



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 15 JULY 2008**, 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 22 April 2008 and the Annual Meeting held on 13 May 2008.	1 - 12
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 21 April 2008	13 - 24
4 Planning Committee - 19 May 2008	25 - 44
5 Planning Committee - 23 June 2008	45 - 56
6 Licensing Committee - 10 June 2008	57 - 60
7 Licensing Committee - 8 July 2008	61 - 64
8 Scrutiny Committee - Community - 3 June 2008	65 - 74
9 Scrutiny Committee - Community - Special - 8 July 2008	75 - 78
10 Scrutiny Committee - Economy - 5 June 2008	79 - 84
11 Scrutiny Committee - Resources - 18 June 2008	85 - 96
12 Standards Committee - 4 June 2008	97 - 100
13 Final Accounts Committee - 25 June 2008	101 - 102
14 Local Government Review Committee - 29 May 2008	103 - 106

15	Local Government Review Committee - 7 July 2008	107 - 110
16	Executive - 17 June 2008	111 - 126
17	Executive - 1 July 2008	127 - 136

Pages

18	Notice of Motion by Councillor Newby under Standing Order No. 6	
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“That the citizens of this City through its Council and elected Members hold a day of thanks for the three emergency services to show their gratitude for their dedication and professionalism that they show to us in our hour of need and more so after the incident in Princesshay on 22 May that put so many lives at risk.”

Pages

19	Notice of Motion by Councillors D. Baldwin, Bond, Boyle, Coates, Edwards, Mrs Henson, Newby, Prowse, Shepherd, Shiel, Mrs R. Smith, Starling, Taghdissian, Mrs Thompson and Winterbottom under Standing Order No. 6	
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“In accordance with Standing Order 26

That the Council rescinds the decision of the Executive on 17 June 2008, minute 69 (Leisure and Museums Restructuring) as it concerns a significant reduction to an important Council service which should be considered in the context of the overall services provided by the Leisure and Museums Service.

In view of this, the Scrutiny Committee - Community and the Executive shall undertake a review of all the Leisure and Museum’s services before reporting back to the Council on any proposed changes to service provision.”

A plan of seating in the Guildhall is attached as an annexe

Date: 8 July 2008

Philip Bostock
Chief Executive

NOTE: Members are asked to sign the Attendance Register

Agenda Item 1

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 22 April 2008

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

18 MINUTES

The minutes of the Extraordinary, Special and Ordinary meetings of Council held on 19 February 2008 were taken as read and signed as correct.

19 OFFICIAL COMMUNICATIONS

Councillor Winterbottom submitted a petition on behalf of residents of Wyvern Park requesting that the implementation of the plan to create a footpath between Masterton Street, in the former Wyvern Barracks site, and Shakespeare Road be stopped. This was referred to Planning Committee.

20 PLANNING COMMITTEE - 18 FEBRUARY 2008

The minutes of the meeting of the Planning Committee of 18 February 2008 were taken as read.

Members declared the following personal (*prejudicial) interests:

COUNCILLOR	MINUTE
Mrs Henson	186 (knows the applicant)
Mitchell	188 (lives in the vicinity of Polsloe Brickworks) 191* (lives opposite Beacon Avenue)

RESOLVED that the minutes of the meeting of the Planning Committee held on 18 February 2008 be received.

21 PLANNING COMMITTEE - 17 MARCH 2008

The minutes of the meeting of the Planning Committee of 17 March 2008 were taken as read.

A Member declared the following personal (*prejudicial) interest:

COUNCILLOR	MINUTE
Mitchell	*199 (lives opposite Beacon Avenue)

RESOLVED that the minutes of the meeting of the Planning Committee held on 17 March 2008 be received.

22

LICENSING COMMITTEE - 11 MARCH 2008

The minutes of the meeting of the Licensing Committee of 11 March 2008 were taken as read.

RESOLVED that the minutes of the meeting of the Licensing Committee held on 11 March 2008 be received.

23

SCRUTINY COMMITTEE - COMMUNITY - 4 MARCH 2008

The minutes of the meeting of the Scrutiny Committee – Community of 4 March 2008 were taken as read.

Members declared the following personal interests:

COUNCILLOR	MINUTE
P Brock	20 (business could be subject to inspection by Environmental Health officers)
Mrs S Brock	20 (business could be subject to inspection by Environmental Health officers)
Martin	18 (lives in one of pilot areas)
Mitchell	18 (lives in pilot area)
Newcombe	24 (member of Devon County Council's Children and Young People's Services Overview and Scrutiny Committee)
Newton	24 (works with children and young people)

RESOLVED that the minutes of the meeting of the Scrutiny Committee – Community held on 4 March 2008 be received.

24

SCRUTINY COMMITTEE - ECONOMY - 6 MARCH 2008

The minutes of the meeting of the Scrutiny Committee - Economy of 6 March 2008 were taken as read.

RESOLVED that the minutes of the meeting of the Scrutiny Committee - Economy held on 6 March 2008 be received.

25

SCRUTINY COMMITTEE - RESOURCES - 19 MARCH 2008

The minutes of the meeting of the Scrutiny Committee - Resources of 19 March 2008 were taken as read.

RESOLVED that the minutes of the meeting of the Scrutiny Committee - Resources held on 19 March 2008 be received.

26

STANDARDS COMMITTEE - 25 MARCH 2008

The minutes of the meeting of the Standards Committee of 25 March 2008 were taken as read.

RESOLVED that the minutes of the meeting of the Standards Committee held on 25 March 2008 be received.

EXECUTIVE - 18 MARCH 2008

The minutes of the meeting of the Executive of 18 March 2008 were taken as read.

Members declared the following personal (*prejudicial) interests:

COUNCILLOR	MINUTE
Cole	36 (member of Local Government Pension Scheme in Somerset)
Newton	*25 (works within the vicinity of Exeter Phoenix Arts Centre)

In relation to Minute 39 (Appointments to Outside Bodies), Councillor Robson was appointed as representative to the Royal Albert Memorial Museum Development Trust.

In relation to Minute 41 (RAMM Staffing 2008/09), Councillor Smith requested that his name be recorded as having voted against the resolution at Executive.

RESOLVED that the minutes of the meeting of the Executive held on 18 March 2008 be received.

EXECUTIVE - SPECIAL - 8 APRIL 2008

The minutes of the meeting of the Executive of 8 April 2008 were taken as read.

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

COUNCILLOR	MINUTE
Boyle	45 (employee of Devon County Council outside Exeter)
Gale	25 (re Min 6 of Grants Committee of 21 February 2008) - wife employed by Northcott Theatre)
Martin	45* (employee of Devon County Council in the City of Exeter)

RESOLVED that the minutes of the meeting of the Executive held on 8 April 2008 be received.

EXECUTIVE - 15 APRIL 2008

The minutes of the meeting of the Executive of 15 April 2008 were taken as read.

RESOLVED that the minutes of the meeting of the Executive held on 15 April 2008 be received.

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

In accordance with Standing Order No. 6, Councillor Shiel submitted a Notice of Motion, seconded by Councillor Mrs Henson, in the following terms:

“Given the enormous importance of the local post office to its community this Council must do everything it can to ensure that current provision is not further eroded.”

Members spoke in support of local post offices, acknowledging their significant role in local communities and the potential detrimental impact, should current provision be further eroded. Whilst unable to commit to any financial subsidy, the Council agreed that other ways of expressing support for post officers should be explored in the context of the proposed programme of post office closures.

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

(The meeting commenced at 6.00 pm and closed at 7.05 pm)

Chair

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 13 May 2008

The Right Worshipful the Lord Mayor (Mrs H.A. Slack)
The Deputy Lord Mayor (Cllr Choules)
Councillors D Baldwin, M A Baldwin, Bond, Boyle, Branston, P Brock, S Brock, Cole,
Coates, Mrs Danks, Edwards, Fullam, Gale, R M Hannaford, Mrs Henson, Martin, Mitchell,
D J Morrish, Mrs Morrish, Newby, Newcombe, Newton, Noble, Prowse, Robson, Sheldon,
Shepherd, P A Smith, R Smith, Sterry, Wadham, Winterbottom, A Hannaford, Hobden,
W M Starling, Taghdissian, Thompson and Wardle

31

ELECTION OF LORD MAYOR

RESOLVED on the nomination of Councillor Wadham, seconded by Councillor Winterbottom, that Councillor PA Smith be elected Lord Mayor of the City for the ensuing Municipal Year.

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

32

APPOINTMENT OF DEPUTY LORD MAYOR

RESOLVED on the nomination of Councillor Mrs S.R. Brock, seconded by Councillor Branston, that Councillor Mitchell 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.

33

VOTE OF THANKS

RESOLVED that the Council record its appreciation for the able and courteous manner in which Councillor H. A. Slack and Mrs Nosworthy have discharged the duties of Lord Mayor and Lord Mayor's Escort during the past year.

Councillor Shepherd presented, on behalf of the Council, the retiring Lord Mayor's and retiring Lord Mayor's Escort's Badges.

The retiring Lord Mayor returned thanks.

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

The retiring Deputy Lord Mayor returned thanks.

34

APPOINTMENT OF LEADER OF THE COUNCIL

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

35

APPOINTMENT OF THE EXECUTIVE AND PORTFOLIO HOLDERS

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

Councillor	Portfolio or Group
Fullam	Leader, Budget and Strategic Vision
Cole	Business Transformation and Human Resources
Hannaford, R.M.	Housing and Social Inclusion
Mitchell	Environment and Leisure
Wadham	Sustainable Development and Transport
Brock, Mrs S.R.	Economy and Tourism
Mrs Henson	Conservative
Edwards	Labour
Mrs Morrish	Liberal

36

APPOINTMENT OF COMMITTEES ETC.

The Chairs and Deputy Chairs of the three Scrutiny Committees and the Planning Committee and the Chair of the Licensing Committee were contested.

In accordance with Standing Order No. 48, Councillor Mrs Henson moved and Councillor Coates seconded the suspension of Standing Order No. 39 to enable the whole Council rather than the respective Committees to vote on the election of the Chairs and Deputy Chairs of the above Committees and on the election of the Chair of the Licensing Committee. The motion was put to the vote and agreed. Nominations for these appointments were then put to the vote and agreed.

RESOLVED that the membership of the Committees etc, Chairs and Deputy Chairs, as shown at Appendix "A" to these minutes, be agreed.

37

MOTION BY COUNCILLOR EDWARDS UNDER STANDING ORDER NO. 7

Councillor Martin declared a personal and prejudicial interest as an employee of Devon County Council in the City of Exeter and left the meeting.

Councillor Boyle declared a personal interest as an employee of Devon County Council outside Exeter.

In accordance with Standing Order No. 7, Councillor Edwards submitted and Councillor Mrs Henson seconded a Motion in the following terms:-

“That the Council appoints a Local Government Review Committee. The Committee shall comprise 10 councillors, 3 from each of the three largest parties and 1 from the Liberal Party. The Committee shall be responsible for all issues arising from the Council's policy to seek the creation of a unitary authority for a Greater Exeter in accordance with the policy determined by Council. The Chair of the Committee shall be the Council's spokesperson on all unitary matters and lead councillor in that respect. The Committee shall have responsibility to allocate, as it determines necessary, those Council resources (staff, finance, assets) necessary for the promotion and delivery of the Council's objective of securing unitary status for

Exeter. It shall report directly to the Council on all matters concerning local government review and be accountable to full Council.”

The Motion was put to the vote and carried. Council **RESOLVED** that:-

(1) the Committee comprise:-

Councillor Edwards (Chair)
Councillor Mrs Henson (Deputy Chair)
Councillor Baldwin, M.A.
Councillor Boyle
Councillor Coates
Councillor Morrish, D.J.
Councillor Shepherd
Three vacancies.

(2) the Liberal Democrat Group reserve its position in respect of its three representatives on the Committee.

38

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

In accordance with Standing Order 7(8), Councillor Gale sought the Council's approval to revise the wording of the Notice of Motion previously submitted to the Council under Standing Order 6. He amended and proposed it in the following terms:-

"This Council calls for a Working Group to be set up, comprising of seven Members to reflect the political balance of the Council, a Chair to be elected from and by that group to look at all the Council's Standing Orders and bring to the next Council meeting any recommendations to improve or update all the Standing Orders of Council."

Councillor Mrs Danks seconded the motion.

The motion was put to the vote and carried.

(The meeting commenced at 7.00 pm and closed at 9.30 pm)

Chair

EXETER CITY COUNCIL

**EXECUTIVE,
SCRUTINY AND OTHER COMMITTEES ETC. 2008/2009****EXECUTIVE (9)**

Fullam, A.A. (Chair)	Henson, Mrs Y.A.C.
Brock, Mrs S.R.	Mitchell, K.J.
Cole, N.S.	Morrish, Mrs J.
Edwards, P.W.	Wadham, P.R.
Hannaford, R.M.	

PORTFOLIO HOLDERS

Fullam, A.A.	Leader, Budget and Strategic Vision
Cole, N.S.	Business Transformation and Human Resources
Hannaford, R.M.	Housing and Social Inclusion
Mitchell, K.J.	Environment and Leisure
Wadham, P.R.	Sustainable Development and Transport
Brock, Mrs S.R.	Economy and Tourism

SCRUTINY - RESOURCES (13)

Coates, J.H. (Chair)	Newton, L.
Morrish, D.J. (Deputy Chair)	Noble, B.C.
Baldwin, M.A.	Prowse, G.J.
Boyle, C.	Robson, L.S.
Brock, P.J.	Thompson, Mrs C.
Hobden, S.M.	Wardle, A.J.
Martin, I.J.	

Employee Liaison Forum (5)

Cole, N.S. (Chair)	Noble, B.C.
Martin, I.J.	Prowse, G.J.
Morrish, D.J.	

SCRUTINY - COMMUNITY (13)

Baldwin, D. (Chair)	Hobden, S.M.
Shiel, N. (Deputy Chair)	Newcombe, A.V.
Branston, R.A.	Newton, L.
Choules, M.	Smith, Mrs R.
Danks, Mrs M.E.	Taghdissian, J.
Edwards, P.W.	Thompson, Mrs C.
Hannaford, A. J.	

SCRUTINY - ECONOMY (13)

Baldwin, M.A. (Chair)	Newcombe, A.V.
Gale, C.G. (Deputy Chair)	Noble, B.C.
Boyle, C.	Sheldon, G.N.
Brock, P.J.	Starling, M.W.
Coates, J.H.	Winterbottom, J.W.
Hannaford, A.J.	Wardle, A.J.
Martin, I.J.	

PLANNING COMMITTEE (13)

Henson, Mrs Y.A.C. (Chair)	Newby, R.C.
Morrish, D.J. (Deputy Chair)	Newton, L.
Baldwin, D.	Shepherd, P.J.
Brock, P.J.	Shiel, N.
Choules, M.	Taghdissian, J.
Edwards, P.W.	Wadham, P.R.
Mitchell, K.J.	

Planning Member Working Group (7)

Mitchell, K.J. (Chair)	Newby, R.C.
Brock, P.J.	Shepherd, P.J.
Edwards, P.W.	Shiel, N.
Morrish, D.J.	

Area Working Parties

Northern (5)

Brock, P.J.	Mitchell, K.J.
Edwards, P.W.	Taghdissian, J.
Henson, Mrs Y.A.C.	

Southern (4)

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

Western (4)

Choules, M.	Shiel, N.
Newton, L.	Wadham, P.R.

LOCAL GOVERNMENT REVIEW (10)

Edwards, P.W. (Chair)	Coates, J.H.
Henson, Mrs Y.A.C. (Deputy Chair)	Morrish, D.J.
Baldwin, M.A.	Shepherd, P.J.
Boyle, C.	3 vacancies

GRANTS COMMITTEE (8)

Newcombe, A.V. (Chair)	Hannaford, A.J.
Bond, A.G.	Robson, L.S.
Brock, Mrs S.R.	Heldon, G.N.
Gale, C.G.	Winterbottom, J.W.
Leader (ex-officio)	

LICENSING COMMITTEE (12)

Noble, B.C. (Chair)	Newby, R.C.
Branston, R.A.	Shiel, N.
Cole, N.S.	Smith, Mrs R.
Danks, Mrs M.E.	Sterry, H.R.
Gale, C.G.	Wadham, P.R.
Mitchell, K.J.	Winterbottom, J.W.

Licensing Sub-Committees (3)

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

STANDARDS COMMITTEE (8 + 3 independent members)

Kirby, Prof. B. (Independent Chair)	Newcombe, A.V.
Choules, M.	Starling, M.W.
Danks, Mrs M.E.	Sterry, H.R.
Hannaford, R.M.	Winterbottom, J.W.
Morrish, D.J.	

Independent Members

Mimmack, Mr A.	Vacancy
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FINAL ACCOUNTS COMMITTEE (5)

Fullam, A.A. (Chair)	Edwards, P.W.
Baldwin, M.A.	Morrish, D.J.
Cole, N.S.	

EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE (13)

(4 City Councillors)

Gale, C.G.

Shepherd, P.J.

Prowse, G.J.

Wadham, P.R.

(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.

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Agenda Item 3

PLANNING COMMITTEE

Monday 21 April 2008

Present:-

Councillor Lyons (Chair)
Councillors Choules, P Brock, Fullam, Mrs Henson, Mitchell, D J Morrish, Robson, Shepherd, Shiel and Wadham

Also Present

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

201 MINUTES

The minutes of the meetings held on 10 December 2007, 14 January 2008 and 21 January 2008 were taken as read and signed by the Chair as correct.

202 DECLARATIONS OF INTEREST

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

COUNCILLOR	MINUTE
Councillor Choules	210 (Rowancroft – he and his wife are employees of the University of Exeter)
Councillor Lyons	203* (Trustee of the Exeter Municipal Charities)
Councillor D J Morrish	203* (Trustee of the Exeter Municipal Charities)
Councillor Winterbottom	203* (Trustee and Chairman of the Exeter Municipal Charities)

203 PLANNING APPLICATION NO.08/0344/03 - 33-55 CULVERLAND ROAD, EXETER

Councillor Lyons declared a personal and prejudicial interest as a Trustee of the Exeter Municipal Charities and left the meeting during consideration of the item.

Councillor D J Morrish declared a personal and prejudicial interest as a Trustee of the Exeter Municipal Charities and left the meeting during consideration of the item.

The Planning Solicitor declared that he knew the applicant's representative.

Councillor Choules chaired the meeting for this item.

The Head of Planning Services presented the application for re-development to provide 24 self-contained flats at 33-55 Culverland Road, Exeter. There were at present 12 flats on the site accommodated in three separate art deco style buildings. To the rear of the properties was a long communal garden.

The buildings were originally built in 1936, although two were damaged in the war and rebuilt in a replica style in 1949. They were set back seven to twelve metres from the pavement behind a beech hedge. This was an outline application and all other matters were reserved, although an indicative plan had been submitted indicating a three storey high building accommodating 24 flats.

Members were circulated with an update sheet advising that the County Director of Environment, Economy and Culture's view was that the proposal was acceptable subject to conditions relating to details of construction of the proposed access, reconstruction of the footway and provision of parking. The Head of Leisure and Museums recommended a condition requiring that no development takes place until a wildlife plan was provided. The Senior Recycling Officer requested confirmation that the access from the proposed refuse stores would be level, on a metalled surface and without steps or steep gradients to the roadside.

The Head of Planning Services stated that although the existing flats were difficult to modernise, there was no justification to demolish them as they were unspoilt art deco buildings which provided a contrast to the other development in the street scene. The proposal was too close to the road and would change the character of the area as the proposed building was not set back and would not provide the gaps in the street scene that the present three individual buildings did.

The recommendation was for refusal.

Councillor Winterbottom having given notice under Standing Order No.44 spoke on this item. He declared a personal and prejudicial interest as a Trustee and the Chairman of the Exeter Municipal Charities. He was able to speak in accordance with the Members Code of Conduct Paragraph 12 part 2.

Councillor Winterbottom raised the following points:-

- the trust had eight groups of properties in the city totalling 134 dwellings which provided accommodation for people over 55 that lived within 10 miles of the city
- the trust provided accommodation for between 10 to 20 new tenants a year
- there was a shortfall of 4,000 affordable houses in the city
- the buildings were not listed and the site was not in a conservation area
- they were built in 1936 but two were rebuilt in 1949 after they were destroyed in the war
- they were pseudo art deco
- this was an outline application; the plans were indicative
- this proposal would provide 100% affordable housing.

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

- he was a specialist in historic buildings and he felt that these buildings had no historic merits
- was not in a conservation area
- two of the blocks were not original
- the present flats could not be up graded to provide adequate noise insulation
- there was no access for wheelchair users
- the proposed flats would provide 20% more space than the existing
- the development was of an urban design in accordance with the local plan policy DG1
- this was an outline application only.

In answer to Members' questions, Mr Palmer confirmed that one building was an original and that the floor area of the proposed flats would be up to 20% larger than the existing flats. The Head of Planning Services subsequently clarified that he thought the increase in floor area was rather smaller than this.

Some Members felt that the buildings were of merit; provided character in the street scene; were a good example of art deco in the city; and that they should not be demolished.

The majority of Members supported the application and were of the opinion that this development would provide much need additional affordable housing in the city; the current accommodation was substandard, that they could not be adequately sound proofed and could not provide access for wheelchair users.

Members voted to support the application for the reasons that the need to increase the number of affordable housing units in the city and improve the amenity for residents of the flats outweighed the desirability of retaining the existing buildings.

RESOLVED that planning permission for the re-development to provide 24 self-contained flats be approved, subject to a Section 106 Agreement regarding provision of affordable housing and the following conditions:-

- 1) C01 – Standard outline.
- 2) C07 – Time limit outline.
- 3) C15 – Compliance with drawings.
- 4) C34 – Landscape scheme outline.
- 5) Hours of construction.
- 6) Refuse storage details.
- 7) Construction of access.
- 8) Reconstruction of footway.
- 9) Provision of parking.
- 10) Wildlife Plan.

(Report circulated)

204 **PLANNING APPLICATION NO.08/0100/03 - FORMER ST DAVIDS GARAGE,
BONHAY ROAD, EXETER**

The Development Control Manager informed Members that following publication of the agenda, discussions had taken place with the applicant's agent to try and overcome the reasons for refusal. A sketch scheme had been submitted which showed the proposed building set back from the back edge of the footway with a lay-by to the front and an increase in the gap between the proposed building and Bonhay House from three metres to five metres. These revisions formed the basis of an acceptable scheme, but the applicant required more time to prepare full details.

The Development Control Manager stated that the recommendation had been amended to one of deferral to allow the revised plans to be submitted and considered, and the further views of the County Director of Environment, Economy and Culture sought.

RESOLVED that this application be deferred until revised plans had been received and considered, and further views of the County Director of Environment, Economy and Culture were obtained.

(Report circulated)

205

PLANNING APPLICATION NO.07/2679/ 03 AND LISTED BUILDING CONSENT NO. 07/2680/03 - CECIL BOYALL HOUSE, VICTORY WING AND MAGDALEN HOUSE, SOUTHERNHAY EAST, EXETER

The Head of Planning Services presented the application for planning permission and listed building consent for partial change of use from offices to 13 self-contained flats, provision of medical centre at ground floor level in Cecil Boyall House, alterations to parking and provision of bin and cycle stores at Cecil Boyall House, Victory Wing and Magdalen House, Southernhay East.

This was part of a larger site for development which would be brought forward in stages. The development was in the curtilage of Dean Clarke House which was a Grade II listed building and therefore listed building consent was required. There would be very little external alteration to the buildings and the later built ancillary extensions would be demolished.

The Head of Planning Services informed Members that a revised car parking plan had been received which addressed the concerns raised regarding the car parking's impact on the setting of the listed buildings and the level of amenity for the future residential properties. Accordingly, the recommendation for both the planning application and listed building consent application was for approval.

The car parking had now been reduced on an indicative plan to show twelve spaces on the eastern boundary and six to eight spaces in the central court yard. The development was mixed use with medical units, offices and residential accommodation. This site was in a prime location for office units and although the number of housing units were below the trigger of 15 units for affordable housing, officers' opinion was that the mix was appropriate for the site and location. A Section 106 Agreement provided for affordable housing relating to the total site development, should any residential development come forward on the remainder of the land within the applicant's ownership.

Members were circulated with an update sheet giving details of the observations of the Head of Environmental Health Services and the County Director of Environment, Economy and Culture and the conditions they required should planning permission be granted.

The recommendation was now for approval of the planning permission and listed building consent, the planning permission being subject to a Section 106 Agreement protecting the Council's position in respect of affordable housing relating to the whole of the land indicated on this application as being within the applicant's ownership and both applications being subject to the conditions on the circulated update sheet.

During discussion, Members raised concerns regarding the use of the site and why more residential units were not proposed. They also had concerns regarding the parking and how that would be managed and allocated, particularly parking for the medical units.

The Head of Planning Services informed Members that this site was in the prime office area of the city and to increase the number of residential units would not be

appropriate if a mixed use scheme were to be achieved. He stated that the allocation of the parking spaces would be addressed as part of a condition requiring a Green Travel Plan.

RESOLVED that planning permission for partial change of use from offices (Class B1) to 13 self-contained flats (Class C3), provision of medical centre (Class D1) at ground floor level in Cecil Boyall House, alterations to parking and provision of bin and cycle stores be approved subject to completion of a Section 106 Agreement protecting the Council's position in respect of affordable housing relating to the whole of the land indicated on this application as being within the applicant's ownership 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 21 December 2007 (541.site 03B; 541.VY098; 541.VY10B; 541.VY24B; 541.VY25B; 541.VY38A; 541.BY10B; 541.BY11B; 541.BY12B; 541.BY27A; 541.BY28B; 541.BY29A; 541.BY30B & 541.MG02A) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials.
- 4) C35 - Landscape Scheme.
- 5) C37 - Replacement Planting.
- 6) C57 - Archaeological Recording.
- 7) No part of the development hereby approved shall be brought into its intended use until the access and on site parking facilities have been provided, surfaced and marked out in accordance with details that shall have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 8) No part of the development hereby approved shall be brought into its intended use until a Green Travel Plan shall have been submitted to, agreed and approved in writing by the Local Planning Authority and implemented at all times.
Reason: To ensure that all users and occupiers of this facility are aware of the location and availability of public transport, walking/cycling routes and parking arrangements.
- 9) 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:-
 - i) full details of any new extract vents, including size, height and position;
 - ii) details of the roof terrace to be agreed, including surface treatment; balustrade (if new) and new roof lantern;
 - iii) any new or replacement rainwater goods shall match the existing in terms of material, colour and section;
 - iv) all existing windows shall be restored to working order or if rotten, replaced and subsequently maintained on a like for like basis;

v) all existing architectural features, whether currently visible or not, such as hidden cornices, tiled cills and original skirting boards, architraves and doors shall be retained within the development for re-use;

vi) refuse storage facilities;

vii) location of site compounded;

viii) lighting.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

10) C70 - Contaminated Land.

