



## Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 17 JULY 2012**, 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 24 April 2012 and the Annual Meeting held on 15 May 2012.	1 - 10
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 16 April 2012	11 - 26
4 Planning Committee - 21 May 2012	27 - 34
5 Planning Committee - 25 June 2012	35 - 46
6 Licensing Committee - 12 June 2012	47 - 52
7 Scrutiny Committee - Community - 29 May 2012	53 - 66
8 Scrutiny Committee - Economy - 31 May 2012	67 - 76
9 Scrutiny Committee - Resources - 20 June 2012	77 - 88
10 Standards Committee - 21 June 2012	89 - 92

11 Executive - 19 June 2012

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12 Executive - 3 July 2012

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

Date: 10 July 2012

Philip Bostock  
Chief Executive

**NOTE: Members are asked to sign the Attendance Register**



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# Agenda Item 1

## THE MEETING OF EXETER CITY COUNCIL

Guildhall  
Tuesday 24 April 2012

The Right Worshipful the Lord Mayor (Cllr S Brock)  
The Deputy Lord Mayor (Cllr Mitchell)  
Councillors Baldwin, Bialyk, Branston, P J Brock, Choules, Clark, Crow, Dawson, Denham, Edwards, Fullam, Hannaford, D J Henson, Mrs Henson, Hobden, Macdonald, Martin, Morris, Mrs Morrish, Mottram, Newby, Newcombe, Payne, Prowse, Robson, Sheldon, Shiel, Spackman, Sutton, Taghdissian, Thompson, Tippins and Wardle

Apologies: Councillors Bull, Cole and Winterbottom

### 13 MINUTES

The minutes of the Special and Ordinary meetings of Council held on 21 February 2012 were taken as read and signed as correct.

### 14 OFFICIAL COMMUNICATIONS

The Lord Mayor placed on record her delight that Her Majesty The Queen and His Royal Highness The Duke of Edinburgh would be visiting Exeter on Wednesday 2 May as part of their Diamond Jubilee tour of the UK. Exeter was the only location for such a visit across the whole of Devon and Cornwall.

### 15 PLANNING COMMITTEE - 20 FEBRUARY 2012

The minutes of the meeting of the Planning Committee of 20 February 2012 were taken as read.

Members declared the following personal interests:

COUNCILLOR	MINUTE
Councillor Prowse	21 (member of Devon County Council) and 24 (student landlord)
Councillor Dawson	21 (member of RSPB)

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 20 February 2012 be received.

### 16 PLANNING COMMITTEE - 19 MARCH 2012

The minutes of the meeting of the Planning Committee of 19 March 2012 were taken as read.

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

COUNCILLOR	MINUTE
Councillor Bialyk	34* and 35* (member of Labour party)
Councillor Choules	34* and 35* (member of Labour party)
Councillor Clark	34* and 35* (member of Labour party)
Councillor Dawson	34* and 35* (member of Labour party)
Councillor Denham	34* and 35* (member of Labour party)
Councillor Edwards	34* and 35* (member of Labour party)

Councillor Macdonald	34* and 35* (member of Labour party)
Councillor Martin	34* and 35* (member of Labour party)
Councillor Morris	34* and 35* (member of Labour party)
Councillor Sheldon	34* and 35* (member of Labour party)
Councillor Spackman	34* and 35* (member of Labour party)
Councillor Sutton	34* and 35* (member of Labour party)

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 19 March 2012 be received.

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**LICENSING COMMITTEE - 14 FEBRUARY 2012**

The minutes of the meeting of the Licensing Committee of 14 February 2012 were taken as read.

A Member declared the following personal interest:

COUNCILLOR	MINUTE
Councillor Choules	9 (applicant known to him)

**RESOLVED** that the minutes of the meeting of the Licensing Committee held on 14 February 2012 be received.

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**LICENSING COMMITTEE - 27 MARCH 2012**

The minutes of the meeting of the Licensing Committee of 27 March 2012 were taken as read.

**RESOLVED** that the minutes of the meeting of the Licensing Committee held on 27 March 2012 be received.

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**SCRUTINY COMMITTEE - COMMUNITY - 6 MARCH 2012**

The minutes of the meeting of the Scrutiny Committee – Community of 6 March 2012 were taken as read.

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

COUNCILLOR	MINUTE
Councillor Martin	22 (holder of Parkwood Leisure card)
Councillor Morris	22 (family members have Parkwood Leisure Centre membership)
Councillor Mottram	22* (his company undertook work for Parkwood Leisure)

**RESOLVED** that the minutes of the meeting of the Scrutiny Committee - Community held on 6 March 2012 be received.

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**SCRUTINY COMMITTEE - ECONOMY - 8 MARCH 2012**

The minutes of the meeting of the Scrutiny Committee - Economy of 8 March 2012 were taken as read.

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

COUNCILLOR	MINUTE
Councillor Prowse	18 (Member of Devon County Council)
Councillor Thompson	19* (business arrangements with Eagle One)

**RESOLVED** that the minutes of the meeting of the Scrutiny Committee – Economy held on 8 March 2012 be received.

21 **SCRUTINY COMMITTEE - RESOURCES - 21 MARCH 2012**

The minutes of the meeting of the Scrutiny Committee – Resources of 21 March 2012 were taken as read.

**RESOLVED** that the minutes of the meeting of the Scrutiny Committee – Resources held on 21 March 2012 be received.

22 **STANDARDS COMMITTEE - 4 APRIL 2012**

The minutes of the meeting of the Standards Committee of 4 April 2012 were taken as read.

**RESOLVED** that the minutes of the meeting of the Standards Committee held on 4 April 2012 be received and, where appropriate, adopted.

23 **EXECUTIVE - 20 MARCH 2012**

The minutes of the meeting of the Executive of 20 March 2012 were taken as read.

Members declared the following personal interests:

COUNCILLOR	MINUTE
Councillor Dawson	31 (re Grants Committee Minutes 5 and 6 – Age UK Pride of Place Advocate and daughter attends Stoke Hill Pre-School)
Councillor Denham	31 (re Grants Committee Minutes 4, 5 and 6 - Director of Exeter Phoenix)
Councillor Martin	31 (re Grants Committee Minute 6 – regular contractor for Magic Carpet)

In relation to Minute 37(Appointment of Representatives to serve on Outside Bodies), the following appointments were made:

- (i) Central Exeter Relief in Need Charity – Cllr PJ Brock and Prof. R Snowden were re-appointed
- (ii) St Thomas Church Charities – Mrs M Long was re-appointed

Appointments to Exeter Municipal Charities (General List) and St Edmunds and St Mary Major Charities were deferred.

**RESOLVED** that the minutes of the meeting of the Executive held on 20 March 2012 be received and, where appropriate, adopted.

**EXECUTIVE - 3 APRIL 2012**

The minutes of the meeting of the Executive of 3 April 2012 were taken as read.

In response to a question on Minute 47 (Report of the Car Parks Task and Finish Group), the Portfolio Holder Sustainable Development and Transport informed members that car parking charges were reviewed annually by Executive. The Leader commended the Car Parks Task and Finish Group on its excellent work.

In relation to Minute 48 (Queen Elizabeth II Fields Challenge), Councillor Choules recorded his appreciation to the Council for re-naming part of Wonford Fields in memory of former Councillor and Mayor Ivy Johns.

**RESOLVED** that the minutes of the meeting of the Executive held on 3 April 2012 be received and, where appropriate, adopted.

**RETIRING COUNCILLORS**

On behalf of the Council, the Lord Mayor recorded her appreciation for the invaluable contribution of those Councillors who would not be returning to the Council after the May elections, including retiring Councillors Cole, Hobden, Mrs Morrish and Stone.

The Lord Mayor particularly acknowledged the significant contribution of Councillor Joan Morrish, who had served as an Exeter City Councillor for 21 years and as a Devon County Councillor for nine years and also that of her husband, former Councillor David Morrish. The Leader of the Council presented Councillor Mrs Morrish with a bouquet to mark the occasion. Councillor Mrs Morrish informed the Council that she had found her service as a Councillor both enjoyable and rewarding and recorded her appreciation for the support given to her by colleagues from all parties.

(The meeting commenced at 6.00 pm and closed at 6.25 pm)

Chair

## ANNUAL COUNCIL

Tuesday 15 May 2012

### Present:-

The Right Worshipful the Lord Mayor (Councillor Brock)  
The Deputy Lord Mayor (Councillor Mitchell)  
Councillors Baldwin, Bialyk, Bowkett, Branston, Choules, Clark, Crew, Crow, Dawson, Denham, Donovan, Edwards, Fullam, Hannaford, D J Henson, Mrs Henson, Laws, Leadbetter, Lyons, Macdonald, Martin, Morris, Mottram, Newby, Owen, Payne, Pearson, Prowse, Robson, Ruffle, Sheldon, Shiel, Spackman, Sutton, Tippins, Wardle and Winterbottom

Apologies: Councillor Bull

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### ELECTION OF THE LORD MAYOR

**RESOLVED** on the nomination of Councillor Baldwin, seconded by Councillor Sutton, that Councillor Rob Newby 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.

27

### APPOINTMENT OF DEPUTY LORD MAYOR

**RESOLVED** on the nomination of Councillor David Henson, seconded by Councillor Ruffle, that Councillor Prowse 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.

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### VOTE OF THANKS

**RESOLVED** that the Council record its appreciation for the able and courteous manner in which Councillor Stella Brock and Mr Brock have discharged the duties of Lord Mayor and Lord Mayor's Consort during the past year.

Councillor Winterbottom, on behalf of the Council, presented badges to the retiring Lord Mayor and retiring Lord Mayor's Consort.

The retiring Lord Mayor returned thanks.

**RESOLVED** that the Council record its appreciation for the able and courteous manner in which Councillor Mitchell and Mr Rutland have discharged the duties of Deputy Lord Mayor and Deputy Lord Mayor's Consort during the past year.

The retiring Deputy Lord Mayor returned thanks.

29 **APPOINTMENT OF THE LEADER OF THE COUNCIL AND DEPUTY LEADER OF THE COUNCIL**

Councillor Edwards was confirmed as Leader of the Council. Councillor Edwards confirmed the appointment of Councillor Sutton as Deputy Leader.

**RESOLVED** that Councillor Edwards be confirmed as Leader of the Council and Councillor Sutton as Deputy Leader.

30 **APPOINTMENT OF THE EXECUTIVE AND PORTFOLIO HOLDERS**

The Leader of the Council confirmed his nominations for Portfolio Holders and Executive membership as circulated.

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

<b>Councillor</b>	<b>Portfolio or Group</b>
Edwards P.W	Leader, Budget and Strategic Vision
Martin I.J	Business Transformation and Human Resources*
Hannaford, R.M	Housing and Community Involvement
Sheldon G.N	Environment and Leisure
Sutton R.H	Sustainable Development and Transport
Denham R.C	Economy and Tourism
Henson Mrs Y.A.C	Conservative
Fullam A.A	Liberal Democrat

\* In order to ensure the most effective co-ordination of budgeting and staffing issues in the preparation and delivery of the Council's policy to restructure the Council, it was agreed that the HR function would be assumed by the Leader for this Municipal Year, with advice from the Portfolio Holder.

