoured option.
- iv) Noise from activity on site during the construction and demolition phases shall not exceed 75 dB (L_{aeq,1hour}) and 85 dB (L_{aeq,5min}) when measured at the site boundary. The monitoring frequency and location of the monitoring points to be agreed with the Exeter City Council Head of Environmental Health Services.
- v) The hours of work during demolition and construction shall be limited to 7am to 7pm, Monday to Friday and 7am to 4pm Saturday.

- vi) Noisy activities during the commissioning phase shall only occur between 7am to 7pm, Monday to Friday. Any deviation from this condition shall be agreed in advance with the Exeter City Council Head of Environmental Health Services.
- vii) Details of the acoustic treatment of the building shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development, and the building shall be constructed and maintained in accordance with the approved details.
- viii) Sound power levels of all external plant and machinery shall be submitted and agreed in writing by the Local Planning Authority prior to commencement of the development, and the agreed details shall be adhered to at all times.
- ix) No development shall take place on site until a full survey of the site has taken place to determine the extent of contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied 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 the site is in such a condition as to be suitable for the proposed use.

2) That Devon County Council be informed that Exeter City Council objects to the application unless the following requirements are satisfied:

- i) a planning condition and/or Section 106 requirement is imposed that municipal and commercial waste incineration at the plant shall be normally restricted to waste collected within a x kilometre radius (to be defined to reflect the catchment of the existing waste transfer station) unless otherwise agreed in writing by the Local Planning Authority..
- ii) the programme for monitoring and mitigation of emissions to air by fitting, use and reporting through an AMESA or other continuous sampling system agreed in writing by the Head of Environmental Health.
- iii) in the absence of firm proposals within the submitted documentation the applicant should be required to enter into a Section 106 Agreement, details to be agreed by Exeter City Council, to provide:
 - A) that best endeavours are made to market the energy produced as a consequence of the waste incineration process, including the general terms on which it will be made available;
 - B) the establishment of and support for a liaison group and annual reporting arrangement involving the local community and Exeter City Council representatives; and
 - C) that reasonable endeavours are made to recycle bottom ash as a construction material

iv) A planning condition be applied that no pre-sorted recyclable waste be incinerated.

3 ‘That Devon County Council be advised to not finally determine the application until it has requested the developer to submit further information in relation to the issues identified elsewhere in this report where the Environmental Assessment is deficient in detail and it is satisfied with the material.’

(Report circulated)

85

**PLANNING APPLICATION NO - 07/0926/03 - 15 ROSEBARN AVENUE,
EXETER, EX4 6DY**

Councillors P.J. Brock, Fullam and Wadham all declared a prejudicial interest, as they knew the applicant and left the meeting during consideration of this item.

The Head of Planning Services presented this application for a ground floor front extension and glazed porch with projecting entrance canopy.

The property was semi detached. The two properties had different window frames and were different in colour and general appearance, although they shared a common design of porch. This proposal was for a front extension to extend the kitchen and provide toilet facilities with a shower. The roof would be part pitched and part flat and would be glazed.

A previous application for a front extension had been withdrawn.

The Head of Planning Services reported that officers were of the opinion that this proposal was not in keeping with the appearance of the building and upset the balance of the semi-detached properties. The recommendation was for refusal.

Mrs Smith spoke in support of the application. She circulated a supporting letter and photographs. She made the following points:-

- there had been no objections from neighbours
- the width of the proposal had been reduced from the original application submitted
- the hallway was dark so the glazed aspect of the proposal would allow more light into the property
- the properties in the street had their own character
- would be using the same front door and there was to be a pitched roof
- could not build to the side of the property as this would block access to the rear garden.

Members discussed the application. Some felt that the properties in the street were of different character and the proposal did not upset the balance of the semi-detached properties, whilst other Members felt that perhaps the extension could be built to the side or rear of the property.

Members requested a site visit by the site inspection party.

(Report circulated)

**PLANNING APPLICATION NO - 07/0826/03 - 137-137A COWICK STREET,
EXETER, EX4 1HS**

The Planning Solicitor declared a personal interest, as he knew the agent.

The Development Control Manager presented this application for redevelopment to provide sheltered accommodation and affordable housing.

The sheltered accommodation would comprise of 46 apartments, 31, 1 bed and 15, 2 bed in a contemporary 5/4/3 storey block. The materials to be used were coloured render and cladding.

137a Cowick Street would be converted into 3, 1 bed apartments, the existing rear extension would be removed and replaced with a larger extension. The existing building on 137 Cowick Street would be converted to 2, 2 bed apartments. A traditional building would be erected alongside to accommodate 11 affordable housing units.

There were a total of 62 units and 9 car parking spaces proposed.

The Development Control Manager reported that the Head of Leisure and Museums had reiterated Natural England's comments about the need to ensure the buildings due to demolished were surveyed for bats and any nesting birds. He also reported that an Archaeological Desk Based Assessment had been submitted. The Archaeology Officer considered that the assessment did not provide sufficient information on the archaeological impact of the development to enable the application to be determined favourably.

The Development Control Manager outlined the main issues surrounding the proposal:-

- scale and mass too large for the site
- the proposal was too tight to the boundaries
- out of context with other developments in the locality
- overbearing impact on the St Thomas Pleasure Ground
- design was too fussy
- the tree officer had concerns regarding the impact that the development could have on the trees in St Thomas Pleasure Ground
- poor amenity space.

He informed Members that Policy E3 of the Local Plan stated that the loss of employment land or premises would not be permitted where it would harm business or employment opportunities in the area. Whilst this site had been in employment use it was not considered that an objection to the proposal on these grounds could not be sustained.

The recommendation was for refusal with an amendment to reason 3 (archaeology) to reflect the fact that an assessment had been submitted but that it was of insufficient detail and an amendment to reason 5 (s106 requirements) with the reference to "open space in the area" to be replaced with "wider community facilities". An application for conservation area consent had been submitted but was not before the Committee.

Councillor Hannaford attended the meeting and spoke on this item having given notice under Standing Order No. 44. He made the following points:-

- agreed with the officer recommendation regarding the design and materials
- a 5 storey building would create a canyon effect in St Thomas Pleasure Ground
- not convinced a contemporary design would be suitable in this location
- put pressure on the already stretched drainage facilities in the area
- would request that a planning obligation enable Age Concern to expand.

Mr Childs (agent) spoke in support of the application. He raised the following points:-

- the building design in the locality was of varying nature
- the contemporary building was designed to get noticed
- the 5 storey element was set back to off-set its impact
- been working toward agreeing the management issues surrounding the affordable housing
- if Members were satisfied with design the applicant could address the technical reasons.

Members discussed the application they were of the opinion that the design was inappropriate, it had an overbearing impact on the St Thomas Pleasure Ground and the scale and massing was too large for the site. Whilst some Members felt the colours were not suitable for this location others were of the opinion that brighter colours would help to create a more vibrant street scene.

RESOLVED that planning permission for redevelopment to provide 46 sheltered apartments with communal facilities, 11 self-contained flats, change of use of 137 and 137A from dwelling houses (Class C3) to 5 self-contained flats, three storey extension to rear elevation of 137A, landscaping, scooter store, ramp, parking, access to the highway and associated works, be refused for the following reasons:

- 1) The proposal does not accord with national and local planning policies promoting good design in all development proposals. By reason of its inappropriate design, layout, scale, massing, materials and height the proposed development fails to create a distinctive sense of place, a quality public realm, or spaces. The proposal therefore detracts from the character and appearance of the Cowick Street Conservation Area and St Thomas Pleasure Ground and is contrary to Policies ST1, CO6 and C1 of the Devon Structure Plan 2001 - 2016, Policies C1, DG1, DG4, DG6 and DG7 of the Exeter Local Plan First Review, and advice in the DETR document "By Design - Urban design in the planning system: towards better practice".
- 2) The proposal is contrary to the Devon Structure Plan 2001 to 2016 Policies ST1 & C06 and the Exeter Local Plan First Review Policies DG1 & DG4 because:-
 - i) it would provide inadequate amenity and bin store provision in terms of location, size and quality to the detriment of the living conditions of future occupiers of the proposed residential units;
 - ii) it would have an overbearing impact and result in the loss of outlook to the detriment of the amenities of the occupiers of adjoining residential properties in Park View.

iii) it would have an adverse impact on the mature trees surrounding the site with an increase risk of damage during construction and pressure for removal in the future.

- 3) The submitted archaeological assessment is of insufficient detail to evaluate the character and extent of any archaeological remains that exist in the area of proposed development and to identify potential options for minimising or avoiding damage to such remains, the proposal is contrary to Policy CO8 of the Devon Structure Plan 2001 – 2016, Policy C5 of the Exeter Local Plan First Review, the Council’s Supplementary Planning Guidance relating to archaeology and PPG16 “Archaeology and Planning”.
- 4) In the absence of a suitable design to address the potential flood risk arising from this development and to prevent the increased risk of flooding, the proposal is contrary to Policy CO13 of the Devon Structure Plan 2001 – 2016, Policy EN4 of the Exeter Local Plan First Review and the advice in PPS25 “Development and Flood Risk”.
- 5) In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which make provision for affordable housing and a financial contribution towards wider community facilities the proposal is contrary to Policies H6 and L4 of the Exeter Local Plan First Review.

(Report circulated)

87

PLANNING APPLICATION NO - 07/0860/03 -TOPSHAM QUAY, THE STRAND, TOPSHAM, EXETER, EX3

The Development Control Manager presented this application for a mooring for a barge to provide a café. The barge was 26.5 metres long and was currently moored at the Canal Basin.

15 letters of objection had been received. Some of the objections contained issues that were not material planning considerations.

The Development Control Manager reported that Natural England had expressed concerns about the impact of the winter usage on wading birds. The Head of Environmental Health had requested that a British Standard 4142 Assessment was carried out to evaluate noise impact on the area. He had also stated that the mechanical extraction equipment serving food preparation areas should meet requirements set out in DEFRA guidance for odour and noise from commercial kitchens.

The Council’s Conservation Officer had objected.

The County Director Environment, Economy and Culture raised no objections.

The recommendation was for refusal due to the impact that the proposal would have on the appearance of the conservation area and views of the estuary.

Lynn Trout (representing Exe Estuary Users, Topsham Community Association and Topsham Society) spoke in opposition to the application. She circulated a plan

showing the proposed mooring position of the barge. She made the following points:-

- Topsham Quay was actively used, for emergency repairs and short stay mooring, this proposal would restrict users
- would cause Health and Safety issues for other boat users
- block the views of the Estuary as the barge was 14 foot high
- the upper deck of the barge was inappropriate and out of keeping with the area.

Councillor Mrs M Evans attended the meeting and spoke on this item having given notice under Standing Order No. 44. She circulated photographs of Topsham Quay. She made the following points:-

- Topsham Quay was used for emergency repairs, the mooring of this barge would restrict that use
- would restrict the views of the estuary from the benches placed along the quay
- this proposal was very unpopular with the local community.

RESOLVED that planning permission for Mooring of a barge to provide café (Class A3) be refused for the following reason:

- 1) The proposal is contrary to Policies CO6 and CO7 of the Devon Structure Plan 2001 to 2016 and Policies C1 and DG1 of the Exeter Local Plan 1995-2011 because by virtue of its size and position, the proposed barge would be visually intrusive and would obstruct important views from Topsham Quay detrimental to visual amenity and the character and appearance of Topsham Conservation Area.

(Report circulated)

88

**PLANNING APPLICATION NO - 07/0756/03 - CHISELDON HOUSE,
JEFFORD HOUSE AND WADHAM HOUSE, COPPLESTONE DRIVE,
EXETER EX4**

The Development Control Manager presented this application for alterations to communal grounds to provide individual garden enclosures this would be by the erection of railings and the planting of hawthorn hedges.

This would provide privacy and security to the ground floor flats some communal areas would remain.

The Council's Tree Officer was concerned that there may be an adverse impact on trees protected by a Tree Preservation Order to the East of Chiseldon House caused by the proposed construction of pathways. Minor alterations to these pathways would however alleviate these concerns.

The recommendation was for approval subject to amended plans being received to revise the pathway details around Chiseldon House.

RESOLVED that planning permission for alterations to communal grounds to provide individual garden enclosures be approved subject to amended plans being

received to revise the pathway details around Chiseldon House and 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 30 March 2007 (*dwg. nos. Fig.1 [details of railings]; PL0776BC/D127 Rev D; PL0776BC/D136.2 Rev A; PL0776BC/D137.2 Rev A and PL0776BC/D138.2 Rev A and 15 May 2007 (extracts of drawing nos. PL0776BC/137.2 Rev A and PL0776BC/D138.2 Rev A, showing extent of hedging)*) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The landscaping hereby approved shall be implemented in accordance with the submitted details during the first planting season following the erection of the boundary railings.
Reason: In the interests of the privacy of occupants and in the interests of the visual amenity of the area.
- 4) In the event of the failure of any trees or shrubs, planted in accordance with the approved landscaping details, to become established and to prosper for a period of five years from the date of the completion of implementation of the approved scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority in writing
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

(Report circulated)

89

**PLANNING APPLICATION NO - 07/0258/05 - UNIT 2, EMPEROR WAY,
EXETER BUSINESS PARK, EXETER, EX1 3QS**

Councillor Moore declared a prejudicial interest as a Member of Unison and left the meeting during consideration of this item.

The Director Economy and Development, Head of Planning Services, the Planning Solicitor and the Development Control Manager all declared a personal interest as Members of Unison.

The Head of Planning Services presented this application for the retention of a non illuminated flag pole and flag. He informed the Members that an application for a flag pole and flag on the nearby E.T.S. building was allowed on appeal.

The recommendation by the Case Officer was for approval.

RESOLVED that advertisement application for non illuminated flag pole (6m high) and flag (RETENTION) be approved subject to the following conditions:

- 1) C09 - Advert Time & Standard Condition

2) The advertisement hereby permitted shall not be displayed otherwise than in strict accordance with the submitted details received by the Local Planning Authority on date 7 February 2007 (dwg. nos 52601/FP01, 52601/F1 & 0533-200 G).

Reason: In order to ensure that the advertisement displayed is carried out in accordance with the approved drawings.

(Report circulated)

90 PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND WITHDRAWN APPLICATIONS

The report of the Head of Planning Services was submitted.