11) No development shall commence until a noise assessment report to appraise the scheme in respect of protecting the proposed accommodation from noise from road traffic has been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed recommendations. The scheme should achieve at least the 'Reasonable' standards for internal level in residential properties specified in BS8233:1999 Sound Insulation and Noise Reduction for Building- Code of Practice.

Reason: To protect the future residents of the residential units from road traffic noise.

12) No construction work shall not take place outside the following times: 8 am to 6pm Monday to Fridays, 8am to 1 pm on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of residential amenity.

13) No development shall take place unless and until a Wildlife Plan, which demonstrates, how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.

Reason: To ensure that the wildlife opportunities associated with the site are maximised in the interests of biodiversity.

14) The residential accommodation hereby approved shall not be occupied until sound insulation measures between the units and adjoining uses have been implemented in accordance with full details that have been approved by the Local Planning Authority in writing.

Reason: In the interests of residential amenity.

15) No development shall commence until details of the obscure glazing to specific windows within the proposal have been submitted to and approved in writing by the Local Planning Authority and thereafter retained at all times.

Reason: To prevent overlooking and loss of privacy and in the interests of residential amenity.

In the event that the Section 106 Agreement is not completed within six months of the date of this Committee meeting, authority be delegated to the Head of Planning Services to refuse permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the Section 106 Agreement.

RESOLVED that listed building consent for alterations to doors, windows and internal walls to provide 13 self-contained flats, medical centre at ground floor level in Cecil Boyall House and provision of bin and cycle stores be approved, subject to the following conditions:-

- 1) C08 - Time Limit - L.B. and Conservation Area.
- 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 21 December 2007 (541.site 03B; 541.VY098; 541.VY10B; 541.VY24B; 541.VY25B; 541.VY38A; 541.BY10B; 541.BY11B; 541.BY12B; 541.BY27A; 541.BY28B; 541.BY29A; 541.BY30B & 541.MG02A) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C57 - Archaeological Recording.
- 4) 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:-
 - i) full details of any new extract vents, including size, height and position;
 - ii) details of the roof terrace to be agreed, including surface treatment, balustrade (if new) and new roof lantern;
 - iii) any new or replacement rainwater goods shall match the existing in terms of material, colour and section;
 - iv) all existing windows shall be restored to working order or if rotten; replaced and subsequently maintained on a like for like basis;
 - v) all existing architectural features, whether currently visible or not, such as hidden cornices, tiled cills and original skirting boards, architraves and doors shall be retained within the development for re-use;
 - vi) refuse storage facilities;
 - vii) location of site compounded;
 - viii) lighting.**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.

(Report circulated)

206

PLANNING APPLICATION NO.07/2633/03 - 88 HONITON ROAD, EXETER

The Development Control Manager presented the application for redevelopment to provide six self-contained flats, two maisonettes and two semi-detached dwellings, parking, access to highway and associated works at 88 Honiton Road.

This was a derelict site which had been occupied by a petrol filling station until four years ago. It was an exposed site in a predominantly residential area. The trees on the site were covered by a TPO, but to facilitate the proposed accommodation a monterey pine and two other smaller trees would need to be removed. The adjacent neighbour supported the application and the removal of the monterey pine.

Two previous applications on the site had been refused; this application now addressed the reasons for refusal. The Director of Environment, Economy and Culture had no objection to the proposal subject to conditions contained within the circulated update sheet.

The recommendation was for approval subject to a Section 106 Agreement to secure a contribution to off-site leisure facilities and conditions as per the update sheet.

Members welcomed the development of this derelict site although some did raise concerns regarding the highway arrangement to access and egress the site and if the buildings on the front of site would reflect the building line of the existing 1930's and 1940's houses and be set back from the road.

The Development Control Manager confirmed that the Director of Environment, Economy and Culture was now satisfied and that this site would generate a lot less traffic than the previous use as a petrol filling station. He stated that the buildings on the front of the site would not be forward of the building line of the canopy of the previous filling station which was further forward than the existing residential dwellings in the area.

RESOLVED that planning permission for redevelopment to provide six self-contained flats, two maisonettes and two semi-detached dwellings, parking, access to highway and associated works be approved subject to the completion of a Section 106 agreement to secure a contribution to off-site leisure facilities, the detail of which the Head of Planning Services be given the delegated authority to negotiate and determine 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) C38 - Trees - Temporary Fencing.
- 7) C70 - Contaminated Land.
- 8) Wildlife plan.
- 9) Hours of construction.
- 10) Green travel plan.
- 11) Noise survey.
- 12) No part of the development hereby approved shall be occupied until the on-site parking and turning facilities have been provided, surfaced and marked out 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, in the interest of public safety.
- 13) No part of the development hereby approved shall be occupied until the access, frontage footway, visibility splays and access drainage have been provided in accordance with details that shall have previously been submitted to, agreed and approved in writing by, the Local Planning Authority and retained for those purposes at all times
Reason: To ensure that adequate facilities are available for the traffic attracted to the site, in the interest of public safety.

- 14) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operative's vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by, the Local Planning Authority.

Reason: In the interest of public safety.

In the event that the Section 106 Agreement is not completed within six months of the date of this Committee meeting, authority be delegated to the Head of Planning Services to refuse permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the Section 106 Agreement.

(Report circulated)

207

PLANNING APPLICATION NO.08/0240/03 - APOLLO WORKS, LOOE ROAD, EXETER

The Head of Planning Services presented the application for redevelopment to provide a three storey building comprising 14 self-contained flats, parking, access to highway and associated works at Apollo Works, Looe Road.

This was a former employment site which was now disused. Two previous applications on the site had been refused and the last application had been dismissed on appeal.

This application was for 14 flats in a three storey block; the materials to be used were slate, render and timber. The design had been based on guidance from the urban design team and included 240 square metres of amenity space to the rear of the development.

The Head of Planning Services reported that a Flood Risk Assessment had now been submitted and the Environment Agency confirmed that it had no objections provided that the finished floor levels of the proposed building conformed to the details set out in the Assessment. Additional information had been received illustrating the height of the proposed building in relation to the adjoining house in Looe Road. This height relationship was considered to be acceptable.

The County Director of Environment, Economy and Culture raised no objections subject to conditions regarding the footway on the Looe Road frontage, access to Looe Road, access drainage, visibility splays, off-street parking and turning facilities being provided, surfaced and marked out and the effective and permanent closure of the existing access. The Head of Leisure and Museums recommended a condition requiring that no development take place until a wildlife plan was provided.

The recommendation was for approval subject to a Section 106 Agreement regarding a contribution towards maintenance and enhancement of Looe Road play area and alterations within the highway at the entrance to the application site, the conditions on the circulated update sheet and an additional condition regarding agreement of finished ground floor levels.

In answer to Members' questions, the Head of Planning Services confirmed that the applicant had stated that the roof materials were likely to be natural slate and as per the conditions, materials would need to be approved by the Local Planning Authority. He confirmed that the proposal included storage for 14 bicycles adjacent to the car parking area.

A Member raised a question regarding the removal of any asbestos on the roof of the building to be demolished. The Head of Planning Services stated that he would liaise with the Head of Environmental Health Services regards the safe removal of any asbestos from the site.

RESOLVED that planning permission for redevelopment to provide three storey building comprising 14 self-contained flats, parking, access to highway and associated works be approved subject to a Section 106 Agreement to secure a contribution towards maintenance and enhancement of Looe Road play area and alterations within the highway at the entrance to the application site the detail of which the Head of Planning Services be given delegated authority to negotiate and determine, the removal of any asbestos from the site delegated to the Head of Planning Services in liaison with the Head of Environmental Health Services to agree additional conditions if required 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) C70 - Contaminated Land.
- 7) Obscure glazing (west elevation).
- 8) Retaining wall.
- 9) Hours of construction.
- 10) Refuse storage.
- 11) No part of the development hereby approved shall be occupied until the footway on the Looe Road frontage, access to Looe Road, access drainage, visibility splays, off-street parking and turning facilities have been provided, surfaced 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 those purposes at all times.
Reason: In the interest of public safety and to ensure that adequate facilities are available for the traffic attracted to the site.
- 12) The existing access shall be effectively and permanently closed in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority as soon as the new access is capable of use.
Reason: In the interest of public safety and to minimise the number of redundant accesses on to the public highway.
- 13) The lowest floor level in the completed building shall not be less than 11.6m above ordnance datum.
Reason: To comply with the requirements of the Environment Agency.

In the event that the Section 106 Agreement is not completed within six months of the date of this committee meeting, authority be delegated to the Head of Planning

Services to refuse permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the Section 106 Agreement.

(Report circulated)

208 **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)

209 **ENFORCEMENT PROGRESS REPORT**

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

The Head of Planning Services informed Members that the legal action on Ringswell Park had been delayed.

RESOLVED that the report be noted.

(Report circulated)

210 **APPEALS REPORT**

Councillor Choules declared a personal interest in respect of land at Rowancroft as he and his wife were employees of the University of Exeter.

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(Report circulated)

211 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party will be held on Tuesday 6 May 2008 at 10.00 a.m. The Councillors attending will be Mrs Henson, Robson and Wadham.

(The meeting commenced at 5.30 pm and closed at 7.40 pm)

Chair

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PLANNING COMMITTEE

Monday 19 May 2008

Present:-

Councillor Mrs Yolonda Henson (Chair)
Councillors D Baldwin, P Brock, Choules, Edwards, Mitchell, D J Morrish, Newby, Newton, Shepherd, Shiel, Taghdissian and Wadham

Also Present

Director Economy and Development, Head of Planning Services, Development Control Manager, Planning Solicitor, Area Planner (MH), Planning Technician (ID) and Member Services Officer (SJS)

In Attendance

The Development Manager, Highways & Transport, Devon County Council

212

MINUTES

The minutes of the meetings held on 18 February 2008 and 17 March 2008 were taken as read and signed by the Chair as correct.

213

DECLARATIONS OF INTEREST

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

COUNCILLOR	MINUTE
Councillor D Baldwin	215 (husband had been involved with the Naval Stores application)
Councillor Edwards	215 (employee of a local bus company)
Councillor Newby	215 (lives near entrance to the site)
Councillor Starling	215* (lives in the ward)
Councillor Winterbottom	214 (knows residents in the area)

214

PROPOSED FOOTPATH BETWEEN SHAKESPEARE ROAD AND WYVERN BARRACKS SITE

The Head of Planning Services presented the report regarding a proposed footpath between Shakespeare Road and the Wyvern Barracks Site. In total four petitions had been received, three were referred to in the report and copies of the front sheet of the fourth petition were circulated to Members.

The Head of Planning Services outlined to Members the background to the proposed footpath. The Well Oak Park Estate had been granted planning permission in 1998 and was built between 1999 and 2001. No provision was made for a footpath link through to Shakespeare Road. In 2003/2004 the Council started to receive complaints from occupants of the homes in Well Oak Park of anti social behaviour from youths that they were using an informal route from the Shakespeare Road area into Well Oak Park and causing problems.

The issue was addressed in Summer 2004 with the Council erecting a two metre high steel palisade fence around the boundaries of the Well Oak open space. The £6,900 cost of this was met from the commuted sum for maintenance of the Well Oak Park open space.

In 2004, a petition had been received by the Council requesting a footpath from Shakespeare Road to Dryden Road. When the Wyvern Barracks application was considered in 2004 the application drawings showed no specific footpath, although the developers agreed to a footpath link to Well Oak Park and provision for a further link to Shakespeare Road through a Section 106 Agreement.

The Head of Planning Services reported that there were two options to deliver the footpath. The first option was a route from the southern corner of the Wyvern Barracks development by Masterson Street southwards along the eastern edge of Wyvern Barracks to join Shakespeare Road by the end of the cul-de-sac by No 42 and the recent development of Bronte House. This would require land from the Ministry of Defence (MoD). The MoD had indicated that it would not support a proposed footpath because of security considerations.

The second option was for a route through the site of the former PCT Clinic at 68A Shakespeare Road and the now disused garage courtyard and hard surfaced play area to the rear. The former PCT site was being acquired by Exeter City Council to enable an affordable housing redevelopment of the wider site by a Housing Association.

The Head of Planning Services reported that he had met a delegation of six residents of Well Oak Park and Wyvern Park on 15 May 2008 to discuss the report and explain processes. The main points that they wished to emphasise to the Committee were that:

- Residents of their estates were overwhelmingly backing opposition to a link to Shakespeare Road
- Their concerns were crime, anti-social behaviour and noise disturbance
- The latest petition from Well Oak Park detailed 20 incidents prior to erection of the palisade fence in 2004
- Police representatives at a recent PACT (Police and Communities Together) meeting supported their position.

A Well Oak Park residents' representative had emailed all Members of the Committee responding to the agenda report. A paper copy was circulated.

Police and Community Patrol had been asked about their records for the area. Police records showed that 2004, the year of the campaign for and erection of the fence was a peak year for incident reports with 20 reported. This compared with a total of 11 incidents in the preceding three years and then six in the following three years so there had been some fall in reported incidents after erection of the palisade. However, if one just looks at crimes, the levels of 5/4/4 reports for years 2003-5 this showed no change.

Community patrol logs did show a significant drop in complaints after erection of the palisade fence, however those levels were still higher than on the other side in Shakespeare Road.

The three potential options available to Members were to consider that a footpath was not necessary, to pursue the provision of a footpath link through the former PCT Clinic, or to pursue a longer term option through MoD land.

The officer's recommendation was that the Council continue to seek the provision of the footpath as outlined in Option ii) of the circulated report, in accordance with its previous decision when approving Wyvern Park.

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

- representing views of the residents of Shakespeare Road
- this footpath had been promised to residents four years ago
- the decision had already been made
- the search undertaken by the purchaser's solicitors on Wyvern Park should have revealed the proposed footpath
- this footpath would encourage green travel
- would support social inclusion
- asked the Committee to support the officer recommendation.

Councillor Winterbottom having given notice under Standing Order No.44 spoke on this item. He declared a personal interest as he knew residents in the area. He raised the following points:-

- presented the petition from the residents of Wyvern Park to Council
- professional and retired people lived in Wyvern Park
- 50% of the residents signed the petition presented to Council
- 89 residents signed the petition from Well Oak Park against the footpath representing 89% of residents
- there was a history of anti social behaviour recorded in the period 2001-2004 which had resulted in the erection of the palisade fence in 2004
- the 'PACT' meeting had not been attended by representatives from Exeter City Council or Councillors although 120 local residents and the Police Constable for the area attended
- the Police Constable had said at the 'PACT' meeting that the footpath would cause trouble
- asked if footpath went ahead could CCTV be installed?
- the developer was agreeable for the Section 106 monies to be spent elsewhere; Youth Service in the area would welcome additional funding
- Exeter City Council had not revealed the proposed footpath on a question on a search for Wyvern Park
- Residents would 'never miss what they never had'
- this was an ill conceived project, he asked Members to reject the footpath altogether.

In answer to a Member's question, Councillor Winterbottom stated that he did not know if residents from Shakespeare Road and Burnthouse Lane had been invited to the 'PACT' meeting.

The Head of Planning Services confirmed that the Police had given no formal view on the proposed footpath, but that usually the Police Authority objected to footpaths. He understood that the search that Councillor Winterbottom referred to was asking about roads and not footpaths, although searches did reveal if Section 106 Agreements had been entered into. He confirmed that he had no firm developer's agreement to use the Section 106 monies for other purposes.

Members discussed the options; they raised the following points:-

- could CCTV be installed?
- a footpath would encourage green travel
- need further information from the Police regarding crime reports and from the Youth Service
- was a question of social inclusion; the installation of the fence had created barriers between communities

The Local Ward Member informed the Committee that he was unable to obtain definite answers from the Police Authority or view any crime logs.

The Head of Planning Services stated that normally CCTV was only erected in city centre locations not on residential estates, although residents could install them if they so wished.

Some of the Members were of the opinion that representatives from the Police Authority and Youth Services should attend a Planning Committee in order that their views could be sought regarding any impact this proposal would have on the residents of Wyvern Park and Well Oak Park.

RESOLVED that consideration of the proposed footpath be deferred until the next meeting when the Police Authority and Youth Service representatives could be invited to attend.

215

PLANNING APPLICATION NO.07/2169/01 - LAND NORTH OF OLD RYDON LANE, LAND EAST OF NEWCOURT HOUSE AND LOWER RNSD SITE, TOPSHAM ROAD, EXETER, EX2

Councillor D Baldwin declared a personal interest as her husband had been involved with the Royal Naval Stores Depot application as a Ward Councillor.

Councillor Edwards declared a personal interest as an employee of a local bus company.

Councillor Newby declared a personal interest as he lives near the site entrance.

The Development Control Manager presented the application for planning permission for a residential redevelopment with all matters reserved for future consideration at land north of Old Rydon Lane, land east of Newcourt House and lower RNSD site, Topsham Road, Exeter.

This application was to establish the principle of residential development. The application covered three parcels of land; there were Tree Preservation Orders on the site, although the majority of trees were on the boundary. A part of the site was protected employment land and therefore if the Committee recommended approval then the application would need to go to the Government Office South West (GOSW) as a departure from the Local Plan. The application site would accommodate in the region of 800 dwellings. Notwithstanding the objection from the South West Regional Development Agency the Development Control Manager explained that the protected employment land was unattractive to business being poorly located in relation to the main road network and that a mix of employment and residential use was undesirable.

The Development Control Manager stated that it was intended that a comprehensive approach was to be taken on the three sites with a Section 106 Agreement across all the parcels of land to ensure that there was an integrated approach to the design.

It was proposed to have 12 design principles covered by condition three, these established the design codes for any further reserved matters applications. There was provision within the proposed Section 106 Agreement for monies towards the Exe Estuary Management Plan and provision of a Wildlife Corridor on land to the north and south of Old Rydon Lane.

The Highways Agency had confirmed that on the basis of the proposed contribution towards highway improvements at Junction 30 of the M5 (£500,000) the potential impact of this development on that junction would be appropriately mitigated. From a wider perspective, the Highways Agency had confirmed that it was prepared to lift the holding direction subject to the above contribution, a further contribution in the form of a Travel Plan Bond and the imposition of three conditions covering highway matters. The holding direction was accordingly lifted and replaced with a direction requiring the Authority to impose conditions. Whilst there was some concern regarding the reasonableness and enforceability of these conditions on the part of officers, the Highways Agency had confirmed that these conditions had been imposed on other developments, although not yet tested through the Courts. The additional conditions were on the circulated update sheet.

The Head of Planning Services reported that some of the matters in the proposed Section 106 Agreement were yet to be finalised and the recommendation was to include delegated authority to the Head of Planning Services in respect of the variation of the terms of the Section 106 Agreement if required by consultees.

The Development Control Manager informed Members that further representations had been received from South West Water, Devon County Council regarding Education and six further representations, these were all summarised on the circulated update sheet.

The recommendation was for approval subject to a Section 106 Agreement, conditions on the circulated report and update sheet, the application would be referred to the GOSW as it was a departure from the Local Plan.

In answer to a Member's question, the Development Control Manager confirmed that part of the link road had already been constructed and the Section 106 Agreement stated that only 200 homes could be built until the road was completed. He stated that there was a condition on the approval for the upper RNSD site which reserved land for a possible railway halt in the future, but at this present time there was no commitment from Network Rail with regards to building a halt on this site.

Councillor Starling having given notice under Standing Order No.44 spoke on this item. He declared a personal and prejudicial interest as he lives in the ward. He raised the following points:-

- the sheer scale of the development would have a impact on the area
- as all matters were reserved you could not ascertain the total number of dwellings that would be built
- the city could not cope with the level of traffic that this development would generate
- would have a negative impact on the already busy Topsham Road
- Topsham and Countess Wear had unique character and this would result in one 'joined-up' city
- the ward residents were not in favour
- would need to achieve improved cycle links
- South West Regional Assembly (SWRA) had stated that this development was required to meet the need identified in the Regional Spatial Strategy; SWRA was not an elected body
- the employment land should remain and provide employment for the potential new residents
- this was an important wildlife site
- it was essential that there was a rail link near to the site
- the residents of Topsham were not in favour of the development.

Mrs Barratt spoke against the application. She raised the following points:-

- representing residents in the Topsham Road area
- welcomed the development of the brown field site
- the proposal was too high density
- no development should take place until a new Traffic Impact Assessment had taken place
- the proposal would put too much pressure on the already congested Topsham Road.

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

- was the Planning Consultant acting for the developer
- the land owners were committed to bringing this land forward for residential development
- lengthy negotiations had taken place with Planning Officers
- the key principles would ensure that a good quality joined up development would take place
- the Council had produced independent reports to support the development of the employment land as residential.

The Development Manager, Highways and Transport, Devon County Council informed Members that the transport assessment had been scrutinised and that monies required to improve the road network in the area would be secured by the Section 106 Agreement.

Members discussed the application; the following points were raised:-

- would provided much need housing in the city
- would like to see a rail halt at the site in the future
- would the amenity space be providing any allotments?
- adequate width of roads in particular for buses
- effect the development would have on wildlife
- ensuring that potential residents were aware of the positioning of play areas and that they were completed on time
- completion of the road linking the A379 and Topsham Road
- the dispersal of affordable housing throughout the site
- adequate size of garages.

The Director Economy and Development informed Members that at this present time there was no prospect of a rail halt on this site, but the issue of improved rail transport on this corridor was a matter that the Council with Devon County Council would be taking forward.

In answer to Member's questions, the Development Control Manager informed Members that at the present time there was no specific guidance relating to allotments. This would need to be addressed strategically through the Local Development Framework. An objection from Sport England had been received before the agreements of the community facilities had been negotiated and monies would be provided for on and off site leisure facilities. He stated that the education contribution would have built in triggers, these to be delegated to the Head of Planning Services and that the minimum dimensions of garages could form a thirteenth key principle.

The Planning Solicitor confirmed that the Section 106 Agreement would ensure the delivery of the road linking the A379 and Topsham Road before the occupation of any dwelling. If the appeal on the refusal of the second link road application was allowed then it would not affect the existing road; it would mean that there was approval for two roads. With regard to the completion of play areas, developers

were now required to let prospective purchasers know which dwellings could not be occupied until play areas had been adopted.

The Development Manager, Highways and Transport, Devon County Council stated that the roads would be designed around 20 mph speed limits, ensuring that there was a balance between off street and on street parking, to avoid large car park areas at the same time as not to block roads with on street parking.

RESOLVED that planning permission for residential redevelopment be approved subject to the completion of a Section 106 Agreement or agreements covering the matters outlined in the list of Heads of Terms attached to the report, and the following conditions:-

delegated authority to the Head of Planning Services in respect of the variation of the terms of the Section 106 Agreement and/or conditions if required by the consultees concerned;

- 1) C01 - Standard Outline
- 2) C06 - Time Limit - Approval of Reserved Matter
- 3) C07 - Time Limit - Outline
- 4) Prior to the submission of any application for reserved matters a masterplan and design code(s) consistent with the 12 principles contained within the agent's letter dated 29th April 2008, and the submitted Design and Access Statement, shall be submitted to the Local Planning Authority. The masterplan and code shall be prepared in accordance with *Creating Successful Masterplans; A guide for Clients (CABE 2004)* and *Preparing Design Codes, A Practice Manual (CABE 2006)*. The scope of both must be agreed in writing with the Local Planning Authority prior to their preparation but should be broadly defined by the table contained within Page 63 of the latter document. No development shall take place unless and until the Local Planning Authority have approved these details and any applications for reserved matters must comply with the approved masterplan and code(s).
Reason: To ensure that the design, layout and housing mix of the development is approached comprehensively in accordance with policy KP8 of the Exeter Local Plan First Review 1995-2011, achieves a high quality design, creates a unique sense of place for this significant urban expansion of Exeter and meets an identified housing need in terms of mix of units.
- 5) Prior to the commencement of the development a detailed phasing plan shall be submitted to, and be approved in writing by, the Local Planning Authority. The phasing plan shall specify the proposed timing for the delivery of the areas of public open space as well as the construction programme for the housing itself.
Reason: To ensure that the delivery of open space associated with the development is co-ordinated with the construction of the houses which it will serve and the development proceeds in accordance with an agreed programme of delivery.
- 6) All of the dwellings constructed pursuant to this application shall be designed to at least meet the standards specified in Level 3 of the Code for Sustainable Homes published in 2008. A Code Post Completion Certificate shall be submitted to the Local Planning Authority within 6 months of the substantial completion of the development hereby approved.
Reason: In the interests of sustainable development and to ensure that the development is consistent with the objectives for sustainable development

set out in PPS1 - Delivering Sustainable Development and PPS22 - Renewable Energy.