31 **APPOINTMENT OF COMMITTEES**

Alternative options were submitted by the Liberal Democrat and Conservative Groups in respect of the positions of Chair and Deputy Chair of Scrutiny Committee – Economy. A vote was taken first on these nominations and then on all of the remaining Committee positions.

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

(The meeting commenced at 7.00 pm and closed at 8.20 pm)

Chair



**EXETER CITY COUNCIL**

**EXECUTIVE,  
SCRUTINY AND OTHER COMMITTEES ETC. 2012/13**

**EXECUTIVE (8)**

Edwards, P.W. (Chair)  
Denham, R.C.  
Fullam, A.A.  
Hannaford, R.M.

Henson, Mrs Y.A.C.  
Martin, I.J.  
Sheldon, G.N.  
Sutton, R.H.

**PORTFOLIO HOLDERS**

Edwards, P.W.  
Martin, I.J.

Leader, Budget and Strategic Vision  
Business Transformation and Human  
Resources\*

Hannaford, R.M.  
Sheldon, G.N.  
Sutton, R.H.  
Denham, R.C.

Housing and Community Involvement  
Environment and Leisure  
Sustainable Development and Transport  
Economy and Tourism

\*In order to ensure the most effective coordination of budgeting and staffing issues in the preparation and delivery of the Council's policy to restructure the Council, it is proposed that the HR function will be assumed by the Leader for this Municipal Year, with advice from the Portfolio Holder.

**SCRUTINY - RESOURCES (13)**

Baldwin, M.A (Chair)  
Ruffle, R. (Deputy Chair)  
Bowkett, S.J.  
Branston, R.A.  
Brock, Mrs S.R.  
Bull, P.D.  
Crew, R.B.

Crow, T.  
Henson, D.J.  
Macdonald, M.  
Pearson, O.  
Robson, L.S.  
Spackman, R.D.

**Employee Liaison Forum (5)**

Edwards, P.W. (Chair)  
Baldwin, M.A.  
Crew, R.B.

Henson, D.J.  
Ruffle, R.

**SCRUTINY - COMMUNITY (13)**

Shiel, N. (Chair)  
Mitchell, K.J. (Deputy Chair)  
Bowkett, S.J.  
Branston, R.A.  
Choules, M.  
Clark, M.R.  
Dawson, C.

Donovan, J.J.  
Laws, S.  
Morris, H.  
Mottram, L.W.  
Payne, T.V.  
Tippins, G.M.

### **SCRUTINY - ECONOMY (13)**

Crow, T. (Chair)  
Brock, Mrs S.R. (Deputy Chair)  
Bialyk, P.M.  
Bull, P.D.  
Crew, R.B.  
Choules, M.  
Leadbetter, A.R.

Lyons, R.C.  
Mottram, L.W.  
Pearson, O.  
Prowse, G.J.  
Robson, L.S.  
Wardle, A.J.

### **PLANNING COMMITTEE (13)**

Bialyk, P.M. (Chair)  
Lyons, R.C. (Deputy Chair)  
Denham, R.C.  
Donovan, J.J.  
Edwards, P.W.  
Henson, Mrs Y.A.C.  
Mitchell, K.J.

Morris, H.  
Owen, K.  
Prowse, G.J.  
Spackman, R.D.  
Sutton, R.H.  
Winterbottom, J.W.

### **Planning Member Working Group (7)**

Lyons, R.C. (Chair)  
Edwards, P.W.  
Henson, Mrs Y.A.C.  
Mitchell, K.J.

Prowse, G.J.  
Sutton, R.H.  
Chair of Planning Committee

### **Area Working Parties**

#### **Northern (5)**

Denham, R.C.  
Edwards, P.W.  
Donovan, J.J.

Mitchell, K.J.  
Prowse, G.J.

#### **Southern (4)**

Henson, Mrs Y.A.C.  
Lyons, R.C.

Owen, K.  
Spackman, R.D.

#### **Western (4)**

Bialyk, P.M.  
Morris, H.

Sutton, R.H.  
Winterbottom, J.W.

**MAJOR GRANTS AND NEW HOMES BONUS PANEL (5)**

Edwards, P.W. (Chair)  
Fullam, A.A.  
Henson Mrs Y.A.C.

Hannaford, R.M.  
Sutton, R.H.

**LICENSING COMMITTEE (14)**

Macdonald, M. (Chair)  
Owen, K. (Deputy Chair)  
Choules, M.  
Clark, M.R.  
Dawson, C.  
Henson, D.J.  
Leadbetter, A.R.

Payne, T.V.  
Pearson, O.  
Robson, L.S.  
Ruffle, R.  
Shiel, N.  
Tippins, G.M.  
Winterbottom, J.W.

**Licensing Sub-Committees (3)**

Licensing Sub-Committee membership to be drawn from Licensing Committee Members above.

**STANDARDS COMMITTEE (6 + 2 independent members)**

Mr Mimmack, A. (Independent Chair)  
Branston, R. A.  
Brock, Mrs S.R.  
Henson, D.J.

Kirby, Professor B. (Independent member)  
Laws, S.  
Payne, T.V.  
Winterbottom, J.W.

**FINAL ACCOUNTS COMMITTEE (5)**

Edwards, P.W. (Chair)  
Baldwin, M.A.  
Fullam, A.A.

Martin, I.J.  
Sutton, R.H.

**EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE (13)**

(4 City Councillors)

Bull, P.D.  
Ruffle, R.

Wardle, A.J.  
Winterbottom, J.W.

(9 County Councillors)

Brock, P.J.  
Foggin, O.M.  
Hannaford, R.M.  
Leadbetter, A.R.  
Newcombe, A.V.

Owen, J.  
Prowse, G.J.  
Spence, Mrs S.M.  
Westlake, R.A.

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## PLANNING COMMITTEE

Monday 16 April 2012

### Present:

Councillor Bialyk (Chair)  
Councillors Macdonald, Clark, Edwards, Mrs Henson, Mrs Morrish, Newby, Prowse, Spackman, Sutton and Winterbottom

### Apologies:

Councillors P J Brock and Denham

### Also Present:

Strategic Director, Assistant Director City Development, Senior Area Planner, Planning Solicitor and Member Services Officer (SJS)

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### DECLARATIONS OF INTEREST

Members declared the following personal interests:-

<b>COUNCILLOR</b>	<b>MINUTE</b>
Councillor Mrs Henson	46 (lives in the vicinity)
Councillor Macdonald	45 (member of Sustrans and the RSPB)
Councillor Newby	42 (Chair of the Steering Group for the Newcourt Area)

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### PLANNING APPLICATION NO.12/0332/03 - UNIVERSITY OF EXETER SPORTS PARK, STOCKER ROAD, EXETER, EX4 4QN

The Senior Area Planner presented the application for the covering of the outdoor tennis/netball courts, relocation of existing multi use games area, provision of changing pavilion with 84 seat viewing balcony next to all weather pitches and associated works at University of Exeter Sports Park, Stocker Road, Exeter.

Members were circulated with an update sheet giving details of late consultation responses from Sport England and the Police Architectural Liaison Officer, a statement from the applicant's lighting engineers and details of additional visual material.

Members were advised that modifications were proposed to condition eight and two additional conditions (9 and 10) in view of concerns about the impact of lighting on local amenity. Much of the information required by proposed condition nine had already been supplied, but the condition would provide additional control over any future problems that may arise.

The recommendation was for approval, subject to the conditions as set out in the report and as amended and additional conditions as reported at Committee.

During discussion Members raised the following points:-

- light did spill out from the site at the moment and this proposal would not increase that pollution but should improve it

- concern whether there would be enough low level lighting when lights go off at 10.00pm; this could cause health and safety issue
- concern that there would not be adequate parking on site
- could not see any evidence of a wildlife report
- was there a lighting report?
- the fabric tennis court building would emit a glow
- the University had a positive approach to bio-diversity
- modern lighting systems had built in timers.

A Local Ward Member raised local residents' concerns regarding the long standing light pollution problems in the area and the need to ensure that the lighting was controlled by conditions, as there had been times when the lights had been left on all night.

In response to Members, the Senior Area Planner confirmed that there were two different types of lighting; the flood light for the sports facilities, and low level ground lighting for safety purposes. The amount of parking on site would remain the same; the applicants had submitted a technical lighting plan; the cover for tennis courts was fabric to allow the use of natural light during the day. The latter point was welcomed by Members as an energy efficient approach.

**RESOLVED** that planning permission for covering of the outdoor tennis/netball courts, relocation of existing multi use games area, provision of changing pavilion with 84 seat viewing balcony next to all weather pitches and associated works be **approved** subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C36 - No Trees to be Felled
- 5) C38 - Trees - Temporary Fencing
- 6) Construction/demolition 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 local residential amenity.
- 7) The development shall not include an external tannoy or other system for the electronic amplification of sound. Reason: In the interests of local amenity.
- 8) The illumination of sports pitches/courts hereby approved shall not be operated between the hours of 10.00pm and 9.00am.  
**Reason:** So as not to detract from the amenities of residential property.
- 9) Prior to the start of development on the site, an external lighting scheme shall be submitted for the consideration and written approval of the Local Planning Authority. The scheme shall take into account all of the lighting needs associated with the development during operational hours and shall be the minimum required to perform the relevant lighting task. It shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and into the sky. The scheme shall include:
  - A report, prepared by a lighting engineer, setting out the technical details of the luminaires and columns, including their location, type, shape, dimensions and,

expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution.

- A plan illustrating illuminance levels across the development site and at the boundary of the site. The level of illuminance should be appropriate to the character of the surrounding area as a whole. The design will show that control of overspill light is limited to the level required by the particular environmental setting.
- A plan illustrating illuminance levels beyond the boundary of the site, together with the downward light output ratio of the lights.
- A statement which demonstrates how the lighting scheme will be viewed against the wider landscape and, where appropriate, the potential role of landscaping in minimizing the day and night-time visual impact of the installation.
- An *operational statement*, the purpose of which is to ensure that the developer and the lighting designer have considered operational regimes that can provide energy savings.

Once approved in writing, the lighting scheme shall thereafter be operated in accordance with the approved details. The council reserves the right to require periodic testing to be conducted on the lighting installations and if it is confirmed that approved levels are being exceeded the operator of the lighting scheme will be required to implement the necessary works to bring it back within compliance within a specified time period.

**Reason:** To ensure that the council retains control over these matters, to ensure the proper implementation of the lighting proposals in the interests of the amenity of the site and the area as a whole, to prevent light pollution and to minimize energy use.

- 10) No additional lamps shall be added to the lighting hereby approved without the prior written consent of the Local Planning Authority.

**Reason:** To ensure the Local Planning Authority retains the right of control and in the interests of the amenity of neighbours.