RESOLVED that the report be noted.

(Report circulated)

91 99 BARLEY MOUNT, EXETER

The Head of Planning presented the report advising Members of the current situation and requesting authority to take direct action to ensure compliance with an untidy site notice.

Councillor Hannaford attended the meeting and spoke on this item having given notice under Standing Order No. 44. He made the following points:-

- this had been a long standing problem for residents
- the back garden was also untidy and there was a vermin problem
- had a negative impact on the street scene
- why had it taken so long?

The Head of Planning Services stated that the time scales involved were due to the legal process. He confirmed that the tidying of the back garden if necessary could be added to the recommendation.

RESOLVED that the Head of Planning be authorised:

- (a) to take direct action under Section 219 of the Town and Country Planning Act, 1990 to arrange for the front and back garden if necessary to be tidied at 99 Barley Mount, in compliance with the section 215 notice dated 17 October 2006; and
- (b) in conjunction with the Head of Legal Services to take any legal action necessary, including application for an injunction and committal proceedings for breach of any injunction, application for a warrant and/or prosecution in respect of any obstruction, to enable the above works to be carried out unhindered; and

(c) in conjunction with the Head of Legal Services to take steps to secure repayment of the costs incurred, including placing a financial charge on the property.

(Report circulated)

92

ENFORCEMENT PROGRESS REPORT

The Head of Planning Services presented the report updating Members on enforcement matters.

The Planning Solicitor confirmed that current appeal on 1 Wentworth Gardens had been withdrawn and the notice would be modified to require the three large window panes on the elevation facing the neighbour's property to be obscured.

RESOLVED that the report be noted.

(Report circulated)

93

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

The Head of Planning Services informed the Members that 17 Horseguards was a proposal for a conversion of a garage not first and second floor extension.

RESOLVED that the report be noted.

(Report circulated)

94

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 10 July 2007 at 9.30 a.m. The Councillors attending will be Choules, Moore and Robson.

95

DATE OF NEXT MEETING

The next meeting of the Planning Committee will be held on Monday 23 July 2007 at 5.30pm.

(The meeting commenced at 5.30 pm and closed at 8.20 pm)

Chair

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Agenda Item 6

LICENSING COMMITTEE

12 June 2007

Present:

Councillor Richard Branston (Chair)

Councillors Cole, Mrs Danks, Newby, Robson, P A Smith, R Smith, Shepherd, Sterry and Wadham

Head of Legal Services, Member Services Officer (HB), Licensing Solicitor and Senior Licensing Officer (IL)

72. **Minutes**

The minutes of the special meetings held on 27 February 2007, 2 March 2007 (am and pm) and the meeting held on 20 March 2007 were taken as read and signed by the Chair as correct.

73. **Declarations of Interest**

The following Member declared a personal (*prejudicial) interest as indicated:-

COUNCILLOR	MINUTE
Councillor Sterry	Min. No. 79* (knew applicant)

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

74. **Proposed changes to conditions relating to Hackney Carriage and Private Hire Drivers and Vehicle Conditions**

The Senior Licensing Officer presented the report seeking approval for consulting with the representatives of the Hackney Carriage and Private Hire trade with a view to adopting the elements of the Best Practice guidance issued by the Department for Transport in 2006. A copy of the document had been circulated separately to Members and the trade representatives. If considered appropriate, the Committee could adopt guidance which contained elements going beyond the standards set within the Best Practice proposed.

RESOLVED that:-

- 1) the trade be consulted on the adoption of the Best Practice guidance; and
- 2) the consultation be undertaken between 2 July 2007 and 28 September 2007 for a report on the findings to be brought back to a future meeting of this Committee.

(Report circulated)

75. **Disability Discrimination Act 2006 - Training of Hackney Carriage and Private Hire Drivers**

The Senior Licensing Officer presented the report seeking approval for a new requirement to be included in the Hackney Carriage and Private Hire driver licence pre-conditions to require all new applicants to undertake disability awareness training prior to a licence to drive being issued.

The Chair thanked those Members who had sat on the working group reviewing this matter.

RESOLVED that, with effect from 3 September 2007:-

- 1) all new applicants be required to undertake a disability awareness training session with the Living Options Organisation or other Council approved body and to produce a certificate to demonstrate that a level of competence had been achieved; and
- 2) all existing drivers be required to attend disability awareness training sessions as and when directed by the Senior Licensing Officer, with any person failing to attend when required without good reason being referred to the Licensing Sub Committee to determine the appropriate action, which may include suspension of the Hackney Carriage or Private Hire Vehicle Licence.

(Report circulated)

76. **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 for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I, Schedule 12A of the Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

77. **Appeal Against Refusal to renew license of a private hire vehicle driver**

The Licensing Solicitor presented a report on the outcome of an appeal brought by Mr S by way of complaint against the refusal to renew his Private Hire Driver's Licence under section 61(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 on the grounds that he was not a fit and proper person to hold such a licence.

The Licensing Solicitor outlined the background to the events leading up to the appeal and informed the Committee that the appeal by way of complaint had been withdrawn

before the Central Devon Magistrates' Court on 4 April 2007 without the need for the parties to attend and with no order for costs being made.

Members noted the report.

(Report circulated to Members)

78. Appeal against suspension of hackney carriage driver's license

The Licensing Solicitor presented a report on the outcome of an appeal brought by Mr M by way of complaint against the suspension of his Hackney Carriage Driver's Licence under section 61(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976.

Members noted the outcome of the appeal brought by way of complaint.

(Report circulated to Members)

79. Application for a Hackney Carriage Vehicle Licence

Councillor Sterry declared a personal and prejudicial interest as she knew the applicant and left the meeting during consideration of this matter.

The Senior Licensing Officer reported that Mr A. had applied for a Hackney Carriage Vehicle Licence.

Mr A attended the meeting and spoke in support of his application. He stated that securing a license would enable him to work independently of existing companies.

RESOLVED that the application for the issue of a Hackney Carriage Vehicle Licence to Mr A be refused: the Licensing Committee were satisfied with the conclusion of the Transport Planning (International) Limited survey (published in November 2006) that there was no significant unmet demand for hackney carriages in Exeter and on the basis of that finding had resolved to maintain a policy of quantity control on the number of licensed hackney carriages in Exeter; the Committee considered this application carefully and concluded that the applicant had produced no evidence to cast doubt on the survey findings or to persuade the Committee that a licence should be granted in this case.

(Report circulated to Members)

80. Application for a Hackney Carriage Vehicle Licence

The Senior Licensing Officer reported that Mr A had applied for a Hackney Carriage Vehicle Licence.

Mr A attended the meeting and spoke in support of his application. He stated that he was seeking a license as, having experienced two racially motivated attacks, he felt that a Hackney Carriage would afford greater protection as the security screen between passenger and driver would afford some personal protection. He was

reluctant to use saloon cars with protective barriers as he felt that they were unpopular with the public.

RESOLVED that the application for the issue of a Hackney Carriage Vehicle Licence to Mr A be refused: the Licensing Committee were satisfied with the conclusion of the Transport Planning (International) Limited survey (published in November 2006) that there was no significant unmet demand for hackney carriages in Exeter and on the basis of that finding had resolved to maintain a policy of quantity control on the number of licensed hackney carriages in Exeter; the Committee considered this application carefully and concluded that the applicant had produced no evidence to cast doubt on the survey findings or to persuade the Committee that a licence should be granted in this case.

(Report circulated to Members)

81. **Application for a Hackney Carriage Vehicle Licence**

The Senior Licensing Officer reported that Mr P had applied for a Hackney Carriage Vehicle Licence.

Mr P did not attend the meeting.

RESOLVED that the application for the issue of a Hackney Carriage Vehicle Licence to Mr P be refused: the Licensing Committee were satisfied with the conclusion of the Transport Planning (International) Limited survey (published in November 2006) that there was no significant unmet demand for hackney carriages in Exeter and on the basis of that finding had resolved to maintain a policy of quantity control on the number of licensed hackney carriages in Exeter; the Committee considered this application carefully and concluded that the applicant had produced no evidence to cast doubt on the survey findings or to persuade the Committee that a licence should be granted in this case.

(Report circulated to Members)

82. **Application for a Hackney Carriage Vehicle Licence**

The Senior Licensing Officer reported that Mr R had applied for a Hackney Carriage Vehicle Licence.

Mr R attended the meeting and spoke in support of his application. He stated that he believed that there was now a greater overall demand for taxis in the City as a result of recent re-development.

RESOLVED that the application for the issue of a Hackney Carriage Vehicle Licence to Mr R be refused: the Licensing Committee were satisfied with the conclusion of the Transport Planning (International) Limited survey (published in November 2006) that there was no significant unmet demand for hackney carriages in Exeter and on the basis of that finding had resolved to maintain a policy of quantity control on the number of licensed hackney carriages in Exeter; the Committee considered this application carefully and concluded that the applicant had produced no evidence to

cast doubt on the survey findings or to persuade the Committee that a licence should be granted in this case.

(Report circulated to Members)

The meeting commenced at 2.30 pm and closed at 3.40 pm

Chair

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Agenda Item 7

SCRUTINY COMMITTEE - COMMUNITY

5 June 2007

Present:

Councillor Margaret Baldwin (Chair)

Councillors Robson, Bond, Branston, Choules, Mrs Danks, Mitchell, Moore, Newton and Winterbottom.

Director Community and Environment, Head of Leisure and Museums, Head of Contracts and Direct Services, Head of Housing Services, Head of Environmental Health Services, Principal Accountant (SR) and Head of Housing Services Officer (HB).

Also present:

Councillor D. Baldwin

- Portfolio Holder Housing and Social Inclusion

Councillor Boyle

- Portfolio Holder Environment and Leisure

30. **Minutes**

The minutes of the meeting held on 27 February 2007 were taken as read and signed by the Chair as correct.

31. **Declarations of Interests**

Members declared the following personal (*prejudicial) interests:-

COUNCILLOR	MINUTE
Councillor Bond	36 (works in food industry)
Councillor Moore	39* (is on Homechoice register)

MATTERS FOR CONSIDERATION BY THE EXECUTIVE

32. **Portfolio Holders to present the priorities for the forthcoming year.**

Councillor D. Baldwin presented the following priorities within the Housing and Social Inclusion Portfolio for the forthcoming year:-

- to work to maintain Exeter's top position in the South West for the per capita provision of new affordable homes for rent and shared ownership, to prevent as much homelessness as possible and to further reduce the number of households in temporary accommodation;
- to build on the successful implementation of the licensing provisions of the Housing Act 2004 having licensed nearly 700 houses in multiple occupancy;
- to train all private sector and Council grant staff in the Housing Health and Safety Rating System;

- to build on the award of over £1 million in grants to less-well-off home-owners and people with disabilities and to help to keep their homes fit to live in;
- to build 100 new affordable homes across the City and seek funding for future years;
- to further reduce the number of households in temporary accommodation below 220;
- to work with the elected Tenants' and Leaseholders' Committee to give residents from across the City a greater say in the management of their homes;
- to conduct a full Tenant Census and use the findings to ensure services are tailored to an individual's needs;
- to continue to work towards the Decent Homes standard and continue the bathroom replacement programme;
- to further increase the energy efficiency of the City's homes;
- to continue regular neighbourhood inspections and include residents in drawing up action plans for improvement;
- to undertake a mock inspection of the housing landlord services to help improve the quality of services provided;
- to further reduce void turnaround times by using a void incentive scheme to reduce the cost of rubbish removal from empty properties; and
- to use a range of incentives to encourage better behaviour and to ensure improved rent payments from tenants.

The following responses were given to Members' questions:-

- housing associations, through joint meetings etc. were encouraged to adopt policies similar to those of the Council on the management of anti-social behaviour;
- the private sector housing team comprised five staff members and had licensed over 600 higher-risk houses in multiple occupation as part of Mandatory HMO Licensing. Licensing required the Council to carry out a full premises inspection within a five-year period using the new Housing Health and Safety Rating System (HHSRS). In the previous quarter, 20 improvement notices and one emergency renewal action notice had been issued by officers in response to poor conditions found; and
- various methods were used to identify landlords (e.g. land registry searches, council tax and housing benefits records). Although it was more difficult to deal with landlords not resident in the Exeter area, the Council was still able to take appropriate action. Officers had identified a growing problem with overcrowded dwellings, particularly in relation to migrant workers. However, the Council had new powers to address such overcrowding.

Councillor Boyle presented the following priorities within the Environment and Leisure Portfolio for the forthcoming year:-

- continue to maximise recycling opportunities and increase the recycling rate to a minimum of 35% by the end of the year, with a target of 40% by 2010;
- investigate the setting up, within the existing trade-waste collection service, of a recyclable collection in order to maximise recycling opportunities to trade customers;
- undertake a “responsible smokers” campaign by providing public information and more cigarette bins and working with the commercial sector to ensure a smooth implementation when the public-smoking ban comes into force in July 2007;
- construct new public toilets at the Matford and Honiton Road Park and Ride sites, to include disabled and baby-changing facilities;
- continue to respond positively to the provisions of the Clean Neighbourhoods and Environment Act 2005 by actively enforcing the new dog control orders, littering legislation and the alarm notification area for the City;
- work with Devon County Council to draft the City's Air Quality Action Plan for the new air quality management area;
- work towards obtaining a Local Act of Parliament to enhance powers to control unregulated street trading;
- to build a new swimming pool to replace the Pyramids. It is believed that a city centre site will give optimum accessibility for all Exeter residents, be family-friendly, include other related facilities and provide a pleasant area for social interaction after swimming;
- seek to provide another temporary ice rink in the city centre over the Christmas period;
- open the Ark (the new museum store) and move the contents of RAMM to it so that the refurbishment and extension can begin;
- begin a major programme of projects and events during the closure of the main RAMM building, to include *West Exe: A Sense of Place*, which will produce an on-line gallery, temporary exhibitions in the Guildhall, schools and libraries and start to tour with *RAMM in a Van*;
- start a new programme of public education and interpretation events in the Valley Parks;
- create new parks at Summerway, Wyvern and Digby, all with play areas and teen facilities, plus other new and refurbished play facilities;
- develop the *Free Play City* project to include increased numbers of Play Rangers, improved marketing of the City's free play facilities and activities and develop improved trails and activity areas in valley parks;
- reincorporate the old Orchard Adventure Playground into Mincinglake Valley Park;
- Floodlight the Flowerpot Chill Zone;
- apply to the Heritage Lottery Fund to renovate Rougemont and Northernhay Gardens;
- manage the Equal Opportunities Programme set for 2007/8 to improve access at Council sites; and
- refurbish Hamlin Lane and King George V changing rooms to improve facilities for users.