- 7) Prior to commencement of the development a scheme for generating a minimum of 10% of the predicted energy requirement of the development from on-site renewable sources shall be submitted to, and be approved in writing by, the Local Planning Authority. The approved scheme shall be implemented before the dwellings are first occupied and shall thereafter be maintained so that it provides the required level of generation.
Reason: To ensure that the development contributes towards the achievement of sustainable development in accordance with guidance contained in PPS1 - Delivering Sustainable Development and PPS22 - Renewable Energy and that the scheme is developed in such a way as to reduce reliance on non-renewable energy sources and maximise energy efficiency in the interest of sustainable development.
- 8) C34 - Landscape Scheme - Outline
- 9) C38 - Trees - Temporary Fencing
- 10) C36 - No Trees to be Felled
- 11) 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 buildings shall not be occupied or the open spaces landscaped 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.
Reason: In the interests of the amenity of the occupants of the buildings and users of the facilities hereby approved.
- 12) The development shall not begin until full details of all drainage works associated with the development have been submitted to, and approved in writing by, the Local Planning Authority. These details should include full details of the proposed surface water drainage scheme and demonstrate how the scheme has followed the recommendations contained in the Flood Risk Assessments submitted in support of this application.
Reason: To ensure the satisfactory drainage of the development.
- 13) C57 - Archaeological Recording
- 14) C17 - Submission of Materials
- 15) C23 - Permitted Development Restriction
- 16) Prior to the commencement of any phase of the development hereby approved details of the location and specifications of any proposed site compound, including any constituent buildings, shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.
Reason: To ensure that the location and design of any site compound are acceptable in terms of visual and amenity impact.
- 17) Prior to any works commencing on site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by

the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimize the creation and impact of noise, vibration, dust, waste resulting from the site preparation and construction phases of development. Once approved, the CEMP shall be adhered to at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the environment of the city centre and surrounding areas.

- 18) No construction work shall be undertaken, or machinery operated, within the site outside the hours of 0800 to 1800hrs Mondays to Fridays, 0800 to 1300hrs on Saturdays, nor at any time on Sundays or public holidays without the prior written consent of the Local Planning Authority.

Reason: In the interests of the residential amenity of the occupants of surrounding property.

- 19) C72 - Highway - Estate Roads etc

- 20) Prior to the commencement of the development a scheme to protect the proposed dwellings from noise associated with road and rail traffic shall be submitted to, and be approved in writing by, the Local Planning Authority. Such scheme shall be based on the results of the noise assessments submitted in support of this application and achieve at least the 'Reasonable' standards for internal noise level in residential properties specified in BS8233:1999 Sound Insulation and Noise Reduction for Buildings - Code of Practice. All works that form part of any approved scheme shall be completed prior to the first occupation of any dwelling.

Reason: In the interests of the residential amenity of the future occupants of the proposed development.

- 21) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re-enacting that Order, any reserved matters application submitted pursuant to this application shall include details of the proposed location, design and means of enclosure of any electricity sub-stations required as part of the development.

Reason: To ensure that these facilities are incorporated as an integral part of the design and layout of the development and in the interests of the visual amenities of the area.

- 22) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out entirely in accordance with the approved plan.

Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.

- 23) No part of the development hereby approved shall be brought into its intended use until the visibility splays, on-site parking, turning, loading and unloading facilities have been provided in accordance with the requirements of this permission. Thereafter, the identified facilities shall be retained for those purposes at all times unless otherwise agreed in writing.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

- 24) A comprehensive Travel Plan will be developed for all elements of the development hereby permitted. The acceptability of the Travel Plan will need to be agreed in writing by the Local Planning Authority and Local Highway

Authority (in consultation with the Secretary of State for Transport), in advance of occupation of the development.

The Travel Plan will need to be prepared in line with prevailing policy and best practice and shall include as a minimum:

- The identification of targets for trip reduction and modal shift
- The methods to be employed to meet these targets
- The mechanisms for monitoring and review
- The mechanisms for reporting
- The penalties to be applied in the event that targets are not met
- The mechanisms for mitigation
- Implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter
- Mechanisms to secure variations to the Travel Plan following monitoring and reviews

A review of the targets shall be undertaken within three months of the occupation of the development and on an annual basis thereafter, at the time of submission of the Annual Travel Plan Report.

The Annual Travel Plan Report will need to review the traffic impact of the development on M5 Junction 30, in comparison to the impact predicted in the agreed Transport Assessment. The mechanisms for mitigating any detrimental impact at M5 J30 will need to include remedial measures, designed to ensure that conditions at M5 J30 are not materially worse than those predicted in the Transport Assessment. These remedial measures will need to be agreed, with thresholds for implementation, unless any exceedance of predicted impact can be mitigated away from the junction.
Reason: In order that the development promotes public transport, walking and cycling and limits the reliance on the private car to the benefit of the Strategic Road Network.

- 25) The development hereby approved shall not commence until details of the proposed levels of the development in relation to existing ground levels and an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. The submitted information shall include ultimate finished floor levels and overall ridge heights of the new buildings in relation to the final road levels.
Reason: In the interests of the visual amenities of the area and the residential amenities of the occupants of surrounding properties.
- 26) The development hereby permitted shall not be occupied until such time as measures have been put in place to mitigate the impact of development at M5 Junction 30, either by a contribution of £500,000 towards Junction 30 improvements (drawing number HPE91974A/015C) or by an alternative solution agreed in writing with the Local Planning Authority in consultation with the Secretary of State for Transport and the Local Highway Authority.
Reason: In order to protect the operation of the Strategic Road Network.
- 27) The construction of the development hereby permitted shall not commence until there has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Secretary of State for Transport and the Local Highway Authority) a Construction Management Plan. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction

impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of Public Transport amongst contractors. The development plan shall be carried out strictly in accordance with the approved construction management plan.

Reason: In the interests of highway safety and the efficient operation of the Strategic Road Network.

This application will be referred to the Government Office for the South West as a departure from the Adopted Local Plan in respect of the SEF land for them to determine whether or not the application should be 'called in'.

In the event that the Section 106 Agreement is not completed within six months of the date of this committee meeting, authority be delegated to the Head of Planning Services to refuse permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the Section 106 Agreement.

(Report circulated)

216

**PLANNING APPLICATION NO.08/0100/03 - FORMER ST DAVIDS GARAGE,
BONHAY ROAD, EXETER, EX4 4BG**

The Development Control Manager presented the application for planning permission for a detached building to provide a hotel with restaurant, bar, access to highway and associated works at the Former St David's Garage, Bonhay Road, Exeter.

The hotel would provide 102 bedrooms in a three and four storey building, the site was on a gradient and the building would be four storey at the front and three story to the rear. The materials to be used would be brick and white render with profiled steel between the windows. The application had been deferred from the last meeting to allow amendments to be made to the building to pull it back from the road and allow for a lay-by and create better amenity for Bonhay House.

The revised views of the County Director of Environment, Economy and Culture had now been received in respect of highway issues and these were circulated to Members in full on the update sheet. In light of the amended plans, his recommendation was now for approval subject to, the proposed lay-by, footway on the Bonhay Road frontage and a financial sum of £1,000 to amend the Traffic Order secured by an appropriate legal agreement and a condition requiring the accommodation of construction plant.

The Development Control Manager stated that a Transport Statement has been submitted on behalf of the applicant. The Statement also included a Framework Travel Plan. An additional objection to the proposal has been received from Signpost Homes and as a result an additional condition was recommended requiring corridor windows in elevations facing Bonhay House and Windsor House to be obscure glazed to prevent overlooking.

The recommendation was for approval subject to a Section 106 Agreement, conditions in the circulated report and those on the update sheet.

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

- representing Whitbread's, the proposed operators of the hotel
- had been working for the last two years to secure the right scheme for the site
- the recent change now set back the hotel and provided a lay-by

- would provide a welcoming addition to the St David's entrance to the city
- was of a simple contemporary design providing high quality accommodation
- environmental sustainability was a key principle of the development; had a green transport plan to encourage staff to use safe green methods of transport
- would be providing cycle parking.

In answer to a Member's question, Mr Emery confirmed that the hotel would be called 'Premier Inn at Exeter City Centre'.

RESOLVED that planning permission for a detached building to provide hotel (102 rooms), restaurant, bar, access to highway and associated works be approved subject to completion of a Section 106 Agreement to secure:

1. the proposed lay-by and footway on the Bonhay Road frontage in accordance with details to be submitted to, agreed and approved in writing by the Local Planning Authority together with a financial sum of £1,000 to amend the Traffic Order, all to be provided before the commencement of use of the proposed hotel; and,
2. a Travel Plan based on the recommendations set out in the Transport Statement submitted in support of the application,

the detail of which the Head of Planning Services be given delegated authority to negotiate and determine, the Head of Planning Services to be authorised to issue planning permission subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C70 - Contaminated Land
- 5) 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 the amenity of occupants of nearby buildings.
- 6) No development shall take place until a scheme to minimise the emissions of noise and dust during construction has been submitted and approved in writing by the Local Planning Authority.
Reason: In the interests of the amenity of occupants of nearby buildings.
- 7) Details of the kitchen extraction system should be submitted and approved in writing by the Local Planning Authority. Mechanical extract ventilation should be provided with a high level discharge point. The mechanical extraction equipment should meet requirements set out in DEFRA guidance for odour and noise from commercial kitchens.
Reason: In the interests of residential amenity.
- 8) No development shall take place until a noise impact assessment has been submitted to and approved in writing by the Local Planning Authority. This report shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment as well as noise from guests and events. The report shall include any mitigation measures required in order to ensure that the development does not have a significant negative impact on local amenity. These measures shall be agreed in writing

by the Local Planning Authority, and shall be implemented prior to occupation of the development.

Reason: In the interests of local amenity.

- 9) There shall be no amplified music, voice or tannoy system used unless routed through a suitable noise limiter that has been installed, operated and maintained in accordance with details that shall first have been approved in writing by the Local Planning Authority.
Reason: In the interests of local amenity.
- 10) Details of the refuse storage facilities shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of local amenity.
- 11) C35 - Landscape Scheme
- 12) C36 - No Trees to be Felled
- 13) C37 - Replacement Planting
- 14) C38 - Trees - Temporary Fencing
- 15) A wall shall be constructed along the boundary of the site with St Clement's Lane; the type, height and design of the wall and the time of its construction shall be subject to the agreement in writing of the Local Planning Authority prior to the commencement of the development.
Reason: In the interests of the local amenity.
- 16) No development shall take place until a Wildlife Plan has been produced by the applicant and approved by the Local Planning Authority.
Reason: To demonstrate how the proposed development will be managed in perpetuity to enhance wildlife.
- 17) No other part of the development hereby approved shall be commenced until adequate areas shall have been provided within the site to accommodate operatives' vehicles, 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 interest of public safety and to minimise obstruction of the adjoining highway.
- 18) Before the development hereby approved is brought into use the proposed windows in the east elevation of the building and the proposed corridor windows in the south elevation shall be permanently glazed with obscure glass and thereafter so maintained.
Reason: To protect the amenities of the adjoining properties.
- 19) No development shall begin until an Energy Assessment of the proposal, and a scheme for generating a proportion of the predicted energy requirement of the development from on-site renewable sources, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the hotel is brought into use and shall thereafter be maintained so that it provides the required level of generation.
Reason: In the interests of sustainable development.

In the event that the Section 106 Agreement is not completed within six months of the date of this Committee meeting, authority be delegated to the Head of Planning Services to refuse permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the Section 106 Agreement.

(Report circulated)

217 **PLANNING APPLICATION NO.08/0659/03 - 1 - 11 SIDWELL STREET, EXETER, EX4**

The Head of Planning Services presented the application for planning permission for change of use of floors two to seven from retail to residential, pedestrian access, highway and associated works at 1-11 Sidwell Street, Exeter.

The proposal would include mezzanine floors in the open market flats. The affordable housing element would be of a different design as the Housing Corporation did not provide funding for mezzanine floored dwellings. The affordable housing would be on the lower floors.

The views of the County Director of Environment, Economy and Culture, Devon and Somerset Fire and Rescue Services, English Heritage and Exeter City Council Countryside Service had now been received and were included on the update sheet.

The recommendation was for approval subject to a legal agreement, conditions as per the circulated report and an additional condition regarding a Wildlife Plan.

During discussion, Members raised concerns regarding the refuse storage and the possibility of the installation of chutes for refuse, the cladding of the external surface and the management of the building.

The Head of Planning Services stated that this application was for the change of use to establish the principle of residential development and that the site would be the subject of a further submission regarding layout and materials. He confirmed that a condition could be added to any planning approval regarding the refuse arrangements. There would be a management company which would be contactable 24 hours a day.

RESOLVED that planning permission for change of use of two to seven floors (inclusive) from retails (Class A1) to 96 self-contained flats (Class C3), pedestrian access to the highway and associated works be approved subject to a legal agreement to secure the following:

- Provision of affordable housing on site in accordance with an agreed scheme.
- Contribution towards improvement to the public realm within the immediate vicinity of the site.
- Contribution to the enhancement to local public open space.
- Contribution to Sports and Play facilities.
- Contribution to a Car Club, provision of folding bicycles and a travel pack.
- Contribution to Education.
- Road Traffic Orders
- Contribution to Public Transport.

and the following conditions:-

- 1) C05 - Time Limit – Commencement

- 2) The development hereby approved includes a maximum of 96 residential units, located within the second through to seventh (inclusive) floors of the building.

Reason: For the avoidance of doubt

- 3) Notwithstanding the submitted plans, prior to the commencement of works, detailed plan and sectional drawings of the proposed works of conversion, formation of residential units and associated facilities, formation of accesses and circulation spaces including the any works within the lower floors, basement and roof spaces shall be submitted to and approved in writing by the Local Planning Authority.

These details shall be in accordance with the principles set out in the applicants 'Framework for Change' submitted with the application.

Floor plans and sections shall be provided at a scale of not greater than 1:100 and such detail drawings of the above that may be required shall be provided at a scale of not greater than 1:20.

Reason: In order to ensure compliance with the approved drawings.

- 4) No work shall commence on site under this permission until a 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:

- Refurbishment of retained building elements
- Replacement external cladding
- Replacement glazing systems and fenestration
- Exterior material finishes including samples thereof
- New openings and the treatment thereof

These details shall be in accordance with the principles set out in the applicants 'Framework for Change' submitted with the application.

Floor plans and sections shall be provided at a scale of not greater than 1:100 and such detail drawings of the above that may be required shall be provided at a scale of not greater than 1:20.

Reason: Insufficient information on these matters has been submitted with the application and in the interests of the amenity of future residents and visual amenity.

- 5) The developer shall achieve a BREEAM "very good" or "excellent" assessment standard for the non-residential elements of the building. Before commencement of works on site of the development the developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment, the percentage score expected to be achieved and which standard this relates to. Where this does not meet at least a "very good" standard the developer must demonstrate what changes will be made to the development to achieve at least a "very good" standard. A post completion BREEAM Assessment shall be submitted to the Local Planning Authority within 6 months of the substantial completion of the development hereby approved.

Reason: In the interests of sustainable development.

- 6) The developer shall achieve Level 3 of the Code for Sustainable Homes for the dwelling units created. A Code Post Completion Certificate shall be

submitted to the Local Planning Authority within 6 months of the substantial completion of the development hereby approved.

Reason: In the interests of sustainable development.

- 7) The residential units shall be constructed to ensure that noise levels when measured within bedrooms and living rooms conform to BS8233: 1999 Sound Insulation and Noise Reduction for Buildings 'reasonable' standard.
Reason: In the interest of the amenity of future occupants.
- 8) Prior to commencement of the development a scheme for generating a minimum of 10% of the predicted energy requirement of the development from on-site or decentralised renewable sources shall be submitted to, and be approved in writing by, the Local Planning Authority. The approved scheme shall be implemented before the dwellings are first occupied and shall thereafter be maintained so that it provides the required level of generation.
Reason: To ensure that the development contributes towards the achievement of sustainable development in accordance with guidance contained in PPS1 - Delivering Sustainable Development and PPS22 - Renewable Energy and that the scheme is developed in such a way as to reduce reliance on non-renewable energy sources and maximise energy efficiency in the interest of sustainable development.
- 9) Prior to commencement of development on site Energy Assessment of the building shall be submitted to and approved in writing by the Local Planning Authority. This shall identify means of improving the buildings thermal and environmental performance. This shall inform a scheme of improvements to the building which shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented on site.
Reason: In the interests of sustainable development.
- 10) Before development commences on site details of an exterior lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme shall subsequently be implemented on site. These details shall be in accordance with the principles set out in the applicants 'Framework for Change' submitted with the application.
Reason: In the interests of visual amenity and to control the impact of light pollution.
- 11) Prior to any works commencing on site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimize the creation and impact of noise, vibration, dust, waste resulting from the site preparation and construction phases of development. Once approved the CEMP shall be adhered to at all times, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of the environment of the city centre and surrounding areas.
- 12) No external plant or machinery shall be installed on any building within the site without the prior approval of the Local Planning Authority;
Reason: In the interest of local amenity.
- 13) No development shall take place until a Wildlife Plan has been submitted to and agreed in writing by the Local Planning Authority. The Wildlife Plan shall state how the development will be managed in perpetuity to enhance wildlife. The Wildlife Plan shall include a survey of the buildings for existing

wildlife, such as bats and birds, and to prevent any harm to those present. The incorporation of SUDS, Green Roof Habitats and wildlife roosting and nesting spaces within the buildings shall be explored.

Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in accordance with the aims of PPS9; PPS9; PPS7 and Exeter Local Plan First Review policies LS1; and LS4.

- 14) Before any part of the residential development hereby approved is first occupied a scheme for the management and disposal of refuse shall have been submitted to and approved in writing by the Local Planning Authority. Occupation of the residential development shall only be carried on in accordance with such an approved scheme.

Reason: In the interests of sustainable development and the amenity of future occupiers.

In the event that the Section 106 Agreement is not completed within 6 months of the date of this committee meeting, authority be delegated to the Head of Planning Services to refuse permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the Section 106 Agreement.

(Report circulated)

218 **TREE PRESERVATION ORDER NO. 579 - 54 BARLEY LANE, EXETER, 2008.**

The Head of Planning Services presented the report to confirm a Tree Preservation Order at 54 Barley Lane, Exeter.

The Tree Preservation Order was to protect a group of 3 mature and semi mature trees; 1 Ash, 1 Thuja and 1 Yew. The Order was made following the submission and subsequent refusal of a planning application proposing a first floor extension over an existing garage, which may have resulted in an adverse impact upon the trees.

Mr Hambley spoke in opposition to this Tree Preservation Order. He raised the following points:-

- was the owner of 54 Barley Lane
- the TPO was as a result of a planning application that he had submitted
- the Thuja was 9 years old and had been topped in the past
- a Tree Surgeon had assessed the Thuja tree: he had scored it at a five (15 justifies a TPO) and stated that it had low amenity value and had structural problems
- the Thuja was unsuitable for its location and was effecting the Ash Tree
- the planning application posed no danger to the Thuja tree
- objected to the TPO on the Thuja tree.

In answer to a Member's question, the Head of Planning Services stated that the Council's Tree Officer applied the same scoring system to trees and that if the TPO was confirmed an application could still be made to top the Thuja tree.

RESOLVED that the order be confirmed without modification.

(Report circulated)

219

TREE PRESERVATION ORDER NO.576 - 'HAREPATH', STREATHAM RISE, EXETER, 2008.

The Head of Planning Services presented a report to confirm an Area Order to protect all trees growing within the grounds of Harepath, Streatham Rise, The principal trees include Oak, Beech, Tulip Tree, Horse Chestnut and Scots Pine.

The Order had been made following the receipt of a planning application for two detached dwellings, parking and associated works. The application was subsequently refused on 14 January 2008 for reasons that it would encroach into the root protection area of trees which contribute to local amenity.

Mr Beevers spoke in opposition to this Tree Preservation Order. He raised the following points:-

- had not been made aware of the reasons for the TPO until this evening
- had lived in 'Harepath' for 13 years and had no intention to move
- no trees were under threat from the proposed development
- the vast majority of trees were not visible to the public, accordingly they should not be regarded as being of high amenity, in addition many of the trees are small and of little consequence
- the order would prevent routine maintenance of a very large garden, and permission would have to be sought each time work was required to trees
- suggested a site visit to look at which specific trees would require a TPO.

In answer to a Member's questions, the Head of Planning Services confirmed that an area TPO could be made at this time and then the Council's Tree Officer could visit the site with the owner to make a full inspection of which specific trees should have a TPO, the area TPO would then be rescinded.

RESOLVED that the order be confirmed without modification.

(Report circulated)

220

TREE PRESERVATION ORDER NO. 580 - LAND ADJACENT TO TOPSHAM RAILWAY STATION, HOLMAN WAY, TOPSHAM, EXETER, 2008.

The report of the Head of Planning Services was submitted.

RESOLVED that the order be confirmed without modification.

(Report circulated)

221

TREE PRESERVATION ORDER NO. 584 - LAND BETWEEN RAGLANS AND MOON HILL CLOSE, EXETER, 2008

The report of the Head of Planning Services was submitted.

RESOLVED that the order be confirmed without modification.

(Report circulated)

222 **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)

223 **ENFORCEMENT PROGRESS REPORT**

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

When officers had visited the site at 14 Lower Wear Road it had been substantially cleared and whilst officers waited at the site the remainder of the site was cleared.

RESOLVED that the report be noted.

(Report circulated)

224 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(Report circulated)

225 **SITE INSPECTIONS – ROTA FOR VISITS**

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

(Schedule circulated)

226 **AREA WORKING PARTIES - SCHEDULE OF DATES**

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

- (a) **Northern** – Councillors Brock P J, Edwards, Mrs Henson, Mitchell and Taghdissian
- (b) **Southern** – Councillors Baldwin D, Newby, Morrish D.J and Shepherd.
- (c) **Western** – Councillor Choules, Newton, Shiel and Wadham

(Schedule circulated)

227 **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 10 June 2008 at 10.00 a.m. The Councillors attending will be Mrs Henson, Shepherd and Taghdissian .

(The meeting commenced at 5.30 pm and closed at 9.15 pm)

Chair

PLANNING COMMITTEE

Monday 23 June 2008

Present:-

Councillor Mrs Henson (Chair)
Councillors D J Morrish, D Baldwin, Choules, Newby, Shepherd, Shiel, Taghdissian and Wadham

Also Present

Director Economy and Development, Head of Legal Services, Development Control Manager, Area Planner (RC), Planning Technician (ID) and Member Services Officer (SJS)

229

DECLARATIONS OF INTEREST

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

COUNCILLOR	MINUTE
Councillor D Baldwin	230 (husband was a Ward Councillor for Priory Ward)
Councillor Choules	234* (08/0712/03, 08/0662/03 & 08/0395/03) he and his wife are employees of Exeter University)
Councillor Mrs Henson	236 (Peterhayes – knows the applicant)
Councillor Wadham	235 (14 Lower Wesr Road – knows the Occupier)
Councillor Winterbottom	230 (knows residents in the area)

230

PROPOSED FOOTPATH BETWEEN SHAKESPEARE ROAD AND WYVERN BARRACKS SITE

Councillor D Baldwin declared a personal interest as her husband had been a Ward Councillor for Priory Ward.

On 22 April 2008 Council referred a petition submitted by Councillor Winterbottom, relating to the proposed footpath at Shakespeare Road, to Planning Committee to deal with. In total four petitions had been received in respect of this proposed footpath, the first one being received in 2004 from residents of the Shakespeare Road/Burnthouse Lane asking the Council to provide the link.

The Director Economy and Development presented the report regarding the proposed footpath between Shakespeare Road and Wyvern Park. He reminded Members that the Planning Committee had already considered a report on this matter at its meeting on 19 May 2008, but had resolved to defer the matter until the next meeting when the Police Authority and Youth Service representatives could be invited to attend.

The Youth Service had been invited although they were not in attendance. They confirmed that they had no view. John Knowles, the Police Architectural Liaison Officer and PC Lugg, the Neighbourhood Beat Manager for the area were in attendance and addressed the Committee.

The Director Economy and Development brought to Members' attention the additional letters received, both for and against the footpath, these were summarised on the update sheet circulated to Members. He outlined the obligations of the Section 106 Agreement on the Wyvern Park development which included the provision of a multi use games area; children's play area and footpath links. He also outlined national planning policy and good practice which sought to encourage permeability.

The Director Economy and Development outlined Members duties under the Crime and Disorder Act 1998, in particular, the Act placed a duty on local authorities to exercise their various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that they reasonably could to prevent, crime and disorder and anti social behaviour in their area. He advised that the Council had to balance its duty under the Crime and Disorder Act with its other duties, for example under the Planning Acts, and the requirement to have regard to policies in the Development Plan. This balancing exercise was particularly important when a socially useful facility such as a footpath may nevertheless be considered to introduce a risk of crime or disorder. He stated that the Act did not contain any specific mechanism for challenging the actions of a local authority but a person aggrieved by a decision could potentially challenge the decision in the usual ways, including by way of a complaint to the Ombudsman. Any such action or complaint would be against the Council as the decision making body, rather than individual Councillors.

The Director Economy and Development advised Members that a proposed footpath would not be specifically set out in the local land charges search in the part of the search form relating to proposed road and traffic schemes (which was answered by Devon County Council). However, Part 3 of searches, under the heading 'Planning Charges', would have listed the Section 106 agreement accompanying the planning approval. His view was that it was for solicitors to investigate and report to their clients the terms of that agreement, which contained the requirement for the footpath.

The Director Economy and Development informed Members that they would need to weigh up the perceived risks of crime and community safety with the requirement for more direct footpath routes and permeability but reminded them that the principle of the footpath had been a longstanding policy commitment.

John Knowles was then invited to address the Committee. He circulated to Members a letter dated 19 June 2008, attaching two plans which plotted the pattern of crime and an aerial photograph of the area in question.