(Report circulated)

42 **PLANNING APPLICATION NO.12/0131/02 - LAND NORTH OF NOS. 483 TO 541,  
AND SEABROOK MEWS TOPSHAM ROAD, FORMING PART OF FORMER  
RNSD SITE, EXETER, EX2**

The Assistant Director City Development presented the application for redevelopment to provide 112 dwellings, parking and associated works (approval of reserved matters on Ref.07/2169/01 granted on 17/05/10) for layout, appearance, scale, access and landscaping at land north of Nos. 483 to 541, and Seabrook Mews Topsham Road, forming part of former RNSD site, Exeter.

Members were advised that the application site comprised part of the former lower RNSD land which had outline consent for residential redevelopment. The area of land covered by this application amounted to 3.56 hectares. The site was bounded to the south-west by existing residential properties on Topsham Road, to the south-east by the 'Darts' land, and to the north-west and north-east by the remainder of the lower RNSD site.

This application was a reserved matters application for the erection of 112 dwellings with associated private gardens, parking provision, public open space, and roads. The proposal included a mix of dwelling types including flats and two, three, four and five bed houses with a relatively low density of 31 dwellings per hectare. The materials to be used were brick, render and slate. There would be 25% affordable housing on site in three separate clusters. The application achieved high compliance with the Masterplan and Design Codes for the site and the Residential Design Guide Supplementary Planning Guidance.

The Assistant Director City Development advised Members that, in light of officers being satisfied with the links being provided through to the site, the 'Darts Land', the objection from Darts Farm had now been withdrawn. One further letter of objection had been received. He clarified that the distances between the proposed dwellings and that of the existing dwellings on Topsham Road and Seabrook Mews were considered acceptable.

Members were circulated with an update sheet giving details of two further letters of representation; details of revised plans and the Building for Life evaluation which was now 'excellent'; comments from the Executive Director Environment, Economy and Culture and Devon County Council Highways; and additional conditions proposed as a result of their comments.

The recommendation was to approve the application subject to the conditions as set out in the report and the circulated update sheet.

In response to Members, the Assistant Director City Development clarified that the existing security fence would be replaced with close boarded timber fence, there would 10% open space and any play areas on the whole of the RSND site would be properly designed and adopted and maintained by the City Council.

Ms Kreft spoke against the application. She raised the following points:-

- representing residents in Topsham Road and Seabrook Mews
- the houses in Topsham Road were reverse dwellings with the living accommodation on the first floor
- the 1.8 metre fence was inadequate and there should be some major planting of semi mature and mature trees on the boundary to provide screening
- although the distances were 28 and 35 metres between properties there would be overlooking
- increased affordable housing on site from 25% to 27%
- not sure what was going to be in the south east corner of the site as this was a small narrow area within the site boundary
- revised plans had been submitted without adequate time for consultation.

In answer to Members' questions, Ms Kreft clarified that there were concerns regarding the concentration of the affordable housing in the south east corner of the site as there were eleven dwellings in one block, these changes were made at a late stage and there was not time to discuss with officers; not adverse to the affordable housing although the late notification was an issue; and better screening should be provided on the boundary.

The Assistant Director City Development clarified the location and number of affordable housing units; advised that planting of semi mature and mature trees could cause problem such as loss of light and overshadowing in future years; the Council had complied with the statutory consultation period; the small strip of land to the south east corner would be closed off and left to self vegetate.

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

- was representing Persimmon Homes
- the outline approval had established the principal of housing development on this site
- had worked with officers to bring this application forward
- adhered to the Masterplan and Design Codes for the area



- was a high quality design with character areas
- amenity standards exceeded those specified in the Residential Design SPD
- the revisions were as result of feedback from officers and consultees
- the apartment block had been repositioned to protect adjacent residents amenity
- this would be an attractive, high quality development.

In response to Members, Mr Roberts clarified that the proposed three storey flat block would be similar in height to the adjacent existing three storey town houses. There was a landscaping condition proposed although there was sufficient distance between the existing and proposed dwellings to prevent overlooking.

During discussion, Members raised the following points:-

- concern over the mix of affordable housing, in particular was there a need for one bed flats?
- there should be reasonable screening to protect overlooking
- if the open space was adopted by the Council how would maintenance be funded?
- concern regarding accessing the garages on the properties on the entrance with Topsham Road as this would be a tight junction.

In response to Members, the Assistant Director City Development clarified that the affordable housing mix had been agreed with officers and that there was a mix of affordable housing sizes on the site; the distances between the properties were between 28 and 35 metres and there would be 1.8 metres boundary fence; the open space would be adopted by the Council and maintenance funded by a commuted sum agreed under the Section 106 Agreement on the outline permission; the garages accorded with the SPD; whilst having comments, the Highways Authority did not fundamentally object to the position of the garages on the entrance with Topsham Road.

**RESOLVED** that the application for redevelopment to provide 112 dwellings, parking and associated works (approval of reserved matters on Ref.07/2169/01 granted on 17/05/10) for layout, appearance, scale, access and landscaping be **approved** subject to the following conditions:-

- 1) C15 - Compliance with Drawings
- 2) Prior to commencement of the development, a detailed scheme for delivery of the pedestrian and cycle network shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
  - (a) details of shared use footway/cycleways on the spine road, the link between plots [65 and 66]\*, and the link between plots [27/36 and 26/38]\*, including road crossings, surface treatments, lighting, street furniture and signage;
  - (b) a programme for implementation synchronised with the progressive occupation of the development; and
  - (c) such temporary measures as are necessary (such as ramps where routes cross unfinished roads) to ensure the routes are fully usable during the construction period.

The approved scheme shall be adhered to at all times, including (where applicable) any amendments subsequently agreed in writing by the Local Planning Authority. The routes provided in accordance with this condition shall be maintained at all times thereafter, unless or until they become maintainable at public expense. Reason - to ensure that the pedestrian and cycle routes are provided and maintained in accordance with Local Plan policy T3, to encourage travel by sustainable means.

Note – plot numbers are taken from the plan supplied by Avril Chadwick on 26

March. If these change the condition will need to be amended.

- 3) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained at all times thereafter.  
**Reason:** To ensure that cycle parking is provided, in accordance with Local Plan policy T3, to encourage travel by sustainable means.
- 4) Prior to the first occupation of the 50th dwelling within the development hereby approved the combined pedestrian/cycle path running between units 58-61 and unit 62 shall be constructed up to, and contiguous with, the boundary line dividing the application site from the land to the immediate south-east, in accordance with details to be approved pursuant to condition 19 of outline planning consent reference no. 07/2169/01.  
**Reason:** To ensure that appropriate connections are made between the site and adjoining allocated residential land in the interests of promoting the use of sustainable modes of transport in accordance with policies T1 and T3 of the Adopted Exeter Local Plan First Review 1995-2011, and policy CP17 of the Exeter Local Development Framework Core Strategy.
- 5) Prior to the first occupation of any dwelling comprised in the application hereby approved all the boundary treatments to said property shall be completely provided in accordance with the details indicated on drawing no. ....  
**Reason:** In the interests of the character and appearance of the area and the residential amenity of the occupants of proposed and existing properties.
- 6) Prior to the commencement of the development hereby approved a strategy for the provision of public art within the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall identify the overall theme shaping individual pieces of public art within the development, their location, number, maintenance arrangements and timeframe for their implementation.  
**Reason:** To ensure that the approach to the provision of public art within the development accords with the provisions set out in the approved Design Code for the development (Page 41).
- 7) The submitted landscaping scheme as set out on drawing nos. L1 Rev C, L2 Rev C and L3 Rev C is not considered acceptable and lacks the required detail set out in Condition 8 of outline planning consent reference 07/2169/01. Consequently, prior to the commencement of the development hereby approved, a detailed landscaping scheme shall be submitted to and be approved in writing by the Local Planning Authority. Such scheme shall specify types, species, size and quantity of planting, any earthworks required, and finished levels of all areas of public open space, together with a programme of planting, maintenance and the timing of the implementation of the scheme (including the timeframe for completion and transfer of any public open space to the Council).  
**Reason:** To ensure that the landscaping of the site is appropriate and that public open space is provided to an agreed standard and timeframe.
- 8) The proposed estate roads, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate; the design,

layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

**Reason:** To ensure that adequate information is available for the proper consideration of the detailed proposals.

- 9) No part of the development hereby approved shall be occupied until the on-site parking facilities together with any means of access shall have been provided 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:** To ensure that adequate facilities are available for the traffic attracted to the site.

- 10) The garages hereby approved shall be used solely for the storage of private motor vehicles and shall not be used in connection with any trade or business.

**Reason:** To control the character, and to minimise the volume, of traffic attracted to the site.

(Report circulated)

43 **PLANNING APPLICATION NO.11/1984/03 - FORMER ROYAL NAVAL STORE DEPOT, TOPSHAM ROAD, EXETER, EX2 7AH**

Councillor Newby declared a personal interest as the Chair of the Steering Group for the Newcourt Area.

The Assistant Director City Development presented the application for a community facilities building to include access to highway, disabled parking, visitors parking court, bins and cycle storage facilities, landscaping and engineering works at the former Royal Naval Store Depot, Topsham Road, Exeter.

Members were circulated with an update sheet advising that the applicant had now agreed to install a lift and the recommendation would now be for approval. Amended plans had now been received.

The recommendation was for approval subject to the conditions and informative note as set out on the circulated update sheet. The Assistant Director City Development explained that the granting of planning permission would not constitute approval of the proposed community building under the terms of the Section 106 obligation for this site and that the latter approval would be an entirely separate process.

In response to Members, the Assistant Director City Development clarified that the lift was 1.8 meters x 1.4 metres and there would be parking on site including disabled parking spaces.

**RESOLVED** that planning permission for a community facilities building to include access to highway, disabled parking, visitors parking court, bins and cycle storage facilities, landscaping and engineering works be **approved** 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) No part of the development hereby approved shall be brought into its intended use until the visibility splays, access, on-site parking, turning, loading and unloading facilities have been provided in accordance with the requirements of this permission. Thereafter these features shall be retained for those purposes at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 6) Prior to the occupation of the development hereby permitted, cycle parking shall be provided in the location shown on the drawing number CF100 Rev C in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall thereafter be retained for that purpose at all times.  
**Reason:** To ensure that cycle parking is provided to encourage travel by sustainable means in accordance with Local Plan Policy T3.
- 7) 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 Holidays or Public Holidays.  
**Reason:** In the interest of residential amenity.
- 8) Prior to the commencement of the development hereby approved, details of the timeframe for implementation of the landscaping scheme depicted on drawing number CF100 Rev C shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be completed in accordance with the approved details.  
**Reason:** In the interests of the visual amenity of the area.
- 9) The use of the building hereby approved shall not be carried on other than between the hours of 0800hrs and 2200hrs on any day.  
**Reason:** So as not to detract from the amenities of near-by residential property.

**Informative Note**

This approval does not constitute Council approval of the community facilities offer pursuant to the Section 106 agreement on the outline approval.