The following responses were given to Members' questions:-

- a report on the potential of the Clifton Hill site for a new swimming pool would be presented to the next meeting of the Committee;
- the Licensing Team undertook enforcement work over the Christmas period in respect of street traders in the High Street and prosecutions had been pursued where possible. Those traders with peddler's licences and who used a stand with wheels were exempt from action under the relevant legislation; Ben Bradshaw MP had been asked to lobby with other local authorities for the introduction of a Private Act of Parliament to introduce tighter controls.

Members referred to concerns that there was an increasing problem in respect of dog fouling in the City and that additional resources were necessary to ensure that owners picked up after their dogs. It had been suggested that there were insufficient bins in certain areas of the City and one Member felt that additional bins could be provided as part of new housing developments through the Section 106 process. Members were advised that over the last eight months around 160 fixed penalty notices had been issued and a number of prosecutions successfully undertaken in respect of dog fouling. A review of bin location and use was to be undertaken in July and consideration was also being given to training the Community Patrollers to enforce in this area of work. Current Cleansing resources were at capacity with an average of 60 bins emptied daily and the waste deposited at the North Devon land fill site. It was suggested that a working group be set up to examine the issues raised in respect of the collection and disposal of dog waste.

Scrutiny Committee - Community supported the setting up of a Dogs Working Group to comprise Councillors Choules, Mrs Danks, Newton, Robson and one other from the Conservative Group.

33. **Exeter Free Play City : A Play Strategy for Exeter 2007-10**

The Head of Leisure and Museums presented the report recommending adoption of the Play Strategy by the Council.

The adoption of a revised Play Strategy had been one of the requirements of funding play schemes through the Big Lottery Fund. The mechanism for support was a baseline figure of £200,000 to each authority together with a population and needs based allocation. Exeter's allocation had been £231,000 out of a total sum of £160 million. Some authorities had been unable to submit bids because of insufficient resources and voluntary bodies had therefore been invited to bid. A structure had been set up so that all young people and participants could have a voice for play and the Exeter Play Association had been reformed which was meeting quarterly. After consultation with the Association, the following schemes had been submitted to the Big Lottery Fund, funding support having recently been confirmed:-

- (a) Playing the Environment - Play Ranger Project - £160,055 over three years;
- (b) Playing with the Imagination - Community Artists project - £51,000 over three years; and

(c) Playing for Real - Environmental Play Project - £20,000.

The Head of Leisure and Museums described how the strategy would lead to more adventure play facilities and that this brought an element of risk. However, the intention was to encourage children to learn how to recognise and deal with risk as it was widely acknowledged that facilities had become bland and boring.

Responding to Members' questions, the Head of Leisure and Museums reported that the Play with the Imagination scheme would cover three age groups from different social backgrounds but targeting wards with the highest elements of deprivation. There would be a focus on activities relating to nature and use would be made of the scrapstore resources.

In targeting the 12-19 age group and building on the provision in the last few years of skateboard parks at Flowerpot and Exhibition Fields, some 3/4 additional multi games play areas would be provided offering activities such as 5 a side football, basketball etc. in locations away from houses but with an element of overlooking. In addition, "Teen Shelters" would be constructed offering dry areas for youngsters to meet and additional BMX areas provided.

Scrutiny Committee - Community supported the Play Strategy and requested its adoption by Executive.

(Report circulated)

34. Review of the Environmental Strategy

The Head of Environmental Health Services presented the report setting out the Council's Environmental Strategy summarising the results of the public consultation exercise and highlighting the changes that had been made to the strategy as a result.

Scrutiny Committee - Community supported the report and asked Executive to:-

- (1) approve the Environmental Strategy;
- (2) ensure that the general progress towards meeting the aims of the Strategy are monitored on an annual basis and reported to this Committee; and
- (3) ensure a commitment is made to undertaking a full review of the Strategy in five years time (2011/12).

(Report circulated)

35. Draft Climate Change Strategy 2010-17

The Director Community and Environment presented the report setting out a draft Climate Change Strategy for Exeter.

Councillor D.J. Morrish attended the meeting and spoke on this item having given notice under Standing Order No. 44. He had submitted the following Notice of Motion to Council on 20 February 2007 which had been referred to this Committee:-

"That this Council accepts its responsibilities for meeting the challenge posed to our society by the impact of Climate Change and therefore resolves that:-

- (1) the Executive and Scrutiny Committees give urgent consideration to the appointment of a Climate Change officer who will occupy a senior position and have overall responsibility for Climate Change Policy; and*
- (2) the Climate Change officer will:-*
 - (a) in co-operation with other Council officers be responsible for advising Members on the policies, both international and national, which are already in place and this Council's expected and necessary response;*
 - (b) advise Members on the targets we need to achieve and monitor our performance; and*
 - (c) report to each regular meeting of the Executive and submit an annual report to Members."*

He felt that climate change presented serious and urgent challenges and expressed regret that the problems now being faced had not been taken more seriously in the past which he felt had been due to the lack of public appreciation of the scale and nature of the developing problems and the absence of any single responsible body.

He believed that the steps set out in the report did not offer sufficient urgency. For example, the proposal to undertake a review of the strategy should be undertaken much sooner than the ten years proposed. He felt that allocating duties relating to climate change to a range of officers rather than appointing a Climate Change Officer was the wrong approach and he asked that consideration of appointing a dedicated officer should be revisited in 12 months time. He also felt that an item on climate change should be included on the agenda for every meeting of Executive. These views would be reported to the next meeting of Executive.

Another Member also thought that the proposal to review the strategy in 10 years time was too long and questioned the proposal to spread the work on this issue amongst a number of officers. Another Member felt that an individual champion on climate change issues was an appropriate way forward. A further Member felt that employing a dedicated climate change officer might be an inappropriate use of resources at this stage.

The Director reported that she would be undertaking the co-ordination of work of the various officers who would be working on Climate Change matters and that a spread between different individuals was appropriate at this stage particularly given the different areas of expertise available across the Council. For example, some climate change issues could be related to the planning function where appropriate controls were available. The Strategy Action Plan would be reviewed annually. The allocated

sum of £25,000 would be utilised to buy in expertise and use would be made of the University in this respect. She confirmed that the Portfolio Holder for Environment and Leisure would be the Council champion on this issue.

Other Members referred to traffic congestion which, notwithstanding climate change, also contributed to health problems in the City. A Member suggested that further measures were necessary to reduce reliance on car usage and that part of the problem was the high bus fares in the City. It was noted that transport related matters fell within the remit of Scrutiny Committee - Economy.

A Member proposed that a Working Group be set up to examine the feasibility of appointing a Climate Change Officer for a further report to be made to this Committee on the financial implications.

The Scrutiny Committee - Community supported the report and requested Executive to:-

- (1) approve the draft Climate Change Strategy, including the target for carbon reduction;
- (2) agree a supplementary budget of £25,000 to fund the work set out in the report;
- (3) after consultation on the draft strategy, to consider the final strategy and action plan in January 2008;
- (4) ensure that the general progress towards meeting the aims of the Strategy be monitored on an annual basis and reported to this Committee;
- (5) ensure a commitment being made to undertaking a full review of the Strategy in 10 year's time;
- (6) request Council to sign up to Fair Shares Fair Choice; and
- (7) agree to the establishment of a Working Group to consider the appointment of a Climate Change Officer.

(Report circulated)

36. Service Plan for Food Law Enforcement 2007/08

Councillor Bond declared a personal interest in this matter as he was employed in the food industry.

The Head of Environmental Health Services reported that the Food Standards Agency Framework Agreement required the Council to produce a Service Plan for Food Law Enforcement referred to as the Enforcement Plan. The Enforcement Plan had the key aim of demonstrating how the Council would fulfil its statutory obligations in respect of its food safety service. Members' approval was sought for the adoption of the Enforcement Plan.

Scrutiny Committee - Community supported the report and asked Executive to:-

- (1) adopt the Service Plan for Food Law Enforcement 2007/08; and
- (2) authorise the Head of Environmental Health Services to make appropriate changes to the Enforcement Plan in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

37. **Private Sector Housing Renewal Policy 2007/08**

The Head of Environmental Health Services presented the report seeking specific changes to the Private Sector Housing Renewal Policy in order to address local needs, as identified in the on-going private sector house condition survey, with particular regard to achieving the Government's target for decent homes in the private sector.

The following responses were made to Members' questions:-

- the changes to the Private Sector Housing Renewal Policy were being advertised through press releases, articles in the local press and other marketing methods;
- although the grants offered covered the removal of items from loft spaces to encourage the uptake of loft insulation, the Council did not take possession of the loft contents; and
- eligibility for support was means tested and therefore excluded well off individuals. The condition of the house was also important in determining the applicability of grant support e.g. a renovation grant would only be given in relation to a house in poor repair.

Scrutiny Committee - Community supported the report and requested Executive to:-

- (1) adopt the changes to the Private Sector Housing Renewal Policy outlined in the report;
- (2) ensure the monitoring of the expenditure of the single pot allocation with the proposed financial allocation to each of the schemes proposed or further schemes being developed with the approval of the Portfolio Holder for Housing and Social Inclusion; and
- (3) ensure the review of the policy annually, or sooner if necessary, in order to ensure that it addresses local needs and/or Government policy.

(Report circulated)

38. **Approval of Health and Safety Service Plan 2007/08 and Smoke Free Enforcement Policy**

The Head of Environmental Health Services reported that under the Health and Safety at Work etc. Act 1974, the Council had a duty to ensure it made adequate provision for health and safety regulation in its area. The Health and Safety Commission (HSC)

also required the Council to produce a Health and Safety Service Plan detailing the Council's programme for regulatory responsibilities in its area. The report sought approval of the plan for 2007/08 and support for the change of emphasis in the Council's approach to health and safety regulation following on from its signed agreement of the Statement of Intent for partnership working with the Health and Safety Executive (HSE) in October 2005.

The report also sought support and approval of a policy to enforce the provisions of the Health Act 2006 in relation to smoke-free areas.

With regard to the forthcoming smoking ban in enclosed spaces and workplaces, officers were aware of the potential for noise nuisance from customers who step outside licensed premises for a smoking break. Although information and guidance had been given to licencees to reduce this problem any complaints would be investigated and dealt with by statutory nuisance or licensing conditions as appropriate. Some licencees were considering the provision of smokers' shelters in beer gardens, etc. and these should be positioned at least 1.5 metres away from the main building (so as not to be deemed enclosed public spaces). Most licence conditions would not prevent someone leaving a licensed premises where there was no shelter and returning after smoking.

Officers were also aware of the potential increase in smoking-related litter on the streets. The Council currently provided dedicated cigarette bins and "stub-out" panels on many litter bins. Premises could provide their own bins, but smokers also needed to be encouraged to take responsibility for their habit and ensure they dispose of their litter appropriately - the take-up of cheap portable personal ash-trays would assist.

Scrutiny Committee - Community supported the report and requested Executive to:-

- (1) adopt the Health and Safety Service Plan 2007/08;
- (2) adopt the draft Smoke-Free Enforcement Policy, subject to any necessary minor amendments;
- (3) amend the Scheme of Delegations for the Head of Environmental Health Services and appropriate officers to be authorised to act under the provisions of Chapter 1 of the Health Act 2006 and the Smoke-Free Enforcement Policy; and
- (4) authorise the Head of Environmental Health Services to approve any subsequent revision or amendments to the Smoke-Free Enforcement Policy in light of Government guidance and operational needs.

(Report circulated)

39. **Annual Review of Exeter Homechoice**

Councillor Moore declared a prejudicial interest as he was on the Homechoice register and left the meeting during consideration of this matter.

The Head of Housing Services presented the report seeking a number of policy changes to the Exeter Homechoice policy.

Scrutiny Committee - Community supported the report and requested Executive to adopt the changes to the Exeter Homechoice Allocation Policy as outlined in the report.

(Report circulated)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - COMMUNITY

40. Gas Policy for Council Housing

The Head of Housing Services presented the report seeking support for the new policy and procedure for dealing with the servicing and repairs to gas appliances and associated pipework within the Council's housing stock.

In response to a Member, he advised that it was not presently the policy to provide carbon monoxide detection systems although combined fire and carbon monoxide systems were on the market and could be examined to test efficiency. Carbon monoxide alarms were likely to be effective if located near the source of leaks rather than in communal areas which were where fire alarms were normally located. Wherever possible, gas appliances were being removed with the introduction of central heating systems and it was noted that problems had occurred where there were appliances in rooms used by residents as bedrooms. Care was taken with portable calor gas heaters although the greatest problem with these was condensation. He reported that advice on gas safety was included in literature provided to tenants, a review of which was currently being undertaken.

Scrutiny Committee - Community supported the new Gas policy for Council Housing.

(Report circulated)

41. Review of Cultural Strategy

The Head of Leisure and Museums presented the report on progress in the implementation of the Cultural Strategy during 2006/07.

He outlined the changes made following the review and advised that further changes would result from the review of the Vision Strategy in order to link to its objectives. It would also be important to tie in to the aspirations of an emerging regional strategy for the cultural infrastructure of the South West requiring co-operation and synergy at a sub regional (Exeter and the Heart of Devon) level and to ideas emerging from the Cultural Olympiad to be launched after the Beijing Olympics for the four years up to the London Olympics. The outcome of the bid for Unitary status would also be crucial.

Members were advised that the result of the application to the Heritage Lottery Fund for a major project to enhance Rougemont and Northernhay Gardens would be known in September. A Member supported the policy of free swimming for under 18's in

school holidays and another sought assurances that full support would be given to the Barnfield Theatre.

Scrutiny Committee - Community noted the report.

(Report circulated)

42. Temporary Staff at the Royal Albert Memorial Museum

The Head of Leisure and Museums updated Members on the current staffing arrangements of the Royal Albert Memorial Museum (RAMM) and advised of a series of delegated decisions which had culminated in the present structure.