Mr Knowles stated that he had been consulted on over 380 planning applications with regards to crime and disorder and had only formally objected to five. He read his letter to the Committee in which he raised the following points:-

- stated that he had walked the site with PC Lugg, Emma Snow, Exeter City's CPO and Sergeant Cunningham, one of Exeter's Neighbourhood Team Leaders; both Sgt Cunningham and PC Lugg had extensive experience in neighbourhood policing
- made reference to Burras Road, Bradford, which had 21 new homes in a cul-de-sac; this road was totally crime free; in 2002 a path had been opened to link to local services and within six months the road had suffered 14 times the national average for burglary, arson, assault and anti social behaviour
- referred to 'Safer Places' by the Office for the Deputy Prime Minister 2004
- referred to Home Office Briefing Note 7/00 which stated that estates should be designed to include a minimum number of access/egress points in an attempt to

avoid unnecessary entry onto the estates by non residents and potential offenders

- stated that the crime analysis for this location was worrying, in the past three and half years there had been 577 reported crimes in addition to 768 reports of anti social behaviour
- outlined that in 2004 when a desire line forced a footpath into Well Oak Park from Shakespeare Rd; the crime figures for Well Oak Park had peaked to 26 for that year; this immediately diminished when the desire line had been extinguished
- believed that if a footpath was permitted to pass through Well Oak Park or Masterson Street from Shakespeare Road then it was highly likely those two areas would become crime hot spots within 12 months
- believed that the small benefits gained by Shakespeare Road was far outweighed by the predicted increase in numbers of victims of crime and anti social behaviour that this footpath would cause to residents of Well Oak Park and Masterson Street
- considered that on a positive note; an aerial photograph showed a potential alternative footpath/cycle link that would not raise objections from the Police (annotated aerial photograph was circulated to Members)

A Councillor questioned the figures circulated by Mr Knowles stating that in his view one could argue that the crime figures were actually proportionate to the number of houses and residents in each of the areas. He felt that the crime figures for the Priory Ward were proportionally not as bad as other wards in the City. He stated that the proposed footpath would facilitate two way pedestrian use and enable children from the Wyvern Park/Well Oak Park to walk to Isca College.

Mr Knowles stated that there was no advantage to residents in the area by the provision of the proposed footpath between Wyvern Park and Shakespeare Road. He indicated he would be unhappy about his children walking through the Shakespeare Road area.

PC Lugg then addressed the Committee. He had been the Neighbourhood Beat Manager in the area for the past 6 years. He stated that he had organised a PACT meeting for the residents of Wyvern Park and Well Oak Park on the 30 April 2008 to discuss issues relating to their area including the proposed footpath. Officers and Local Ward Members had been invited to this meeting.

PD Lugg's view was that the Burnthouse Lane and Shakespeare Road area were areas which suffered from social deprivation and this could at times lead to crime and disorder and anti social behaviour.

In answer to Members' questions, PC Lugg stated that:-

- there had been a series of car thefts in the Hospital car park and a hospital car park Security Guard was found to be responsible
- residents of Shakespeare Road/Burnthouse Lane had not been invited to the PACT meeting on 30 April as the meeting was for residents of Wyvern Park/Well Oak Park. A PACT meeting for the residents of Shakespeare Road/Burnthouse Lane had been held six months previously with only two residents attending; the issue of the footpath had not been raised.

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

- was representing views of the residents of Shakespeare Road
- believed that this proposed footpath would encourage green travel
- had received letters both from people for and against the application

- read out a letter from a resident from Shakespeare Road who welcomed the footpath; her husband works at the hospital so would cut his walking time; she was a frequent patient at the hospital so would be much easier with a connecting path to the hospital; the path would make a difference to the community; lived in the area for a long time and the majority of people in the area were sensible people
- did not consider Burnthouse Lane was “a no go area”
- stated that his son would be going to Isca College and he would be happy for him to walk to the college through the area.

Councillor Winterbottom, having given notice under Standing Order No.44, spoke on this item. He declared a personal interest as he knew residents in the area. He raised the following points:-

- he was not the Ward Councillor but representing residents from Wyvern Park and Well Oak Park
- he was concerned that if this path goes ahead residents would have to install fences and gates on their properties; would the council help with the cost of this?
- the ‘PACT’ meeting on 30 April 2008 had been attended by Councillor Robson; the other Ward Councillors and council officers did not attend
- the average saving in walking distance for the residents of Shakespeare Road would only be 200/300 metres
- there was already a play area at Dickens Park which could be used by the residents of Shakespeare Road area although the play equipment was in a bad condition. Monies should be spent on looking to improve this facility for the use of local residents
- the Well Oak Park/ Wyvern Park area has a good community village feel; the proposed footpath would break down that community spirit
- he read out a letter from a resident of Wyvern Park; at present had a good quality of life and feel that my children can play outside safely; the proposed footpath would compromise safety and privacy and conflict with the Crime and Disorder Act; would like residents’ views taken into consideration; lived in one of the 25% of the affordable homes in Wyvern Park.

A Local Ward Member stated that he did not attend the PACT meeting as it would have compromised his position under the Members Code of Conduct. He felt that the crime figures for the Priory Ward were no worse than many other parts of the city particularly as this was a large, highly densely populated ward.

Members discussed the proposed footpath at length. Some Members were of the opinion that as the path had been promised to residents in 2004 and that as it had been part of a Section 106 agreement, the residents of Shakespeare Road would have no reason to believe that the footpath would not go ahead. The proposed path would provide benefits in enabling a permeable route to be established to the hospital and the city centre.

A Member recognised the proposed path had attracted genuine fear of crime and disorder from the Wyvern Park Residents but that this fear was unjustified as there was no evidence in the crime figures to support this fear.

Discussion took place regarding a possible alternative route for the footpath proposed by the Police Authority and what effect the development of the PCT site could have on the route of any footpath.

A Member asked the Director Economy and Development about the merits of the alternative footpath route proposed by the Police.

The Director Economy and Development stated that the council avoided footpaths at the back of residents' gardens and that the proposed route would mean that any footpath would have a long stretch of enclosed fence either side, which would not only be a design challenge but would lead to issues of security and safety for users of the path. He also stated that land ownership issues may preclude delivery of the footpath along this alignment.

Other Members felt that they should listen to the Police evidence and advice regarding crime and disorder and anti social behaviour and the concerns of the residents of Wyvern Park and Well Oak Park. A Member felt that any possible benefits that the footpath might bring were outweighed by the disadvantages that it would cause to the residents of Wyvern Park and Well Oak Park.

Councillor Shepherd moved that Members be minded to provide the footpath but that no view be taken on the alignment at this stage. The alignment would be determined as part of the planning application for the former PCT site. Councillor D Baldwin seconded this.

The Director Economy and Development reminded Members that the Section 106 agreement for Wyvern Park specified a range of play facilities and footpath links that had to be provided. Also it was intended that the footpaths on the Estate would be adopted and the existence of the Section 106 agreement would be flagged on any search and a solicitor acting for a purchaser should identify the content of that Section 106 agreement.

RESOLVED that the Committee are minded to provide the footpath but that no view be taken on the alignment at this stage. The alignment would be determined as part of the planning application for the former PCT site.

(Report circulated)

231 **PLANNING APPLICATION NO.08/0733/03 & CONSERVATION AREA CONSENT NO. 08/0806/14 - 49 WELL STREET, EXETER, EX4 6QA**

The Development Control Manager presented the planning application for redevelopment to provide a two and half storey building comprising five student flats and associated works and the application for conservation area consent for demolition of buildings at 49 Well Street, Exeter.

A previous application on the site to accommodate 26 bed spaces had been refused in 2007. The built form would follow the line of the road; there was a small amount of amenity space provided to the rear of the development; the materials to be used would be render, with timber framed windows and a natural slate roof.

The Development Control Manager reported that a further nine letters had been received. The concerns raised in these letters were essentially the same as those already reported, but they raised the following additional issues:-

- Loss of character of Lions Holt.
- Inadequate refuse storage arrangements.
- Lack of on-site management arrangements for accommodation.
- Previous appeal against refusal of two dwellings (in 2000) was dismissed. This is a much more intensive scheme – how can it be acceptable?
- Existing sewerage system is inadequate and could not cope with the additional pressure upon it arising from additional residents.

Members were circulated with an update sheet giving the views of the Senior Recycling Officer, the Head of Environmental Health Services and the County Director of Environment, Economy and Culture; Site Inspection Party's views - all Members attending supported refusal of the applications; and a statement in response to the recommendation of refusal from the applicant's agent.

The applicant's agent had satisfactorily demonstrated by use of sunlight/daylight indicators that the proposal would not cause significant loss of light in comparison with the existing buildings on the site. It was also accepted that the rear upper floor windows in neighbouring dwellings in New Buildings were not main habitable rooms, and that as a consequence there would not be an unacceptable additional loss of privacy to neighbours.

The applicant's agent had also supplied the following additional information; a Green Travel Plan statement and a revised site plan making a small adjustment to the alignment of the front elevation to avoid encroachment onto the public highway.

The Development Control Manager stated that the recommendation was to refuse the application on the grounds of the poor level of amenity space to be provided; inadequate amenity space for the occupiers of the smaller flats and the location of the refuse and cycle storage. The site notices originally displayed on site to advertise the applications had been removed before the consultation period had expired. Consequently, additional site notices had been posted to replace them, and the consultation period had been extended. Therefore, the recommendation would be subject to receipt and consideration of any representations raising new issues prior to the expiry of the consultation period which was 8 July 2008.

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

- In 2000 an application for two three bed semi-detached dwellings had been refused and dismissed at appeal
- that although the agent stated that the existing building was in a poor state of repair and not suitable for economic conversion; work was taking place on the building at the present time
- the need to create the right balance for local residents
- in her view the application was contrary to Policy H5 a & b
- this site was on the edge of an area which already had a high density of students
- 23 bed spaces was too many for this site
- although this was a car free development, students would bring cars and there was nowhere for them to park
- poor amenity space to the rear
- the siting of the refuse storage would lead to poor amenity for neighbouring properties
- refuse would need to be brought through the property for collection and would cause a hazard on the pavement in front of the proposed building
- would cause problems with sewerage in the already overloaded culverts
- the light to the living accommodation on the top floor was inadequate
- would have a negative impact on the conservation area and street scene.

Miss Lee (representing local residents) spoke in opposition to this application. She raised the following points:-

- the application was not in keeping with the conservation area
- the site could take nothing larger than a medium sized family house
- two semi detached houses were refused permission in 2000

- to encourage students to be hanging around on a blind corner was dangerous
- the refuse storage would cause a problem for the residents at 5 and 6 New Buildings
- the old culverts in the area already flooded at times and would not be able to cope with any additional sewerage
- this application should be refused planning permission.

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

- this application was for five flats to provide student accommodation
- supplementary planning guidance was that students should be accommodated outside of the over densely student populated areas
- the amenity area was 50% over what was stated in the Local Plan
- Policy H2 stated that the density should be of the highest possible
- the rooflights in the top floor flats provided adequate light.

In answer to a Member's question, Mr Jones confirmed that the bedrooms in the top floor were 12 square metres in area.

RESOLVED that subject to the receipt and consideration of any representations raising new issues prior to the expiry of the consultation period (8 July 2008), planning permission for redevelopment to provide 2.5 storey building comprising 5 student flats and associated works be refused for the following reasons:-

- 1) The proposal constitutes an overdevelopment of a constrained site which would provide a poor environment for some of the future occupiers. The proposed second floor accommodation would only be served by roof lights, providing limited daylight and sunlight and outlook to the detriment of the living conditions of the occupiers of the proposed flat. The proposal would therefore be contrary to Policy CO6 of the Devon Structure Plan 2001 to 2016 and Policies DG1 and DG4 of the Exeter Local Plan First Review.
- 2) The use of the proposed amenity space by occupants of the development will have a detrimental impact on the occupants of surrounding residential properties by reason of noise and general disturbance. The proposal would therefore be contrary to Policy CO6 of the Devon Structure Plan 2001 to 2016 and Policies H5, DG1 and of the Exeter Local Plan First Review.
- 3) The proposal makes inadequate provision for the storage of refuse and cycles. This will be to the detriment of the amenity of the future occupiers of the development and in respect of the inadequate and inconvenient cycle storage will not encourage the use of sustainable modes of transport. The proposal would therefore be contrary to Policies CO6 and TR7 of the Devon Structure Plan 2001 to 2016 and Policies DG1 and T3 of the Exeter Local Plan First Review.

RESOLVED that subject to the receipt and consideration of any representations raising new issues prior to the expiry of the consultation period (8 July 2008), conservation area consent for the demolition of buildings be refused for the following reason:-

- 1) The proposal is contrary to Policy CO7 of the Devon Structure Plan 2001 to 2016, and Policy C1 of the Exeter Local Plan First Review because no detailed planning permission exists for the replacement of the buildings proposed to be demolished. The proposed demolition would not therefore

preserve or enhance the character and appearance of the Longbrook Conservation Area within which the site is located.

(Report circulated)

232 **PLANNING APPLICATION NO.08/0267/03 - 98 HONITON ROAD, EXETER, EX1**
3EE

The Senior Area Planner presented the application for re-development to provide eight self-contained flats, parking, cycle/bin store, access to highway and associated works at 98 Honiton Road Exeter.

The proposal included the demolition of the existing bungalow to provide two, two bed and six one bed flats with a new access off Ringswell Avenue. The building would be two storeys high and similar to other properties on Honiton Road; the materials to be used were render and brick; obscure glazing would be used in all windows facing 96 Honiton Road.

A further letter of objection has been received. The concerns raised were already addressed in the main report.

The recommendation was for approval subject to an additional condition regarding a wildlife plan.

Mr Overy (Chairman of the School Governors of St Nicholas Catholic Primary School) spoke in opposition to the application. He raised the following points:-

- main concern was the increased traffic on Ringwell Avenue
- when the school relocated to this site they had entered into a Section 106 Agreement in which the traffic movement of the school were monitored – this site falls within the monitored area – the school had a Green Travel Plan and were subject to a fine from the County Council for any movements over targets set in the Section 106 Agreement
- concerned over the safety of children walking and cycling to school as the new access cuts across the route to the school

In answer to a Member's question, Mr Overy confirmed that the traffic was monitored by a censor pad on the road. He pointed out to Members on the map where in Ringswell Avenue the censor pad was. He confirmed that the School was fined £40 for any extra movements over the given targets and the movements allowed per year were on a sliding reducing basis.

The Senior Area Planner confirmed that Devon County Council would take into account traffic movements generated by this proposal when assessing the number of movements recorded on the censor. The proposed new access had good visibility splays and the County Director Environment, Economy and Culture had raised no objections.

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

- been working towards this design for eight months and adhered to officers requests in respect of height, scale and massing
- the footprint was similar to the existing bungalow
- the existing planting would be added to further screen the proposal
- the proposal was in accordance with Policy H2 of the Local Plan
- there would be no overlooking of neighbouring properties.

In answer to concerns from Members regarding safety and visibility, the Development Control Manager confirmed that a condition could be added to any approval regarding adequate visibility splays.

RESOLVED that redevelopment to provide 8 self-contained flats, parking, cycle/bin store, access to highway 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) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) C38 - Trees - Temporary Fencing
- 7) The hedges on the boundaries of the site shall be retained to the satisfaction of the Local Planning Authority.
Reason: In the interests of visual and residential amenity.
- 8) The existing newly constructed footway/cycleway route on Ringswell Avenue shall be reinstated to a condition and standard acceptable to the Local Planning Authority as soon as possible following construction of the new access to the site.
Reason: To ensure that there is no detriment to existing public highway infrastructure as a result of the development.
- 9) No part of the development hereby approved shall be brought into its intended use until the parking facilities and visibility splays have been provided in accordance with full details that have first been submitted to and approved by the Local Planning Authority.
Reason: To ensure that there are adequate off-road parking facilities available for residents of the development.
- 10) The existing access shall be effectively and permanently closed as soon as the new access is capable of use.
Reason: To prevent use of a substandard access and to minimise the number of accesses onto the public highway.
- 11) Before the development hereby approved is brought into use the proposed windows in the west elevation of the property shall be permanently glazed with obscure glass and thereafter so maintained.
Reason: To protect the amenities of the adjoining property.
- 12) 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.
- 13) The applicant shall undertake a background noise survey and development shall not begin until a scheme for protecting the proposed accommodation from noise from vehicular traffic has been submitted to and approved by the Local Planning Authority, and all works which form part of the scheme shall

be completed before any of the permitted dwellings are occupied. The applicant should aim to achieve at least the 'Reasonable' standards for internal noise level in residential properties specified in BS8233:1999 Sound Insulation and Noise Reduction for Buildings – Code of Practice.

Reason: In the interests of the amenity of occupants of the development.

- 14) The existing hedge bounding the site shall be retained unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and to ensure that the proposed amenity space is screened to protect the privacy of the future occupants of the property.
- 15) No development shall take place until a Wildlife Plan has been produced by the applicant and approved by the Local Planning Authority. The wildlife plan should state how the proposed development will be managed in perpetuity to enhance wildlife.
Reason: In the interests of promoting opportunities for wildlife.
- 16) No part of the development hereby approved shall be brought into its intended use until the parking facilities and visibility splays have been provided in accordance with full details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of parking and highway safety.

(Report circulated)

233

LISTED BUILDING CONSENT NO.08/0687/07 - THE GUILDHALL, HIGH STREET, EXETER, EX4 3DJ

The Senior Area Planner presented the listed building consent for minor alterations and repairs to balcony on south east elevation, gable joinery, roof, timber walkway above the muniments room and cleaning to the stone façade at the Guildhall, High Street, Exeter.

RESOLVED to recommend to the Government Office for the South West that listed building consent for alterations and repairs to balcony on south east elevation, gable joinery, roof, timber walkway above the muniments room and cleaning to the stone façade 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 comply with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 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 2 April 2008 (*dwg. nos. 08/01/03; 08/01/04; 08/01/05; 08/01/06; 08/01/08 and the submitted Heritage, Design & Access Statement*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The works to the listed building shall be carried out in strict accordance with the approved details. No works other than those explicitly detailed are hereby granted. The fabric of the listed building shall be protected throughout the development and shall not be removed or altered in any way, other than by those works hereby approved.

Reason: To protect and preserve the character and appearance of the listed building.

(Report circulated)

234

PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND WITHDRAWN APPLICATIONS

Councillor Choules declared a personal interest in respect of Hope Hall (08/0712/03) and Ransom Pickard House (08/0662/03) as he and his wife are employees of Exeter University and a personal and prejudicial interest in respect of Laver Building (08/0395/03) as he and his wife are employees of Exeter University.

The report of the Head of Planning Services was submitted.

RESOLVED that the report be noted.

(Report circulated)

235

ENFORCEMENT PROGRESS REPORT

Councillor Wadham declared a personal interest in respect of 14 Lower Wear Road as he knows the occupier.

The Development Control Manager presented the report updating Members on enforcement matters.

He informed Members that 14 Lower Wear Road had now been cleared and was being monitored on a regular basis and the hearing for 44 Sidwell Street would now be held on 8 July 2008.

RESOLVED that the report be noted.

(Report circulated)

236

APPEALS REPORT

Councillor Mrs Henson declared a personal interest in respect of land at Peterhayes as she knows the applicant.

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(Report circulated)

237

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 8 July 2008 at 10.00 a.m. The Councillors attending will be Brock P.J. Mrs Henson and Wadham.

DATE OF NEXT MEETING

The next meeting of the Planning Committee will be held on Monday 21 July 2008.

(The meeting commenced at 5.30 pm and closed at 8.30 pm)

Chair

LICENSING COMMITTEE

10 June 2008

Present:

Councillor Ben Noble (Chair)

Councillors Cole, Mrs Danks, Gale, Mitchell, Newby, Shiel, R Smith, Sterry, Wadham and Winterbottom

Licensing Solicitor, Principal Environmental Health Officer (RP) Senior Licensing Officer (IL) and Member Services Officer (SLS)

18 **Minutes**

The minutes of the meeting held on 11 March 2008 were taken as read and signed by the Chair as a correct record, subject to the following amendment that the second sentence of the fifth paragraph of Minute 15 should read 'Mr Payne provided technical information on the operation of the swivel cushion, confirming that they possessed the 'e mark'.

19 **Declarations of Interest**

The following Member declared a personal interest as indicated:-

COUNCILLOR	MINUTE
Councillor Wadham	20 (known to the individual making a representation)

20 **Urgent Business - Proposal to Designate Streets as Prohibited Streets, Licence Streets and Consent Streets for Street Trading**

Councillor Wadham declared a personal interest as he was known to the individual, who had submitted a representation in respect of this item.

The Chair agreed to take the following item as urgent business in order for the necessary steps to be taken to meet the proposed date to allow the designations to come into effect.

The Solicitor presented the report setting out the background, which followed Council's resolution to advertise the intention to designate streets in Exeter for the purposes of street trading in accordance with the Local Government (Miscellaneous Provisions) Act 1982. The report also contained a number of new designations, including Princesshay and Topsham Road. It was confirmed that since the report had been published, two representations had been received from one individual. Members were asked in the light of the representations whether they saw fit to resolve that the streets be designated as per the advertisement. It was noted that two further notices will be advertised to enable the effect of the new designations from 1 August.

The individual who had submitted two letters of representation attended the meeting and was invited to make any further relevant comment.

RESOLVED that with effect from 1 August 2008 all existing designations shall be rescinded and the following streets in the City of Exeter shall be designated as follows within the meaning of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:

“Prohibited Streets”

Alphington Road; Bailey Street; Bampfylde Lane; Bampfylde Street; Barnfield Road (from junction with Southernhay East to junction with Western Way); Bartholomew Street; Bedford Street; Belgrave Road; Blue Boy Lane; Blue Boy Square; Broadgate; Bude Street; Castle Street (northern part between Bailey Street and the Castle); Cathedral Yard and Cathedral Close; Catherine Square; Catherine Street; Chapel Street; Cheeke Street; Commercial Road; Cricklepit Street; Dix’s Field; Eastgate; Egypt Lane; Ewings Lane; Fore Street, Exeter (part); Fore Street Arcade; Gandy Street; George Street; Goldsmith Street; Guinea Street; Heavitree Road; High Street; Kestrel Way; Little Queen Street; Longbrook Street; Lower Coombe Street; Magdalen Street; Martins Lane; Mary Arches Street; Matford Park Road; Moor Lane; Musgrave Row; New Bridge Street; New North Road; North Street; Northernhay Place (between Bailey Street and High Street); Okehampton Street; Okehampton Place; Palace Gate; Paris Street; Paul Street; Pinhoe Road; Princesshay Arcade; Princesshay Lane; Princesshay Square; Red Lion Lane; Roman Walk; Quay Hill; Quay Lane; Queen Street; Sidwell Street (part only); South Street (part only); Southernhay East; Southernhay West; Stephens Bow; Swan Yard; Tabernacle Court; Topsham Road; Verney Street; Waterbeer Street; West Street; Western Way.

“Consent Streets”

Alphinbrook Road; Ashton Road; Avocet Road; Bittern Road; Bridford Road; Budlake Road; Castle Street (part only); Christow Road; Cofton Road; Coppleshone Drive; Eagle Way; Exton Road; Falcon Road; Filmer Way; Grace Road (west/central/south); Hennock Road (north/central/east); Heron Road; Kennford Road; Kingfisher Way; Lower Argyll Road; Mallard Road; Marsh Barton Road; Marsh Green Road; Osprey Road; The Quay; St Mark’s Avenue; Sidwell Street Arcade; Trusham Road; Yeoford Way.

“Licence Streets”

Fore Street, Exeter (part only on southern side between South Street and Market Street); South Street (part only); Sidwell Street (part only on southern side between Paris Street and Cheeke Street).

(Report circulated)

21 Street Trading Consents - Effect of Consultation on Existing Consent holders

The report of the Head of Environmental Health Services advised Members of the impact of the consultation on existing street trading consents which had been adopted at this meeting. This report sought delegated powers to re-issue the existing consents for the period between 1 August 2008 and the previously agreed expiry date on the previously agreed terms and conditions. This would obviate the need for a significant number of Committee hearings for the existing consent holders identified in the report. A Member sought clarification that the existing stall holders would not suffer any financial disadvantage.

RESOLVED that:-

- (1) the Head of Environmental Health Services be authorised to grant consents to the holders as set out in the report; and
- (2) the consents be renewed from the 1 August 2008 to the previously agreed expiry date identified in the appendix with no requirement for any additional fees to be levied.

(Report circulated)

22 **Application for Issue of Street Trading Consent**

The Head of Environmental Health Services advised that an application for street trading consent which had been circulated as an exempt item had been withdrawn after the agenda was sent out.

RESOLVED that it be noted that the application was withdrawn.

(Report circulated to Members)

The meeting commenced at 2.30 pm and closed at 3.00 pm

Chair

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LICENSING COMMITTEE

8 July 2008

Present:

Councillor Ben Noble (Chair)

Councillors Branston, Mrs Danks, Mitchell, Shiel, Sterry and Wadham

Also present:

Head of Environmental Health Services, Principal Licensing Officer, Licensing Solicitor, Principal Environmental Health Officer and Member Services Officer (HB)

23 **Declarations of Interest**

No declarations of interest were made by Members.

24 **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 Minute Nos. 25 to 27 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 1982

25 **Application for the issue of a Street Trading Consent**

The Principal Licensing Officer advised that Mr C was seeking consent to street trade for a period of three months at the Exeter Quayside from the Transit House to Trews Weir on both sides of the River, the Quay being a designated area under the provisions of the Local Government Act 1982.

Mr C had submitted a request to trade in ice creams from a mobile cart/three wheeled tricycle using a refrigerated front box for the ice cream. The times and days requested were from 10.00 - 20.00, seven days per week. He had not been granted consent to street trade in Exeter before.

Members were advised that if it was considered appropriate to grant the consent it was the custom to allocate a defined pitch/location rather than allow access to a large area.

Seventeen businesses in the area that might be affected had been contacted. A letter from the Quay Traders Association with 22 signatures raising objection to the proposal had been received and five individual objections from traders with addresses in the vicinity had also been received. The main theme of all the objections was in relation to the effect on trade that was already suffering and that competition in this form was not fair to the existing traders.

Mr C was in attendance. He explained that he had operated an identical business in Worcester for three years where he had tried not to impinge on other businesses by not trading in their immediate vicinity. He had enjoyed good relations with Worcester City Council and he had operated a sole consent including two parks. He possessed

full public liability insurance cover up to £10 million and possessed relevant food hygiene certification.

He had undertaken research into the nature of other businesses in the Quay area and concluded that only a couple were directly affected. Many of the businesses who had responded sold wrapped ice cream to existing clients eating or drinking in their establishments which was therefore complimentary to their businesses. He reported that fees were close to £600 for three months rather than £200 per quarter. He stated that he would be very considerate of other operators in the Quay, particularly those who also sold ice cream and that he would operate away from their premises.

The meeting was adjourned for officers to obtain maps of the Quay in order for the precise area where Mr C wished to trade to be identified.