(Report circulated)

44

**PLANNING APPLICATION NO.12/0340/03 - LAND OFF, GRACE ROAD WEST, MARSH BARTON TRADING ESTATE, EXETER, EX2**

The Assistant Director City Development presented the application for the removal of condition 14 restricting delivery hours (Ref No 10/0908/02 granted 30 September 2010) at land off Grace Road West, Marsh Barton Trading Estate, Exeter.

Members were advised that outline planning permission was granted for Class B1, B2, B8 and A1 uses to include retail sale of bulky goods and for the construction of the Grace Road link in June 2005. A reserved matters application was approved in September 2010 for the employment/retail warehouse element on land to the north of the new link road which links Alphington Road to Marsh Green Road and east of the Sainsbury store. This proposal was for a total of four attached units for a

mixture of uses comprising of retail, business, light industrial and storage and distribution.

This application sought removal of condition 14 to allow for marketing of the site.

Members were updated on the distances, road and mound between the site and any residential development.

Members were circulated with an update sheet advising that further information in respect of noise levels from delivery traffic had been received and was considered acceptable by the Environmental Health Officer.

The recommendation was for approval.

During discussion Members raised the following points:-

- local residents had concerns regarding the current noise levels and that the planting on the Devon Bank was thin and inadequate; the removal of this condition would make matters worse
- concern regarding the bleeping noise in particular when lorries were reversing at night
- this was a suitable site for employment use and would generate jobs.

The Assistant Director City Development stated that the Devon Bank was still being established and that a condition could be placed on any planning approval requiring a management plan for the deliveries to help in controlling noise particularly at night.

**RESOLVED** that planning permission for removal of condition 14 restricting delivery hours (Ref No 10/0908/02 granted 30 September 2010) be **approved** subject to the following condition:-

- (1) Unless otherwise agreed in writing, no unit shall be occupied until a report relating to that unit is submitted and approved in writing by the Local Planning Authority detailing noise levels from deliveries and handling of these. The report shall contain details of predicted noise levels, hours of deliveries etc. The applicant should submit for approval a deliveries management plan which describes (in an enforceable manner) how the levels specified in the report will be achieved. It should be made clear in the plan that the proposals do not conflict with health and safety requirements, for example in respect of reversing beepers. Thereafter the deliveries shall be managed entirely in accordance with the approved management plan  
**Reason:** In the interests of local amenity

(Report circulated)

45

**PLANNING APPLICATION NO.11/1619/01 - LAND SOUTH OF MET OFFICE,  
FITZROY ROAD, EXETER**

Councillor Macdonald declared a personal interest as a member of Sustrans and the RSPB.

The Senior Area Planner presented the application for outline planning permission to erect a mixed use development comprising B1, B8, D1, D2, C1, A1, A3, A4 and A5 uses (means of access to be determined only) at land south of Met Office, Fitzroy Road, Exeter.

Members were circulated with an update sheet advising that; a total of twelve letters in support of the application had been received; details of letters and emails regarding the delivery of a pedestrian/cycle route to the northern boundary; advising that it had been agreed with the applicant that a vehicular link to the northern boundary could be achieved by modifications to the proposed conditions; an amendment to the transport contribution and details of all the proposed conditions.

The Senior Area Planner advised Members that there were also two additional conditions proposed regarding sustainability and the road to the northern boundary.

The recommendation was for approval subject to the completion of a Section 106 Agreement securing the matters referred in the report, the conditions as set out in the circulated update sheet and two additional conditions regarding sustainability and the road to the northern boundary.

In response to Members, the Senior Area Planner clarified that the transport contribution of £60,000 would go to Devon County Council; the proposed hotel would be a budget hotel, the interested party was Premier Inn; and the applicants had submitted a wildlife report.

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

- accords with the Core Strategy and Monkerton Masterplan
- twelve local business supported the application
- the hotel study demonstrated a need for a hotel in this area
- was a business need for a hotel in this location
- this application had support and would create new jobs.

In response to Members' questions, Mr Seaton clarified that there was no evidence of bats on the site and the railway boundary and northern boundary would not be disturbed; although the Monkerton and Hill Barton Masterplan does not specifically mention a hotel it does include facilities to cater for the business community; there would be 92 bed spaces; and the quality of the hotel would be suitable for the location.

Members felt this was a good sustainable location and would attract businesses into the City.

The Senior Area Planner clarified that officers would ensure consultation replies were received from the Devon Wildlife Trust and the RSPB when the details required by condition 27 were submitted and consulted on.

**RESOLVED** that planning permission for outline planning permission to erect a mixed use development comprising B1, B8, D1, D2, C1, A1, A3, A4 and A5 uses (means of access to be determined only) be **approved** subject to a Section 106 Agreement securing the matters referred to in the report and the following conditions:-

- 1) Approval of the details of the layout, scale, appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. The details of layout required under this condition shall provide details of a vehicular connection to the northern boundary of the application site.  
**Reason:** To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters, and to ensure that appropriate links are made to adjoining development land.

- 2) C04 - Outline - Exclude Details
- 3) C07 - Time Limit - Outline
- 4) C06 - Time Limit - Approval of Reserved Matter
- 5) No development shall take place until a scheme for the safe management of surface waters in conformity with the submitted Flood Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the approved details.  
**Reason:** In the interests of the safe and sustainable drainage of the site.
- 6) C15 - Compliance with Drawings
- 7) C17 - Submission of Materials
- 8) C34 - Landscape Scheme - Outline
- 9) C36 - No Trees to be Felled
- 10) C37 - Replacement Planting
- 11) No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees, hedges or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2005 - 'Trees in Relation to Construction'. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.  
**Reason:** To ensure the protection of the trees during the carrying out of the development.
- 12) C57 - Archaeological Recording
- 13) C70 - Contaminated Land
- 14) Details of all building services plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope, to be submitted to and approved in writing by the LPA. The predicted noise levels shall be submitted prior to commencement of the development and shall be demonstrated by measurement prior to occupation of the development.  
**Reason:** In the interests of local amenity.
- 15) The applicant shall submit for approval a management plan for the development. This should describe the steps that will be taken to ensure that noise from use of the development does not have an adverse effect on local amenity. It should include, but not be limited to, the hours of use of the development (including deliveries), supervision and any noise mitigation measures that are appropriate. The approved plan shall be implemented whenever the development is in use and shall be

reviewed as required on request of the Local Planning Authority.

**Reason:** In the interests of local amenity.

- 16) Construction/demolition 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 local amenity.
- 17) The floorspace of the pub/restaurant element of the hotel use hereby permitted shall not exceed 750m<sup>2</sup>. In addition to the pub/restaurant element of the hotel, the total amount of Class A floorspace shall not exceed 1600m<sup>2</sup>, and no more than 900m<sup>2</sup> shall be A1 or A3/A4/A5.  
**Reason:** In the interests of minimising vehicle journeys to and from the site and to protect the vitality and viability of existing retail centres.
- 18) No individual Class A unit size shall exceed 750m<sup>2</sup> in floorspace.  
**Reason:** In the interests of minimising vehicle journeys to and from the site and to protect the vitality and viability of existing retail centres.
- 19) The A3/A4/A5 uses hereby approved shall not include a drive-through element.  
**Reason:** In the interests of minimising vehicle journeys to and from the site and to protect the vitality and viability of existing retail centres.
- 20) Prior to commencement of the development, full details of pedestrian and cycle links (i) from north to south across the site, (ii) from west to east along the southern boundary of the site, and (iii) providing full permeability within the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include surface treatments, road crossings, dropped kerbs, lighting, street furniture and signage. The links shall be constructed in accordance with the approved details, and maintained at all times thereafter.  
**Reason:** To ensure that the pedestrian and cycle routes are provided and maintained in accordance with Local Plan policy T3.
- 21) The car parks for public use shall at all times be managed in accordance with details previously submitted to and approved in writing by the Local Planning Authority.  
**Reason:** To ensure that customers are not prevented from visiting nearby premises on foot, to encourage them to park in one place and visit multiple neighbouring premises on foot rather than by car, in accordance with Local Plan policy T3.
- 22) Prior to occupation of the development hereby permitted, cycle parking for visitors and secure cycle parking, lockers and showers for staff shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking and other facilities shall be maintained at all times thereafter.  
**Reason:** To ensure that cycle parking and other facilities are provided, in accordance with Local Plan policy T3, to encourage travel by sustainable means.
- 23) 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 the Local Highway Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport), in advance 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 review and monitoring
- 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

A review of the targets shall be undertaken within 3 months of the occupation of the development and on an annual basis thereafter, at the time of submission of the Annual Travel Plan Report.

**Reason:** In order that development promotes public transport, walking and cycling, and limits the reliance on the private car.

- 24) The building(s) comprised in the] development hereby approved shall be constructed to have all their heating systems (including space and water heating) compatible with the proposed decentralised energy network. Prior to occupation of the development, the necessary on site infrastructure shall be put in place for connection of those systems to the network at a point on the site boundary agreed in writing by the LPA.  
**Reason:** In the interests of sustainable development.
- 25) Any individual building hereby approved shall achieve a BREEAM 'very good' standard as a minimum, but shall achieve 'excellent' standard as a minimum if commenced on or after 1st January 2013, and shall achieve 'zero carbon' if commenced on or after 1st January 2016. Prior to commencement the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved which standard this relates to. Where this does not meet the minimum required standard the developer must provide details of what changes will be made to the development to achieve the minimum standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of the development hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.  
**Reason:** In the interests of sustainable development.
- 26) The Local Planning Authority shall be notified in writing of the identity of all buildings for which construction has commenced before 1st January 2013, and of the identity of all buildings for which construction has commenced thereafter but before 1st January 2016, within 10 working days following each of those dates.  
**Reason:** In the interests of monitoring the application of sustainable building principles to the development.
- 27) 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.
- 28) Before the commencement of development, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be

implemented to minimise the creation and impact of noise, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. It shall include details of measures to be employed to prevent the egress of mud, water and other detritus onto the public highway. It shall include for the provision of a dilapidation survey of the highways adjoining the site. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

**Reason:** In the interests of minimising the impact of construction works.

- 29) No Class A or Class D unit hereby approved shall be occupied until the vehicular connection to the northern boundary of the application site (the details of which are required by condition 1 above) has been constructed in accordance with the agreed details to the adoption standards of the Highway Authority, and is available for public use.

**Reason:** To ensure that the approved facilities may be conveniently accessible from the proposed development to the north.

- 30) No building hereby approved shall be occupied until the applicant has submitted a SAP calculation which demonstrates that, through the use of decentralised energy or local energy networks and renewable or low carbon energy sources, a 10% reduction in CO2 emissions over that necessary to meet the requirements of the Building Regulations current at the time of Building Regulations approval can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site.

**Reason:** In the interests of achieving a sustainable development.

In the event that the Section 106 Agreement is not completed within three months of the date of this Committee Meeting, authority be delegated to the Assistant Director City Development to refuse permission for the reason that inadequate provision has been made for the matters which were intended to be dealt within the Section 106 Agreement.