In response to a Member's questions, he advised that the Museum would close to the public in December 2007 with work commencing in Spring 2008 for 14 months for completion in 2009. The RAMM would be re-opened to the public in 2010. Staffing levels would not change during closure with staff working on removing materials, undertaking outreach work and preparing interpretative information and other work for the new displays in preparation for re-opening.

Scrutiny Committee - Community noted the report including the temporary appointment decisions.

(Report circulated)

43. Revenue Final Accounts - Community 2006/07

The Director Community and Environment advised Members of the overall financial performance of the Community and Environment Directorate for the 2006/07 financial year ended 31 March 2007.

The Scrutiny Committee - Community noted the report.

(Report circulated)

44. Housing Revenue Account - Final Accounts 2006/07

The Director Community and Environment advised Members of the overall financial performance of the Housing Revenue Account for the 2006/07 financial year ended 31 March 2007.

The Scrutiny Committee - Community noted the report.

(Report circulated)

PERFORMANCE MONITORING

45. AIM Property Maintenance Outturn Report 2006/07

The Head of Contracts and Direct Services submitted a report detailing the fourth quarterly/outturn report, covering the period from January to March 2007 (but

including updated figures at 16 May 2007). It included the financial position of the £13.3m programme of reactive and planned property maintenance and refurbishment and both Revenue and Capital schemes as approved by Council for the financial year 2006/07 and budgets for schemes rolled forward from 2005/06. Where necessary, the report also provided specific details on significant programme variations.

The Scrutiny Committee - Community noted the outturn financial position and works in 2006/07 as detailed in the report.

(Report circulated)

46. AIM Property Maintenance Proposed Programme 2007/08

The Head of Contracts and Direct Services presented the report detailing the proposed programme of property asset related project work in relation to the budgets set in 2007/08 in respect of reactive and planned maintenance, improvement and refurbishment to housing and non-housing properties and other projects to be monitored by the Asset Improvement and Maintenance (AIM) group in 2007/08. The programme took account of those similar project works and budgets rolled forward from financial year 2006/07.

The Scrutiny Committee - Community noted the programme of property asset related work for 2007/08, as detailed in the report.

(Report circulated)

47. Performance Monitoring

The Director Community and Environment presented the report advising Members of performance at the end of the year on a range of services across the Directorate.

The following responses were provided in respect of Members' queries:-

- improvements had been made to the length of stay in temporary accommodation and the average length of stay was 20 months; and
- the criteria for counting rough sleepers was set by the Government and financial support was dependent on targets being met. A multi agency approach had been adopted and much valuable work was being undertaken by the Street Homeless Outreach Team. The number of people attending St Petrocks and selling the Big Issue was not an accurate reflection of the true street homeless picture as the majority of these individuals were currently being housed.

The Scrutiny Committee - Community noted the report.

(Report circulated)

The meeting commenced at 5.30 pm and closed at 8.00 pm

Chair

Agenda Item 8

SCRUTINY COMMITTEE - ECONOMY

7 June 2007

Present:

Councillor Adrian Fullam (Chair)

Councillors Martin, Choules, Coates, Mrs Evans, Gale, Hannaford, Moore, Pettinger, Prowse, Sterry, Wadham and Winterbottom

Director Economy and Development, Head of Economy and Tourism, City Centre Manager and Member Services Officer (SLS)

Also present:

Councillor John Shepherd

- Exeter City Council

Councillor Greg Sheldon

- Exeter City Council

25. **Minutes**

The minutes of the meeting held on 1 March 2007 were taken as read and signed by the Chair as correct.

26. **Declarations of Interest**

The following personal interests were declared:-

COUNCILLOR	MINUTE
Councillor Choules	29 and 32 (employee of Exeter University)
Councillor Hannaford	29 (Devon County Councillor)

27. **Portfolio Holders to Present the Priorities for the Coming Year**

Councillor P J Shepherd (Portfolio Holder for Sustainable Development and Transport) and Councillor G N Sheldon (Portfolio Holder for Economy and Tourism) presented a verbal report on the priorities for the forthcoming year in light of the Committee's work programme.

Councillor Shepherd highlighted the key areas for the Planning and Sustainable Development Portfolio:-

- **Policy** - to finalise the core strategy as part of the Local Delivery Framework, including Issues and Options papers for the City Centre Area Action Plan and East of Exeter Area Action Plan; to produce planning guidance on renewable energy and affordable-housing planning obligations; to continue to work with the University to draw up Supplementary Planning Guidance in relation to dealing with over-

concentrations of students in certain areas in the city; and to participate in the development of the Regional Spatial Strategy.

- **Climate Change** – to develop the planning and transportation lead in relation to the White Paper on Planning for a Sustainable Future, including using planning powers to encourage greater energy efficiency in commercial property developments.
- **Future Projects** - to support the latter stages of the development of Princesshay to ensure its opening in October; to continue to develop a scheme for Debenhams with conversion to retail, leisure and residential; and to continue to consider options for the future redevelopment of the Bus Station site.
- **City Centre Environment** - to finalise works in the city centre including improvement works in Lower High Street by the end of the summer, and enhancement of Cathedral Yard with the final section being laid in Cathedral Close by the end of July.
- **The New Growth Point** - to progress a joint project with East Devon District Council and Devon County Council for the development of Cranbrook, support for the TIF (Transport Innovation Funding) bid for a new transport system in the centre; the proposed Skypark, Intermodel Freight Terminal and Science Park.
- **Local Centres** – to progress the local enhancements for Heavitree, and commence the consultation process for Cowick Street with preparation of a detailed proposal for similar environmental enhancements.
- **Natural Environment** - to progress the Wild City projects through the general planning framework.
- **Transportation** – to support the County Council's TIF bid to tie in with the Park and Ride Strategy and identification of future sites particularly on the west side of the city; to manage the Concessionary Fare Scheme and consider the future funding mechanism particularly when the national scheme begins in April 2008 and reimbursement costs will be calculated from the departure point of passengers; to continue lobbying to improve the First Great Western franchise and maintain the Cross Country rail service; support an upgrade of St David's Station and Central Station gateways and further develop walking and cycling opportunities.

The following responses were given to Members :-

- The Portfolio Holder shared a Member's concern about the inadequacy of the rate of supply of new social housing for rent, and said that he hoped this would be given higher priority under the Brown administration.
- He said that the TIF bid would not be effected by the outcome of the unitary bid and cooperation between Exeter City Council and Devon County Council to help develop a city-wide solution to congestion will continue whatever the outcome.
- He said that charging has commenced at Topsham's Holman Way car park and that there were no plans at present to expand the car park.

Councillor Sheldon highlighted the key areas for the Economy and Tourism Portfolio:-

- **To Promote City Centre Vitality** – to continue to work on Princesshay with both Land Securities and McAlpines to ensure that it is open by October; to support the New Underground Passages Heritage Centre which will be open in September; as well as a purpose built Tourist Information Centre (Exeter Visitor information and Tickets) due to be fitted out from July; to support a detailed proposal for the regeneration of the Debenhams site delivering a mixed use retail and housing scheme by the end of the year; oversee the development of the draft City Centre Strategy working with the City Centre Management Partnership Board to finalise the document by the end of the year; working with key city centre partners to develop the Christmas Launch and a range of activities throughout November and December; to continue to work to develop the Exeter Festival of South West Food and Drink also working with the owners of the Castle and hopefully join up the event with the High Street.
- **Quay/Canal Basin** – to complete a number of projects including the Custom House and Cricklepit and progress the refurbishment of the Old Electricity Building, Maclaines Warehouse and 60 Haven Road and the adjacent sites.
- **Economic Development** - to continue to provide a proactive service for inward investment to small, medium and large companies wishing to relocate to Exeter, and help existing Exeter companies overcome barriers to expansion; further joint working with East Devon District Council providing information and a support service to create a joined up economic development service for Exeter and the sub region; to progress the Science Park and Innovation Centre, working with partners to submit a planning application for the Science Park by Spring 2008 and help secure sufficient funding by 2012 and develop the activities of the Innovation Centre; build on the newly merged Enterprise Agency to strengthen support for start up businesses, facilitate workforce development working groups such as Job Centre Plus, Connexions and the Learning and Skills Council to help deliver the key objectives of the Workforce Development Plan; and to continue monitoring the Positive Steps funding programme to help benefit the most disadvantaged getting into employment.
- **Tourism** –to build on the attractions and improvements to the city centre and work with partners to attract more day and short break visitors to the city.
- **Arts and Festivals** - to continue to develop a range of viable festivals to add to the city's cultural calendar; to continue to work with the main venues of the city to provide the majority of the city's range of cultural performances, events and exhibitions.
- **Property** – to continue to manage the extensive commercial portfolio in an efficient and proactive way; to support the refurbishment work of Debenhams; and to build on the relaunch of the St George's Hall as the Exeter Corn Exchange.

The following responses were given to Members :-

- Cricklepit would be completed by the summer.
- although there was disappointment over the closure of Foodeaze, every effort would be made by the Administrator to secure new tenants.
- that some investigation of possible funding towards developing a Christmas lighting scheme for district centres such as Heavitree and Cowick Street would be investigated.

The reports of the Portfolio Holders for the forthcoming year were noted.

MATTERS FOR CONSIDERATION BY EXECUTIVE

28. City Centre Strategy for Exeter 2007 - 2012

The City Centre Manager presented a report, outlining the draft City Centre Strategy for Exeter 2007 – 2012, and gave a presentation that provided the background and context from which the Strategy had been developed. He outlined detail behind the Strategy's four main aims to :-

- Secure and build on Exeter City Centre's competitive advantage
- Give a Better First Impression
- Deliver a vibrant centre which offers attractions for all
- Achieve an even safer environment

The City Centre Manager responded to the following Member questions:-

- that a range of initiatives have made a positive contribution to dealing with anti-social behaviour, including additional city centre PCSO's (Police Community Support Officers), city centre CCTV, EBAC (Exeter Businesses Against Crime) and 'designing-out' crime and anti-social behaviour. Every effort is being made to encourage as many restaurants and cafes to open for as long as possible, as well as extending retail hours and make a connection between the day time and evening economy.
- the Director confirmed that the planned Bus Station redevelopment timetable (planning consent targeted for 2012) was challenging and that there were no plans to site an indoor market in that location. There were also no plans to re-site the Farmers Market as the difficulties of finding a central location, which could be effectively serviced were well documented. Members have taken the decision to invest in the present site with new stalls, but an open mind will be kept if any future options arise.
- although there is currently no specific detail relating to improving the environment of Little Queen Street and the surrounding area, a range of issues affecting Gandy Street including aggressive begging, 'signposting', illegal car and service vehicle parking and unsatisfactory traffic enforcement all need to be addressed once the current enhancement and construction works are completed.
- feedback from the new businesses in Bedford Street has been positive to date, with retailers confident of hitting their targets. The Director added

that a retail impact assessment will be carried out in late 2008 or early 2009, prior to taking forward further major city centre retail development.

- it is also anticipated that a report on Park and Ride, with a proposal for a facility on the west side of the city, can be brought forward to Members in the near future.
- enquiries about the status of the regeneration of Rougemont and Northernhay Gardens and about the level of street clutter in Martins Lane would be made and the Member contacted.
- any decision on taking forward a Business Improvement District proposal for the city centre would be widely discussed and Members were reassured that businesses would need to vote on a BID proposal.
- the state of some of the upper floors of shop premises on High Street was noted and there may be scope for further city centre living and accommodation following on from the success of Princesshay residential development and sales.

Scrutiny Economy supported approval by Executive of the draft City Centre Strategy, and noted that regular updates on progress would be made to Scrutiny Committee - Economy.

(Report circulated)

29. **Proposed Science Park**

Councillor Choules declared a personal interest as an employee of Exeter University. Councillor Hannaford declared a personal interest as a Member of Devon County Council.

The Head of Economy and Tourism outlined the case for an investment of £750,000 towards the development of the proposed Science Park, as a contribution towards the first stage of the project. A Business Plan has now been prepared, which includes a financial plan with broad details of the proposed investment needs and proposals for future management of the Science Park.

A Member enquired about the contribution made by the City Council and what level the University and County Council would be making. He was advised that the University were investing a similar amount with the County Council still to determine their contribution. The Member queried the future status of the venture, should Exeter's unitary bid be successful and was advised that based on the commitment of all partners in the last two years, the progression of this project was likely to remain unchanged as the Science Park represents a real economic opportunity for the whole sub region.

Scrutiny Committee – Economy noted the report and recommended to Executive that the investment of £750,000 be approved.

(Report circulated)

30. Staffing Proposal for Economy and Development Directorate

The Director Economy and Development presented a report, seeking Member approval for additional staffing to meet new service requirements in Building Control, within the Economy and Development Directorate. Funding for the additional resource was previously allocated in the budget.

Scrutiny Committee - Economy noted the report and supported Executive approval for the alterations to the establishment as set out in the report.

(Report circulated)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - ECONOMY

31. Draft Climate Change Strategy for Exeter 2007 - 2012

The Director presented a report, which provided a short overview of relevant policy issues identified in the Draft Climate Change Strategy for Exeter 2007 to 2017 and sought Member comment and endorsement towards preparation of the final Climate Change Strategy and Action Plan by January 2008. Due to the cross cutting nature of climate change issues, this report was also discussed at Scrutiny Committee – Community. A number of initiatives were outlined including the introduction of a small additional ‘carbon offset’ levy on city centre off-street car park charges, which could be used to fund sustainable transport and energy initiatives within Exeter.

Members welcomed the report and made the following comments:-

- concern about congestion and air pollution levels particularly on the main corridors of Topsham Road and Alphington. He suggested there should be lobbying for cheaper bus fares. The Director responded that whilst bus fares were comparatively high in Exeter, under the current legislation, fares were set solely by the operator of the commercial bus network.
- that where possible the emphasis of public consultation should be to engage as fully as possible, particularly with those who did not normally respond.
- an effort be made to seek inclusion of the St Thomas area in the £1 city bus zone.
- the locality of schemes should be emphasised.
- concern that after the consultation and final document, there will be a tangible strategy and direction.

Scrutiny Committee – Economy noted the report, and offered their endorsement of the research and consultation process outlined towards producing a Final Climate Change Strategy and Action Plan.

(Report circulated)

32. Capital Programme Monitoring Report (2006/07 Outturn)

Councillor Choules declared a personal interest as an employee of Exeter University.