Mr C stated that it was his intention to trade in the area of the Quay from the arches along the river side down Weirfield Path as far as Trews Weir Bridge, to cross the bridge and continue trading up along the other side of the River but only half way up to the Basin and not the Basin area itself. He would then do a U turn and double back over this route. It was also his intention to operate along the canal banks. It was noted that the Quay itself was a consent area and it would therefore be necessary to identify a pitch for Mr C to trade. It was suggested that the junction of Colleton Hill with the Quay be identified as a stopping and turning point which was some 200 metres away from the nearest ice cream vendor.

RESOLVED that street trading consent be granted to Mr C with power delegated to the Head of Environmental Health Services to designate the location of the pitch for the turning and stopping point at the Colleton Hill/Quay junction.

(Report circulated to Members)

26 **Application for the issue of a Street Trading Consent**

The Principal Licensing Officer reported that Mr M had applied for consent to street trade for a period of three months in Castle Street, a designated area under the provisions of the Local Government Act 1982.

He wished to sell hot roasted nuts from a stall but had not identified a pitch from which to trade should the application be granted. The times requested were from 09.00 hours to 17.30 hours, Tuesday to Saturday inclusive. He wished to sell from a stall measuring 6ft by 10ft when open for business constructed of aluminium and plastic. He had not been granted consent to street trade in Exeter before.

The application had been the subject of an informal consultation process and two responses had been received. The central focus of the responses was that there was insufficient space for more traders in the area.

It was the current policy of the Council that no more than four day time consents and one night time consent be granted in Castle Street. All those consents had been issued and therefore no pitches were currently available.

Mr M was not in attendance.

RESOLVED that consent to street trade be refused as all pitches for day time trading had already been allocated.

(Report circulated to Members)

27 **Application for the issue of a Street Trading Consent**

The Principal Licensing Officer advised that Mr S had withdrawn his application for consent to street trade at the Exeter Quayside.

(Report circulated to Members)

28 **Pilot Consultation for Street Trading Consent Applications**

The Head of Environmental Health Services presented the report seeking approval for the introduction of a pilot consultation mechanism for street trading consent applications heard by Licensing Committee. As consultation did not form part of the licensing process in relation to street trading consents, no parameters currently existed in relation to what could be consulted upon, or who should be consulted.

In response to a Member, he advised that the consultation in respect of applications for consent to trade on the current agenda had been undertaken as a pilot exercise to help determine the amount of officer time involved in such exercises. Members supported the proposal that representations from the public in written form only was most appropriate as representations in person to the Committee would have the potential to lengthen Committee hearings considerably. It was noted that currently a sum of £50 was required as part of the application but it was recommended that the Committee approve the charging of the full fee as a deposit required when submitting applications partly in order to discourage speculative applications. The deposit was reimbursed if permission was not granted. Councillor Shiel asked whether a part of the fee could be retained to cover the administration of the applications but was advised by the Head of Environmental Health Services that the law required the full deposit to be reimbursed. Members requested minor changes to the consultation letter.

RESOLVED that:-

- (1) a pilot consultation mechanism for street trading consent applications, as set out in the circulated report, be approved;
- (2) a review of the pilot consultation be undertaken for report to this Committee in early 2009, for any necessary changes to be approved; and
- (3) the deposit for street trading consent applications be raised to the level of the full fee of the relevant consent.

In accordance with Standing Order No. 43, Councillor Wadham requested that he be recorded as voting against the above decision.

(Report circulated)

The meeting commenced at 2.30 pm and closed at 3.35 pm

Chair

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SCRUTINY COMMITTEE - COMMUNITY

3 June 2008

Present:

Councillor D Baldwin (Chair)

Councillors Shiel, Branston, Choules, Mrs Danks, Edwards, A Hannaford, Hobden, Newcombe, Newton, R Smith, Taghdissian and Thompson

Director Community and Environment, Head of Leisure and Museums, Head of Contacts and Direct Services, Head of Environmental Health Services, Housing Needs Manager and Member Services Officer (HB)

Also present:

Councillor R.A. Hannaford - Portfolio Holder Housing and Social Inclusion
Councillor Mitchell - Portfolio Holder Environment and Leisure

30 **Minutes**

The minutes of the meeting held on 4 March 2008 were taken as read and signed by the Chair as correct.

31 **Declaration of Interests**

Members declared the following personal interests:-

COUNCILLOR	MINUTE
Councillor Newton	40 (Employee of the Meaningful Occupation Project (part of Exeter Shilhay)
Councillor Newcombe	48 (Devon County Council Children and Young People's Play Champion)

32 **Questions from the Public under Standing Order 19**

In accordance with Standing Order 19, a question in respect of play facilities at Kings Heath was submitted, to which the Chair replied. A copy of the question had been circulated to Members and was made available at the meeting. The question and the reply from the Chair (in italics) is appended to the minutes.

Scrutiny Committee - Community agreed that a report providing an update on the provision of the play area at Kings Heath be submitted to the next meeting of this Committee.

33 **Questions from Members of the Council under Standing Order 20**

In accordance with Standing Order 20, a question from a Member was submitted to which the Portfolio Holder for Environment and Leisure replied. A copy of the question had been circulated to Members and was made available at the meeting.

The question and the reply from the portfolio holder (in italics) is appended to the minutes.

34 Portfolio Holders to present their priorities for the Forthcoming Year

Councillor R.M. Hannaford presented the following priorities within the Housing and Social Inclusion Portfolio for the forthcoming year:-

- Provide 100 new affordable homes for rent and look at ways we can bring more investment in affordable housing in the City. In particular we will explore new ways of obtaining land on which affordable housing can be built.
- Explore whether we can build council housing directly with the introduction of changes to housing law.
- Review the Older Persons Warden Service in line with the emerging Supporting People Strategy.
- Review existing sheltered accommodation, taking account of the above service review and future projected needs.
- Develop a Quality Management System for housing services that includes feedback/complaints/customer satisfaction/performance/costs etc. and contribute to service reviews and change implementation.
- Start financial benchmarking through Housemark/LA benchmarking clubs.
- Review the existing Tenancy Agreement and make changes as necessary. Include a clause to allow service charges for tenants.
- Review the existing Grounds Maintenance/communal cleaning arrangement to establish specification of the service and its cost.
- Continue to collect and input Tenant Census Information and start to use in service delivery/design.
- Establish a Tenancy Services Review Group to assess the existing Estate Officer role and develop a new 'neighbourhood management' framework. Dealing robustly with anti-social behaviour will be one of our priorities.
- Lead the development of the Choice Based Lettings Regional Scheme for Devon.
- Publish an Empty Homes Strategy as part of the suite of documents to accompany the Housing Strategy.
- Develop a Warm Zone to help reduce fuel poverty.
- Review and update the licences for the City's four mobile home sites.
- Review the Neighbourhood Engagement Pilot Project to establish the most appropriate model for Neighbourhood Engagement for Exeter Communities, in conjunction with information on ward profiles for the City.
- Use information gained from the Neighbourhood Engagement Pilots to develop a Community Engagement Strategy for the Council.
- Examine information from Local Futures analysis as well as local ward information to identify neighbourhoods with priority needs.

The following responses were given to Members' questions:-

- provision of any additional housing would be undertaken in conjunction with other housing providers with emphasis on maximising windfall sites. The downturn in the housing market might assist. The PFI process was not a viable option for building council housing.
- it was hoped that the review of tenancy agreements would help improve tenant behaviour although every effort would be made to avoid making individuals homeless. Measures to reduce rent arrears would also be examined. It was hoped to encourage Housing Associations to adopt some of the City Council practices.

- the review of cleansing of communal arrangements would concentrate on City Council owned properties. All householders would be consulted and consideration given to changing the service charges.
- Ward Members would be kept informed of the introduction of new licenses for mobile home sites following changes in the model standards. The changes would seek to ensure sufficiently high quality upgrades were undertaken.

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

- Start building work on the main museum project.
- Continue with our RAMM out-and-about programme.
- Run an exciting and varied programme of events in the Valley Parks.
- Complete work on the new parks at Summerway, Wyvern and Digby and work with the community west of the Exe on their ideas for a sports Hub Club.
- Continue work towards providing a new pool at Clifton Hill.
- Continue our Free Play City project so that children are encouraged to play safely out of doors.
- Publish and distribute 101 Free Things To Do For Children.
- Support the Wild City Project in partnership with the new Devon Wildlife Trust and look at ways we can enhance wildlife especially in the canal and quay area.
- Extend the Green Accord to other areas in the Council and seek to gain external accreditation for the scheme working with partners including businesses in the City.
- Develop a Tree and Woodland Strategy in consultation with elected Members, officers and partners that protects and enhances the City's treescape in a sustainable way making allowance for the effects of global warming.
- Achieve Green Flag accreditation for one city centre park.
- Implement the action from both the Local Authority Carbon Management Programme and the Climate Change Strategy.
- Improve the City's recycling rate to more than 35% and look for opportunities to expand the range of materials we collect from the doorstep.
- Continue to improve our care of public places including authorisation and training of police community support officers to deal with litter and similar offences.
- Install more dog bins and continue with improvements to this service.
- Consider a 'scores on the doors' scheme for city food businesses.
- Work with the police and trading standards to reduce the sale of alcohol to minors.
- Increase the use of mobile CCTV both via a new van mounted system and by increasing the range of our existing cameras.
- Review whether we should de-restrict the number of hackney carriages.

The following responses were given to Members' questions:-

- consultation had been undertaken on the de-restriction of taxis and a report would shortly be submitted to the Licensing Committee.
- Heavitree Pleasure Ground had been identified as the first park to be considered for Green Flag status. One staff Member had been appointed as a Green Flag Judge.
- the 101 Free Things To Do for Children was due to be published and widely distributed in the City.
- additional mobile CCTV equipment had been purchased with improved reception which would help extend coverage to additional areas of the City.

- the Hub Club Partnership at Flowerpot Fields was being supported by the Council.
- the Tree and Woodland Strategy would cover all trees across the City.
- squash clubs would not be replaced at Clifton Hill as part of the new swimming pool project, but a watching brief would be maintained on squash provision in the City.

Scrutiny Committee - Community noted the priorities presented.

35 **Scrutiny Issues**

Consideration was given to the Membership of the following working groups. It was noted that the Dog Bin Group had completed its work, the Trees Working Group was currently meeting and that it had been the intention that each working group would meet in the order set out once each had completed their respective reviews. It was felt that nominations should be made to each working group for meetings to be held shortly at which Chairs would be appointed and the way forward agreed. The existing Membership, together with the inclusion of Councillor Shiel on the latter working group as agreed at the meeting, are set out below:-

- (1) **Trees Working Group** - Councillor Mrs Danks;
- (2) **Toilets** - Councillors Mrs Danks, Newcombe and Shiel;
- (3) **Re-cycling** - Councillors Mrs Danks and Newcombe; and
- (4) **Review of Sports Provision** - Councillors Branston, Choules, Mrs Danks Newton and Shiel.

Scrutiny Committee - Community supported the proposal that nominations be made, as appropriate, in order for meetings to be held.

36 **Museum Development Project Working Group**

A Museum Development Project Working Group had been established on 8 July 2002 to oversee the enhancement scheme of the Royal Albert Memorial Museum. Membership comprised the Leader of the Council, the Portfolio Holders for Leisure and Environment and for Best Value and Human Resources and two Members of this Committee (the Chair of Scrutiny Committee - Community and Councillor P.A. Smith).

Scrutiny Committee - Community:-

- (1) confirmed Councillor D. Baldwin and appointed Councillor Shiel as Members to serve on the working group; and
- (2) asked for a visit to RAMM to be arranged for all Members of this Committee.

MATTERS FOR CONSIDERATION BY EXECUTIVE

37 **Food Law Enforcement Plan 2008/09**

The Head of Environmental Health Services presented the report informing Members of the Council's performance against the previous year's Food Law Enforcement Plan. The report also sought approval for the adoption of the Food Law Enforcement

Plan 2008/09, which set out the Council's regulatory function in respect of food safety over the forthcoming year.

In response to a Member, he explained that informal notices were made in respect of minor breaches of regulations and formal notices for persistent and/or serious offences. They were not necessarily linked to one another.

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

- (1) approve the Food Law Enforcement Plan; and
- (2) authorise the Head of Environmental Health Services to agree changes to the Enforcement Plan in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

38 Health and Safety Service Plan Annual Review 2008/09

The Head of Environmental Health Services presented the report seeking approval of the Health and Safety Service Plan for 2008/09 setting out the Council's functions for regulating health and safety in businesses for the forthcoming year.

In response to a Member, he detailed the various measures that would be used to scrutinise and monitor the progress of the Plan.

Scrutiny Committee - Community supported the report and requested Executive to approve the Health and Safety Plan 2008/09.

(Report circulated)

39 Local Air Quality Management - Air Quality Action Plan

The Head of Environmental Health Services presented the report updating Members on the Council's duties relating to local air quality management and the outcome of the consultation exercise for the proposed Air Quality Action Plan (AQAP).

In response to a Member, he confirmed that not all consultees had responded to the draft Plan although the key consultees had. The same Member had referred to the diversion of Paris Street traffic right into Sidwell Street during the Princesshay works and the subsequent decision of the County Council to retain this traffic flow after the completion of the scheme. This traffic flow had impacted on air quality in the Sidwell Street area and, referring also to air quality along Heavitree Road, he was anxious to know if the County Council were proposing further reviews of traffic management in these areas and that, if so, they should be asked to ensure that Ward Members would be consulted.

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

- (1) seek a meeting between its Chair and the Chair of this Committee with the County Council to seek how they plan to reduce the pollution that is caused along the five routes coming in and out of the City;
- (2) agree to requesting the County Council to review the current traffic management arrangements for Sidwell Street, with all local Councillors to be involved; and

- (3) approve the Exeter Air Quality Action Plan 2008-2011.

(Report circulated)

40 Homelessness Strategy 2008-2013

Councillor Newton declared a personal interest as an employee of the Meaningful Occupation Project (part of Exeter Shilhay).

The Housing Needs Manager presented the report seeking endorsement of the content of the revised Homelessness Strategy.

In response to Members, he enlarged on the relationship with Home Choice particularly in respect of the accommodation at Trailways, Venny Bridge and briefly explained the process relating to the rough sleepers count. He also advised that the City Council had sought a fair allocation of resources through the Devon Joint Commissioning Body of the Supporting People project.

A Member stated that she was aware of a number of individuals who might be categorised as intentionally homeless but because of the chaotic nature of their lives and their vulnerability could or had become homeless through no fault of their own. She was anxious to ensure that each case was thoroughly assessed and that, had they been made homeless through no fault of their own, they should be given a second chance.

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

- (a) adopt the revised Homelessness Strategy document 2008-11;
- (b) agree to an annual report being submitted outlining progress against the Strategy's action plan; and
- (c) agree to a further report being made to the next meeting of this Committee providing information on how homelessness decisions were reached relating to vulnerable people.

(Report circulated)

41 Private Sector Housing Strategy - Annual Review

The Head of Environmental Health Services presented the report 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.

It was noted that the Regional Housing pot allocation had been set at £583,000 for 2008/09, a reduction of nearly £300,000 on the 2007/08 allocation. However, the allocation would have been reduced further had not robust representations been made.

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) agree to the monitoring of the expenditure of the single pot allocation and to the proposed financial allocation to each of the proposed schemes;

- (3) agree to the development of further schemes, subject to the approval of the Portfolio Holder for Housing and Social Inclusion; and
- (4) agree to the review of the policy on an annual basis, or sooner if needs be, in order to ensure that it addresses local needs and/or Government policy.

(Report circulated)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - COMMUNITY

42 Revenue Final Accounts - Community 2007/08

The Director Community and Environment advised Members of the overall financial performance of the Community and Environment Directorate for the 2007/08 financial year ended 31 March 2008.

The Scrutiny Committee - Community noted the report.

(Report circulated)

43 Housing Revenue Account - Final Accounts 2007/08

The Director Community and Environment advised Members of the overall financial performance of the Housing Revenue Account for the 2007/08 financial year ended 31 March 2008.

The Scrutiny Committee - Community noted the report.

(Report circulated)

PERFORMANCE MONITORING

44 HRA Capital and Revenue and AIM Property Maintenance Outturn report 2007/08

The Head of Contracts and Direct Services submitted a report detailing the fourth quarterly/outturn report, covering the period from January to March 2008 (but including updated figures at 19 May 2008). It included the financial position of the £14.5m programme of reactive and planned property maintenance and refurbishment and both Revenue and Capital schemes as approved by Council for the financial year 2007/08 and budgets for schemes rolled forward from 2006/07. Where necessary, the report also provided specific details on significant programme variations.

The Scrutiny Committee - Community noted the outturn financial position and works in 2007/08 as detailed in the report.

(Report circulated)

45 AIM Property Maintenance Proposed Programme 2008/09

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 2008/09 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 2008/09. The programme took account of those similar project works and budgets rolled forward from the financial year 2007/08.

The Scrutiny Committee - Community noted the programme of property asset related work for 2008/09, as detailed in the report.

(Report circulated)

46 **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 Scrutiny Committee - Community noted the report.

(Report circulated)

47 **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 1 of Part I, Schedule 12A of the Act.

MATTER FOR CONSIDERATION BY EXECUTIVE

48 **Leisure and Museums Restructure**

Councillor Newcombe declared a personal interest as Devon County Council's Children and Young People's Play Champion.

The Head of Leisure and Museums presented the report on the proposed restructuring of the Leisure and Museums Unit in order to create future savings in the revenue budget.

Members were very concerned that, as a result of the proposals, reductions in services would be necessary. Amongst areas of work to be lost were the SPLASH scheme, provision of support to some community associations, preparation of funding applications for Council activities, fund raising research and strategic input into wider groups, the capacity to organise major events and the promotion of workplace health to businesses in the City and a cardiac rehabilitation service. It was recognised that the latter was essentially a function of the PCT but, as with SPLASH, funding from partners had been withdrawn. It was inequitable for the City Council to pick up funding that was the responsibility of other bodies. A Member referred specifically to the impact of the ending of the Splash scheme, including the provision of holiday activities, in the Exwick area.

The Head of Leisure and Museums stated that, overall, expenditure on Museums was approximately half that of sport, recreation and play, expenditure on the latter would also increase significantly with the construction of the Swimming Pool.

Scrutiny Committee - Community did not support the proposals and requested Executive to agree to a reassessment of the options for a further report to be submitted to this Committee and Executive.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 8.40 pm)

Chair

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SCRUTINY COMMITTEE - COMMUNITY - SPECIAL

8 July 2008

Present:

Councillor Dilys Baldwin (Chair)

Councillors Shiel, Branston, Choules, Mrs Danks, A Hannaford, Newcombe, Newton, Taghdissian and Thompson

Also present:

Head of Housing Services, Housing Operations Manager and Member Services Officer (HB)

Also present:

Councillor R.A. Hannaford - Portfolio Holder Housing and Social Inclusion

49 **Declaration of Interests**

No declarations of interests were made.

50 **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 involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

51 **Housing Landlord Service Re-structure**

In accordance with Standing Order No 17, the report of the Head of Housing Services on proposals for the restructure of the Housing Landlord Service considered at Executive on 17 June 2008 had been called in by Councillors D. Baldwin, Shiel, Mrs R. Smith, Taghdissian and Mrs Thompson.

The Portfolio Holder, Housing and Social Inclusion and the Head of Housing Services were in attendance to answer questions regarding the report.

The report of the Head of Housing Services was submitted proposing a restructuring of the Housing Services Unit to support the service improvement plan. The report had been considered by Executive on 17 June 2008 which had resolved:-

“With immediate effect:

- (1) the four Rent Officers (Post numbers CE 06138, 06139, 06140, 06165) are moved from the Tenancy Services Team into the new Income Recovery Team and that their posts are renamed Income Recovery Officers;
- (2) the Housing Support Manager (Post number CE06191) becomes the Income Recovery Manager;

- (3) the current honorarium paid to the Tenancy Services Manager (Post number CE 06190) is ended;
- (4) the Tenant Liaison Officer (post number CE06213) moves from the Tenant Participation Team into the Tenancy Services Team as a Housing Assistant;
- (5) the Clerical Assistant (post number CE 06123) becomes a Housing Assistant and moves from the Housing Support Team into the Tenancy Services Team;
- (6) a new post of Housing Assistant Team Leader is created within the Repairs and Technical Services Section; and
- (7) the post of the successful Housing Assistant is deleted once they have started their new role.”

The Head of Housing Services detailed the proposals set out in the report for the restructuring of the Housing Services Unit. He responded as follows to Members' questions:-

- Increasing the level of rent collection and arrears recovery was the main proposal from the review. At 1.2%, current rent arrears compared very favourably at a national level but the creation of an income recovery team and the transfer of rent officers under new titles to an Income Recovery Team would lead to an all round increase in efficiency;
- The Housing Quality Network Company had been employed by the Housing Services Unit at a cost of £25,000 to undertake the “mock” inspection and had examined nine key areas of operation. It was considered to represent good value for money and would lead, it was hoped, to a three star rating;
- The rent arrears figure of 1.2% represented some £175,000 out of £14.5 million total rent debit. He referred to the key objective of the Audit Commission’s “Key Line Of Inquiry” as that of reducing homelessness. The guidelines sought a rounded approach to management and as much support as possible was therefore given to families experiencing difficulties with paying the rent to prevent homelessness resulting. Eviction was a last resort;
- Overall, there was a high level of satisfaction for the standard of the work from the Council’s repairs contractors although with some 19,000 repair jobs annually, problems had occurred and robust action was taken when work fell below acceptable standards. The repairs contract was due to be re-tendered in 2010. As a result of the review, it was hoped that the estate officers would be freed up to undertake more inspections and deal with anti social behaviour and tenancy management issues more robustly. Each officer would continue to manage dedicated areas;
- The review had regard to changing priorities for the elderly in line with the work of Devon Supporting People and a further report on this area would be submitted in due course;
- A full review of the rent collection and arrears recovery service was planned for 2008/09 to ensure all policies and procedures were current and up to date and that the team embraced existing best practice from across the sector; and

- It was anticipated that the additional staff cost of £1,700 identified in the report, would be met from additional income generated as a result of the various management changes proposed in the report.

The Portfolio Holder advised that the report had not been submitted to this Committee prior to Executive as it had not involved a major staffing restructure.

RESOLVED that:-

- (1) the presentation on the report given by the Head of Housing Services together with the responses given to issues raised by Members be noted and no further action be taken in respect of the call in; and
- (2) the proposals for the restructure be supported.

(Report circulated to Members)

The meeting commenced at 5.30 pm and closed at 6.20 pm

Chair

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SCRUTINY COMMITTEE - ECONOMY

5 June 2008

Present:

Councillor Margaret Baldwin (Chair)

Councillors Gale, Boyle, P Brock, Coates, A Hannaford, Martin, Newcombe, Noble, Sheldon, Starling, Wardle and Winterbottom

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

Also present:

Councillor Mrs S R Brock - Portfolio Holder for Economy and Tourism
Councillor Wadham - Portfolio Holder for Sustainable Development and Transport

Also present:

Keith Cooper - Cooper Simms Consultancy
Steve Gerry - Cooper Simms Consultancy

18 **Minutes**

The minutes of the meeting held on 6 March 2008 were taken as read and signed by the Chair as correct.

19 **Declarations of Interest**

The following personal interests were declared:-

COUNCILLOR	MINUTE
Councillor Martin	20 Member of Exeter City Council Fair Trade Steering Committee) 22 (a Director of Heart of Devon Agency- HoDEA)
Councillor M Baldwin	22 (Company Secretary of Enterprise South Devon)
Councillor P Brock	22 (local shop owner)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - ECONOMY

20 **Portfolio Holders to Present Their Priorities for the Forthcoming Year**

Councillor Wadham presented the following priorities within the Transport and Sustainable Development Portfolio for the forthcoming year:-

Long Term Spatial Strategy - to meet the challenge of accommodating the growth in Exeter's population as envisaged by the Government. A response will be made to a further draft of the Regional Spatial Strategy, which is expected by the end of July; to bring forward the revised Local Development Framework Core Strategy by the

year end and to continue working with East Devon District Council and Devon County Council to deliver our commitment to the New Growth Point.

Affordable Housing - to include an enhanced 35% standard and a lower threshold in the revised Local Development Core Strategy.

Climate Change - use the planning system to encourage developers to meet higher standards of construction and insulation and to raise the percentage of renewables and underpinning this work by close working between Planning and Building Control.

Environmental Enhancements - implementation of the Fore Street, Heavitree Enhancement this summer, working with Devon County Council. Continue to develop plans for the enhancement of Cowick Street; other work includes the completion of Paris Street/ Sidwell Street improvements and proposals for the re-paving of Martin's Lane will be brought forward shortly. There will also be further consideration with the County Council on what other enhancements to secondary City Centre streets are justified.

Debenhams and the Bus Station Site - continue to develop high quality re-modelling of the exterior of the Debenhams tower to bring the site back into use as quickly as possible, as well as essential background work with preparation of a master plan for the Bus Station site to deliver a high quality bus interchange at the heart of the scheme.

Signing - continue working with Devon County Council to endorse the proposed new pedestrian signing system.

Demand Management - work with the County Council to limit growth in car traffic and improve reasonable air quality; maintain the focus on Park and Ride expansion, particularly on the A30 Western approach as well as continuing to support the Cycling Demonstration Town Project, Walking Strategy and TravelSmart project.

Civil Parking Enforcement - complete the transfer of the Traffic Warden function to the City Council, and continue to ensure the appropriate level of enforcement is maintained.

Councillor Wadham and the Director Economy and Development gave the following responses to Members' questions -

- A review of the affordable housing threshold should have a positive effect on increasing affordable housing stocks.
- Regarding parking enforcement, it was important to ensure that the lines and signs were correct, and he had every confidence that the level of enforcement was appropriate. The Director added that a glitch in the software affecting the handheld recorders used to issue tickets had now been resolved. They would continue to draw the County Council's attention to any incomplete signs and lines.
- The Director advised that a number of options on the future of the Bus Station site had been discussed with Stagecoach, including the possibility of seeking alternative sites for their engineering operations and for overnight bus parking.
- Sites in the vicinity of the A30 Western approach for a new Park and Ride have been identified and a number of suggestions were being explored.
- The Director stated that meeting the Council's target for delivery of affordable housing in the coming year was likely to present a challenging target due to the current downturn in the building trade. Further discussions on applying affordable housing policy to smaller developments will be brought forward for consideration later in the year following the finalisation of the Regional Spatial Strategy.