(Report circulated)

46

**PLANNING APPLICATION NO.11/2008/03 - UNIT 7, RYDON LANE RETAIL PARK, RYDON LANE, EXETER, EX2 7HX**

Councillor Mrs Henson declared a personal interest as she lives in the vicinity.

The Senior Area Planner presented the application for the variation of condition 6 to allow retail use (leisure/sport - Ref No. 01/0084/01 approved 06 February 2002) at Unit 7, Rydon Lane Retail Park, Rydon Lane, Exeter. The building was currently empty.

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

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

- this application would generate about 40 jobs
- already had a presence in the city centre and this would remain
- was in accordance with the National Planning Policy Framework.

**RESOLVED** that planning permission for variation of condition six to allow retail use (leisure/sport - Ref No. 01/0084/01 approved 06 February 2002) be **approved** subject to the following conditions:-

- 1) The retail warehouse units hereby permitted shall not be used otherwise than for the sale of bulky goods, and goods and services for the construction, repair, maintenance and improvement of the home, garden and motor vehicle, with the exception of sports clothing, sports footwear, sports and leisure equipment, and associated products within unit 7, and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).  
**Reason:** To enable the Local Planning Authority to retain control over the use.
- 2) Prior to the occupation of unit 7 in accordance with the development hereby permitted cycle parking facilities shall be provided outside of this unit in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. These details shall specify the number, location and design of the said cycle parking facilities. Thereafter the cycle parking facilities shall be maintained and made available for use at all times.  
**Reason:** To ensure that convenient and secure cycle parking is provided, in accordance with Local Plan policy T3, to encourage travel by sustainable means.

(Report circulated)

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

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

(Report circulated)

48 **APPEALS REPORT**

The Assistant Director City Development presented the schedule of appeal decisions and appeals lodged.

**RESOLVED** that the report be noted.

(Report circulated)

49 **SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 8 May 2012 at 9.30 a.m.

50 **COUNCILLOR MRS J MORRISH**

On the occasion of her last Planning Committee meeting, the Committee placed on record their great appreciation for the significant contribution made by Councillor Mrs Joan Morrish.

(The meeting commenced at 5.30 pm and closed at 8.00 pm)

Chair

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# Agenda Item 4

## PLANNING COMMITTEE

Monday 21 May 2012

### Present:

Councillor Bialyk (Chair)  
Councillors Denham, Donovan, Edwards, Mrs Henson, Mitchell, Morris, Owen, Prowse, Spackman, Sutton and Winterbottom

### Apologies:

Councillor Lyons

### Also Present:

Assistant Director City Development, Development Manager, Planning Solicitor and Member Services Officer (HB)

## 51 MINUTES

The minutes of the meetings held on 20 February and 19 March 2012 were taken as read and signed by the Chair as correct.

## 52 DECLARATIONS OF INTEREST

Members declared the following personal interests:-

<b>COUNCILLOR</b>	<b>MINUTE</b>
Councillor Bialyk	54 (knows applicant)
Councillor Denham	54 (knows applicant)
Councillor Donovan	54 (knows applicant)
Councillor Edwards	54 (knows applicant)
Councillor Mrs Henson	54 (knows applicant)
Councillor Mitchell	54 (knows applicant)
Councillor Morris	54 (knows applicant)
Councillor Owen	54 (knows applicant)
Councillor Prowse	53 (student landlord) 54 (knows applicant) 55 (student landlord)
Councillor Spackman	54 (knows applicant)
Councillor Sutton	54 (knows applicant)
Councillor Winterbottom	53 (knows a supporter of the application) 54 (knows applicant)

## 53 PLANNING APPLICATION NO. 12/0354/03 & CONSERVATION AREA CONSENT NO. 12/0355/14 - FORMER RED COW INN & 19-20, RED COW VILLAGE, EXETER

Councillor Prowse declared a personal interest as a student landlord.

Councillor Winterbottom declared a personal interest as he knew a supporter of the application.

The Assistant Director City Development presented the planning application for a three storey and two and a half storey blocks to provide ten student flats, cycle and bin stores and associated works and conservation area consent for the demolition of cottages at the former the Red Cow Inn and 19-20 Red Cow Village, Exeter.

Members were circulated with an update sheet giving details of revised plans showing improvements to the front elevation and altering the shape of the building to the rear. Members were also advised that it had been agreed with the applicant that an occupation restriction to students only and a requirement to provide details of the management of the development could be secured by conditions. A condition was also now proposed to secure surfacing and bollarding of the lane to the north.

The applicant had also agreed to pay the contribution required in respect of Natura 2000 and advised that planning consent would not be issued until this is received. A legal agreement would not therefore be necessary which would mean that the development could be completed a year earlier than would otherwise be the case.

The area covered by the site would be checked and, if above 1,000 metres, consultation would be necessary with English Heritage as the site was in a Conservation Area. In the event of it being necessary to consult English Heritage and significant issues being raised the application would be reported back to the Committee.

Mr Churchward spoke against the application. He raised the following points:-

- he and his partner would become homeless if the development was to proceed
- the properties had formerly been the Foresters Arms. With the loss of the Artful Dodger and the Red Cow Inn only two public houses would remain in the area
- the cottages were of historical interest and should be retained as re-development would be a detrimental to the character of the Conservation Area
- there are already too many student accommodation units in the area and some are not fully occupied at present. The large amount of student accommodation has a detrimental impact on the area

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

- this had proved a difficult site because of its constrained nature and its location within a Conservation Area and there had been a number of discussions with planning officers
- the design reflected aspects of the Red Cow Inn and the design of the front elevation had been improved including changes to the height
- the lane to the side of the development would provide access to the bin and cycle storage area at the rear
- student accommodation in this area was in accord with the supplementary planning guidance. The presence of shops and transport hubs together with the proximity to the University made the site an ideal location for students. The University aimed to accommodate as many first year students as possible in purpose built accommodation
- eight cluster flats and two studio flats were proposed and the development would be effectively divided in two and the parts were designed to operate independently

- the developers did not own the cottages at present but were awaiting planning permission prior to purchase

The Assistant Director City Development stated that the University was on schedule in achieving the target of providing 75% of accommodation for new students and that, although there were currently some vacant units of student accommodation, this was likely to be a short term problem.

**RESOLVED** that, subject to no significant issues being raised by English Heritage should it be necessary to consult with them, authority be delegated to the Assistant Director City Development in consultation with the Chair to **grant planning permission** for three storey and two and a half storey blocks to provide 10 student flats, cycle and bin stores and associated works subject to the conditions below. Consent will only be issued subject to the applicant paying the appropriate Natura 2000 contribution.

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.  
**Reason:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 5) C37 - Replacement Planting
- 6) Unless otherwise agreed in writing by the Local Planning Authority all new and replacement rainwater goods shall be in painted metal and of an ogee profile.  
**Reason:** To protect and preserve the character of St David's Conservation Area.
- 7) The roof hereby approved shall be clad in natural slates, fixed with nails not slate hooks, the size and type of which have been agreed by the Local Planning Authority prior to starting on site.  
**Reason:** To protect and preserve the character of the St David's Conservation Area.
- 8) Details of the proposed render type and colour(s) shall be agreed in writing with Local Planning Authority and shall be applied without the use of metal beads or stops. Movement joints, where required, shall be positioned at changes of direction or directly behind rainwater downpipes.  
**Reason:** To protect and preserve the character of the St David's Conservation Area.
- 9) All new windows and doors shall be first constructed and subsequently maintained in timber with a painted or stained finish. Details of the

construction including glazing, opening method and finish shall previously have been submitted to and approved in writing by the Local Planning Authority prior to fixing.

**Reason:** To protect and preserve the character of the St David's Conservation Area.

- 10) No part of the development hereby approved shall be occupied until a Basic Sustainable Travel Pack shall have been issued to all residents in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and updated at regular intervals.

**Reason:** To ensure that all residents are aware of the 'car free' status of this development.

- 11) C57 - Archaeological Recording

- 12) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in the location shown on drawing 940/20, in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained thereafter.

**Reason:** To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.

- 13) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

**Reason:** In the interests of environmental health.

- 14) Construction/demolition 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 local amenity.

- 15) Full details of the mechanical ventilation system shall be submitted and approved in writing prior to commencement of the development. The approved scheme shall be implemented in full and maintained as agreed thereafter.

**Reason:** In the interests of local amenity.

- 16) Prior to occupation, details shall be submitted and approved by the LPA in writing, to demonstrate that the building envelope has been constructed so as to provide sound attenuation against external noise, not less than 30dB(A), with windows shut and other means of ventilation provided that draws air from the rear facade.

**Reason:** In the interests of local amenity.

- 17) No development shall take place until details of external lighting have been



submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of local amenity.

- 18) Notwithstanding Condition 2, no work shall commence on site under this permission until details of the following have been submitted to and approved in writing by the Local Planning Authority:-  
a) full elevational and sectional details of the development to a scale of 1:20 and 1:5 to include details of:-  
i) windows, including colour, materials, cills, headers and reveals;  
ii) the roof ridge, hip detailing, eaves, verges, rainwater goods, canopies and external doors;  
**Reason:** To ensure full details are submitted in the interest of establishing high quality in the design and external appearance of the development within the St David's Conservation Area and in relation to adjoining buildings.
- 19) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB.  
**Reason:** In the interests of the preservation and enhancement of biodiversity in the locality.
- 20) The units of residential accommodation within the buildings shall only be occupied by students in full-time education, by a warden (who may not be in full-time education), by delegates attending conferences or courses during vacation periods (no such delegate shall occupy the premises for more than four weeks in any calendar year), or any registered student of any college or university within the Exeter City boundary, provided that the student is studying for a qualification at Higher Education level on a course that satisfies the criteria on eligibility for council tax exemption for student occupation of premises that is in force at the date of this planning permission, or any future such criteria as apply from time to time and for no other purpose. Reason: The proposed development has been designed for the specific use as student accommodation. It is not suited to other residential uses without substantial alterations given the limited internal space per unit, lack of amenity space and lack of on-site car parking.
- 21) The development shall not be occupied until details of the arrangements by which the approved student accommodation is to be managed (which shall include details of the managing agent, the on-site staff to be engaged at the development, out of hours management arrangements, procedures for dealing with management problems, anti-social behaviour, noise, responding to alarms and dealing with emergencies, and safety and security measures), are to be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall continue to be managed permanently in accordance with the agreed management arrangements. Reason: To protect the residential amenities of the area.
- 22) No occupation of the units shall occur until the footpath to the rear of the site has been resurfaced and bollarded to the satisfaction of the Local Planning Authority.

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

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) The demolition hereby approved shall not be carried out until a building

contract has been entered into for the erection of the replacement building permitted by planning permission no. 12/0354/03 and satisfactory evidence to that effect has been produced to the Local Planning Authority.

**Reason:** In the interests of the appearance of the Conservation Area.

- 3) Demolition 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 local residential amenity.