The Director Economy and Development presented a report, advising Members of the latest position with regard to the 2006/07 Capital Programme for Economy, and provided a summary of the position at the end of the financial year. A number of projects were highlighted including Beacon Lane Shops, Cathedral Yard and Custom House.

A Member referred to difficulties in accessing the funding opportunities for Conservation Area enhancements. The Director updated Members on the efforts to recruit staff in Planning Services and gave an assurance that once vacancies had been filled, the backlog of work would be addressed. A Member complemented the approach and materials used in the Cathedral Close enhancement works.

Scrutiny Committee – Economy noted the report.

(Report circulated)

33. Economy Scrutiny Revenue Final Accounts 2006/2007

The Director presented the details of the overall financial performance of the Economy and Development Directorate for the 2006/07 financial year ending 31 March. The report highlighted the major differences by management unit from the approved budget and the overall outturn position with a £590,742 surplus. Details of the main budgets highlighted were set out.

A Member asked whether proposals in the Planning White Paper would effect planning income. The Director advised that there was an impact on the Planning Services unit with each change in the planning system. A discussion on the White Paper ‘Planning for a Sustainable Future’ will be held at Planning Member Working Group to agree a proposed response.

Scrutiny Committee - Economy noted the report.

(Report circulated)

34. Performance Management Indicators

The Director Economy and Development presented a report, which advised Members on the current position of key performance indicators.

In response to a comment on staffing in Planning Services, the Director confirmed that there were vacancies in Planning but interviews were being held shortly. One of the main issues facing recruitment was being able to offer the appropriate remuneration. There were currently 7 posts vacant out of a total of 35 in Planning Services. Members’ comments would be passed to the Strategic Management Team and the Chair and portfolio holders would be advised of the results of the current recruitment exercise.

Scrutiny Committee - Economy noted the report.

(Report circulated)

The meeting commenced at 5.30 pm and closed at 7.35 pm

Chair

Agenda Item 9

SCRUTINY COMMITTEE - RESOURCES

20 June 2007

Present:

Councillor David Morrish (Chair)

Councillors Choules, Branston, P Brock, Coates, Cole, Martin, Newcombe, Prowse, R Smith and Sterry

Chief Executive, Director Corporate Services, Assistant Chief Executive, Head of Contracts and Direct Services, Head of Treasury Services, Head of Corporate Customer Services and Member Services Officer (SJS)

Councillor Edwards

Also present:

Mr S Brown The Council's Audit Commission Audit Manager

24. Audit Award

The Chair congratulated the city council internal audit team for winning the Sir Harry Page Merit Award that was presented at the Chartered Institute of Public Finance and Accountancy conference. The award recognised the work of the council's audit team in developing a system-based audit approach to the areas of data protection, freedom of information, records management, health and safety and enterprise risk management.

25. Minutes

The minutes of the meeting held on 14 March 2007 were taken as read and signed by the Chair as correct.

26. Declarations of Interests

Members made no declarations of interest.

27. Annual Audit and Inspection Letter 2006/07

The Council's Audit Manager presented the report on the Council's Audit and Inspection Letter for 2007/08, highlighting key areas. He reported that the overall performance was very good and that Exeter City Council provided good value for money. He did highlight the few areas where action was needed by the Council.

The Chair noted the comments regarding the reorganisation of local government and the risk it presented including the strained relationship between authorities which could affect partnership working.

The Scrutiny Committee - Resources noted the report.

(Report circulated)

28. **Use of Resources Auditor Judgements 2006**

The Council's Audit Manager presented the report on the Annual Use of Resources assessment which evaluated how well the Council managed and used its financial resources. This was the second year of carrying out the assessment and the work had focused on building on the previous year's work, updating it for any changes and improvements to the Council's arrangements.

In response to a Member, the Council's Audit Manager advised that the drop from four to three in 'the Council manages and improves value for money' was due to higher targets set in the 'Gershon' efficiency saving criteria.

In response to a Member's question regarding the creation of an audit committee, the Director Corporate Services stated that the formation of an audit committee was not thought to be necessary as Exeter City Council was a well performing authority and the functions that an audit committee would perform were covered by the remit of this committee.

The Chair thanked Mr Brown, the Council's Audit Manager for his presentation.

The Scrutiny Committee - Resources noted the report.

(Report circulated)

29. **Portfolio Holders to present the priorities for the forthcoming year**

The Leader presented the following priorities for the forthcoming year in terms of the budget and providing value for money across the Council's services.

- ensuring the Council significantly exceeded its Gershon efficiency target for the 3 years up to 2007/2008
- continue to find more efficient ways of service delivery to ensure that Exeter City Council met public spending targets while ensuring that any increases in council tax were kept as low as possible
- implementation of a new financial management system to provide even better management information for budget managers, which would enable increased efficiencies through better procurement to be delivered more easily
- ensuring delivery of the capital programme for this year which would be more than £20 million, within budget and to the agreed timetable
- pursing the development of a successful a new unitary council including a focus on strong financial management.

The Chair acknowledged that the Council had the capacity to work through issues that may arise from the unitary bid.

Councillor Dixon would report the priorities within the Business Transformation and Human Resources portfolio at the September meeting of this Committee.

PERFORMANCE MANAGEMENT

30. AIM Property Maintenance Outturn Report 2006/07

The joint report of the Head of Contracts and Direct Services, Head of Housing and Social Inclusion, Head of Treasury Services and Head of Estates was submitted.

The Scrutiny Committee - Resources noted the outturn financial position and the comments on works in 2006/07 as detailed in the report.

(Report circulated)

31. Workforce Profile Report 2006/07

The report of the Head of Human Resources was submitted.

Members were circulated with a revised list showing amendments indicating the following:-

- LPI HR3: Average no. days development and training per employee should be 3.30 for the year end figure
- LPI HR4: No. IT training hours per employee should be 2.86 for the year end figure

The Scrutiny Committee - Resources noted the contents of the report and supported the proposals for further development.

(Report circulated)

32. Annual Training Report 2006/07

The report of the Head of Human Resources was submitted.

The Scrutiny Committee - Resources noted the training and development activities undertaken throughout the year.

(Report circulated)

33. Performance Monitoring - Corporate Services

The report of the Director Corporate Services was submitted.

The Scrutiny Committee - Resources noted the report.

(Report circulated)

MATTERS FOR CONSIDERATION BY THE EXECUTIVE

34. Treasury Management

The Head of Treasury Services presented a report on the overall performance for the 2006/07 financial year and the position regarding investments and borrowings at 31 March 2007.

The General Fund had shown a small net reduction in interest received compared to the estimate. The reduction had been caused by Investec, the Council's fund managers with performance 0.61% below their benchmark. This had been off-set by the Council withdrawing £8 million and placing the money itself which had provided a guaranteed income at a much higher rate of interest.

The Chair raised concerns regarding the poor performance of the Council's Fund Manager. This was a view shared by the rest of the Committee.

The Head of Treasury stated that Investec's performance over the longer term had been solid, however, the past few years' results were of major concern and it was therefore advised that whilst Investec were retained as principal fund managers for the forthcoming year, the Head of Treasury Services should be delegated authority to consider splitting the Fund and investigating alternative fund managers to manage part of the Fund.

The Scrutiny Committee - Resources:-

- (1) asked Executive to note the Committee's concerns regarding the Council's Fund Manager's poor performance; and
- (2) noted the Treasury Management report 2006/07 financial year and recommended approval by the Executive.

(Report circulated)

35. Capital Monitoring 2006/07

The Head of Treasury Services presented a report advising Members of the overall financial performance of the Council for 2006/07 in respect of the annual capital programme and seeking approval of the 2007/08 revised capital programme to include commitments carried forward from 2006/07.

He reported that the actual expenditure during 2006-07 represented 86% of the total approved for the revised Capital Programme compared to 81% in 2005/06. This was an improvement on previous years when the Capital programme expenditure was only 60/65%.

The Scrutiny Committee - Resources noted the overall financial position for the 2006/07 annual capital programme and recommended to Executive that it approve the amendments to the Council's annual capital programme for 2007/08.

(Report circulated)

36. Statement on Internal Control

The Head of Treasury Services presented a report on the proposed Statement on Internal Control to be included within the Council's Annual Accounts for 2006/07. This was broader than just financial control and management and also encompassed Performance and Risk Management, Corporate Governance and a general review of the effectiveness of the systems of internal control within the Council.

The Chair acknowledged that the system of internal control was designed to manage risk to an acceptable level rather than to eliminate all risk of failure to achieve policies, aims and objectives and it could, therefore, only provide reasonable and not absolute assurance of effectiveness.

The Scrutiny Committee - Resources supported the report and recommended approval by Executive of the Statement on Internal Control to be included within the Council's Annual Final Accounts for 2006/07.

(Report circulated)

37. **"Gershon" Efficiency Savings**

The Head of Treasury Services presented a report providing an overview on how the Council was proposing to meet its efficiency savings targets by 2007/08 including the submission of the backward-looking Annual Efficiency Statement for 2006/07. The deadline for submission was 5 July and the requirement to provide a Statement provided a framework for reporting efficiency savings, which had been ongoing in the Council for a number of years.

He stated that the efficiency targets for 2006/07 were £1,476,000 of which at least £738,000 were 'cashable' efficiency gains. The main savings had been made in recycling, homelessness, reduction in staff sickness and housing benefits. The targets for efficiency savings were likely to increase for the coming year to 3% for 'cashable' efficiency saving and although this would be a challenge, it was considered to be achievable.

In answer to Members' the Head of Treasury Services confirmed that the efficiencies in homelessness had been achieved through work to prevent homelessness and the provision of providing temporary accommodation through private landlords. He also confirmed that the 'cashable' efficiencies would help to keep council tax low and any savings could be reinvested in front line services.

The Scrutiny Committee - Resources noted the report and requested Executive to submit the savings in the draft 2006/07 Annual Efficiency Statement for approval as part of the Council's overall submission.

(Report circulated)

38. **Digital Scanning in Housing and Human Resources**

The Director Corporate Services presented the report seeking approval of a budget for digital scanning of files in the Housing and Human Resources Services.

He stated that the Information Management Strategy 2006 set out a plan for improving the way the Council handles information. The corporate electronic document and records management (EDRM) project sought to improve the way that the lifecycle of documents and records was managed.

Housing and Human Resources had been prioritised for the introduction of EDRM, as both services had high volumes of records in their filing systems.

Human Resources presented a particular challenge because service managers and administration units across the organisation held files relating to members of staff. These contained duplicate and additional information to those files held in HR. These files would need to be 'weeded' to eliminate duplication and produce a single record. The benefit to Housing was that more than one member of staff could access a file at any one time.

The option of carrying out this large scale scanning in-house had been considered, but found to be less cost-effective than outsourcing.

In answer to a question from the Chair, the Director Corporate Services confirmed that a company previously used by the council had been identified and that although the initial costs would seem to indicate in-house scanning could be a cheaper option, there were additional costs such as accommodation, equipment and staff recruitment costs to consider. It was considered that an HR administrative officer could do the 'weeding' and their day-to-day work would need to be back-filled for this.

In response to Members, the Director Corporate Services stated that when the files were returned they would be stored for a few months to ensure that there were no anomalies and then they would be disposed of as confidential waste.

The Scrutiny Committee - Resources supported the report and requested Executive to approve the additional budget in the current financial year.

(Report circulated)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - RESOURCES

39. Revenue Final Accounts 2006/07

The Head of Treasury Services presented a report on the overall financial performance of Scrutiny Committee - Resources revenue accounts for the financial year ended 31 March 2007.

He stated that there was an overall overspend for this committee of only £90,058.

Members questioned the publicity that was given to the Grants funds available in light of the financial hardship within the city. The Chair indicated that the opportunities for doing this through the Council's Neighbourhood Engagement work might be explored.

In view of the under spend on grants, Grants Committee would be asked to consider how publicity about the assistance available might be improved.

The Scrutiny Committee - Resources noted the report.

(Report circulated)

40. Overview of Revenue Budget 2006/07

The Head of Treasury Services presented a report on the overall financial performance of the General Fund Revenue Budget for the 2006/07 financial year ended 31 March 2007.

He reported the Housing Revenue Account had a net under spend of £88,224, which was mainly due to an increase in income from rents as a result of a significant reduction in right to buy sales. The General Fund working balance as at 31 March 2006 was £4,502,131 and a further contribution of £495,212 had been made as at 31 March 2007. The current balance was £4,997,343. With regards to Earmarked Reserves there had been an overall net contribution of £169,577 and a specific provision for £561,660 had been made to cover the carry forward of specific AIM schemes.

In answer to a Member's question, the Head of Treasury Services confirmed that he would circulate to Members the omitted figure regarding additional staffing costs. (Note: The Head of Treasury Services had since confirmed that the additional staff costs referred to in the report should have been omitted).

The Scrutiny Committee - Resources noted the report and requested that Executive note the Overview of the Resources Budget 2006/07 and approve the following: -

- (1) the transfer of £169,577 of the surplus to the Earmarked Reserves as detailed in paragraphs 3.11 and 3.13 of the report;
- (2) supplementary budgets totalling £932,330 as detailed in paragraph 3.9;
- (3) the Earmarked Reserves at 31 March 2007;
- (4) the General Fund working balance at 31 March 2007 of £4,997,343; and
- (5) the Housing Revenue Account working balance at 31 March 2007 of £2,843,166.

(Report circulated)

41. Members' Allowances 2006/07

The Assistant Chief Executive presented the report setting out the allowances paid to Councillors and co-optees in 2006/07.

The Scrutiny Committee - Resources noted the allowances paid to Councillors and an independent member of the Standards Committee in 2006/07.

(Report circulated)

42. Extension of Customer Services Centre

The Head of Corporate Customer Services presented the report advising Members of the plans to expand the Customer Services Centre and the services it provided.

He reported that Members would be aware that the creation of the current Customer Service Centre (CSC) was Phase I of a three-phase project to improve service delivery to the City Council's customers. Phase II of the project would bring Housing Benefits into the CSC. Phase III of the project would be to deliver the same standard of customer service to telephone customers.

The recommendation was for Members to note the report and for the Committee to appoint a small group of Members to oversee the project.

Members discussed the formation and benefits of the proposed working group. Whilst some felt that it could be used as a training mechanism and would be beneficial for Members to be involved in the overseeing of the project, other Members were of the opinion that it was not necessary as the Committee would receive regular updates on progress and that the detail of implementation was the responsibility of officers.