Councillor Mrs S R Brock presented the following priorities within the Economy and Tourism Portfolio for the forthcoming year:-

City Centre Regeneration - following on from the successful completion and launch of Princesshay, work will continue with Land Securities to deliver the re-modelling of the Debenhams building. Background studies which will form the basis of the Master Plan for the Bus Station will continue.

Street Markets - continue to develop the programme of markets including the weekly Farmer's Market and range of other seasonal and visiting markets throughout the year, including a special Christmas Market.

Tourism Promotion - improve the Quay House visitor and information facility, bringing forward a package of measures to promote sustainable tourism.

Regenerating the Canal Basin - continue working on the Old Electricity Building site and progress the Maclaines site and 60 Haven Rd through Sutton Harbour and the creation of 14 Affordable Housing Units by Signpost.

Economic Development Strategy - to continue working closely with the Exeter & Heart of Devon Economic Partnership and contribute to the review of the Economic Development Strategy.

Science Park – to progress the Council's foremost economic development commitment to develop the expansion of growth in science and technology, overseeing the completion of the master plan, the establishment of the Science Park Company and submission of a planning application by 2009.

Delivering other Employment Sites - working closely with landowners to release key sites in Exeter: support the expansion of the University being mindful of the impact on the local housing market.

Improving Skills - working with a range of partners to establish a successful Skills Board to improve the skills level of the workforce.

Review of the Arts Strategy - to oversee a refresh of the Arts Strategy with draft proposals being brought forward to Scrutiny Committee - Economy in September.

Property Portfolio - to continue to manage effectively the Council's property portfolio, investing in the fabric and facilities of the Corn Exchange to underpin its growing popularity.

Councillor Mrs S R Brock and the Director Economy and Development gave the following responses to Members' questions -

- Initial plans for the Debenhams tower include 94 flats with small retail outlets on the lower ground to first floor; there is no provision for office accommodation or any other leisure facility. A suggestion to let a portion of the retail outlets to green or independent traders would be for the developer to consider. The Director agreed that those involved were mindful of the need to ensure the quality of the end design.
- The Director advised that the main focus for upgrading works at the Corn Exchange was a refurbishment of the toilet facilities and renewal of a more sustainable pellet boiler heating system over the next two financial years.
- The suggestion for a Fair-Trade Market was welcomed by Councillor Brock. (Councillor Martin in stating this also declared an interest as a member of Exeter City Council Fair Trade Steering Committee)
- A suggestion for some remuneration for small businesses allowing use of their toilet facilities might be a way forward for the shortfall of facilities at the Quay was noted.

Scrutiny Committee – Economy noted the reports of the Portfolio Holders for the forthcoming year.

(Report circulated)

21 **Exeter & Heart of Devon Economic Development Strategies 2008 - 2013**

The Head of Economy and Tourism presented the report seeking Members' views on the emerging Exeter and sub-regional economic development strategies covering the period 2008-2013. He referred to a review of the Exeter and Heart of Devon Economic Strategy by Cooper Simms Consultancy, and the work will also include a separate strategy focusing on specific issues related to the city.

Keith Cooper, a Director of the Cooper Simms Consultancy made a presentation and outlined the approach and methodology for the review, including a revision of the monitoring indicators as well as identifying new actions for 2008 – 2013. He had organised a series of interviews and workshops, which had raised a number of useful points. He also circulated details of a business survey which Members were invited to complete.

He outlined the Strategic Objective targets reached in the last five years and outlined Exeter's Specific Actions for the future including the following:-

- Continue to focus on the growing knowledge based organisations in the city, working with the Met Office, Science Park, University and Peninsula Medical School as catalysts for further investment
- Develop a clear strategy for occupants of the Science Park
- Promote the science city concept and maximise the occupation of both phases of the Innovation Centre
- Promote a dedicated conference facility in the city centre
- Aim to attract and retain public sector and other knowledge based industries
- Continue to develop business links with schools, including addressing low attainment in education and raising aspiration
- Address deprivation in priority areas of the city
- Work as a partnership to identify and seek funding for the 'liveability' elements in the city especially for the working age population
- Ensure appropriate membership of the EHOD partnership and develop its capacity to deliver

Keith Cooper responded to Member comments on the apparent desire to shift more commercial interest towards the east of Exeter, referring to the physical and geographical constraints of the remaining parts of the city. He clarified the funding arrangement for Cranbrook Station and new community at Cranbrook and the scope of the Inter Model Freight Terminal as a warehouse/ distribution depot.

The Chair thanked Keith Cooper for attending.

Scrutiny Committee – Economy noted the report and supported the key aims and priorities as the basis for wider consultation.

(Report circulated)

22 **Support for Small Businesses**

Councillor M. Baldwin declared a personal interest as a company secretary of Enterprise South Devon. Councillor P J Brock declared a personal interest as a small shop owner. Councillor Martin also declared a personal interest as a Director of the Heart of Devon Enterprise Agency (HoDEA).

The Head of Economy and Tourism presented the report updating Members on changes to the advice and training offered for new and small businesses with the support of the City Council, and latterly through Enterprise South Devon. This has been a valuable service, and following consultation with the Portfolio Holder, an agreement had been reached with Peninsula Enterprise and the Innovation Centre to provide a coordinated approach to support for pre-start and new business from 1 June 2008.

A Member referred to the City Council's significant property portfolio and suggested that it would be useful to have a report on business premises and suggested one way to support business start up might be to offer lower rents, particularly where a business premises had a high turn over rate. The Director advised that only a small percentage of business premises, mostly in Exeter's business centre, were in City Council ownership, and so there was little influence on setting rental income. An annual report on the debtors and voids will be made in the autumn.

Scrutiny Committee – Economy noted the report.

(Report circulated)

PERFORMANCE MONITORING

23 Capital Programme Monitoring (2007/08 Outturn)

The Director Economy and Development presented the report advising Members of the latest position with regard to the 2007/08 Capital Programme for Economy.

A complete list of capital projects was circulated and a number of projects were highlighted, including the works at the Canal Basin and Quayside. The Director responded to a Member comment stating that the cost of funding the drain diversion on the site adjoining 60 Haven Road was agreed in consultation with the Leader. In response to a query about the riddle in the paving in High Street, he said that remedial works were planned to improve the colour contrast.

Scrutiny Committee – Economy noted the report.

(Report circulated)

24 Economy Scrutiny Stewardship 2007/08

The Director Economy and Development presented the report advising Members of the overall financial performance of the Economy and Development Directorate for the 2007/2008 financial year ended 31 March 2008. Details of the main variations by management units highlighted were set out. The Director responded to a comment and clarified the surrender detail of Haven Road Industrial Estate, advising that the City Council had now withdrawn from the intermediate relationship.

Scrutiny Committee – Economy noted the report.

(Report circulated)

25 Performance Management Indicators 2007/08

The Director Economy and Development presented the report advising Members on the current position on key performance at the end of the year on a range of services across the Directorate. There were national indicators as well as locally set targets.

Scrutiny Committee – Economy noted the report.

(Report circulated)

26 **Civil Parking Enforcement**

Councillor Prowse attended under Standing Order 44 to speak on this item.

The Director provided a verbal update on the establishment of the civil parking enforcement function in the city. The commencement of a working service has been a challenge for both the County and City Councils with the teams continuing to work closely to bring together three separate workforces – Exeter City Council's car parking attendants, the transfer of traffic wardens and the appointment of a number of new employees on new terms and conditions of service.

There has been a low key build up enforcement and it is recognised that a balance has to be struck between income and effective enforcement. There are currently a number of vacancies created by a number of traffic wardens who did not transfer, and advertisements for one senior and six civil enforcement officers will be placed shortly. Their appointment should address the concerns from both City and County Council Members regarding the appropriate level of enforcement will ensure a more comprehensive service for the city. A contact number for this service will be also be publicised.

Councillor Prowse addressed Members and welcomed the update particularly in respect of the situation regarding vacant posts. He asked if the City Council could further encourage the County Council to address his concerns over the legality of enforcement and the current state of the signs and lines in the city. The Director welcomed any information on erroneous signs and lines and outlined the current guidelines by civil enforcement officers when issuing parking tickets.

Scrutiny Committee – Economy noted the report.

The meeting commenced at 5.30 pm and closed at 7.40 pm

Chair

SCRUTINY COMMITTEE - RESOURCES

18 June 2008

Present:

Councillor Jeff Coates (Chair)

Councillors D J Morrish, M A Baldwin, Hobden, Martin, Newton, Noble, Prowse, Robson, Thompson and Wardle

Chief Executive, Director Corporate Services, Assistant Chief Executive, Head of Treasury Services, Head of Human Resources and Head of Corporate Customer Services

Also present:

Councillor Fullam (*Leader*)

Councillor Cole (*Portfolio Holder for Business Transformation and Human Resources*)

Mr M Green: Audit Commission CAA Lead

Mr B. Morris: Representative from Grant Thornton, the Council's External Auditor

Ms J Masci: Representative from Grant Thornton, the Council's External Auditor

30 **Minutes**

The minutes of the meeting held on 19 March 2008 were taken as read and signed by the Chair as correct.

31 **Declarations of Interest**

Members made no declarations of interest.

32 **Interim Audit Report**

Barrie Morris and Julie Masci from Grant Thornton, the Council's External Auditor presented the Council's Interim report.

Mr Morris informed Members that the Council's Audit service substantially complied with the CIPFA Code of Practice for Internal Audit and that they had identified a number of development opportunities for the Internal Audit team; these were set out in the circulated report. He stated that the high level controls operating at the Council were considered adequate for their external audit needs with few deficiencies noted. The action plan was attached as an appendix to the report and council officers had agreed to all the recommendations.

A Member raised concerns regarding recommendation two that the Council should consider establishing an independent Audit Committee in line with CIPFA standards and questioned why this Council did not have an Audit Committee when this recommendation had been before this Committee previously.

The Director Corporate Services stated that district authorities of the size of Exeter do not normally have Audit Committees and it was a matter that this Committee would consider in the future in light of the auditors' recommendations.

Mr Morris commented that they compared the Council against best practice guidelines from CIPFA and that it was down to Members to consider the Committee's workload and to ensure that it was manageable.

The Scrutiny Committee – Resources received and noted the report.

(Report circulated)

33 Comprehensive Area Assessment

Audit Commission CAA Lead, Martin Green addressed the Committee with regards to the Comprehensive Area Assessment.

Mr Green informed Members that from 1 April 2009 the Audit Commission would be implementing the Comprehensive Area Assessment (CAA), which would be replacing the Comprehensive Performance Assessment (CPA).

The CAA criteria would focus on partnerships within an area which would be based on the Local Area Agreement (LAA), it would look at the 'quality of life for the people living in the area' and 'prospects for improvement'. The CAA would be looking at how the Local Strategic Partnership (LSP) was taking forward partnership working to achieve a better outcome for local people.

Members noted the update.

34 Audit and Inspection Plan 2008/09

Julie Masci from Grant Thornton the Council's External Auditor presented the report on the Audit and Inspection Plan for 2008/09, highlighting key areas.

Ms Masci highlighted key areas of risk which included financial management; performance management; partnerships and sustainability. The Council's financial management was good and robust financial arrangements were in place.

Ms Masci stated that the fees were set by the Audit Commission and that they reflected the actual work that needed to be carried out to meet the auditor's statutory responsibilities.

In answer to Members' questions, Mr Morris confirmed that the way in which Grant Thornton would monitor the work of the Scrutiny Committee, was by attending the Committee and observing and reviewing the minutes. He also stated that the Council's earmarked reserves were within an acceptable level particularly in light of the pending outcome of the Local Government Review.

The Chair raised concerns regarding the 17% increase in the audit fee.

Mr Morris confirmed that officers had also raised concern regarding the level of fees. He confirmed that the fees were in line with those set by the Audit Commission and that the rise was due to this being a new assessment that resulted in additional work; the fee recognised the level of work that was needed to be undertaken under Audit Commission regulations.

The Scrutiny Committee - Resources noted the report.

(Report circulated)

35 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:-

- Grant settlement with below inflation increases for the next 3 years (1.4%, 0.9%, 0.8%) which means that the Council would have to plan sustainable reductions to the base budgets
- Review base budgets, protecting services wherever possible and reducing costs by smarter ways of working and procuring
- Using the Councils working balances to help mitigate the effects of reducing income by investing in appropriate technologies and creating reserves for known future commitments
- A cross-party group of members from this Committee would review the budget savings identified as part of this budget exercise.

In answer to a Member's question, Councillor Fullam confirmed that at this stage there were no planned cuts to services to balance the budget.

Councillor Cole presented the following priorities for the forthcoming year in terms of Business Transformation and Human Resources across the Council's services:-

Major work programmes

- Completion of homeworking pilot in Benefits and roll out to other areas where there is a business case
- Implementing the outcome of the business process reviews and mobile working in housing, environmental health, contracts and direct services, building control
- Expansion of the project to convert paper records to electronic media (housing tenants files and all staff files have been completed together with a number of other smaller projects)

IT

- Website redevelopment – project just beginning
- Satellite site server hub – to enable business continuity in case of emergency and to even out the load of the networks and servers.

Customer Services

- Integrating fully benefits customer service into the Customer Service
- the new telephony service to see if further calls can be dealt with at first point of contact, improving the customer experience and reducing call volumes to the back office

HR

- Looking at graduate development scheme/graduate recruitment
- Modern Apprenticeships
- Recruitment and retention generally
- Sickness absence – are we doing enough to combat this?
- Staffing issues arising from the Boundary Commission proposals when they are announced.

Equalities

- Planning for achieving Level 3 of the Equalities Standard for Local Government.

Performance Management

- Continuing development of the use of the Performance management system throughout the council.

In answer to Member's questions, Councillor Cole:-

- confirmed that all the data held by the council was secure and that it was in an encrypted format
- stated that although the work programme did not have a set order of priorities; the major work programmes were on-going projects from last year which would provide efficiency savings
- recognised that within HR, staffing issues arising from the Boundary Commission proposals would be a priority when the outcome was known.

The Head of Human Resources confirmed that although the sickness absence had reduced over the past few years, it was constantly being monitored as it was an indicator of the well-being of the organisation.

The Director of Corporate Services commented on the performance of the housing benefits and some of the issues which the service had been addressing which included a 14% increase in benefits claims, the introduction of home working and a paperless office. By retaining staffing levels, the services had contributed to the 'Gershon Savings' required by Government.

PERFORMANCE MANAGEMENT

36 HRA Capital and Revenue and AIM Property Maintenance Outturn Report 2007/08

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 of the £14.5m programme of reactive and planned property maintenance and refurbishment for 2007/2008, as detailed in the report.

(Report circulated)

37 Performance Monitoring – Corporate Services

The report of the Director Corporate Services was submitted.

In answer to a Member's question concerning the Human Resources update in the circulated report, the Director Corporate Services confirmed that the secured partnership tender agreement with regard to external recruitment advertising was with Bath and North East Somerset Council; this had commenced on 1 April 2008; the expected savings were difficult to predicate but it was anticipated to be in the region of £25,000; and other councils such as Wiltshire and South Gloucestershire were looking at the system.

The Scrutiny Committee - Resources noted the report.

(Report circulated)

MATTERS FOR CONSIDERATION BY THE EXECUTIVE

38 Capital Monitoring 2007/08 and Revised Capital Programme for 2008/09 and future years

The Head of Treasury Services presented a report to advise Members of the overall financial performance of the Council for the 2007/08 financial year, in respect of the annual capital programme and to seek approval of the 2008/09 revised capital programme, including commitments carried forward from 2007/08.

The Capital expenditure in the year amounted to £19,509,527, a reduction of £2,527,313 on the planned figure of £22,036,840. The actual expenditure during 2007-08 represented 88.5% of the total approved for the revised Capital Programme, which meant that £2.85 million would need to be carried forward to be spent in future years. This was an increase to 88.5%, from 86.4% last year, and a considerable improvement on three to four years ago when only 60% the Capital Programme was spent in a year.

The revised Capital Programme for 2008/09, after taking into account the carried forward requirements from 2007/08 and amounts deferred into future financial years now totalled £29,521,055.

A Member raised questions with regard to; Affordable Housing - 51 affordable homes were provided last year - what proportion was that of all homes provided and at St Nicholas Priory there had been a lot of school activity but what was being done to promote awareness of the facility, particularly among possible adult visitors.

The Chair questioned why the receipt of lower than expected tenders for the Guildhall Car Park Refurbishment had given rise to the commencement of a higher specification of works rather than the Council taking the opportunity to save on the total cost.

The Director Corporate Services stated that he would pass Members' questions on to the relevant officers for clarification.

The Chair asked that the details of the higher specification works for the Guildhall Car Park Refurbishment and the reasons for choosing that option be circulated to all Members of the Committee.

The Chief Executive confirmed that the present threshold for the percentage of affordable housing was 25%, but that an increase to 35% was recommended in the Regional Spatial Strategy and this recommended increased percentage would be incorporated within the Local Development Framework.

The Scrutiny Committee - Resources noted the overall financial position for the 2007/08 annual capital programme and recommended to Executive that it approve the amendments to the Council's annual capital programme for 2008/09.

(Report circulated)

39 Overview of the Revenue Budget

The Head of Treasury Services presented a report on the overall final financial performance of the General Fund Revenue Budget for the financial year ended 31 March 2008.

The final accounts for the Housing Revenue account showed an overall increase in the HRA working balance from £2,843,168 to £2,848,591, an increase of £5,423 as compared with the break-even budget. This was a small increase from last year's position.

The General Fund working balance at 31 March 2007 was £4,997,342 and a further contribution of £1,357,534 had been made at 31 March 2008 leaving the current balance at £6,354,876. Based upon the Council's 2007/08 net revenue budget of £15.744 million, the minimum (15%) required for the General Fund working balance was £2.362 million.

The Council was faced with considerable financial uncertainty in the medium term both in terms of a poor financial grant settlement and potential increasing budgetary pressures from, for example, the introduction of the national concessionary travel scheme. The current medium term financial plan had therefore already identified the need for significant ongoing revenue savings having to be identified and achieved. The City Council also had to take into account the impact of the current review of local government within Devon.

In answer to a Member's question, the Head of Treasury Services stated that officers worked closely with external fund managers and a prudent approach was taken to investments.

Members discussed the formation of the all party working group to consider the budget savings proposals for 2009/10, Councillor Coates and D J Morrish would represent their groups; the other parties would confirm their nominations in due course.

The Director Corporate Services stated that it was anticipated that the first meeting of the all party working group would take place towards the end of August.

The Scrutiny Committee - Resources noted the report and requested that Executive note the Overview of the Resources Budget 2007/08 and approve the following: -

- (1) the net transfer of £586,172 to Earmarked Reserves as detailed in paragraph 3.14 of the report;
- (2) Supplementary budgets totalling £380,580 as detailed in paragraph 3.12 of the report;
- (3) the Earmarked Reserves at 31 March 2008;
- (4) the General Fund working balance at 31 March 2008 of £6,354,876;
- (5) the Housing Revenue Account working balance at 31 March 2008 of £2,848,591; and
- (6) the appointment of an all party working group comprising of Councillor Coates and D J Morrish and two other Councillors (to be confirmed) to consider the budget savings proposals for 2009/10.

(Report circulated)

40 **Treasury Management 2007/08**

The Head of Treasury Services presented a report on the overall performance for the 2007/2008 financial year and the position regarding investments and borrowings at 31 March 2008.

The General Fund showed a net reduction in interest receivable compared to the estimate, the other interest earned related principally to car loan repayments and the repayment of interest by Exeter Business Centre. The reduction against budget had been caused by the need to finance a significantly increased capital programme. The Council, therefore, had less money to invest and had to undertake short-term borrowing.

The managed cash funds had reduced during the year from £26 million to £23.4 million as at 31 March 2008. However, the Council had, itself, also invested £5 million for a year meaning the total investment stood at £28.4 million. The investment manager had outperformed the benchmark by 0.17% during the past financial year as interest rates had risen.

The Head of Treasury Services stated that the Council continued to set a large capital programme and as this money was spent, it would be necessary to either withdraw funds from the managers or undertake long-term borrowing. The capital programme for 2008/09 stood at about £29 million and, therefore, it was anticipated that at least £10 million would need to be borrowed over 25 years during this financial year.

In answer to a Member's question, the Head of Treasury Services confirmed that the £10 million that would need to be borrowed did not include any monies for the proposed swimming pool. He stated that the majority of funds were in fixed term investments and that as gilts had matured they had been invested in fixed term savings.

The Scrutiny Committee – Resources noted the Treasury Management report for the 2007/08 financial year and recommended approval by the Executive.

(Report circulated)

41 **Annual Governance Statement**

The Head of Treasury Services presented a report which set out the proposed Annual Governance Statement to be included within the Council's Annual Statement of Accounts for 2007/08.

The preparation and publication of an Annual Governance Statement in accordance with CIPFA/SOLACE guidance was required to comply with Regulation 4(2) of the Accounts and Audit (Amendment) (England) Regulations 2006. The Council was required to publish the Annual Governance Statement in the Annual Statement of Accounts for 2007/08. It replaced the previous requirement to produce an annual Statement on Internal Control.

The Scrutiny Committee - Resources supported the report and recommended to Executive that it approve the Annual Governance Statement to be included within the Council's Annual Statement of Accounts for 2007/08.

(Report circulated)

42 "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 2007/08. The 2007/08 backward-looking Annual Efficiency Statement (AES) was due to be submitted by 8 July.

A key point with the overall target was that at least one-half of efficiency gains should be "cashable". The revised cumulative efficiency target to be achieved by the City Council over the 3-year period was £1,476,000, of which at least £738,000 should be 'cashable' efficiency gains. The total cumulative efficiency savings were £3,286,322 of which £2,196,054 were cashable.

In answer to a Member's question, the Head of Treasury Services stated that the saving in the reduced cost of Housing Benefit Subsidy was in part due to a saving in the cost of homelessness which was achieved through improved working with private sector landlords, increasing affordable homes provision and preventing homelessness.

Members discussed how savings could be made in future years and raised concerns regarding any possible cuts in service provision.

The Head of Treasury Services stated although the 'Gershon' Efficiency savings was a Government target over the 3 years 2005/06 to 2007/08, efficiency gains would have to be made in the future years because of the 3% cut in the grant from Government.

The Director Corporate Services informed Members that efficiency gains could be done in part by smart and improved ways of working which would include a rolling-out of mobile and home working.

The Scrutiny Committee - Resources noted the report and requested Executive to submit the savings in the draft 2007/08 Annual Efficiency Statement for approval as part of the Council's overall submission.

(Report circulated)

43 Pensions for Councillors

The Assistant Chief Executive presented the report to consider the recommendations of the Independent Panel on Councillors' Allowances in relation to the payment of pensions to Councillors.

Although the Local Government Pension Scheme was significantly changed on 1 April 2008 the position with regard to Councillors' pensions remained unchanged. The Department of Communities and Local Government were currently considering the best approach to managing the pension arrangements for elected members especially in the light of the report of the Councillors Commission published in December 2007. The report contained recommendations relating to allowances and pension provisions for Councillors. The Government's response to the recommendations was awaited following which a consultation would take place with stakeholders inviting comments on how pension provisions should be shaped in the light of the changes to the Local Government Pension Scheme.

The Assistant Chief Executive informed the Committee that they need to give consideration to the implications and benefits of allowing Councillors to join the Local Government Pension Scheme and make recommendations to Executive. No other Devon authority enabled Councillors to join the pension scheme.

Members discussed the merits of Councillors pensions. Whilst some Members felt that not enough people were encouraged to stand as a local councillor they thought that to introduce pensions was not a good use of resources and it would not have the desired effect of encouraging people to stand at local elections. Other Members felt that should a Councillor wish to join the scheme they should have the option as they may have had to reduce their own pension contributions in order to serve as a councillor.

Scrutiny Committee – Resources:-

- (1) noted the recommendation of the Independent Remuneration Panel that Councillors should be permitted to join the Local Government Pension Scheme; and
- (2) recommended to Executive that the Independent Remuneration Panel recommendation be rejected.

(Report circulated)

MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - RESOURCES

44 Revenue Final Accounts 2007/08

The Head of Treasury Services presented a report to advise Members of the overall financial performance of Resources Committee revenue accounts for the financial year ended 31 March 2008.

A copy of Appendix A of the report was circulated to Members.

The total variances of £48,769 had increased the overall net expenditure for this Committee to £5,552,919, which represented an increase of 0.89% from the revised budget. The previous forecast for the nine month period indicated an underspend of £198,890 with most of the actual movement since being in respect of a net reduction of subsidy for Housing Benefits.

In answer to a Member's question, the Head of Treasury Services confirmed that in the section Human Resources (6B3) the savings in employee costs were true cash savings and the extra budget for training would come from next year's budget.

A Member raised a question regarding the possible sharing of IT Services. The Head of Treasury Services, stated that the Council had already identified this as a priority for a unitary council.

The Scrutiny Committee- Resources noted the report.

(Report circulated)

45 **Workforce Profile Report 2007/08**

The Head of Human Resources presented the report which updated the Committee with a comprehensive workforce profile for the Council between April 2007 and March 2008. This report provided benchmarking and statistical data from a local, regional, national or industry basis and highlighted any developing trends, areas for concern or interventions where evident.

The Head of Human Resources outlined the main strands of the workforce profile in this report which concentrated on Baseline Workforce Data; Turnover; Sickness Absence; Overtime; and Equality. In a tightening Labour market the council would need to look at the unique selling points for working for Exeter City Council including such benefits as home and mobile working.

Members raised concerns regarding gender appointments both in the lower grades and Senior Management Posts.

The Head of Human Resources stated that the figures for the Grades 1 to 7 showed that the percentage of female applicants for these positions was lower than male applicants although more females were successful; this was not as a result of any bias on the Council's behalf and was purely coincidence. As there was only a small percentage of Senior Management Posts, the percentage figures in the report were volatile and could vary significantly from small changes.