(Report circulated)

54 **PLANNING APPLICATION NO.12/0445/03 - 440 TOPSHAM ROAD, EXETER**

Councillors Bialyk, Denham, Donovan, Edwards, Mrs Henson, Mitchell, Morris, Owen, Prowse, Spackman, Sutton and Winterbottom declared personal interests as they knew the applicant.

The Development Manager presented the application for a conservatory on the south elevation at 440 Topsham Road, Exeter.

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

**RESOLVED** that planning permission for a conservatory on south elevation be **approved** subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 21 March 2012, as modified by other conditions of this consent.

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

- 3) C17 - Submission of Materials

(Report circulated)

55 **PLANNING APPLICATION NO.12/0176/03 - BUNGALOW B, 16 PENNSYLVANIA ROAD, EXETER**

Councillor Prowse declared a personal interest as a student landlord.

The Development Manager presented the application for change of use from dwelling to house in multiple occupation (C4 use) at bungalow B, 16 Pennsylvania Road, Exeter.

Members were circulated with an update sheet advising that the applicants had confirmed that they had an offer accepted in respect of a property in Sussex but that, following the most recent failure to complete the sale of their existing premises, the seller in Sussex had accepted another offer for their property.

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

**RESOLVED** that planning permission for change of use from dwelling to house in multiple occupation (C4 use) be **approved** subject to the following conditions:-

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on the 8 March 2012, as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained thereafter.  
**Reason:** To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- 4) Notwithstanding condition No.1, 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: siting and design of refuse storage provision.  
**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.

(Report circulated)

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

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

(Report circulated)

57 **ENFORCEMENT PROGRESS REPORT**

The Assistant Director City Development presented the report updating Members on enforcement matters.

**RESOLVED** that the report be noted.

(Report circulated)

58 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

(Report circulated)

59

**PLANNING MEMBER WORKING GROUP - SCHEDULE OF DATES**

The report of the Corporate Manager Democratic and Civic Support was submitted.

**RESOLVED** that the circulated rota of dates for Planning Member Working Group meetings be approved.

(Schedule circulated)

60

**AREA WORKING PARTY - COMPOSITION AND SCHEDULE OF DATES**

The report of the Corporate Manager Democratic and Civic Support was submitted.

**RESOLVED** that the dates, as circulated, and the composition of the Area Working Parties as set out below be approved:-

**Northern Area Working Party:-**

Councillors Denham, Edwards, Donovan, Mitchell and Prowse

**Southern Area Working Party:-**

Councillors Mrs Henson, Lyons, Owen and Spackman

**Western Area Working Party:-**

Councillors Bialyk, Morris, Sutton and Winterbottom

(Schedule circulated)

61

**SITE INSPECTIONS - ROTA FOR VISITS**

The report of the Corporate Manager Democratic and Civic Support was submitted.

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

(Schedule circulated)

62

**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 12 June 2012 at 9.30 a.m. The Councillors attending will be Denham, Mitchell and Spackman.

(The meeting commenced at 5.30 pm and closed at 7.01 pm)

Chair

## PLANNING COMMITTEE

Monday 25 June 2012

### Present:

Councillor Bialyk (Chair)  
Councillors Lyons, Denham, Donovan, Edwards, Mrs Henson, Mitchell, Morris, Owen,  
Spackman, Sutton and Winterbottom

### Apologies:

Councillor Prowse

### Also Present:

Strategic Director (KH), Assistant Director City Development, Senior Area Planning Officer,  
Planning Solicitor and Member Services Officer (SJS)

63

### DECLARATIONS OF INTEREST

Members declared the following personal (\*prejudicial) interest:-

<b>COUNCILLOR</b>	<b>MINUTE</b>
Councillor Brock	65 (member of the RSPB)
Councillor Denham	67*(employee of the Deaf Academy)

64

### PLANNING APPLICATION NO.12/0246/03 & CONSERVATION AREA CONSENT NO.12/0247/14 - BELMONT PARK HUT, GORDON ROAD, EXETER, EX1 2DH

The Assistant Director City Development presented the planning application for a replacement detached community building and conservation area consent for the demolition of a community building at Belmont Park Hut, Gordon Road, Exeter.

The replacement building would be 189 sq.metres compared to the existing building of 107 sq. metres the external material for the walls comprised oak timber boarding, with the roof comprising a mix of slate and photo voltaic roof tiles. The proposed siting for the replacement building was at right angle to the current building and straddled the current footpath linking Gordon Road with the circulatory path running around the park.

Members were circulated with an update sheet giving details of one additional letter of support and a letter from Living Options complimenting the plans and highlighting a couple of internal design features they would like to see incorporated.

The recommendation was for approval of the planning application and the conservation area consent subject to the conditions as set out in the report.

In response to Members, the Assistant Director City Development clarified that the proposed condition restricting the use of the building until 10.00pm was to protect the amenity of the near-by residents; there was no parking with the existing hall and no parking was proposed with this development; the building would be highly energy efficient with insulation and double glazing and it was not considered appropriate to propose any noise limiting conditions such as any sound

amplification systems. A hours of operation condition would provide more effective control.

Councillor Branston, having given notice under Standing Order No. 44, spoke on this item. He circulated to Committee Members a list of users, a plan and a photograph of the Vision meeting held by Newtown Community Association. He raised the following points:-

- Newtown Community Association needed to raise £340,000 to build this replacement building
- the land would be leased for 35 years from the City Council
- the location and angle of the building had been moved to address objections
- last year, the Respect Festival held in the park had attracted 20,000 visitors and there were no parking complaints
- majority of users of the hall arrived on foot
- Devon County Council Highways did not object
- concern that to limit the time to 10.00pm was unreasonable; the long term viability depended on the quality and availability of the hall, the curfew time should be increased to at least 11.00pm
- had been no noise complaints
- supported by Age Concern and Exeter Community Initiatives
- had undertaken a full public consultation with workshops, interviews and meetings
- 36 letters of support had been received
- the hall drew users from a wide catchment area
- Newton Community was a vibrant community
- asked Committee to grant permission with a condition allowing use of the hall until at least 11.00pm

Mr Harrison spoke in support of the applications. He raised the following points:-

- Chair of Newtown Community Association
- is a Chartered Surveyor
- the volunteers had a variety of skills
- approval was important so that the project could move forward
- the grant application had required a detail design, input from a Structural Surveyor and costings by a Quantity Surveyor
- sustainability was key to the success of the project with photo voltaic roof tiles similar to slate and a design that provided good storage, an external hardstanding and robust security
- internally, there would be folding doors to make flexible use of the space
- would be Disability Discrimination Act compliant
- modern kitchen and outside space.

In response to Members, Mr Harrison clarified that the association was mindful of the adjacent residential properties and finishing events at 11.00pm with an hour to clear up had not been a issue in the past; on New Year's Eve an event was usually held until 1.00am; would like hall to be able to meet demand; and if had a problem with noise from any events would ban those users from booking the hall again.

During discussion, Members raised the following points:-

- curfew time should be extended to 11.00pm
- a curfew time of 10.00pm or 10.30pm would be adequate and protect the amenity of local residents; without adequate conditions it would be difficult for Environmental Health to enforce any noise nuisance
- need for a management plan
- what about the use of the building on New Year's Eve?

The Planning Solicitor advised that use of the hall on New Year's Eve would be 'de minimis' and therefore need not be addressed in the hours of operation condition.

The Assistant Director City Development stated that a management condition could be added to any approval, this suggestion being agreed by the Committee, as was the proposal that the hours of operation should be extended to 11.00pm.

**RESOLVED** that planning permission for a replacement detached community building be **approved** subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) Construction work shall not take place outside the following times: 8am to 6pm (Monday to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason:** In the interests of the amenity of occupants of nearby buildings.
- 5) C70 - Contaminated Land
- 6) C38 - Trees - Temporary Fencing
- 7) The use of the building hereby approved shall not be carried on other than between the hours of 0800 and 2300 hours on any day.  
**Reason:** So as not to detract from the amenities of the near-by residential property.
- 8) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of the building, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority.  
**Reason:** In the interests of the visual amenities of the area.
- 9) Prior to the commencement of the development hereby approved details of any external lighting associated with the premises shall be submitted to and approved in writing by the Local Planning Authority. The details shall specify the number, location and type of lighting proposed together with the means of control/operation. Thereafter the development shall be implemented and operated in accordance with the approved details at all times.  
**Reason:** In the interests of the character and appearance of the area and the residential amenities of the occupants of surrounding properties.
- 10) 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.
- 11) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle

parking shall be maintained thereafter.

**Reason:** To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.

- 12) Prior to the commencement of the development hereby approved details of the proposed construction access, material delivery arrangements and storage compound for the duration of the works (location, size and means of enclosure) shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

**Reason:** To ensure that the development is implemented in a safe and secure manner which minimises the potential for disruption to users of the park during the construction process.

- 13) Prior to the occupation of the development hereby approved a Management Agreement covering the regulation of the use of the building shall be submitted to, and be approved in writing by, the Local Planning Authority. The said agreement shall include provisions for preparation and clean up activities associated with the use of the building, and set out provisions for the reporting of any use related problems.

**Reason:** In the interests of the residential amenities of the occupants of surrounding buildings.

**RESOLVED** that conservation area consent for demolition of community building be **approved** subject to the following conditions:-

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) Prior to the demolition of the building hereby approved details of the proposed reinstatement works and landscaping of site, together with a timeframe for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in strict accordance with the approved details.  
**Reason:** To ensure that the land is restored to a satisfactory condition in the interests of the character and appearance of the Conservation Area.
- 3) The demolition hereby approved shall not be carried out until a building contract has been entered into for the erection of the replacement building permitted by planning permission no.12/0246/03 and satisfactory evidence to that effect has been produced to the Local Planning Authority.  
**Reason:** In the interests of the appearance of the Conservation Area.

(Report circulated)

65

**PLANNING APPLICATION NO.12/0327/03 & LISTED BUILDING CONSENT NO.12/0328/07 - MAGNOLIA HOUSE AND ACACIA HOUSE, FRIARS GREEN, EXETER, EX2 4DB**

The Senior Area Planning Officer presented the planning application and listed building consent for the sub division of the two existing dwellings to create three new dwellings with associated internal and external works, construction of two new dwellings to south east corner of site, new access road, parking and bin storage at Magnolia House and Acacia House, Friars Green, Exeter.

The existing dwellings were Grade II listed buildings and in a poor state of repair, this proposal sought to convert the existing properties in to three dwellings and also provide two additional new dwellings. Two additional letters of objection had been



received raising the same issues as set out in the objections section of the main report. In particular they expressed concern regarding the quality of the design of the new dwellings, the impact on views down Friars Gate and the impact on the open character of the area.

The recommendation was for approval of the planning application and listed building consent subject to a Section 106 Agreement (planning application only) and conditions as set out in the report and an additional condition regarding the removal of permitted development rights.

The Senior Area Planning Officer clarified that Exeter Civic Society had not commented and that a condition requiring a wildlife plan could be added to any approval.