The Director Corporate Services confirmed that the working group, if agreed, would meet as and when required, possibly every six to eight weeks, to receive updates on progress of the scheme and would not be asked to discuss the detail of the project.

The Scrutiny Committee – Community noted the proposals for the expansion of the Council's Customer Services Centre and appointed Councillors Coates, Choules, D.J Morrish and Newcombe and the Portfolio Holder for Business Transformation and Human Resources to oversee the project.

(Report circulated)

43. Date of Next Meeting

The next meeting of the Scrutiny Committee – Resources will be held on Wednesday 19 September 2007 at 5.30 p.m.

The meeting commenced at 5.30 pm and closed at 7.00 pm

Chair

Agenda Item 10

STANDARDS COMMITTEE

Wednesday 27 June 2007

Present:-

Councillor Hilda Sterry (Chair)
Councillors Branston, Choules and Hannaford

(Independent members)
Professor B Kirby and Andrew Mimmack

Also Present

Head of Legal Services and Member Services Manager

5

MINUTES

The minutes of the meeting of Standards Committee held on 28 February 2007 were taken as read and signed by the Chair as correct.

6

DECLARATIONS OF INTEREST

No declarations of interest were made.

7

MODEL CODE OF CONDUCT FOR COUNCILLORS

The report of the Assistant Chief Executive/Deputy Monitoring Officer was submitted advising members of the Government's revised Model Code of Conduct and recommending to Council the adoption of the Code.

Standards Committee had formally responded to the Government's Consultation on Amendments to the Model Code of Conduct following consideration at their meeting on 28 February 2007. The Local Authorities (Model Code of Conduct) Order 2007 was subsequently laid before Parliament on 4 April 2007 and the revised Model Code of Conduct for members came into force on 3 May 2007. Councils had until 1 October 2007 to adopt it, after which date the Code would apply automatically.

The Committee noted that the Head of Legal Services/Monitoring Officer would deliver training on the Code in September 2007 to which all members of the Council would be invited. All members would be required to sign a written undertaking that they would abide by the Code by the end of September prior to its formal adoption by Council with effect from 28 September 2007. The existing Code of Conduct would continue to apply until that date.

The Head of Legal Services/Monitoring Officer identified the most significant changes in the new Code which would be drawn to the attention of members at the training sessions.

The Head of Legal Services/Monitoring Officer reported back on the Standards Board Roadshow that she had attended, together with the Chair of the Committee, Professor Brian Kirby and the Assistant Chief Executive/Monitoring Officer on 20 June. The Chair expressed appreciation to the Head of Legal Services/Monitoring Officer for having kept members informed of the changes in relation to the new Code and Standards Board procedures.

The Committee recommended the adoption of the revised Model Code, unamended, as this Council's Code of Conduct for Members. They also supported the retention of the ten General Principles of Good Conduct within the Constitution.

RECOMMENDED that:-

- (1) the Council adopt as its local members' code of conduct the document set out in the Appendix to the report with effect from 28 September 2007;
- (2) all members of the Council be asked to sign a written declaration that they will abide by the revised Code of Conduct by 28 September 2007;
- (3) the Monitoring Officer be requested to undertake training for members on the revised Code of Conduct in September 2007; and
- (4) the revised code replace the existing code in the Council's Constitution.

(Report circulated)

8

SOUTH WEST INDEPENDENT MEMBERS OF STANDARDS COMMITTEES

Andrew Mimmack reported on the conference of the South West Independent Members of Standards Committees that he had attended together with the Head of Legal Services/Monitoring Officer on 2 March 2007 in Bristol. He informed members that the Local Government and Public Involvement in Health Bill would raise the profile of Standards Committees and would also require the appointment of an independent member as Chair of the Committee. He reported that it had also been proposed that Standards Committees may require a two-tier structure to enable the filtering of cases to be separated from their determination.

The Head of Legal Services/Monitoring Officer commented that the Council appreciated that it had been very fortunate in retaining high calibre independent members of the Standards Committee as she had been advised that some Councils had struggled to recruit suitable persons. Whilst amalgamation between Standards Committees was considered an option that may be beneficial in some areas, members were of the view that it was unlikely to be appropriate for this Council. The Committee noted that the terms of reference and procedures for the Standards Committee would require review in due course to reflect the various changes that were coming forward.

STANDARDS BOARD - UPDATE ON CASES

The Head of Legal Services/Monitoring Officer advised members that updated statistics and details of recent cases of interest were available on the website of the Standards Board for England <http://www.standardsboard.gov.uk/>

DATE OF NEXT MEETING

The next meeting of the Standards Committee will take place on Wednesday 5 September 2007 at 4.30pm.

(The meeting commenced at 4.30 pm and closed at 5.20 pm)

Chair

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Agenda Item 11

FINAL ACCOUNTS COMMITTEE

Tuesday 26 June 2007

Present:-

Councillors D Baldwin, M A Baldwin, Cole and D J Morrish.

Also Present:-

Director Corporate Services, Head of Treasury Services and Member Services Officer (HB).

1

CHAIR

In the absence of Councillor Edwards, the meeting was chaired by Councillor D. Baldwin.

2

MINUTES

The minutes of the meeting held on 27 June 2006 were taken as read and signed by the Chair as correct.

3

DECLARATIONS OF INTEREST

No declarations of interest were made.

4

FINAL ACCOUNTS

The report of the Head of Treasury Services was submitted.

RESOLVED that:-

- (1) the use of capital finance, as set out in the circulated report, be approved; and
- (2) the Statement of Accounts for 2006/07 be approved.

(Report circulated)

5

DATE OF NEXT MEETING

The next scheduled meeting of the Committee will be held on 24 June 2008 at 5.30 p.m.

(The meeting commenced at 5.30 pm and closed at 5.50 pm)

Chair

Agenda Item 12

EXECUTIVE

Tuesday 19 June 2007

Present

Councillor Edwards (Chair)

Councillors D Baldwin, Boyle, Mrs Henson, Mrs Morrish, Sheldon, Shepherd and P A Smith

Chief Executive, Director Community and Environment, Director Economy and Development, Director Corporate Services, Assistant Chief Executive and Member Services Manager

58

MINUTES

The minutes of the meetings of the Executive held on 13 and 27 March 2007 were taken as read and signed by the Chair as a correct record.

59

DECLARATIONS OF INTEREST

The following personal interests were declared:

COUNCILLOR	MINUTE
D. Baldwin Sheldon	69 (Registered at Southernhay Surgery) 69 (Registered at Southernhay Surgery)

60

EXETER FREE PLAY CITY: A PLAY STRATEGY FOR EXETER 2007-2010

The report of the Head of Leisure and Museums was submitted recommending the adoption of the Play Strategy for Exeter.

Scrutiny Committee – Community considered the report at their meeting on 5 June 2007 and the support and comments of members were noted. Executive welcomed the introduction of more adventure play facilities whilst noting that this inevitably involved an increased element of risk.

RESOLVED that the Play Strategy for Exeter 2007-10 be adopted.

(Report circulated)

61

REVIEW OF ENVIRONMENTAL STRATEGY

The report of the Head of Environmental Health Services was submitted seeking approval to the revised Environmental Strategy.

Scrutiny Committee – Community considered the report at their meeting on 5 June 2007 and the support and comments of members were noted. Executive noted the results of public consultation and the proposed changes to the Strategy as a result.

RECOMMENDED that:-

- (1) the Environmental Strategy be approved;
- (2) general progress towards meeting the aims of the Strategy be monitored on an annual basis and reported to Scrutiny Committee – Community; and
- (3) a commitment be made to undertaking a full review of the strategy in five years time (2011/12).

(Report circulated)

62

DRAFT CLIMATE CHANGE STRATEGY 2007-2017

The report of the Head of Environmental Health Services was submitted seeking approval for the Draft Climate Change Strategy.

Scrutiny Committee – Community considered the report at their meeting on 5 June 2007 and the support and comments of members were noted. Executive endorsed the view of Scrutiny members that the ten year period proposed for the review of the strategy was too long and agreed that it should be reviewed in five years time. They were pleased to note that progress towards meeting the aims of the Strategy would also be monitored and reported to Scrutiny Committee – Community on an annual basis.

Executive noted the views of Scrutiny Committee – Community members in relation to the Notice of Motion submitted to Council by Councillor David Morrish proposing the appointment of a Climate Change Officer. A number of Executive members supported the view that at present it was more effective for existing officers, who could already provide a range of expertise, to share responsibility for the Strategy on the basis that this arrangement would be reviewed over time. Executive had no objection to the proposal of Scrutiny Committee – Community to set up a Working Party to give further consideration to the appointment of a dedicated post, however, and requested that, should they choose to do so, consideration be given to a partnership approach.

RECOMMENDED that:-

- (1) the draft Climate Change Strategy, including the target for carbon reduction be approved;
- (2) a supplementary budget of £25,000 for the work detailed in the report be agreed;
- (3) following consultation on the approved draft strategy, that the final strategy and action plan be presented to the Executive in January 2008;

- (4) general progress towards meeting the aims of the Strategy be monitored on an annual basis and reported to Scrutiny Committee – Community;
- (5) a commitment be made to undertaking a full review of the Strategy in five year's time;
- (6) the Council signs up to Fair Shares Fair Choice; and
- (7) should the Scrutiny Committee – Community choose to establish a Working Group to consider the appointment of a Climate Change Officer, they be requested to consider the possibility of a partnership approach.

(Report circulated)

63

SERVICE PLAN FOR FOOD LAW ENFORCEMENT 2007/08

The report of the Head of Environmental Health Services was submitted seeking approval to the adoption of the Food Law Enforcement Plan.

Scrutiny Committee – Community considered the report at their meeting on 5 June 2007 and the support and comments of members were noted.

RECOMMENDED that:-

- (1) the Service Plan for Food Law Enforcement 2007/08 be adopted; and
- (2) the Head of Environmental Health Services be authorised to make appropriate changes to the Enforcement Plan in the light of centrally issued guidance and / or to meet operational needs.

(Report circulated)

64

PRIVATE SECTOR HOUSING RENEWAL POLICY 2007/08

The report of the Head of Environmental Health Services was submitted proposing specific changes to the Private Sector Housing Renewal Policy in order to address local needs, as identified in the on-going private sector house condition survey, with particular regard to achieving the Government's target for decent homes in the private sector.

Scrutiny Committee – Community considered the report at their meeting on 5 June 2007 and the support and comments of members were noted. At the request of members, the Director Community and Environment undertook to circulate to members summary information regarding the assistance schemes available.

RECOMMENDED that:-

- (1) the changes to the Private Sector Housing Renewal Policy outlined in the report be agreed;

(2) the expenditure of the single pot allocation be monitored and the proposed financial allocation to each of the schemes proposed or further schemes be developed with the approval of the Portfolio Holder for Housing and Social Inclusion; and

(3) the Policy be reviewed annually, or sooner if needs be, in order to ensure that it addresses local needs and / or government policy.

(Report circulated)

65

APPROVAL OF HEALTH AND SAFETY SERVICE PLAN 2007/08 AND SMOKE FREE ENFORCEMENT POLICY

The report of the Head of Environmental Health Services was submitted seeking approval to the Health and Safety Service Plan and a change in emphasis in the Council's approach to health and safety regulation. The report also sought approval of the policy to enforce the provisions of the Health Act 2006 in relation to smoke-free areas and to make appropriate delegations to officers.

Scrutiny Committee – Community considered the report at their meeting on 5 June 2007 and the support and comments of members were noted.

RECOMMENDED that:-

- (1) the Health and Safety Service Plan 2007/08 be adopted;
- (2) the draft Smoke-free Enforcement Policy be adopted, subject to any necessary minor amendments;
- (3) the Scheme of Delegation be amended to delegate authority to the Head of Environmental Health Services to authorise appropriate officers under the provisions of Chapter 1 of the Health Act 2006 and the Smoke-free Enforcement Policy; and
- (4) the Head of Environmental Health Services be authorised to approve any subsequent revisions or amendments to the Smoke-free Enforcement Policy in light of Government guidance and operational needs.

(Report circulated)

66

ANNUAL REVIEW OF EXETER HOMECHOICE

The report of the Head of Housing Services was submitted seeking a number of policy changes to the Exeter Homechoice policy where it is deemed appropriate.

Scrutiny Committee – Community considered the report at their meeting on 5 June 2007 and the support and comments of members were noted. Executive emphasised their view that in the case of emergency card requests arising from anti-social behaviour, the Council would take action against the perpetrator as a matter of priority. The Director Community and Environment undertook to revise the proposed wording to reflect this.

RESOLVED that, subject to re-wording to emphasise that the Council would take action as a matter of priority against the perpetrators of anti-social behaviour, the changes to the Exeter Homechoice Allocation Policy be approved as outlined in this report.

(Report circulated)

67

CITY CENTRE STRATEGY FOR EXETER 2007-2012

The report of the City Centre Manager and Economy and Development Projects Officer was submitted seeking comments and support for the City Centre Strategy for Exeter 2007/12, recently agreed by the City Centre Executive and the City Centre Management Partnership Board (CCMPB).

Scrutiny Committee – Economy considered the report at their meeting on 7 June 2007 and the comments and support of members were noted. A member of Executive believed that the refurbished Debenhams building could be used to provide leisure facilities including a swimming pool, some retail outlets and accommodation for professional/key workers and students. Members agreed the need to seriously consider a range of uses, particularly in the light of the significant shortage of affordable housing, but acknowledged that ultimately financial viability would be a key factor in determining future use. The Director Economy and Development undertook to ensure that such proposals were put before Land Securities for consideration and that Members were briefed on this and able to input into proposals for the site.

RESOLVED that:-

- (1) the City Centre Strategy be supported and updates on progress in relation to the Strategy be submitted to members; and
- (2) Land Securities be requested to consider a range of options for the future use of the Debenhams building including the ideas suggested by members.

(Report circulated)

68

PROPOSED SCIENCE PARK

The report of the Head of Economy and Tourism and Director Economy and Development was submitted seeking approval for an investment of £750,000 in the development of the proposed science park as a contribution towards the equity of at least £3 million required to progress the first stage of the project.