A Member suggested that to have the figures for the Senior Management Posts over a 5 year period would show a more realistic picture of the percentages.

The Scrutiny Committee - Resources noted the contents of the report and supported the way forward as outlined in the circulated report.

(Report circulated)

46 **Annual Training Report**

The Head of Human Resources presented the report summarising the Member and employee training and development activities undertaken during 2007/08 and the administration and support function of the corporate training section.

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

(Report circulated)

47 **Project Review - Expansion of the Customer Service Centre**

The Head of Corporate Customer Services presented a report to update Members on the recent Capital project which expanded the Customer Service Centre to accommodate an increase in the services provided from within it. This also required a number of office moves within the rest of the organisation and included the enhancement of the Council's switchboard.

The Head of Corporate Customer Services confirmed that whilst a strict and tight deadline was set for all aspects of this project, detailed programming at an early stage both in respect of costing and timescale, paid dividends in the long run, with the project hitting all of the deadlines that had been set whilst also remaining within the budget set.

Members welcomed the successful expansion of the Customer Service Centre and expressed their appreciation for the hard work of the staff involved in the planning and delivery of the newly expanded Customer Service Centre. Members also thanked the front line staff for their professionalism and excellent Customer Service.

The Scrutiny Committee - Resources noted the contents of the report.

(Report circulated)

48 Members' Allowances Paid 2007/08

The Assistant Chief Executive presented the report setting out the allowances paid to Councillors in 2007/08.

The Scrutiny Committee - Resources noted the allowances paid to Councillors in 2007/08.

(Report circulated)

The meeting commenced at 5.30 pm and closed at 8.50 pm

Chair

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STANDARDS COMMITTEE

Wednesday 4 June 2008

Present:-

Professor B Kirby (Chair)
Councillors Mrs Danks, D J Morrish, Newcombe, Starling and Winterbottom

Also Present

Assistant Chief Executive and Member Services Manager

9

MINUTES OF PREVIOUS MEETING

The minutes of the Standards Committee held on 25 March 2008 were taken as read and signed by the chair as correct.

10

DECLARATIONS OF INTEREST

No declarations of interest were made.

11

LOCAL ASSESSMENT OF COMPLAINTS

The report of the Monitoring Officer was submitted informing members that with effect from 8 May 2008 the Local Government and Public Involvement in Health Act 2007 transferred the responsibility of dealing with complaints of alleged breaches of the Code of Conduct by members from the Standards Board for England to the Standards Committees of local authorities. The report summarised the main provisions of the Standards Committee (England) Regulations 2008 and set out the responsibilities of the Standards Committee and the Assessment and Hearings Sub-Committees. The Standards Board Guidance on the local assessment of complaints and "toolkit" on Standards Committees had also been circulated.

The Assistant Chief Executive/Deputy Monitoring Officer reported that the recruitment process for the third independent member of the Committee had commenced with a review of the Role Description and Selection Criteria. Members suggested a number of alternative sources for recruitment in addition to the local media including the websites of Exeter City Council and the Council for Voluntary Service.

RESOLVED that:-

- (1) the contents of the report and the guidance issued by the Standards Board for England be noted;
- (2) the Monitoring Officer be authorised to prepare a suitable procedure for use by the Hearings Sub-Committee whenever this may be necessary; and
- (3) the Monitoring Officer, in consultation with the Chair of Standards Committee, be authorised to set up and advertise the procedure to be used by the Standards Committee when dealing with any allegation that a member has breached the provisions of the Code of Conduct

(Report circulated)

12

REVIEW AND FUTURE WORK PROGRAMME OF STANDARDS COMMITTEE

The report of the Assistant Chief Executive/Deputy Monitoring Officer was submitted reviewing the recent work undertaken by the Standards Committee and considering the future work programme of the Committee.

The Committee emphasised the importance of all members being clear about the rules regarding the declaration of interests and requested the Monitoring Officer to arrange further training, including showing the Standards Board DVD again. The Assistant Chief Executive/Deputy Monitoring Officer informed the Committee that, in consultation with the Chair of the Committee, consideration was being given to who would present and answer questions on the minutes of Standards Committee at Council. Members also raised the issue of the Councillor Development Group reporting to the Standards Committee, as had been previously agreed by the Standards Committee and Council.

RESOLVED that:-

- (1) the work undertaken by the Standards Committee since the last review be noted;
- (2) the proposed future work programme set out in the report be agreed; and
- (3) the Monitoring Office be requested to arrange further training for all Councillors in relation to the Members' Code of Conduct and specifically the rules regarding the declaration of interests.

(Report circulated)

13

STANDARDS BOARD - UPDATE ON ITEMS

The Assistant Chief Executive/ Deputy Monitoring Officer circulated an update on the number and nature of recent allegations submitted to the Standards Board for England.

The Standards Board had received a total of 2869 allegations in the period 1 April 2007 to 31 March 2008 compared with 3549 for the same period in the previous year. 67% of allegations had been made by members of the public, 27% by fellow Councillors and 5% by Council employees. 50% of allegations related to parish/town Councils and 22% to district councils. 14% of allegations were referred for investigation. Of these, 25% related to prejudicial interests, 12% alleged using the position to confer or secure an advantage or disadvantage, 11% to bringing the authority into disrepute, 11% to failure to treat others with respect and 10% to personal interests. In 58% of cases no further action had been taken and in 33% of cases there had been no evidence of a breach of the Code of Conduct. 5% of cases had been referred to a Monitoring Officer and 4% to the Adjudication Panel for England.

The Assistant Chief Executive/Deputy Monitoring Officer reported that the Standards Board for England had advised the Monitoring Officer that it had received a complaint from an Exeter City Councillor regarding the alleged conduct of two other Councillors in relation to claims made in election literature. The Standards Board had taken the view that election leaflets are not produced in a member's official capacity and are therefore outside the scope of the Board.

The Board had commented that they considered the electorate “to be generally adept at weighing the claims and counter-claims of the political parties” and it was not their role to intervene in that aspect of the democratic process. Having taken account of the available information, the Standards Board did not believe that a potential breach of the Code of Conduct had been disclosed and therefore had not referred the allegation to an Ethical Standards Officer.

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

Chair

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FINAL ACCOUNTS COMMITTEE

Wednesday 25 June 2008

Present:-

Councillor Adrian Fullam (Chair)
Councillors M A Baldwin, Cole and D J Morrish

Also Present:-

Chief Executive, Head of Treasury Services, Corporate Finance Manager and Member Services Officer (SJS)

1 **ADJOURNED MEETING**

This meeting of the Committee replaced that scheduled for 24 June 2008 which was inquorate and had been adjourned.

It had been adjourned to 25 June 2008.

2 **MINUTES**

The minutes of the meeting held on 26 June 2007 were taken as read and signed by the Chair as correct.

3 **DECLARATIONS OF INTEREST**

No declarations of interest were made.

4 **FINAL ACCOUNTS: 2007/08**

The Head of Treasury Services presented the report seeking Members' adoption and approval of the Council's financial statements for 2007/08.

In answer to a Member's question, the Corporate Finance Manager stated that the other statutory debts of more than one year old included all the council services debts. The provision for bad debts was £621,000; the Council was in the process of employing debt collectors to help recover the older outstanding debts.

In answer to a question from the Chair regarding housing benefits, the Head of Treasury Services confirmed that there was an overspend in the housing benefit payments of just under £245,000. This had arisen due to payments being more than budgeted and this had not been sufficiently compensated for by the subsidy that the Council had got back from the Department for Work and Pensions. In percentage terms, the overall overspend was the equivalent to only 0.78% of the housing benefits payments budget.

RESOLVED that:-

- (1) the use of capital finance, as set out in the circulated report, be approved;
and
- (2) the Statement of Accounts for 2007/08 be approved.

(Report circulated)

(The meeting commenced at 5.30 pm and closed at 6.00 pm)

Chair

LOCAL GOVERNMENT REVIEW COMMITTEE

Thursday 29 May 2008

Present:-

Councillor Peter Edwards (Chair)
Councillors M A Baldwin, Boyle, Coates, Mrs Henson, D J Morrish and Shepherd

Also Present

Chief Executive, Director Community and Environment, Director Corporate Services and Member Services Manager

1 DECLARATIONS OF INTEREST

No declarations of interest were made.

2 TERMS OF REFERENCE

The Committee noted the decision of the Liberal Democrat group not to participate in the Local Government Review Committee prior to the receipt of the Boundary Committee report.

Members expressed their disappointment that nominations had not yet been made by the Liberal Democrat group to their three places on the Committee allocated by Council and at the decision of the group not to participate in the Committee at this stage. They requested that their concerns be recorded in the minutes.

Draft terms of reference of the Committee, in accordance with the Motion agreed by Annual Council on 13 May 2008, were circulated. The Chief Executive confirmed that Council had given the Local Government Review Committee responsibility for the promotion of the Council's bid for unitary status for Exeter, in accordance with Council policy, in addition to the allocation of resources. He undertook to inform the Boundary Committee of the Council's resolution that the Chair of the Local Government Review Committee would be the Council's spokesperson and lead councillor on all unitary matters.

RESOLVED that:-

- (1) the following terms of reference for the Local Government Review Committee be noted:
 1. To be responsible for all issues arising from the Council's policy to seek the creation of a unitary authority for a Greater Exeter in accordance with the policy determined by Council.
 2. To allocate, as it determines necessary, those Council resources (staff, finance, assets) required for the promotion and delivery of the Council's objective of securing unitary status for Exeter.
 3. Through the Chair of the Committee, as the Council's official spokesperson on local government review matters, to report directly and be accountable to full Council on all matters concerning local government review.

- (2) the Chair of the Committee provide a brief factual statement to the local media regarding the establishment and role of the Local Government Review Committee; and
- (3) the Chief Executive inform the Boundary Committee of the establishment and remit of the Local Government Review Committee and the Council's resolution that the Chair of the Local Government Review Committee would be the Council's spokesperson and lead councillor on all unitary matters.

3 UPDATE ON WORK TO SUPPORT THE BOUNDARY COMMITTEE'S REVIEW OF LOCAL GOVERNMENT STRUCTURES IN DEVON

The Chief Executive updated the Committee on the current position in respect of the Boundary Committee's review of local government structures in Devon and work that had been undertaken to support the review.

He reported that it was anticipated that the Boundary Committee would announce which proposals would be put forward for public consultation on 7 July 2008. The strict legal framework within which the Boundary Committee operated required them to indicate one preferred option though it was anticipated that they will devise a means to consult on more than one option.

Whilst it was important to continue to promote the Council's case for unitary status, the Boundary Committee had stated that public opinion alone would not be the deciding factor. It expected all opinions to be validated with substantive supporting evidence.

The Chief Executive reported that the Council had been in dialogue with a wide range of stakeholders, including the business and voluntary sectors, over a long period. The Council would be inviting parish councillors to participate in discussions at the appropriate time.

Members identified the Education sector as a critical area requiring particular attention in the coming months in order to provide head teachers and school governors with accurate information and address their concerns.

The Director Community and Environment reported on Devon County Council's series of listening events in support of their own proposals for a single unitary authority for Devon excluding Torbay and Plymouth Councils.

RESOLVED that the current position in relation to Exeter City Council's submission to the Boundary Committee be noted.

4 COMMUNICATIONS STRATEGY

The Committee discussed the Council's Communications Strategy in relation to the Council's unitary bid.

The Chief Executive advised the Committee that an edition of the Citizen would be circulated in June with a major feature on the local government review. He proposed that a programme of engagement with stakeholders including special interest groups should be rolled out over forthcoming months. He reported that it was planned to engage further communications support shortly and he would give consideration to members' suggestion to engage specific campaign management support.

Members acknowledged the importance of continuing to promote the benefits of Exeter's case whilst also addressing the negative impact of alternative options and dispelling misplaced concerns. It would be particularly important to emphasise that continuation of the present two-tier system was not an option. The Committee discussed the merits of undertaking further polls but recognised that work on this could not commence until the Boundary Committee's options were announced and that timing would be a difficult factor. It was agreed to consider this further at the next meeting of the Committee.

RESOLVED that further consideration be given to the Council's Communications Strategy in relation to the unitary bid at the next meeting of the Committee.

5

DATE OF NEXT MEETING

It was agreed to hold the next meeting of the Committee on **Monday 7 July 2008** at 5.30pm.

(The meeting commenced at 5.30 pm and closed at 6.55 pm)

Chair

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LOCAL GOVERNMENT REVIEW COMMITTEE

Monday 7 July 2008

Present:-

Councillor Peter Edwards (Chair)
Councillors Mrs Henson, M A Baldwin, Boyle, Coates, Fullam, Mitchell, D J Morrish and Shepherd

Also Present:-

Chief Executive, Director Economy and Development, Assistant Chief Executive and Members Services Officer (HB)

6

MINUTES

Subject to the inclusion in Min. Nos. 1 to 4 of the following - "Councillor Boyle declared a personal interest as an employee of Devon County Council outside the Greater Exeter area" - the minutes of the meeting held on 29 May 2008 were noted.

7

DECLARATIONS OF INTEREST

Members declared the following personal interests as indicated:-

COUNCILLOR	MINUTE
Councillor Boyle	8, 9 and 10 (employee of Devon County Council outside the Greater Exeter area)
Councillor Mitchell	9 (employee of the RD&E NHS Foundation Trust)

8

ANNOUNCEMENT OF THE BOUNDARY COMMITTEE

Councillor Boyle declared a personal interest as an employee of Devon County Council outside the Greater Exeter area.

The Chief Executive reported on the Boundary Committee's announcement on the future of local government in Devon. Its draft preferred proposal for Devon was:

- A Devon unitary authority comprising the existing County of Devon, with no change to Plymouth and Torbay.

Notwithstanding the restriction upon them imposed by the 2007 Act, the Boundary Committee had also: - "in undertaking the review in Devon identified a further pattern, that, in our judgement might also meet the Secretary of State's criteria against which our draft proposal can be assessed". This was:

- An Exeter and Exmouth unitary authority and a unitary authority covering the remainder of the county, with no change to Plymouth or Torbay

There would be a period of 12 weeks up to 26 September 2008 when the recommendations of the Boundary Committee would be subject to consultation. The

Committee would then consider all the representations they had received and start to formulate its final advice which it had been asked to submit to the Secretary of State by 31 December 2008. The Government's final decision would be announced in early 2009.

Members considered that a unitary Devon would be untenable as it lacked democratic accountability, offered a weak governance solution for Exeter and would lead to increased costs to the council tax payer in the City after years of low tax levels. It was also felt that the proposal provided little scope for place shaping as sought by the Government.

The Chair welcomed the opportunity to consult on an enlarged Greater Exeter and Exmouth authority comprising these two urban areas and surrounding parishes including Woodbury and Lypstone. He stated that the four group leaders had supported this option in principle.

The Leader of the Liberal Democrat group stated that although he had voted against the original Greater Exeter proposal, he supported in principle an extended local authority area encompassing Exmouth which he felt was viable. He stressed that his group had not yet formally discussed this option.

RESOLVED that the current position be noted.

9

COMMUNICATIONS STRATEGY

Councillor Boyle declared a personal interest as an employee of Devon County Council outside the Greater Exeter area.

Councillor Mitchell declared a personal interest as an employee of the RD&E NHS Foundation Trust.

The Assistant Chief Executive presented the report on the development of a draft Communications Strategy which aimed to inform the public about the implications of the options produced by the Boundary Committee for England as a result of their review of local government structures in Devon. The Strategy would be developed to be a working document with a detailed timetable and key milestones and would cover the responses to the options identified, the key messages that the Council would communicate to various stakeholders and the approach that the Council might take locally and nationally, as appropriate.

Members supported the report emphasising the importance of engaging external support to communicate key messages, not only locally but also nationally. With reference to the importance of encouraging an enhanced feeling of civic pride, it was recognised that residents outside Exeter should be included in this process and that it would be vital now to fully consult with all interested parties on the proposals for an enlarged authority for Exeter and Exmouth. It was anticipated that the continuity of the adjoining parish councils as well as Exmouth Town Council within a new authority would be assured.

The cost of implementing the Communications Plan would be met out of the budget of £150,000 sought which would also cover any necessary communications activity at national level.

RECOMMENDED that, subject to the approval of the budget, the draft Communications Strategy be approved.

(Report circulated)

**BUDGET TO DEVELOP THE COUNCIL'S RESPONSE TO THE
RECOMMENDATIONS OF THE BOUNDARY COMMITTEE FOR ENGLAND**

Councillor Boyle declared a personal interest as an employee of Devon County Council outside the Greater Exeter area.

The Assistant Chief Executive presented the report seeking Members' endorsement for expenditure arising from the options proposed by the Boundary Committee for England as a result of their review of local government structures in Devon.

Members noted that, in January 2008, the four political group leaders had agreed, in principle, a sum of £100,000 to be used as required to support the work of the Boundary Committee. Confirmation had not been sought from Council as there remained sufficient funds of approximately £30,000 in the previously agreed budget for work related to the City Council's bid for unitary status. A budget of £150,000 was now requested, the Chief Executive emphasising that the figure sought was an estimate as the total amount of work required was unknown at this stage.

Regular reports on expenditure which would be met from the Council's Reserves would be submitted to this Committee.

The Liberal Democrat Members on the Committee felt that it would be premature to authorise the requested expenditure at this stage. Other Members felt that it was vital to proceed immediately with promoting and developing the Exeter and Exmouth unitary option which, without an agreed budget, would not be possible. One Member also felt that it was important not to delay work on developing plans for the new Council in April 2010 and that early work on service planning etc. would be beneficial, particularly for Members to be briefed on emerging plans.

RECOMMENDED that an additional budget of £150,000 be approved.

(Report circulated)

(The meeting commenced at 5.30 pm and closed at 6.40 pm)

Chair

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EXECUTIVE

Tuesday 17 June 2008

Present:-

Councillor Fullam (Chair)
Councillors Cole, Edwards, R M Hannaford, Mrs Henson, Mitchell, Mrs Morrish and Wadham

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

54

MINUTES

The minutes of the meetings of the Executive held on 18 March, 8 April (Special) and 15 April 2008 were taken as read and signed by the Chair as a correct record.

55

DECLARATIONS OF INTEREST

No declarations of interest were made.

56

FOOD LAW ENFORCEMENT PLAN 2008/09

The report of the Head of Environmental Health Services was submitted informing members of the Council's performance against the previous year's Food Law Enforcement Plan and seeking approval to the adoption of the Food Law Enforcement Plan 2008/09.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008 and the support of members was noted.

RECOMMENDED that:-

- (1) the Food Law Enforcement Plan 2008/09 be approved; and
- (2) the Head of Environmental Health Services be authorised to make changes to the Enforcement Plan in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

57

HEALTH AND SAFETY SERVICE PLAN ANNUAL REVIEW

The report of the Head of Environmental Health Services was submitted seeking approval to the Health and Safety Plan for 2008/09 which sets out the functions for regulating health and safety in businesses for the forthcoming year.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008 and the support of members was noted.

RECOMMENDED that the Health and Safety Service Plan 2008/09 be approved.

(Report circulated)

LOCAL AIR QUALITY MANAGEMENT - AIR QUALITY ACTION PLAN

The report of the Head of Environmental Health Services was submitted updating Members on the Council's duties relating to local air quality management and the outcome of the consultation exercise for the proposed Air Quality Action Plan. The report also sought approval to the Plan for 2008-11.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008. Executive shared the concerns of the Committee regarding the impact on air quality of traffic management measures on main City routes and sought reassurance that ward Councillors would be consulted on future proposals.

RECOMMENDED that:-

- (1) a meeting be sought between the Chair of Executive, the Chair of Scrutiny Committee – Community and Devon County Council to seek how the County Council plans to reduce the pollution that is caused along the five routes coming in and out of the City;
- (2) Devon County Council be requested to review the current traffic management arrangements for Sidwell Street, with all local Councillors being involved; and
- (3) Exeter's Air Quality Action Plan for 2008 –11 be approved.

(Report circulated)

HOMELESSNESS STRATEGY 2008-2013

The report of the Head of Housing Services was submitted seeking Members' endorsement of the content of the revised Homelessness Strategy.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008 and the comments and support of members were noted.

The Director Community and Environment identified the key proposals within the revised Strategy reflecting needs identified through the consultation process. Executive welcomed the revised strategy particularly the emphasis on preventing homelessness and supporting clients to move through the varying types of housing. They noted Scrutiny Committee – Community's request for a further report to that Committee providing information on how homelessness decisions relating to vulnerable people were reached.

RECOMMENDED that:-

- (1) the revised Homelessness Strategy document 2008-2013 be adopted; and
- (2) an annual report be submitted outlining progress against the strategy's action plan.

(Report circulated)

PRIVATE SECTOR HOUSING STRATEGY - ANNUAL REVIEW

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.

Scrutiny Committee – Community considered the report at their meeting on 3 June 2008 and the support and comments of members were noted. Executive welcomed the proposed changes to the Strategy identified in the report.

RECOMMENDED that:-

- (1) the changes to the Private Sector Housing Renewal Policy outlined in the report be adopted;
- (2) 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)

CANAL BASIN REGENERATION AREA

The report of the Head of Estates Services was submitted seeking agreement to the appropriation of land held by the Council within the area covered by the Canal Basin Regeneration Scheme for planning purposes to facilitate the delivery of the scheme.

RECOMMENDED that the sites shown shaded on the circulated plan within the Canal Basin area be appropriated for planning purposes to facilitate the Canal Basin Regeneration Scheme.

(Report circulated)

DRAFT ALPHINBROOK CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The report of the Head of Planning Services was submitted seeking agreement to the draft Alphinbrook Conservation Area Appraisal and Management Plan for the purpose of public consultation. Members requested that local ward Councillors are kept informed of public consultation meetings.

RESOLVED that the proposed boundary amendments outlined in section 4 of the report and the draft Conservation Area Appraisal and Management Plan be approved for public consultation.

(Report circulated)

63

CORPORATE PLAN 2007 - 2010 (2008/09 UPDATE)

The report of the Strategic Management Team was submitted seeking approval to the Council's Corporate Plan 2007 – 10 (2008/09 Update). The Assistant Chief Executive reported that the Corporate Plan had replaced the Best Value Performance Plan.

RECOMMENDED that the draft Corporate Plan 2007 – 10 (2008/09 Update) 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)

64

EXETER CITY COUNCIL VEXATIOUS COMPLAINTS POLICY AND GUIDANCE

The report of the Assistant Chief Executive was submitted seeking approval to a policy for dealing with vexatious complaints from customers. The Chief Executive stated that whilst it was likely that the policy would rarely be invoked, it was important to have a procedure in place for dealing with vexatious complaints.

RESOLVED that the corporate Vexatious Complaints Policy be approved.

(Report circulated)

65

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

A schedule of appointments to outside bodies was circulated as proposed by the four Group leaders.

RESOLVED that the proposed appointments to outside bodies as set out in the Appendix to the minutes be agreed where unopposed and **RECOMMENDED** that contested appointments be agreed by Council.

66

MEMBERSHIP OF COMMITTEES

Paragraph 21(9) of Part II of the Local Government Act 2000 precludes members of an authority's executive from also being a member of an overview and scrutiny committee. In accordance with this provision, Councillor Wardle was nominated as a member of Scrutiny Committee – Community to replace Councillor Edwards who is a member of Executive.

RECOMMENDED that Councillor Wardle be appointed to Scrutiny Committee – Community to replace Councillor Edwards.

67

POST OFFICE CLOSURE - URGENT BUSINESS

The Chief Executive reported that he had received from the Post Office details of the schedule of proposed closures of post offices which included four within Exeter: Union Road, Queen Street, Pinhoe Road and Foxhayes. The Chair agreed to accept this item for consideration as a matter of urgency since the consultation period for the programme would end on 30 June.

Members expressed their strong opposition to the proposed closures. They noted that the particular branches identified for closure had amongst the highest number of customer transactions, between 750 and 1500 per week, of the 45 branches

proposed for closure throughout Devon. In each case alternative facilities were in excess of half a mile away.

A number of branches had been lost in previous closure programmes and this had increased the pressure on remaining branches. Members were particularly concerned about the impact on elderly customers and those with disabilities who would have difficulty in accessing alternative branches. Additional car journeys would also increase pollution. In addition to the service provided, the post office fulfilled an important social function for many people. In the event of closures going ahead, members suggested that local authorities should work together to consider other models for the provision of services such as within supermarkets.

Councillor Hannaford, seconded by Councillor Mitchell, proposed the following motion:

“Exeter City Council strongly opposes the continuing erosion of essential and well-used Post Office outlets in the city.

It considers that the closure of the four Exeter branches proposed in this latest round of cuts will lead to real problems of accessibility to a vital community facility. The impact will fall disproportionately on elderly residents and on communities already suffering from relative social and economic disadvantage.”

The motion was agreed unanimously.

RESOLVED that the Chief Executive be requested to respond to the Post Office consultation in the terms set out in the agreed motion.

68 **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 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

69 **LEISURE AND MUSEUMS RESTRUCTURE**

The report of the Head of Leisure and Museums was submitted setting out proposals for the restructuring of the Leisure and Museums Unit in order to create future savings in the revenue budget.

Scrutiny Committee – Community considered the report at their meeting on 3 June and expressed concern at the reductions in services that would be necessary as a result of the proposals. Some Executive members were also concerned at the proposals and proposed that the recommendations should be referred back in order that savings could be identified from across both the leisure and museums services. It was also felt by some members that the proposed restructure was a retrograde step. Members were particularly concerned at the impact of the termination of services such as the Splash Holiday play scheme in disadvantaged areas. Whilst regretting that such measures were required, Portfolio Holders acknowledged the need to make savings to avoid over-expenditure on the budget. They considered that it was preferable to take forward any proposed reductions in services in a planned manner rather than in response to circumstances as they arose and which might result in compulsory redundancies.

Members were pleased to note those events and activities identified which it was hoped may continue to be delivered in future by other agencies and organisations. In response to the particular concerns expressed by Scrutiny members regarding the Splash Holiday scheme, an amendment to the recommendations was proposed to delete the reference to the termination of the scheme in May 2009 and the deletion of the Splash Co-ordinator post in order to give more time to attempt to identify alternative funding sources.