Councillor Mrs Brock, having given notice under Standing Order No. 44, spoke on this item. Councillor Mrs Brock declared a personal interest as a member of the RSPB. She circulated photographs of the site and raised the following points:-

- concern over the proposed two new dwellings
- the applicant's website stated that the converted properties and the two new dwellings would be available in the future; a decision had not yet been made
- over 20 letters of objection had been received
- no problem with the conversion of existing properties as they had been neglected and were deteriorating
- the two new dwellings did not fit in well with the area; although the nearby Cygnet Theatre and the Salvation Army were high buildings these were long established buildings and part of the scene; would change the skyline and were too high; would conflict with the character of the area; detract from the area as would be dominant in the street scene as you approached the site; consideration was being made to hide the parking but these dwellings would be very prominent
- this was a highly regarded area with Georgian and listed properties
- would like to see the listed properties restored, a bungalow with reduced height would be more suitable in the location of the proposed new dwellings
- would have negative impact on the conservation area.

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

- supported the comments of Councillor Mrs Brock
- had walked the site and the setting had an open feel
- in the Conservation Area Appraisal the view down Friars Gate was stated as important; these dwellings would spoil those views
- the two new dwellings would cause permanent harm to the area;
- a smaller lower set building would be more appropriate
- this was a site on the Red Coats tour
- visiting the site was a valuable exercise
- these two new dwellings would be cause damage to the character of the area.

Mr Turner (Agent) spoke in support of the applications. He raised the following points:-

- had been working on the plans for this site for 12 months
- the new build was not out of keeping with other properties in the area
- at Colleton Hill there were compact homes
- the new dwellings were simple and contemporary and would not dominate the street scene; were subservient buildings and invisible on the skyline

- had taken care when designing the buildings considering the Cygnet Theatre and the Salvation Army building
- would bring character to this corner of the site
- there were cost implications to the scheme with the refurbishment of the listed buildings although it was still a low density proposal.

In response to Members, Mr Turner clarified that without this additional housing the scheme would not be viable; a bungalow would not be an option as demand for bungalows was low; the materials to be used were render, timber joinery and slate roof; landscaping would be conditioned; and would restore the wall surrounding the site.

Members raised concerns regarding the impact and the possible over dominance that the proposed two new dwellings could have on the character of the area and requested a site visit by all Planning Committee Members.

**RESOLVED** that planning permission for sub division of two existing dwellings to create three new dwellings with associated internal and external works, construction of two new dwellings to south east corner of site, new access road, parking and bin storage be **deferred** for a site inspection by all Planning Committee Members to assess the impact of the proposed two new dwellings on the character of the area.

**RESOLVED** that be listed building consent for sub division of two existing dwellings to create three new dwellings with associated internal and external works, construction of two new dwellings to south east corner of site, new access road, parking and bin storage be **deferred** for a site inspection by all Planning Committee Members to assess the impact of the proposed two new dwellings on the character of the area.

(Report circulated)

66

**PLANNING APPLICATION NO.11/2006/03 - 19 THE STRAND, TOPSHAM, EXETER, EX3 0AS**

The Assistant Director City Development presented the application to demolish the existing summerhouse and garage and rebuild them in the estuary garden at 19 The Strand, Topsham, Exeter. The proposed new structures would be larger than the existing and the access would be repositioned.

Members were circulated with an update sheet giving details of a further revised plan, clarification that the construction details for the summerhouse had been received and an additional condition.

The recommendation was for approval subject to the conditions as set out in the report and the additional condition on the update sheet.

**RESOLVED** that planning permission for demolishing existing and rebuilding of summer house and garage in estuary garden be **approved** subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 4 May 2012 (dwg. no. 100) and 6 March 2012 (SK27(A) and SK28), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.

- 3) Samples of the materials it is intended to use in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.  
**Reason:** To ensure that the materials conform with the visual amenity requirements of the area.
- 4) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the proposed entrance gates and planting scheme have been submitted to, and approved in writing by, the Local Planning Authority. The entrance gates and planting shall thereafter be provided in accordance with these approved details.  
**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 5) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent order amending or revoking and re-enacting that Order), no additional hard surfacing shall be created on the estuary garden unless an application for planning permission is first submitted to and approved by the Local Planning Authority.  
**Reason:** In the interests of visual amenity within the Topsham Conservation Area.
- 6) Prior to the commencement of works on the summerhouse hereby approved, details of the proposed pile and beam foundations to support the summerhouse shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the development shall be completed strictly in accordance with the approved details.  
**Reason:** To ensure that the summerhouse is constructed in a manner that minimises the potential for any adverse impact on the nearby tree in the interests of the character and appearance of the area.

(Report circulated)

67

**PLANNING APPLICATION NO.12/0584/01 - LAND BETWEEN RINGSWELL AVENUE AND RIBSTON AVENUE, EXETER**

Councillor Denham declared a personal and prejudicial interest as an employee of the Deaf Academy and left the meeting during consideration of the item.

The Senior Area Planning Officer presented the outline application for the demolition of the former school buildings, erection of an Academy for Deaf Education with associated residential accommodation, open space, car parking and landscaping at land between Ringswell Avenue and Ribston Avenue, Exeter.

Members were advised that, following negotiations, the scale and massing of the proposed buildings were considered to be acceptable.

Members were circulated with an update sheet giving details of two additional letters of objection; comments from the County Director Environment, Economy and Culture and additional conditions.

The recommendation was for approval subject to the conditions as set out in the report and the additional conditions on the circulated update sheet.

Mr Farnhill (Chief Executive Academy for Deaf Education) spoke in support of the application. He raised the following points:-

- this was an outline application
- there had been a school for Deaf Education in the city since 1826
- was the only residential school for the Deaf in the South West
- had 120 pupils ranging from four to twenty four
- was more than just a school providing learning and training and inclusion working alongside pupils at Exeter College
- provided sign language courses for the community
- 200 employees
- would bring £5 million into the local economy through local authority fees
- the existing site was showing signs of age and had limited disabled access
- would cost £25 million to build and had generated interest from various organisations across the world
- would like the residential accommodation to feel like home
- wanted pupils to know they were special and that people care.

In answer to Members' questions, Mr Farnhill clarified that it was the intention to have as much grass area as possible and to bring grass back on to the site; the community would benefit from the facilities with sign language courses and hearing dog training; about 70 of the children would be non-residential, the timetable would be different to that of the adjacent school starting and finishing at lunch times on Monday and Friday and working later in the week to make up the hours; it was intended to be an inspirational building.

**RESOLVED** that planning permission for the demolition of former school buildings, erection of Academy for Deaf Education with associated residential accommodation, open space, car parking and landscaping be **approved** subject to the following conditions:-

- 1) C01 - Standard Outline
- 2) C04 - Outline - Exclude Details
- 3) C07 - Time Limit - Outline
- 4) C15 - Compliance with Drawings
- 5) C17 - Submission of Materials
- 6) C34 - Landscape Scheme - Outline
- 7) C36 - No Trees to be Felled
- 8) C37 - Replacement Planting
- 9) C38 - Trees - Temporary Fencing
- 10) C70 - Contaminated Land
- 11) 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.
- 12) Before the commencement of development, a Construction Environmental

Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. It shall include details of measures to be employed to prevent the egress of mud, water and other detritus onto the public highway. It shall include for the provision of a dilapidation survey of the highways adjoining the site. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

**Reason:** In the interests of minimising the impact of construction works.

- 13) Details of all building services plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope, shall be submitted to and approved in writing by the LPA. The predicted noise levels shall be submitted prior to commencement of the development and shall be demonstrated by measurement prior to occupation of the development.  
**Reason:** In the interests of local amenity.
- 14) Prior to occupation of the development hereby permitted, secure cycle parking, lockers, showers and changing facilities accessible to all occupants of the premises shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking and other facilities shall be maintained thereafter.  
**Reason:** To ensure that cycle parking and other facilities are provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- 15) Prior to occupation of the development, access to Ringswell Avenue for pedestrians and cyclists shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and maintained at all times thereafter.  
**Reason:** To encourage travel by sustainable means in accordance with Local Plan policy T3.
- 16) Any individual building to be developed pursuant to this planning permission shall achieve a BREEAM 'very good' standard as a minimum, increasing to 'excellent' for buildings for which application for approval of reserved matters is made on or after 31st January 2013, and shall achieve 'zero carbon' for buildings commenced on or after 1st January 2019. Prior to the commencement of construction the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be prepared by a licensed BREEAM assessor confirming the score expected to be achieved and the BREEAM rating to which this corresponds. Where the score does not meet the minimum standard the developer must provide details of what changes will be made to the development to achieve the minimum standard, and shall thereafter implement those changes. A post completion BREEAM report 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.
- 17) Construction and demolition hours

- 18) Kitchen extraction details
- 19) Within six months of the commencement of use of the proposed Academy a Sustainable Travel Plan shall be implemented in accordance with details that shall previously have been submitted to, agreed and approved in writing by, the Local Planning Authority.  
**Reason:** To secure the provision and implementation of a Sustainable Travel Plan.
- 20) No part of the development hereby approved shall be brought into its intended use until:-  
 (a) the car and secure/casual cycle parking facilities, together with lockers, showers and changing facilities; and  
 (b) the main and emergency access facilities for vehicles, and additional access to and from Ringswell Avenue on foot and by cycle have been provided 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:** To ensure that adequate facilities are available for the traffic attracted to the site, and to encourage travel by sustainable means.
- 21) The Academy building hereby permitted shall have a height not exceeding 52.20m AOD and a maximum footprint of 3550 sqm. The Residential Care building hereby permitted shall have a height not exceeding 51.20m AOD and a maximum footprint of 1300 sqm.  
**Reason:** To ensure that the size and scale of the buildings is appropriate to the site, the character of the area and local amenity.

(Report circulated)

68 **PLANNING APPLICATION NO.12/0674/29 - PINN COURT FARM, PINNCOURT LANE, EXETER, EX1 3TG**

The Senior Area Planning Officer presented a consultation from East Devon District Council for an outline application for residential development of up to 430 units at Pinn Court Farm, Pinncourt Lane, Exeter. The proposal would include a local centre comprising retail space of up to 240 sqm and a community centre, care home of up to sixty bedspaces, specialist care home of up to sixty bedspaces and a park and change facility together with associated open space, cycleways, footpaths, infrastructure and safeguarded vehicular route to Langaton Lane, served off a new access from the highway (B 3181).

One additional objection had been received raising issues of the impact to traffic, loss of open space and wildlife, and the strain it would place on schools and doctors surgeries in the area.

Members were circulated with an update sheet giving details of an email from the applicant's agent; details from the County Director of Environment, Economy and Culture who had recommended to East Devon District Council that the application be refused; and a revised recommendation.

In view of the concerns expressed by the County Council on highway grounds, the recommendation was that the City Council object to the application until such time as the highway concerns were addressed to the satisfaction of the County Director.

