

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 14 July 2009

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

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MINUTES

The minutes of the Ordinary meeting of Council held on 28 April 2009 and of the Annual Meeting of Council held on 14 May 2009 were taken as read and signed as correct.

In relation to the meeting on 28 April 2009, a Member declared the following personal interest:

COUNCILLOR	MINUTE
Councillor Prowse	25 (member of Highways and Traffic Orders Committee)

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OFFICIAL COMMUNICATIONS

The Lord Mayor announced the recent death of Alderman and former Lord Mayor Granville Baldwin and the Council held a two minute silence in his memory.

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PLANNING COMMITTEE - 27 APRIL 2009

The minutes of the meeting of the Planning Committee of 27 April 2009 were taken as read.

Members declared the following personal (*prejudicial) interests:

COUNCILLOR	MINUTE
Councillor Choules	*33, *34 and *35 (his wife, his sister-in-law and himself are employees of the University of Exeter and he is a member of the University Council)
Councillor Prowse	34 (student landlord)

RESOLVED that the minutes of the meeting of the Planning Committee held on 27 April 2009 be received.

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PLANNING COMMITTEE - 18 MAY 2009

The minutes of the meeting of the Planning Committee of 18 May 2009 were taken as read.

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

COUNCILLOR	MINUTE
Councillor Choules	*43 (his wife, his sister-in-law and himself are employees of the University of Exeter and Cllr Choules is a member of the University Council)
Councillor Cole	43 (partner is employee of University)
Councillor Prowse	43 (student landlord)

RESOLVED that the minutes of the meeting of the Planning Committee held on 18 May 2009 be received.

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PLANNING COMMITTEE - 1 JUNE 2009

The minutes of the meeting of the Planning Committee of 1 June 2009 were taken as read.

Members declared the following personal interests:

COUNCILLOR	MINUTE
Councillor Prowse	49 (student landlord)
Councillor Shepherd	53 (lives in the vicinity)

RESOLVED that the minutes of the meeting of the Planning Committee held on 1 June 2009 be received.

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PLANNING COMMITTEE - 30 JUNE 2009

The minutes of the meeting of the Planning Committee of 30 June 2009 were taken as read.

Members declared the following personal (*prejudicial) interests:

COUNCILLOR	MINUTE
Councillor Choules	67*(his wife, his sister-in-law and himself are employees of the University and Cllr Choules is a member of the University Council)
Councillor Prowse	67 (Student landlord)

RESOLVED that the minutes of the meeting of the Planning Committee held on 30 June 2009 be received.

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PLANNING COMMITTEE - 7 JULY 2009

The minutes of the meeting of the Planning Committee of 7 July 2009 were taken as read.

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

COUNCILLOR	MINUTE
Councillor Choules	78* and 81* (his wife, sister-in-law and himself are employees of the University and Cllr Choules is a member of the University Council)
Councillor Gale	80* (employed at premises on application)
Councillor Prowse	78 (Student Landlord) 80 (nectar card holder) 81 (Student Landlord)
Councillor Taghdissian	86 (44 Manston Road – lives in vicinity) 86 (17 Clinton Avenue – made representations to the Planning Inspectorate)

RESOLVED that the minutes of the meeting of the Planning Committee held on 7 July 2009 be received.

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LICENSING COMMITTEE - 9 JUNE 2009

The minutes of the meeting of the Licensing Committee of 9 June 2009 were taken as read.

RESOLVED that the minutes of the meeting of the Licensing Committee held on 9 June 2009 be received.

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SCRUTINY COMMITTEE - COMMUNITY - 2 JUNE 2009

The minutes of the meeting of the Scrutiny Committee – Community of 2 June 2009 were taken as read.

RESOLVED that the minutes of the meeting of the Scrutiny Committee – Community of 2 June 2009 be received.

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SCRUTINY COMMITTEE - ECONOMY - 11 JUNE 2009

The minutes of the meeting of the Scrutiny Committee - Economy of 11 June 2009 were taken as read.

A member declared the following personal (*prejudicial) interests:

COUNCILLOR	MINUTE
Councillor P A Smith	*20 (Acting Vice-Chair of Barnfield Theatre), *22 (Chair of Governors - West Exe Technology College)

Resolved that the minutes of the meeting of the Scrutiny Committee - Economy of 11 June 2009 be received.

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SCRUTINY COMMITTEE - RESOURCES - 17 JUNE 2009

The minutes of the meeting of the Scrutiny Committee - Resources of 17 June 2009 were taken as read.