Scrutiny Committee – Economy considered the report at their meeting on 7 June 2007 and the comments and support of members were noted. Executive members enquired whether control of the Science Park would be proportionate to the contributions made by partners. They also emphasised their desire for “Exeter” to be incorporated in the title of the Park. The Director Economy and Development noted the comments of members and stated that a report back would be made on the company structure in due course.

RECOMMENDED that the City Council approves an investment of £750,000 in the development of the science park as a contribution towards the equity required to progress the first stage of the project.

(Report circulated)

69

NEW PRIMARY CARE FACILITY AT BEACON HEATH, EXETER

Councillors D Baldwin and Sheldon declared personal interests in this issue as patients registered at the Southernhay Surgery.

The report of the Head of Estates Services and Director Economy & Development was submitted seeking authority to enter into a Building Lease for a new primary care facility at Beacon Heath, Exeter.

RESOLVED that:-

- (1) the Director Economy and Development, in consultation with the Portfolio Holders for Economy and Tourism and Environment and Leisure, be given delegated authority to consider any objections to the disposal and to obtain the Secretary of State's consent, should this be required; and
- (2) subject to (1) above, the grant upfront of a Building Lease for the primary care facility site at Beacon Heath, Exeter be authorised.

(Report circulated)

70

STAFFING PROPOSAL FOR ECONOMY AND DEVELOPMENT DIRECTORATE

The Director Economy & Development presented the report seeking approval for additional staffing in the Building Control section of the Economy and Development Directorate.

Scrutiny Committee – Economy considered the report at their meeting on 7 June 2007 and the comments and support of members were noted.

RESOLVED that the alterations to the establishment of the Economy and Development Directorate as set out in Section 2 of this paper be approved.

(Report circulated)

71

PROPOSED WINTER ICE RINK 2007

The report of the Head of Leisure and Museums was submitted outlining proposals for a temporary ice rink in the city centre for the Christmas season 2007.

Members appreciated the generosity of the owners of Rougemont Castle in offering the courtyard as the venue for the ice rink. In view of the site being less visible than last year, the need for increased signage and marketing was agreed. Members noted that the size of gateway would preclude a fairground-type ride but enquired whether there might be an opportunity to site craft stalls nearby as part of the rink's

operation. It was agreed that Portfolio Holders should meet with the Director Economy and Development and the Director Community and Environment in the near future to discuss aspects of the proposals further.

RESOLVED that:-

- (1) the City Council engage a contractor to operate a temporary ice rink in the courtyard of Rougemont Castle, from 23 November 2007 to 2 January 2008; and
- (2) a budget of £90,000 be allocated to operate the winter ice rink.

(Report circulated)

72

TELECOMMUNICATIONS APPARATUS - 452 PINHOE ROAD, EXETER

The report of the Head of Estates was submitted seeking reconsideration of an application from the Council's long leasehold tenant of 452 Pinhoe Road, Exeter for retrospective consent for the installation of telecommunications apparatus at this site.

RESOLVED that consent be authorised under the terms of the Head Lease for the proposed telecommunications apparatus at 452 Pinhoe Road, Exeter.

(Report circulated)

73

SUPPLEMENTARY PLANNING GUIDANCE EXPANSION OF UNIVERSITY OF EXETER - RESULTS OF CONSULTATION

The report of the Head of Planning Services was submitted seeking to adopt the proposed amended guidance as a result of the consultation on draft supplementary planning guidance on development relating to the University of Exeter.

Members discussed the impact of student accommodation, both on and off-campus, on the supply of private housing and rent levels in the City. They supported the principle of designated student accommodation and acknowledged that there were a number of sites in the City suitable for multi-storey buildings for this purpose. The possibility of providing student housing outside the City boundaries was raised but it was acknowledged this was unlikely to be an option that would be attractive to students. It would also be unsustainable and bus/train frequencies were likely to deter students from this option.

The Director Economy and Development emphasised the need for the University to produce a Master Plan. He commented on the importance of retaining a high quality environment at the Streatham Campus, in view of its high landscape value and its ecological importance. There was also a preference for development on campus for additional teaching facilities. He considered that the building of designated student accommodation would provide the best outcome in terms of the supply of housing in the City by taking students out of the private rented housing market and undertook to raise with the University their policy in relation to rent levels and increases.

RESOLVED that the proposed amended supplementary planning guidance set out in Appendix 2 of the report be adopted.

(Report circulated)

74

**DESIGNATION OF ST SIDWELL'S CONSERVATION AREA AND
ADOPTION OF APPRAISAL AND MANAGEMENT PLAN**

The report of the Head of Planning Services was submitted seeking approval for the designation of a new Conservation Area at St Sidwell's and the adoption of a Conservation Area Appraisal and Management Plan.

RESOLVED that St Sidwell's be designated a Conservation Area and that the Appraisal and Management Plan be adopted.

(Report circulated)

75

**ADOPTION OF BELMONT CONSERVATION AREA APPRAISAL AND
MANAGEMENT PLAN**

The report of the Head of Planning Services was submitted seeking approval to adopt the Belmont Conservation Area Appraisal and Management Plan, including boundary amendments.

RESOLVED that the Belmont Conservation Area Appraisal and Management Plan with proposed amendments to the boundary be adopted.

(Report circulated)

76

**EXPENDITURE TO FURTHER DEVELOP THE COUNCIL'S BUSINESS
CASE FOR UNITARY STATUS**

The report of the Chief Executive was submitted updating the Executive on the amount identified to further develop the Council's Business Case for Unitary status and reporting expenditure to date.

RESOLVED to note the additional expenditure to date of just under £8,000 on further developing the Council's business case and that further updates on expenditure would be submitted.

(Report circulated)

77

APPOINTMENTS TO OUTSIDE BODIES

RESOLVED that the report be withdrawn for further consideration by Group Leaders.

(Report circulated)

**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 for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part I, Schedule 12A of the Act.

ICE RINK TENDERS

The report of the Head of Leisure and Museums was submitted seeking approval to accept a tender other than the lowest for the provision of an ice rink in the city centre in the winter of 2007/08.

RESOLVED that subject to the separate decision on budget in Minute 71 above, the appointment of the recommended tenderer to build and manage the ice rink at the submitted tender fee be approved subject to the conclusion of a suitable operating agreement.

(Report circulated to Members)

**EARLY RETIREMENT- ADMINISTRATION AND BEREAVEMENT
SERVICES UNIT**

The report of the Head of Administration and Bereavement Services was submitted seeking approval to the request of the holder of the post of Administrative Assistant CE02107, with the support of the Head of Administration & Bereavement Services, to be allowed to retire from the Council on the grounds of efficiency of the service as at 30 June 2007.

RESOLVED that the employment of the holder of the post of Administrative Assistant CE02107 be terminated in the interests of the efficient exercise of the functions of the Council with effect from 30 June 2007 under the provisions of Regulation 26 of the Local Government Pension Scheme Regulations 1997 with compensation being paid in lieu of the notice period to which the postholder would otherwise be entitled.

(Report circulated to Members)

PUBLIC INQUIRY - POLICY MATTERS

The report of the Head of Leisure and Museums was submitted seeking approval to fund a public enquiry and associated costs

RECOMMENDED that the Council commits to funding a public inquiry and associated costs as set out in the report.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 8.00 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 17 July 2007.

Agenda Item 13

EXECUTIVE

Tuesday 3 July 2007

Present:-

Councillor Edwards (Chair)

Councillors D Baldwin, Boyle, Dixon, Mrs Henson, Mrs Morrish, Sheldon, Shepherd and P A Smith

Chief Executive, Director Economy and Development, Director Community and Environment, Director Corporate Services, Assistant Chief Executive, Head of Treasury Services and Member Services Manager

82

DECLARATIONS OF INTEREST

No declarations of interest were made.

83

GRANTS COMMITTEE

RESOLVED that the minutes of the meeting of the Grants Committee held on 28 June 2007 be received and, where appropriate, adopted.

84

HONORARY ALDERMEN

Section 249 of the Local Government Act 1972 empowers the Council to confer the title of Honorary Alderman on persons who have, in the opinion of the Council, rendered eminent service to the Council as a past member of the Council. An Honorary Alderman is invited to participate in those Civic ceremonies which the Mayor attends In State, and to which it is usual to invite Past Mayors/Lord Mayors.

The Council resolved in 2003 to alter the criteria which past Members had to meet to be considered for being conferred with the title to those who had rendered at least 20 years' service as a Councillor (this does not have to be continuous). Following a feeling that this eligibility criteria was too onerous, this matter had been considered at a meeting of the Group Leaders, and it was suggested that the criteria be reduced to rendering at least 12 years service as a Councillor.

RECOMMENDED that the eligibility criteria for considering the bestowal of the title 'Honorary Alderman' on a past member be amended to require that person to have served a total of at least twelve years as a City Councillor.

85

TREASURY MANAGEMENT

The report of the Head of Treasury Services was submitted reporting the overall performance for the 2006-2007 financial year and the position regarding investments and borrowings at 31 March 2007.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2007 and the comments of members were noted. Executive noted the Committee's

concerns regarding the poor performance of the Council's Fund Manager in recent years. The Head of Treasury Services reported that Investec's performance over the longer term had been solid, however the past few years' results were of concern. He assured members that their performance would be closely monitored with a view to splitting the Fund and investigating alternative fund managers to manage part of the Fund should this be considered prudent.

RESOLVED that:-

- (1) the Treasury Management report for the 2006-2007 financial year be noted; and
- (2) the Head of Treasury Services be requested to report back to Executive should the performance of the Fund Manager fail to improve and alternative arrangements be considered prudent.

(Report circulated)

86

OVERVIEW OF REVENUE BUDGET 2006/07

The report of the Head of Treasury Services was submitted advising members of the overall final financial performance of the General Fund Revenue Budget for the 2006-2007 financial year ended 31 March 2007.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2007 and the support and comments of members were noted.

The Head of Treasury Services reported amendments to para 4.1 of the report where references to “£m” related to “£k”.

RECOMMENDED that:-

- (1) the net transfer of £169,577 to Earmarked Reserves as detailed in paragraph 3.11 and 3.13 of the report be approved;
- (2) supplementary budgets totalling £932,330 be approved as detailed in paragraph 3.9 of the report;
- (3) Earmarked Reserves at 31 March 2007 be noted;
- (4) the General Fund working balance at 31 March 2007, be approved at £4,997,343; and
- (5) the Housing Revenue Account working balance at 31 March 2007, be approved at £2,843,166.

(Report circulated)

CAPITAL MONITORING 2006-07 AND REVISED CAPITAL PROGRAMME FOR 2007-08 AND FUTURE YEARS

The report of the Head of Treasury Services was submitted advising members of the overall financial performance of the Council for the 2006-07 financial year in respect of the annual capital programme. The report also sought approval to the 2007-08 revised capital programme, to include commitments carried forward from 2006-07.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2007 and the support and comments of members were noted. Executive members were pleased to note the increased expenditure against the approved Capital Programme in comparison with recent years and congratulated officers on the effective management of the Programme.

RECOMMENDED that the overall financial position for the 2006-07 annual capital programme be noted and the amendments to the Council's annual capital programme for 2007-08 be approved.

(Report circulated)

STATEMENT ON INTERNAL CONTROL

The report of the Head of Treasury Services was submitted setting out the proposed Statement on Internal Control to be included within the Council's Annual Accounts for 2006/07.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2007 and the support and comments of members were noted.

RECOMMENDED that the Statement on Internal Control be approved to be included within the Council's Annual Final Accounts for 2006/07.

(Report circulated)

GERSHON EFFICIENCY SAVINGS

The report of the Head of Treasury Services was submitted, providing an overview on how the Council is proposing to meet its efficiency savings targets by 2007/08 including the submission of the backward-looking Annual Efficiency Statement for 2006/07.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2007 and the support and comments of members were noted.

RESOLVED that the contents of the report be noted and the savings identified in the draft 2006/07 Annual Efficiency Statement be approved as part of the Council's overall submission.

(Report circulated)

DIGITAL SCANNING IN HOUSING AND HUMAN RESOURCES

The report of the Director Corporate Services was submitted, requesting approval of budget for digital scanning of files in the Housing and Human Resources Services. He reported that these services had been prioritised in view of the high volumes of records in their filing systems.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2007 and the support and comments of members were noted. It was noted that the additional budget was required to cover the scanning exercise as well as the provision of a staffing resource to consolidate the Human Resources service files.

RECOMMENDED that the additional budget of £53,000 in the current financial year be approved.

(Report circulated)

PUBLIC CONSULTATION ON ST LOYES DRAFT DEVELOPMENT BRIEF

The report of the Head of Planning Services was submitted considering representations received in relation to the draft St Loyes development brief and proposing amendments to the document for adoption.

Executive noted the comments received during public consultation.

RESOLVED that the adoption of the St Loyes development brief as supplementary planning guidance be approved.

(Report circulated)

DRAFT SUPPLEMENTARY PLANNING GUIDANCE - STUDENT ACCOMMODATION DEVELOPMENTS IN RESIDENTIAL AREAS

The report of the Director Economy and Development was submitted, seeking approval of draft supplementary planning guidance for the purpose of public consultation. The draft guidance related to the interpretation of local plan policies regarding over concentration of student accommodation in certain parts of Exeter.

The Director Economy and Development explained the limitations of the planning system to control the occupancy of properties by students since up to six people could live in a house as a single household without the need for planning permission.

Members asked whether a lower proportion than 25%, based on the number of properties exempt from Council Tax, could be considered as the criterion for over-concentration. The Director Economy and Development recommended that it was advisable to start with this percentage but undertook to bring this back for review should the outcome of appeals elsewhere in the country indicate that a lower percentage would be considered reasonable. Executive agreed that this was an appropriate starting position whilst acknowledging that the measure may not have major impact.

In response to a query regarding control over student car ownership, the Director reported that whilst conditions could be imposed in relation to purpose built student accommodation, it was not possible to regulate this in respect of students in private accommodation.

RESOLVED that the preparation of supplementary planning guidance be approved as a basis for public consultation that amplifies the interpretation of Local Plan policy H5 (b) seeking to limit all further forms of additional student related accommodation in the areas shown on the plan.

(Report circulated)

93

DRAFT ST LEONARD'S CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The report of the Director Economy and Development was submitted, which set out the draft St Leonard's Conservation Area appraisal and management plan for the purpose of public consultation.

RESOLVED that the proposed boundary amendments outlined in the report and the draft Conservation Area Appraisal and Management Plan be approved for public consultation.