RESOLVED that:-

- (1) the employment of the holder of the post of Community Outreach Manager (CE 12121) be terminated on the grounds of redundancy as from 31 March 2009, he be paid a compensation payment in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination)(Discretionary Compensation)(England and Wales) Regulations 2006 and that his post be deleted on that date;
- (2) the post of Play Development Manager (CE 12122) be deleted immediately and savings from this year's budget of £27,100 inclusive of on-costs be used to fund the extension of the post of Temporary Countryside Ranger (CE 12236), and the remainder be used to assist the funding of the costs of redundancy and early retirement of the Community Outreach Manager;
- (3) the post of Temporary Countryside Ranger (CE 12236) be extended from 11 December 2008 until 31 March 2009;
- (4) the post of Part-time Splash Holiday Co-ordinator (CE 12205) be extended to 31 May 2009; and
- (5) the new staffing structure for the Leisure & Museums Unit set out in Appendix II to the report be approved with effect from 1 April 2009, and the Head of Leisure & Museums be authorised to transfer services and functions as appropriate.

(Report circulated to Members)

In accordance with Standing Order 43, Councillors Edwards and Mrs Henson requested that their names be recorded as having voted against the resolution.

70

HOUSING LANDLORD SERVICE RE-STRUCTURE

The report of the Head of Housing Services was submitted proposing a restructuring of the Housing Services Unit to support the service improvement plan.

RESOLVED that:-

With immediate effect:

- (1) the four Rent Officers (Post numbers CE 06138, 06139, 06140, 06165) are moved from the Tenancy Services Team into the new Income Recovery Team and that their posts are renamed Income Recovery Officers;
- (2) the Housing Support Manager (Post number CE06191) becomes the Income Recovery Manager;
- (3) the current honorarium paid to the Tenancy Services Manager (Post number CE 06190) is ended;

- (4) the Tenant Liaison Officer (post number CE06213) moves from the Tenant Participation Team into the Tenancy Services Team as a Housing Assistant;
- (5) the Clerical Assistant (post number CE 06123) becomes a Housing Assistant and moves from the Housing Support Team into the Tenancy Services Team;
- (6) a new post of Housing Assistant Team Leader is created within the Repairs and Technical Services Section; and
- (7) the post of the successful Housing Assistant is deleted once they have started their new role.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.10 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 15 July 2008.

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EXETER CITY COUNCIL

**EXECUTIVE
17 JUNE 2008**

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

Names in bold in the second column are nominations made by the Group Leaders at a meeting on 16 June and are to be read in conjunction with the report on the Executive agenda.

<u>BODY AND TERM OF OFFICE</u>	<u>NOMINATIONS AND EXPIRY OF PREVIOUS APPOINTMENTS</u>	<u>NUMBER OF MEETINGS PER ANNUM</u>	<u>TERMS OF REFERENCE</u>
City Centre Management Partnership 1	Cllr Edwards Cllr Fullam 17.06.2008	4	Improves the quality of the City Centre for residents, businesses and visitors by developing strategies and opportunities to maximise the Centre's vitality and viability. Supports the development of the City of Exeter as the Regional Capital of the South West, to encourage new investment and to provide an economic "engine" for the City and the County of Devon.
Community Safety Partnership 1	Cllr Fullam 17.06.2008	11	The Partnership established following the Crime and Disorder Act 1998 which placed a joint responsibility on local authorities and the Police to reduce Crime and Disorder in local areas.

Councillor Development Steering Group	Cllr Mrs Morrish (Chair) Cllr Cole Cllr Martin Cllr Newton Cllr Winterbottom	4	To advise on the implementation of the Training and Development Strategy for Councillors and promote training and development opportunity.
Devon Authorities Waste Reduction and Re-cycling Committee From 17.06.2008	Cllr Mitchell	3	Co-ordinates the establishment of waste minimisation and recycling schemes whether provided by the County Council, the District Councils or Devon Unitary Authorities, or jointly with each other, with commercial concerns or with community/voluntary groups.
Devon Conservation Forum – Executive From 17.06.2008	Cllr Mrs Henson	6	Aims to promote the wise sustainable use and enjoyment of Devon’s resources. Monitors environmental issues affecting Devon bringing together under one umbrella all who manage the natural and built landscape.
Devon County Council Health and Adult Services Overview and Scrutiny Committee 1	Cllr Newton 17.06.2008	5	To review the implementation of existing policies and to consider the scope of new policies for all aspects of the discharge of the Council’s functions concerning adult social care and community learning and to discharge its functions in the scrutiny of health services.
Devon Playing Fields Association From 17.06.2008	Cllr Mitchell	4	Independent charitable body offering information, advice, support and small grants to its Members. Helps provide playing fields for all sections of the community and properly equipped playgrounds for children. Encourages the full use of all recreational activities.
Exeter and Heart of Devon Economic Partnership 1	Cllr Mrs S.R. Brock 17.06.2008	5	Promotes the economic development of the sub-region comprising Exeter, Mid Devon, East Devon and Teignbridge.

Exeter Archaeological Advisory Committee 1	Labour nomination required Cllr D.J. Morrish Cllr Shiel Cllr Wadham Chair to be appointed by Committee 17.06.2008	3	Committee of City Council Members, professionals and academics from the University and Institutions receiving detailed reports from the AFU on archaeological investigations carried out in Exeter.
Exeter Area Rail Project Working Party 1	Cllr D.J. Morrish Cllr Shepherd Cllr Wadham 17.06.2008	3	Promotes the use of local rail services in the Exeter area and hinterland. Makes recommendations to operators of local train services and lobby them for improvements Develops infrastructure projects at stations, to improve access and waiting facilities for all passengers
Exeter Arts Council From 17.06.2008	Cllr Mrs S.R. Brock Conservative nomination required	6	Independent group funded by the City Council with membership drawn from the major arts and cultural organisations in the City. It encourages creative activities in Exeter, both individuals and groups by providing financial support.
Exeter Business Centre Board 1	Cllr Mrs Henson Cllr Edwards Cllr Mrs S.R. Brock Liberal nomination required Chair to be appointed by Committee 17.06.2008	4	The Board oversees the affairs of the Business Centre.
Exeter Citizens Advice Bureau From 17.06.2008	Cllr Newcombe	4	Committee of Management managing the Bureau. CAB provides advice and guidance to the public.

Exeter Council for Sport and Recreation From 17.06.2008	Cllr Mitchell Conservative nomination required	6	To encourage and promote increased participation in sport, recreation and play in the Exeter district in co-operation with Exeter City Council, Devon County Council and other interested organisations.
Exeter Canal and Quay Trust Ltd. 1	Cllr P.J. Brock Cllr Mrs S.R. Brock Cllr Edwards Cllr Newcombe Cllr Shepherd Cllr Sheldon Cllr Starling Cllr Winterbottom 17.06.2008	3	The preservation of land, buildings and other features of beauty or historical or architectural interest in or around the Exeter Canal and Quay Basin; The promotion and encouragement of high standards of architecture, building and town planning and the promotion of civic pride in the Area; The promotion and support of musical, artistic, educational and other cultural activities within the Area; and The promotion and support of community participation in any form of healthy recreation involving waterborne sports in the Area.
Exeter College Corporation 4	Cllr Shepherd subject to confirmation by Conservative and Liberal Group Leaders	5	Governing body of Exeter College - makes strategic decisions affecting the College including strategy, policy, quality, financial probity and monitoring.
Exeter Municipal Charities (General List) 4 from 17.06.2008	Cllr Wadham in place of R.C. Lyons – 17.10.2008 Cllr Branston - 20.10.2008 Ald N.W.F. Long - 20.10.2008 Ald W.H.J. Rowe - 17.10.2008 Cllr Winterbottom - 15.10.2008	12	To provide accommodation for people who feel unable to remain in their own homes by reason of failing health or reduced circumstances.
Exeter International Airport Consultative Committee From 17.06.2008	Cllr Mrs S.R.Brock	4	Consultation with respect to any matter concerning the management or administration of the airport which affects the interests of the users, local authorities and organisations as required by the Civil Aviation Act 1982.

Exeter Phoenix Arts Centre Board From 17.06.2008	Cllr Mrs S.R. Brock	6	To promote, maintain, improve, encourage and provide public education in the arts including the arts of drama, music, singing, dance, painting, sculpture, literature, cinematography and handicrafts.
Exeter Social, Health and Inclusion Partnership - Member Forum 1	Cllr D. Baldwin Cllr R.M. Hannaford Cllr Prowse 17.06.2008	4	Oversees the implementation of work associated with health and social inclusion in the City and comprises partners from the public sector, main agencies and voluntary sector working in Exeter.
Exeter Summer Festival Advisory Group 1	Cllr Mrs S.R. Brock Cllr Branston Cllr Bond Cllr Mrs Danks Cllr Newton Chair to be appointed by Advisory Group 17.06.2008	4	To advise on the key Festival objectives.
ISCA Bowls and Bridge Centre From 17.06.2008	Cllr Mrs R Smith	12	Board of Directors
J L Thomas Liaison Group 1	Cllr Choules Cllr Newcombe Cllr Winterbottom 17.06.2008	2	To improve the exchange of information, report upon and monitor instances of nuisance arising from the factory or carriage of waste material and make suggestions for the improvement of the environmental conditions relevant to the operations of the factory.

Local Government Association General Assembly 1	Cllr Fullam 17.06.2008	2	Promotes the interests of local authorities and better Local Government.
Local Government Association South West Branch 1	Cllr M. Baldwin Cllr Edwards Cllr Fullam 17.06.2008	4	South West branch of the Local Government Association.
Lord Mayor of Exeter's Appeal Fund 1	Lord Mayor Cllr Coates Cllr Mrs Danks Cllr Edwards 17.06.2008	n/a	Appeal fund.
Parking and Traffic Regulation Outside London Adjudication Joint Committee 1	Cllr Wadham Conservative or Labour nomination required for Deputy 16.06.2009	At least once a year	Adjudication service for appellants against penalty charge notices including visible independence of adjudicators from the authorities in whose areas they are working.
Royal Albert Memorial Museum Trust From 17.06.2008	Cllr Robson Cllr Wadham	6	To advance the education of the public by the promotion, support, assistance and improvement of the RAMM including its galleries, displays, collections, amenities and facilities.

RD&E Healthcare NHS Trust - Council of Governors From 17.06.2008	Conservative nomination required or Cllr Newton	4	To serve the community by the provision of goods and services for the purposes of the health service in England.
St. Edmunds and St. Mary Major, Exeter 4	Cllr Branston - 09.08.2008	2	To receive either generally or individually persons resident in Exeter who are in conditions of hardship, need or distress with a preference to these persons who are resident in the area of the former Parishes of St Edmunds on the Bridge, St. Mary Major, St. George the Martyr and St. John.
South West Provincial Council 1	Cllr Cole From 17.06.2008	2	Joint negotiating machinery for the South West comprising the employers' side and the trade union side and provides a forum for discussion, debate and negotiation on human resources.
South West Regional Assembly 1	Cllr Fullam 17.06.2008	4	Partnership representing all Authorities and a range of sectors with a role in the region's economic, social and environmental well-being.
South West Water Liaison Group 1	Cllr Mitchell Cllr Robson Conservative nomination required 17.06.2008	3	To improve the exchange of information of the Countess Wear Sewage Treatment Works operated by South West Water and the carrying out of works to improve odour control. Reports upon instances of complaints arising from odours from works and makes suggestions for the improvement of the environmental conditions relevant to the operations of the works.
Topsham Community Association From 17.06.2008	Cllrs Starling or Newby (to be confirmed)	6	Community Association

Topsham Mooring Owners Association From 17.06.2008	Conservative nomination required	7	Manage moorings in the Topsham area on the basis of a lease of the river bed from the Crown in the best interests of their members who pay to have a licence for the spot to lay a mooring for their boat.
Topsham River Commissioners Under the Exeter Port Dues Act 1840 From 17.06.2008	Cllr Newby Cllr Sheldon Cllr Starling	5	Responsibilities for cleaning and keeping clear the channel leading to and around the public quay at Topsham and improving and preserving the navigation of the river in this area.
Turntable Furniture From 17.06.2008	Cllr Newcombe	6	To collect donated furniture and supply to people on low incomes referred to the Project by Social Workers, Health Visitors and other support workers.
Young Single Persons Housing Forum From 17.06.2008	Cllr R.A. Hannaford	4	Independent Forum bringing together agencies concerned with the housing issues of young people.

ASSISTANT CHIEF EXECUTIVE

17 June 2008

EXECUTIVE

Tuesday 1 July 2008

Present:-

Councillor Fullam (Chair)
Councillors S Brock, Cole, Edwards, R M Hannaford, Mrs Henson, Mitchell, Mrs Morrish and Wadham

Chief Executive, Director Corporate Services, Assistant Chief Executive, Head of Treasury Services and Member Services Manager

71 DECLARATIONS OF INTEREST

No declarations of interest were made.

72 GRANTS COMMITTEE

RESOLVED that the minutes of the meeting of the Grants Committee held on 19 June 2008 be received and, where appropriate, adopted.

73 CAPITAL MONITORING 2007- 08 AND REVISED CAPITAL PROGRAMME FOR 2008 - 09 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 2007-08 financial year, in respect of the annual capital programme and seeking approval of the 2008-09 revised capital programme, including commitments carried forward from 2007-08.

Scrutiny Committee – Resources considered the report at their meeting on 18 June 2008 and the support and comments of members were noted.

The Head of Treasury Services reported that the actual expenditure during 2007-2008 represented 88.5% of the revised Capital Programme. This was an improvement on the previous year when 86.4% of the Programme had been spent and a significant improvement over preceding years.

Some members expressed concern at the overspend arising from the higher than anticipated level of referrals from Social Services Occupational Therapists and enquired whether the work was undertaken in-house as had previously been proposed. The Portfolio Holder responded that a post was jointly funded with Devon County Council. Other members considered that difficulties were exacerbated by the fact that Housing and Social Services were delivered by two separate authorities. Another member queried the reason for the overspend in relation to asbestos removal works. The Chief Executive responded that an officer from the Community and Environment Directorate would advise members of the position in respect of these issues.

RECOMMENDED that:-

- (1) the overall financial position for the 2007-08 annual capital programme be noted; and

- (2) the amendments to the Council's annual capital programme for 2008-09 be approved.

(Report circulated)

74

OVERVIEW OF THE REVENUE BUDGET 2007 - 2008

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 2007-2008 financial year ended 31 March 2008.

Scrutiny Committee – Resources considered the report at their meeting on 18 June 2008 and the support and comments of members were noted. Executive noted the intention of Scrutiny Committee – Resources to set up an all-party working group to consider the budget savings proposals for 2009/10.

Executive congratulated Treasury Services on the effective management of the revenue budget despite increasing pressures.

RECOMMENDED that the report be noted and:-

- (1) the net transfer of £586,172 to Earmarked Reserves as detailed in paragraph 3.14 of the report be approved;
- (2) supplementary budgets totalling £380,580, as detailed in paragraph 3.12 of the report be approved;
- (3) Earmarked Reserves at 31 March 2008 be noted;
- (4) by taking into account the overall financial position of the Council as set out in paragraph 3.11 of the report, the General Fund working balance at 31 March 2008 be approved at £6,354,876; and
- (5) the Housing Revenue Account working balance at 31 March 2008 be approved at £2,848,591.

(Report circulated)

75

TREASURY MANAGEMENT 2007- 08

The report of the Head of Treasury Services was submitted, reporting the overall performance for the 2007-2008 financial year and the position regarding investments and borrowings at 31 March 2008. The Head of Treasury Services reported minor variations to the table in paragraph 2.1: the actual interest earned from the portfolio was £1,358,335, thereby increasing the variation in net interest to £106,733. The decrease in interest resulted from improved delivery and higher expenditure of the capital programme.

Scrutiny Committee – Resources considered the report at their meeting on 18 June 2008 and the support and comments of members were noted. Executive members were also pleased to note that the investment manager had outperformed the benchmark during the past financial year, particularly in view of the considerable challenges presented by the current financial climate. The fund manager had responded to the Council's comments and performance continued to be monitored on a monthly basis.

RECOMMENDED that the Treasury Management report for the 2007-2008 financial year be noted.

(Report circulated)

76

ANNUAL GOVERNANCE STATEMENT

The report of the Head of Treasury Services was submitted, setting out the proposed Annual Governance Statement to be included within the Council's Annual Statement of Accounts for 2007/08.

Scrutiny Committee – Resources considered the report at their meeting on 18 June 2008 and the support and comments of members were noted.

RECOMMENDED that the Annual Governance Statement be approved for inclusion within the Council's Annual Statement of Accounts for 2007/08.

(Report circulated)

77

"GERSHON" EFFICIENCY SAVINGS

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

Scrutiny Committee – Resources considered the report at their meeting on 18 June 2008 and the support and comments of members were noted. Executive members acknowledged the increasing challenge of identifying achievable savings.

RESOLVED that the contents of the report are noted and the identified savings in the draft 2007/08 Annual Efficiency Statement are approved as part of the Council's overall submission.

(Report circulated)

78

PENSIONS FOR COUNCILLORS

The report of the Assistant Chief Executive was submitted informing the Executive of the recommendations of the Independent Panel on Councillors' Allowances in relation to the payment of pensions to Councillors.

Scrutiny Committee – Resources considered the report at their meeting on 18 June 2008. The views of members of the Scrutiny Committee on the issue and the recommendation of that Committee to reject the recommendation of the Independent Panel were noted. Some Executive members spoke in favour of permitting Councillors to join the Local Government Pension Scheme (LGPS). They drew attention to the detrimental impact on employment pensions in later years for those Councillors who decreased their hours of paid employment or damaged promotional prospects by virtue of the hours dedicated to Council service. Should the Council decide to open the LGPS to Councillors, it was in any case a matter of individual choice for Councillors whether or not to join the scheme. Other Councillors commented on the importance of pensions as part of a package of measures which might encourage people from across a diverse spectrum of the community to stand as Councillors. Since the take-up would probably be small, it was likely that the measure would involve a negligible cost to the Council.

Whilst agreeing that no Councillor should be out of pocket as a result of the position, other members felt that becoming a Councillor should be regarded as a service to the community rather than a salaried post. Members felt that Councillors already had the option to contribute to private pension funds from their allowances. Some Councillors considered that a level of clerical and other support available to assist them to undertake their role was of greater significance than a pension facility.

Executive agreed that it was important to improve the public perception of the work of Councillors, as proposed in the report of the Councillors Commission, to combat the lack of understanding of their role. Public expectations had increased significantly and required even greater levels of commitment from Councillors and members felt that a fundamental review of the allowances scheme was required to examine this. Members agreed that it would be preferable for decisions on the payments of allowances and pensions to be directed by the Government by way of a national formula rather than requiring Councillors to decide on these matters for themselves.

Councillor R M Hannaford proposed and Councillor Mrs Henson seconded a motion to reject the recommendation of the Independent Panel regarding pensions.

RECOMMENDED that the recommendation of the Independent Remuneration Panel that Councillors should be permitted to join the Local Government Pension Scheme is not accepted by the Council.

(Report circulated)

79

CORPORATE CREDIT CARDS

The report of the Head of Audit was submitted, seeking approval to an additional Financial Regulation in respect of credit card usage.

RECOMMENDED that the new Financial Regulation set out in the report be approved and incorporated into the Council's Constitution.

(Report circulated)

80

WAVELENGTH 17 - SURVEY RESULTS

The report of the Assistant Chief Executive was submitted, presenting the main findings of the seventeenth Wavelength survey.

The Assistant Chief Executive reported that the Panel was broadly representative of the demography of the city but due to the under-representation of Black and Minority Ethnic (BME) communities and younger people, the results of the surveys had to be weighted to account for this. In the meantime efforts will continue to engage the BME communities through community and cultural centres and places of worship etc. In response to a question from a member, a breakdown of the survey results on a geographic basis would be provided.

RESOLVED that the main findings of the seventeenth Wavelength survey be noted.

(Report circulated)

81

MEMBERSHIP OF PLANNING MEMBER WORKING GROUP

The Liberal Democrat Group had requested that Councillor Wadham replace Councillor Philip Brock as a member of the Planning Member Working Group.

RECOMMENDED that Councillor Wadham replaces Councillor Philip Brock on the Planning Member Working Group.

82

STANDING ORDERS WORKING GROUP

The first meeting of the Standing Orders Working Group took place on Wednesday 18 June, in accordance with the Notice of Motion agreed at the Annual Meeting of Council on 13 May. The Group comprises the following representatives of the four political groups:-

Councillor David Morrish (elected Chair)
Councillor Coates
Councillor Edwards
Councillor Mrs Henson
Councillor Hobden
Councillor Martin
Councillor Newton

The Assistant Chief Executive, Head of Legal Services and Member Services Manager support and advise the Group.

The Group considered the scope and timescale for their task. Mindful that any successor authority is likely to require a more comprehensive review of the Constitution, the Group agreed to restrict this exercise to a review of those Standing Orders which the members identified as being in more urgent need of revision.

Executive noted that, following a more detailed examination of the specified Standing Orders, the Group planned to submit a report proposing any changes considered necessary to Executive on 30 September 2008 for recommendation to Council on 14 October 2008.

(The meeting commenced at 5.30 pm and closed at 6.35 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 15 July 2008.

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GRANTS COMMITTEE

Thursday 19 June 2008

Present:-

Councillor Vanessa Newcombe (Chair)
Councillors Gale, Sheldon and Winterbottom

Also Present

Director Community and Environment, Head of Economy and Tourism, Principal Accountant (SH), Senior Valuer (TJ), Community Inclusion & Engagement Officer and Member Services Officer (SJS)

10 MINUTES

The minutes of the meeting held on 21 February 2008 were taken as read and signed by the Chair as correct.

11 DECLARATIONS OF INTEREST

A Member declared the following personal (*prejudicial) interests:-

COUNCILLOR	MINUTE
Councillor Newcombe	12*(appointed to the board of Turntable as a council representative) 13*(appointed to the board of CAB as a council representative)

12 RENT GRANT

Councillor Newcombe declared a personal and prejudicial interest as she is appointed to the board of Turntable as a council representative and left the meeting during consideration of the item.

RESOLVED to recommend to Executive that the decision as set out below be implemented in respect of the body indicated;

BODY	RECOMMENDED	COMMENT
Community/Social Need		
Turntable	£1,500	benefits low income families who would otherwise be unable to furnish their homes

(Report circulated)

PROJECT GRANTS

Councillor Newcombe declared a personal and prejudicial interest as she is appointed to the board of CAB as a council representative and left the meeting during the consideration of the item on the Citizen Advice Bureau/Exeter Council for Voluntary Service.

The Director of Community and Environment declared a personal interest in respect of the Citizen Advice Bureau as she is a Member of the Board.

Members were circulated with a letter from a member of the public regarding the application submitted by Home-Start.

RESOLVED to recommend to Executive that the decisions as set out below be implemented in respect of the bodies indicated;

BODY	RECOMMENDED	COMMENT
Community/Social Need		
Citizen Advice Bureau/Exeter Council for Voluntary Service	£5,134	ECVS and ECAB provide excellent services to the people of Exeter. If not approved they will have to find savings from elsewhere which would have an impact on service delivery
Age-Concern	£2,000	this project is in response to research undertaken by Age Concern into vulnerable and depressed older people in Exeter. Age Concern have experience to deliver this project and encourage attendance of target audience
Home-Start	£6,500	last year 28 ECC tenants were supported. These included providing help and support to single parent households, parents with mental health problems, parents with physical disabilities and victims of domestic violence
North Devon Family Mediation Service	DEFER	Members requested that the application be deferred to allow for other funding to be sought to supplement any grant that the Committee may approve

Topsham Bowling Club

REFUSE

the Club has funds carried forward of £26,002. The rent cost including the increase should come from their own funds

(Report circulated)

14

EXETER BARNFIELD THEATRE

The Head of Economy and Tourism presented a report to seek approval for the release of the grant of £10,000 to the Exeter Barnfield Theatre. He confirmed that he had received an updated Business Plan and was satisfied that Exeter Barnfield Theatre was now better placed to address outstanding priorities including the development of its Board and management arrangements.

RESOLVED to recommend to Executive that the grant of £10,000 be approved for the Exeter Barnfield Theatre, 80% of which will be transferred following this Committee meeting and the remaining 20% of the grant to be considered at the January 2009 meeting, along with all other strategic arts grants.

(Report circulated)

(The meeting commenced at 4.30 pm and closed at 5.00 pm)

Chair

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SEATING IN THE GUILDHALL

≡ ≡ ≡ ≡ ≡	Lord Mayor's Chaplain			Deputy Lord Mayor Councillor Mitchell (LD)	Lord Mayor Councillor PA Smith (LD)	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	Councillors	TABLE	Councillors	Councillors
Branston (L)	Mrs Smith (C)	Mrs Henson (C)		Fullam (LD)	Newcombe (LD)
Boyle (L)	Mrs Thompson (C)	M A Baldwin(C)		Cole (LD)	AJ Hannaford (LD)
Wardle (L)	Taghdissian (C)	Coates (C)		P Brock (LD)	Noble (LD)
Robson (L)	Bond (C)	Winterbottom (C)		Wadham (LD)	Newton (LD)
Martin (L)	Starling (C)	Shiel (C)		Hobden (LD)	Mrs S Brock (LD)
Choules (L)	Prowse (C)	Newby (C)		Hannaford RM (LD)	

Cllr Sterry (L)	Cllr Shepherd (L)	Cllr D Baldwin (L)	Cllr Sheldon (L)	Cllr Edwards (L)	Cllr Gale (LIB)	Cllr D Morrish (LIB)	Cllr Mrs Danks (LIB)	Cllr Mrs Morrish (LIB)
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LD: Liberal Democrat : 13
 C: Conservative : 12
 L: Labour : 11
 LIB: Liberal : 4

*Portfolio Holders
 Fullam: Leader
 Hannaford, RM.: Housing and Social Inclusion
 Cole: Business Transformation and Human Resources
 Mitchell: Environment and Leisure
 Wadham: Sustainable Development and Transport
 Brock, Mrs SR: Economy and Tourism

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