RESOLVED that the minutes of the meeting of the Scrutiny Committee - Resources of 17 June 2009 be received.

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STANDARDS COMMITTEE - 3 JUNE 2009

Professor Brian Kirby, the independent Chair of the Standards Committee presented the minutes of the meeting of 3 June 2009 which were taken as read. He outlined the work undertaken by the Committee over the last year and the main work programme for the forthcoming year. He emphasised the role of the Committee in supporting Councillors in maintaining the high standards of conduct which this Council had achieved and identified the declaration of interests as a potential area of vulnerability which Councillors should bear in mind.

The Lord Mayor recorded the appreciation of the Council for the important work undertaken by the three independent members of the Committee.

RESOLVED that the minutes of the meeting of the Standards Committee of 3 June 2009 be received.

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FINAL ACCOUNTS COMMITTEE - 25 JUNE 2009

The minutes of the meeting of the Final Accounts Committee held on 25 June 2009 were taken as read.

RESOLVED that the minutes of the meeting of the Final Accounts Committee held on 25 June 2009 be received.

45

EXECUTIVE - 16 JUNE 2009

The minutes of the meeting of the Executive of 16 June 2009 were taken as read.

In relation to Minute 73 (Appointment of Representatives to serve on Outside Bodies) the following appointments were agreed:

- Topsham Moorings Owners Association – Cllr Starling to replace Cllr Thompson
- Exeter Summer Festival Advisory Group – Cllr R Smith to replace Cllr Bond
- Licensing Committee – Cllr Thompson to replace Cllr Taghdissian
- Highways and Traffic Orders Committee – Cllr Taghdissian to replace Cllr Prowse
- Planning Committee – Cllr Martin to replace Cllr Choules
- Councillor Development Steering Group – Cllr M Baldwin

RESOLVED that the minutes of the meeting of the Executive of 16 June 2009 be received and, where appropriate, adopted.

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EXECUTIVE - 29 JUNE 2009

The minutes of the meeting of the Executive held on 29 June 2009 were taken as read.

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

COUNCILLOR	MINUTE
Edwards	87* (employee of Stagecoach Devon)

In relation to Minute 84 (Leisure Facilities Management – A New Contract), the Portfolio Holder Environment and Leisure acknowledged the relevance of requirements for the renewal of sports equipment in drafting the contracts.

In relation to Minute 88 (Sustainable Communities Act 2007 – Proposals) and in response to questions regarding the process for the consideration of submissions and the practicality of the proposals, the Leader of the Council emphasised the important role of the Council in facilitating communities' engagement in the process.

In relation to Minute 94 (Progress on RAMM Development Project), Councillor Edwards moved and Councillor Sheldon seconded the addition of a further resolution in the following terms:

“(4) this Council notes with regret that the project is currently running £3 million over budget, with a projected overspend of over £5 million, and deplores the administration's delay in taking the measures needed to get control of the budget for the project.”

It was **RESOLVED**, under Section 100A(4) of the Local Government Act 1972, to exclude the press and public from the meeting during discussion of the proposed amendment on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

Speaking for the amendment, Councillor Edwards recorded his group's concern about the projected overspend on the Museum development and stated the importance of engaging professional advisers on the project.

The Portfolio Holder Environment and Leisure responded that the all-party member working group acted transparently in monitoring the project and quarterly progress reports were being made to the Scrutiny Committee – Resources.

Whilst noting the significant financial implications of the project, other members felt it was inappropriate to apportion blame between the political parties and emphasised that the overriding priority was to complete the project successfully. Other Members commented that, whilst the position was regrettable, past decisions had been taken on the basis of the best information available at the time. English Heritage had themselves acknowledged that the problems were both unforeseen and unforeseeable. Members felt that the Council was adopting the measures and processes necessary to retain control of the expenditure.

In accordance with Standing Order 27(1), a named vote on the amendment was called for, as follows:

Voting for:

Councillors D Baldwin, Branston, Choules, Edwards, Martin, Robson, Sheldon, Shepherd, Sterry and Wardle

(10 members)

Voting against:

Councillors MA Baldwin, Bond, PJ Brock, Mrs SR Brock, Coates, Cole, Mrs Danks, Fullam, Gale, AJ Hannaford, RM Hannaford, Mrs Henson, Hobden, Mitchell, DJ Morrish, Mrs J Morrish, Newby, Newcombe, Newton, Noble, Shiel, PA Smith, Mrs Thompson, Wadham and Mrs R Smith.