(Report circulated)

94

DRAFT NEW CONSERVATION AREA DESIGNATION AT TADDYFORDE WITH APPRAISAL AND MANAGEMENT PLAN

The report of the Director Economy and Development was submitted, which considered draft proposals for designation of the area of Taddyforde (as shown on the Plan at Appendix 3 to the report) as a Conservation Area and the principle of the application of an Article 4(2) Direction.

RESOLVED that the proposed conservation area designation, the application of an Article 4(2) Direction and the draft Conservation Area Appraisal and Management Plan be approved as a basis for public consultation.

(Report circulated)

95

REVISION OF STRATEGIC OBJECTIVES AND CORPORATE PLAN

The report of the Strategic Management Team was submitted, presenting the revised strategic objectives and seeking Members approval of the Corporate Plan 2007-10.

Members welcomed the Corporate Plan as an important and positive statement of the Council's key priorities.

RECOMMENDED that the draft Corporate Plan 2007-10 be endorsed and that any necessary drafting amendments before publication be delegated to the Chief Executive, in consultation with the Leader of the Council.

(Report circulated)

BEST VALUE PERFORMANCE INDICATOR SURVEY RESULTS

The report of the Strategic Management Team was submitted, which set out the findings of a postal survey conducted during September to November 2006 in accordance with the Department of Communities and Local Government guidelines for measuring Best Value Performance Indicators. The objective of the survey was to measure satisfaction with a range of services provided by the City Council, and with the Council's performance overall. All local authorities were required to undertake this survey.

Members noted the significantly positive results that the City Council had received in terms of resident satisfaction, where the Council was now rated 17th nationally against a backdrop of falling satisfaction scores.

RESOLVED that the results of the survey be noted and the action proposed be endorsed.

(Report circulated)

APPOINTMENTS TO OUTSIDE BODIES

Consideration of appointments to outside bodies was deferred at the previous meeting for a discussion at a meeting of the four group leaders. Following a meeting of the group leaders the appointments indicated in the schedule were agreed and nominations to the remaining vacancies where indicated to be approved by Council.

RECOMMENDED that nominations be made to the vacancies indicated:-

<u>BODY</u>	<u>TERM OF OFFICE</u>	<u>REPRESENTATIVE</u>
Alphington United Charities	4	Mrs Jordan *Vacancy (Alderman Long resigned) Cllr Wadham Cllr P A Smith
Barnfield Theatre Board		Cllr Branston
City Centre Management Partnership	1	Leader (Cllr Edwards) Leader of Opposition (Cllr P.A. Smith for Cllr Fullam) Chief Executive Director Economy and Development
Community Safety Partnership		Leader (Cllr Edwards)
Court of the University of Exeter	3	The Lord Mayor Leader (Cllr Edwards) Cllr Mrs Danks Cllr M.A. Baldwin Dr. D. Treharne

Devon Authorities Waste Reduction and Re-cycling Committee		Portfolio Holder for Environment and Leisure (Cllr Boyle)
Devon Conservation Forum – Executive		Chair of Planning Commr (Cllr Lyons)
Devon Historic Buildings Trust		*Cllr Wadham – subject to confirmation
Devon Playing Fields Association		Cllr Newby
Exe Estuary Joint Advisory Committee		*Cllr Boyle nominated as Portfolio Holder for Environment and Leisure
Exeter and Heart of Devon Economic Partnership	1	Leader (Cllr Edwards)
Exeter Archaeological Advisory Committee	1	Cllr Moore (Chair) Cllr D J Morrish Cllr Shiel Cllr Wadham
Exeter Area Rail Project Working Party	1	Portfolio Holder Planning and Sustainable Development (Cllr Shepherd)
Exeter Arts Council		Portfolio Holder Economy and Tourism (Cllr Sheldon) Cllr Wadham
Exeter Business Centre Board	1	Leader (Cllr Edwards) Portfolio Holder Economy and Tourism (Cllr Sheldon) Cllr Mrs Henson Cllr P.A. Smith Director Economy and Development
Exeter Council for Sport and Recreation		Portfolio Holder Environment and Leisure (Cllr Boyle)
Exeter Canal and Quay Trust	1	Leader (Cllr Edwards) Portfolio Holder Economy and Tourism (Cllr Sheldon) Cllr P.J.Brock Cllr Mrs Evans Cllr Newcombe Cllr Shepherd Cllr Wadham Cllr Winterbottom
Exeter Dispensary and Aid in Sickness Fund	4	*Vacancy (Mr T Noble – retired)

Exeter International Airport Consultative Committee		Portfolio Holder Economy and Tourism (Cllr Sheldon)
Exeter Phoenix Arts Centre		* Portfolio Holder Economy and Tourism (Cllr Sheldon) - to be confirmed
Exeter Social, Health and Inclusion Partnership – Member Forum	1	Cllr Dixon Portfolio Holder Housing and Social Inclusion (Cllr D. Baldwin) Cllr P. A. Smith
Exeter Summer Festival Advisory Group	1	Cllr Branston (Chair) Cllr Bond Cllr Mrs Danks Cllr Cole Cllr Wadham
J L Thomas Liaison Group	1	Cllr Choules Cllr Newcombe Cllr Winterbottom
Local Government Association General Assembly	1	Leader (Cllr Edwards)
Local Government Association South West Branch	1	Leader (Cllr Edwards) Cllr P.A. Smith *Vacancy - Conservative Group to advise nomination
Lord Mayor of Exeter's Appeal Fund	1	Lord Mayor Chief Executive Cllr Edwards Cllr P.A. Smith *Vacancy - Conservative Group to advise nomination
Maynards School	5	Cllr Mrs Henson
Montgomery Combined School (Community Governor)	4	*Vacancy – a Councillor from west of the river is sought
Relate		*Vacancy – Cllr Choules resigned
St. Edmunds and St. Mary Major, Exeter	4	*Miss Holding *Mr Dunsford (resigned)
St Leonard's with Holy Trinity Charities	4	Cllr Shiel
St Loye's College Council		Cllr Mrs Danks (Sub : Cllr Wadham) Cllr D Baldwin
South West Museums Council		Portfolio Holder for Environment and Leisure

		(Cllr Boyle) with Cllr Wadham as substitute
South West Tourism Consultative Committee		Portfolio Holder for Economy and Tourism (Cllr Sheldon)
South West Regional Assembly	1	Leader (Cllr Edwards)
South West Water Liaison Group	1	Portfolio Holder for Environment and Leisure (Cllr Boyle) Cllr Mrs Evans Cllr Robson
Topsham River Commissioners Under the Exeter Port Dues Act 1840		Cllr Mrs Evans Cllr Newby *Vacancy – nomination sought
Wessex Reserve Forces and Cadets Association – Devon Committee	3	Cllr Choules

(Schedule circulated)

98

EXETER CANAL BASIN REGENERATION SCHEME

The report of the Head of Estates Services and Director Economy and Development was submitted, informing Members of progress in bringing forward the regeneration proposals for the Canal Basin area; The report advised on funding implications and sought authority to amend the provisional agreement with the Sutton Harbour Company and the Exeter Canal and Quay Trust to enable the initial development agreements to proceed.

RESOLVED that

- (1) progress to date on delivery of the Exeter Canal Basin Regeneration Delivery Strategy be noted;
- (2) the revisions to the financial implications of the project, including the recycling of receipts into expenditure within the scheme be noted;
- (3) the amended transaction arrangements for the re-structuring of the Exeter Canal and Quay Trust Long Leases by way of overriding Leases and the terms thereof, as set out in the report on Part 2 of the agenda be approved; and
- (4) it be agreed that the City Council transact directly with the Signpost Housing Association on Site A on the terms set out in the report and in the Part 2 report.

(Report circulated)

**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 for the consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part I, Schedule 12A of the Act.

**EXETER CANAL BASIN REGENERATION SCHEME PROVISIONAL
HEADS OF TERMS**

The report of the Head of Estates Services was submitted, informing Members on the structure of the Development Agreement and Long Leases in respect of the Exeter Canal Basin regeneration scheme.

RESOLVED that the structure of the Development Agreement and Long Leases for the delivery of the agreed schemes at 60 Haven Road, the site adjoining 60 Haven Road, Maclaines warehouse and the site adjoining Maclaines warehouse be noted.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.00 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 17 July 2007.

APPENDIX
GRANTS COMMITTEE

Thursday 28 June 2007

Present:-

Councillor Lesley Robson (Chair)
Councillors S Brock, Mrs Evans, Gale, Lyons, Martin and Pettinger

Also Present

Head of Leisure and Museums, Community Safety Partnership Co-ordinator and Member Services Officer (SJS)

7

MINUTES

The minutes of the meeting held on 22 February 2007 were taken as read and signed by the Chair as correct.

8

DECLARATIONS OF INTEREST

Members declared the following personal interests:-

COUNCILLOR	MINUTE
Councillor Gale	9 (Wife was a Member of Exwick Community Association)
Councillor Robson	9 (Member of Wonford Community and Learning Centre Social Committee)

9

APPLICATIONS FOR FINANCIAL ASSISTANCE 2007/2008

Councillor Gale declared a personal interest as his wife was a Member of Exwick Community Association.

Councillor Robson declared a personal interest as she was a Member of Wonford Community & Learning Centre Social Committee.

Members noted that the amount available for cash grants for 2007/08 was £5,000 with a further £42,000 being requested to be carried forward for 2006/07. Of this £42,000, £20,000 had been approved for the Neighbourhood Engagement pilots.

RESOLVED to recommend to Executive that:-

- (1) £15,000 be reserved for Global Grants; and
- (2) the decisions as set out below be implemented in respect of the bodies indicated;

BODY	DECISION	COMMENT
Community/Social Need		
Soundwaves	£1,702	very worthwhile project under the guidance of a group that had recently found new premises
Victim Support	£500	to provide a service to more victims of serious crime
Wonford Community & Learning Centre	£1,300	the newsletter was a particularly valued aspect of the valley Regeneration Scheme
Exeter Community Initiatives – St Sidwells Centre	£500	St Sidwells Centre serves a socially excluded community
Rent Grant		
Exwick Community Association	£6,500	a new vibrant Community Association

10

EXETER CITY COUNCIL GRANTS FOR YOUNG PEOPLE – INDIVIDUAL TALENT SCHEME

The Head of Leisure and Museums outlined the criteria used in assessing applications for support from the individual talent scheme.

(i) **Katie McGinley - Age: 16 - Sport/Activity: Netball**

Katie had been selected for the England U17 Squad and had to travel regularly to Bath to play and train. Her school team also reached the National Schools Final. Her 12 month objectives were to continue her development and establish herself as an England U17 regular and to participate in a number of regional and national tournaments. Her long-term aim was to progress to the England U19 squad and eventually achieve selection to the England Senior Squad.

RESOLVED to recommend to Executive that a grant of £550 be made.

(ii) **Benedict Zeman - Age: 11 - Music: Violin Player**

Benedict became a member of the National Children's Orchestra (under 11 yrs) age 7 and was a Chorister at Exeter Cathedral. In 2005 he won a national prize at Northern College of Music for composition. His objective for the coming 12 months was to attend a competitive audition for the National Children's Orchestra week. This was a residential course in London of intensive training culminating with a public concert. This was a unique opportunity for Benedict to play with children of a similar age, of the same high standard.

RESOLVED to recommend to Executive that a grant of £300 be made.

(iii) **Flora Zeman - Age: 15 - Music: Viola Player**

Flora became a Member of the National Children's Orchestra in 2006. Her objectives for the next 12 months were to attend the National Children's Orchestra competitive audition which was a two and a half week residential course culminating in a concert at a national major venue. She would also be attending the Dartington Summer Youth Programme in string chamber music. Her long term goals were to continue to improve and apply to the National Youth Orchestra in 2008. Flora had just finished a project with Royal Opera House writing and performing new version of Tosca, the film of which would be screened nationally.

RESOLVED to recommend to Executive that a grant of £700 be made.

(Report circulated)

11

GRANT TO COMMEMORATE THE 200TH ANNIVERSARY OF THE ABOLITION OF THE TRANSATLANTIC SLAVE TRADE

The Head of Leisure and Museums presented a report regarding the decision made under delegated powers to make £2,500 available from the grants budget to the Exeter Committee for the Commemoration of the Abolition of the Transatlantic Slave Trade, for a number of events during the bicentenary year.

The Committee thanked the officers involved for making the event on the 25 March 2007 such a success.

Members noted the report.

(Report circulated)

(The meeting commenced at 4.30 pm and closed at 5.25 pm)

Chair

Agenda Annex

SEATING IN THE GUILDHALL

Lord Mayor's Chaplain			Deputy Lord Mayor Councillor Choules (L)	Lord Mayor Councillor Slack (L)	Chief Executive	Assistant Chief Executive	
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Member Services Manager	Head of Legal Services	Head of Treasury Services		Director Corporate Services	Director Community and Env.	Director Economy and Development
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Councillors	Councillors	TABLE	Councillors	Councillors	Councillors
Sterry (L)	Edwards (L)*		Fullam (LD)	Newcombe (LD)	Bond (C)
Lyons (L)	D Baldwin (L) *		P Smith (LD)	Newton (LD)	Newby (C)
Robson (L)	Shepherd (L)*		Mrs S Brock (LD)	Cole (LD)	Mrs Evans (C)
Branston (L)	Dixon (L) *		Noble (LD)	Mitchell (LD)	Coates (C)
Moore (L)	Boyle (L) *		P Brock (LD)	Pettinger (LD)	Prowse (C)
Martin (L)	Sheldon (L)*		Wadham (LD)	Hannaford (LD)	Mrs R Smith (C)

Cllr Gale (LIB)	Cllr D Morris (LIB)	Cllr Mrs Danks (LIB)	Cllr Mrs Morris (LIB)	Cllr Mrs Henson (C)	Cllr Winterbottom (C)	Cllr M Baldwin (C)	Cllr Shiel (C)
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L: Labour : 14
 LD: Liberal Democrats : 12
 C: Conservative : 10
 LIB: Liberal : 4

*Portfolio Holders
 Edwards Leader
 Baldwin D.: Housing and Social Inclusion
 Dixon: Business Transformation and Human Resources
 Boyle: Environment and Leisure
 Shepherd: Sustainable Development and Transport
 Sheldon: Economy and Tourism

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