(25 Members)

Abstain:

The Lord Mayor (Cllr J Winterbottom), Councillors Prowse and Taghdissian

(3 Members)

The amendment was lost and the substantive Motion was carried unamended.

It was agreed to re-admit the press and public to the meeting under Section 100A (4) of the Local Government Act 1972.

RESOLVED that the minutes of the meeting of the Executive held on 29 June 2009 be received and, where appropriate, adopted.

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

In accordance with Standing Order No 6 Councillor Gale, seconded by Councillor D Morrish, moved a Notice of Motion in the following terms:

“This Council considering the outcome of recent elections believes that:-

- (1) Future local and national elections should not be held on the same day. So as to enable more attention to be given to local matters and spread the workload for election staff;
- (2) A set date and term should be set for parliamentary elections; and
- (3) As voting systems for national and local government elections are under discussion we would make it known that the case for voting by the use of the single transferable vote should be promoted for Exeter.

That the above views be made known to Exeter’s Member of Parliament.”

Speaking for the motion, Councillor Gale reported that whilst canvassing for the Devon County Council elections, the public were more interested in talking about national issues rather than local matters, which he felt was detrimental to the local elections. He also commented on the practical difficulties of having the two election processes running concurrently. He emphasised the advantages of having a fixed term of office for the Government and the benefits for democracy of the single transferable vote.

Other members felt there was logic in having more than one election on the same day and there were benefits in terms of financial and staffing resources. It was inevitable that local elections became an opinion poll for the Government of the day and members regretted that this often resulted in effective local Councillors losing their seats. It was acknowledged the single transferable vote would have benefits

and disadvantages for all political parties at different times and some members felt that alternative methods of voting should be explored.

However, members felt that the pressing concern, rather than separating the elections, was to educate the public about the importance of exercising their democratic rights and ensuring accountability.

The Motion was put to the vote and lost.

48

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

In accordance with Standing Order No 6 Councillor Cole, seconded by Councillor Mitchell moved a Notice of Motion in the following terms:

“Further to the motion of 11 May 2004, expressing this Council’s opposition to the Government’s I.D. card scheme, this Council resolves to:

- (1) affiliate to the No2ID campaign, which already includes MP’s and political parties, as well as other local authorities;
- (2) make representations at every possible stage, reiterating this Council’s opposition to ID cards, voluntary or otherwise;
- (3) take no part in any pilot scheme or feasibility work in relation to the introduction of the national identity card scheme, voluntary or otherwise;
- (4) make it a policy of the Council to ensure that national identity cards, voluntary or otherwise, would not be required to access Council services or benefits unless specifically required to do so by law;
- (5) only co-operate with the national identity card scheme, voluntary or otherwise, where to do otherwise would be unlawful; and
- (6) instruct the Chief Executive to write to the Home Secretary expressing these views and asking him to reconsider his decision to continue with this scheme.”

Speaking for the motion, Councillor Cole updated the Council on the Government’s proposals in respect of ID cards. She expressed her strong concern about the volume of personal information which would be held on Government databases for no discernible purpose and her lack of confidence in the Government’s ability to hold the information securely. She considered this a fundamental threat to individual liberty and challenged the benefits of the identity card scheme given that many terrorists were legitimate UK residents.

Councillor Gale supported the Motion emphasising the opportunity the scheme would present for the misuse of information and the conclusions that would be drawn by an individual’s unwillingness to participate in a voluntary scheme. He commented that developments in technology already enabled extensive personal information to be collated centrally through the use of loyalty and bank cards, CCTV cameras etc.

Councillor Coates, seconded by Councillor Shepherd moved the deletion of the wording after “11 May 2004” and substitution of the following wording “...this Council reaffirms its opposition to the government’s ID card scheme.”

The amendment was put to the vote and agreed.

The amended motion was put to the vote and carried in the following terms:

“Further to the motion of 11 May 2004, this Council reaffirms its opposition to the government’s ID card scheme. “

49

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

In accordance with Standing Order 6, the following Notice of Motion was submitted by Councillor Newby.

“That this Council re-examine the charges to parking on Sunday at all its car parks reverting back to free parking due to the recession. This would be a way of showing that this Council understands the seriousness of the economic struggle that we are all facing and may also encourage Sunday shopping and increase visitors to our great City”.

In view of the financial implications of the proposal, it was agreed to refer the Notice of Motion to Scrutiny Committee – Economy for consideration.

(The meeting commenced at 6.00 pm and closed at 9.12 pm)

Chair