Members supported the objections raised by the County Director and expressed the need for a park and ride site on the development.

The Strategic Director advised Members on the Pinhoe Access Strategy, the third phase of Devon County Council Access Strategy and the need to ensure that new development in the Pinhoe Area could be accommodated by the highway network.

**RESOLVED** that the City Council **OBJECTS** to this proposal authority be delegated to the Assistant Director City Development in consultation with Planning Member Working Group to agree grounds of objection.

(Report circulated)

69      **TELECOMMUNICATIONS APPARATUS APPLICATION NO.12/0699/28 - GRID REFERENCE 292808, 093231 AT JUNCTION OF BLACKBOY ROAD AND, WESTERN WAY, EXETER**

The Assistant Director City Development presented the application for the installation of a 12metre telecommunication column with three antennas, radio equipment housing and ancillary works at the junction of Blackboy Road and Western Way, Exeter.

Members were circulated with an update sheet giving details of the consultation response of the County Director of Environment, Economy and Culture and the applicant response to locating the apparatus on the former Townsends Printers site.

The recommendation was to approve the application subject to the conditions as set out in the report.

Members agreed that the mast should not have the plastic shroud.

**RESOLVED** that the application for the installation of 12m telecommunication column with three antennas, radio equipment housing and ancillary works be **approved** subject to the following conditions:-

- 1)      C05 - Time Limit - Commencement
- 2)      C15 - Compliance with Drawings

(Report circulated)

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

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

(Report circulated)

71      **SECTION 106 AGREEMENTS**

The Assistant Director City Development presented the report to update Members on the progress of implementing Section 106 agreements and on the expenditure of financial contributions received.

**RESOLVED** that the report be noted.

(Report circulated)

72

**APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

(Report circulated)

73

**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 10 July 2012 at 9.30 a.m. The Councillors attending will be Bialyk, Mrs Henson and Morris.

(The meeting commenced at 5.30 pm and closed at 8.15 pm)

Chair



## LICENSING COMMITTEE

12 June 2012

### Present:

Councillor Macdonald (Chair)

Councillors Owen, Clark, Dawson, D J Henson, Payne, Pearson, Robson, Ruffle, Shiel, Tippins and Winterbottom

### Apologies:

Councillors Choules and Leadbetter

### Also present:

Assistant Director Environment, Licensing Solicitor, Principal Licensing Officer, Solicitor and Member Services Officer (HB)

### 24 **Minutes**

The minutes of the meetings held on 14 February and 27 March 2012 were taken as read and signed by the Chair as correct records.

### 25 **Declarations of Interest**

The following Member declared a personal and prejudicial interest as indicated:-

<b>COUNCILLOR</b>	<b>MINUTE</b>
Councillor Tippins	32 (knew the applicant)

### 26 **Law Commission - Proposals for Change to Taxi and Private Hire Licensing**

The Principal Licensing Officer presented the report setting out the main elements of a consultation document issued on the 10 May 2012 by the Law Commission relating to proposed changes to the activities that are regulated by authorities by way of hackney carriage and private hire vehicle and driver licensing.

Changes under consideration included the introduction of national standards for taxis and private hire vehicles with all vehicles being subject to national minimum safety standards, the Law Commission stating that this would contribute to widening consumer choice and making services cheaper and more competitive. The proposals would not affect the traditional London "black cab" but taxi numbers could no longer be restricted by local authorities on the basis of unmet demand.

Members would be invited to comment on the proposed response to the consultation document and further reports would be submitted to this Committee as proposed changes to the current system progressed.

**RESOLVED** that the report be noted.

(Report circulated)

27 **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 I, Schedule 12A of the Act.

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

28 **Application for Consent to Trade (Mr M.R.)**

The Principal Licensing Officer reported that Mr MR had applied for consent to street trade for a period of twelve months in Castle Street, a designated area under the provisions of the Local Government (Miscellaneous Provisions) Act 1982. He had not previously held consent to trade in any part of the City.

Mr MR wished to sell Mediterranean type food such as falafel and borek from a stall but had not identified a particular unit for the purposes of trading in the application. The times and days requested were from 09.30 hours to 18:00 hours, Monday to Sunday.

Mr MR attended the meeting and spoke in support of his application for this fast food business. He stated that he had initially identified one of the existing sites but the vacating occupant had failed to notify him of his departure and that consent had now been granted to another trader. Mr MR had identified a possible fifth site, adjacent to the site occupied by the creperie stall and close to the wall on the right hand side (looking up to the Castle) of Castle Street.

Mr MR stated that he was offering a new and different fast food option in the City Centre. The food was healthy and ingredients were largely locally sourced. He circulated a photograph of the proposed location of the unit but advised that he was unable to inform Members of the precise size of the stall as he had not wished to commit himself to a purchase until he knew whether consent was to be granted.

It was noted that the availability of sites in Castle Street were not advertised and that the existing traders came to agreements regarding the precise location of their respective pitches. Members further noted that, given the limited availability of space in the area, it was difficult to assess the impact any further unit would have given that no details had been provided of the likely size and construction of the stall or the precise location suggested.

Members noted that the left area of Castle Street was taken up with external seating allocated to a coffee outlet; the centre of the area was fitted with seating running the length of the consent area leaving approximately one third of the total area for the remaining traders. Comments had been received from the proprietor of the coffee unit, Exeter City Council's Property Manager as well as the Events Facilities and Markets Manager who were opposed to the application.

The Licensing Committee retired to make its decision.

**RESOLVED** that, while the Licensing Committee found the application to be an interesting one, there was a lack of detail and concern over the lack of space so the application for consent be refused.

(Report circulated to Members)

**TOWN POLICE CLAUSES ACT 1847/TRANSPORT ACT 1985, SECTION 16**

**TRANSPORT ACT 1985**

**29 Application for the issue of a Hackney Carriage Vehicle Licence (Mr S.H.)**

The Principal Licensing Officer reported that Mr SH had applied for a hackney carriage licence. Mr SH had indicated that, if successful, he would put a London type cab (TX4 Elegance) onto the circuit.

Mr SH attended the meeting and spoke in support of his application. He stated that, overall, there had been a reduction in the number of taxi seats in the City. This was partly resulting from some operators converting to smaller vehicles that were still capable of carrying wheelchairs, asserting that, as a result, there were now 13 fewer vehicles that could accommodate wheelchairs. He also stated that, of the 336 private hire vehicles in the City, only 11 were wheelchair accessible. In response to questions raised by Mr SH, the Principal Licensing Officer stated that there was no reduction in wheelchair accessible vehicles but there may have been a reduction in the number of seats available but that was not what unmet demand surveys took into consideration.

He questioned the validity of the recent survey stating it had not included a survey of people with disabilities in the City. He also questioned the validity of the top up survey undertaken in respect of the demand experienced as part of the night time economy. It had been raining the night the survey had been taken and he therefore suggested that, consequently, the figures may not have been accurate. Mr SH did concede that poor weather might equally lead to more people using taxis.

Mr SH referred to umbrella organisations serving the needs of the disabled such as Living Options and the Exeter Community Transport Association (ECTA) and stated that one of the companies used by them to transport the disabled was no longer operational. The Principal Licensing Officer confirmed that Exeter Community Transport Association had ceased providing the services of a vehicle they had licensed but this vehicle was licensed for private hire as an application for a hackney carriage licence by ECTA had been refused at a previous Committee.

Members noted the responses Mr SH had received from institutions such as care homes etc. indicating they may be likely to use the service of a wheelchair accessible vehicle. Mr SH stated that his original letter to these bodies had been reported to this Committee as part of an earlier application. He acknowledged that some of the responses were over a year old and that it might be appropriate to further approach those contacted to obtain an update on their position.

Members noted that, of the 65 hackney carriage vehicles operating in the City, approximately 50% were able to carry wheelchairs. The number of people identified as disabled in the City was unknown.

The Licensing Committee retired to make its decision.

**RESOLVED** that it be determined that Mr SH's application be refused. The Licensing Committee was satisfied with the conclusion of the Mouchel Ltd. survey (published in September 2010) together with a top-up survey published in March 2011 that there was no significant unmet demand for hackney carriages in Exeter. Mr SH had adduced no evidence that cast doubt on the survey findings or persuaded the Licensing Committee that there was significant unmet demand. The Licensing

Committee found no reasons that justified a departure from the policy of not exercising its discretion to grant further hackney carriage licenses.

(Report circulated to Members)

30 **Application for a Private Hire Licence Renewal (Mr T.T.)**

The Licensing Solicitor reported that Mr TT had applied to renew a hackney carriage licence.

The private hire vehicle licence for the Ford Tourneo VRN CN55 ZXL had expired before an application for renewal had been submitted, the expiry date being 8 May 2012, Mr TT had stated that he had contacted the Council on both 4 and 8 May 2012 although there was no record of him having done so. A temporary PHV licence had been issued to cover the period between 8 May 2012 and any determination of the renewal application by this Committee. There was a record of Mr TT contacting the Council on 9 May 2012.

In *R (o/a Exeter City Council) v Sandle [2011] EWHC 1403 (Admin) 16 May 2011* Collins J, in considering the question of whether a licence that had expired was capable of renewal answered this in the affirmative. In deciding for how long after expiry it could be renewed it was held that there was “no particular period” of time after which a licence could not be renewed “but only in exceptional circumstances would an application for renewal be entertained after a delay of two to three days”.

Mr TT attended together with Mr PN, Solicitor, who spoke on his behalf.

The Licensing Committee retired to make its decision.

**RESOLVED** that it be determined that Mr TT’s application for the renewal of his private hire vehicle licence be granted.

(Report circulated to Members)

31 **Application for the issue of a Hackney Carriage Vehicle Licence (Mr S.R.)**

The Principal Licensing Officer reported that Mr SR had applied for a hackney carriage licence. Mr SR had indicated that, if successful, he would put a Ford Journey onto the circuit.

Mr SR attended the meeting and spoke in support of his application. He offered to circulate details of a survey he had undertaken which he stated proved unmet demand. As Members did not have sufficient opportunity to consider the papers fairly, it was proposed that the matter be adjourned for the documentation to be circulated and considered at the next meeting.

**RESOLVED** that consideration of Mr SR’s application be adjourned in order for the documentation he had provided at the meeting to be circulated to Members as part of the application to be presented to the next meeting of this Committee.

(Report circulated to Members)

32 **Application for a Private Hire Vehicle Licence Renewal (Mr T.G.)**

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

The Licensing Solicitor reported that Mr TG had applied to renew a hackney carriage licence.

The private hire vehicle licence for the Fiat Ulysee VRN WG05 NXM had expired before an application for renewal was submitted, the expiry date being 12 April 2012, Mr TG contacting the Council on the following day, 13 April 2012. A temporary PHV licence has been issued to cover the period between 12 April 2012 and any determination of the renewal application by this Committee.

In *R (o/a Exeter City Council) v Sandle* [2011] EWHC 1403 (Admin) 16 May 2011 Collins J, in considering the question of whether a licence that had expired was capable of renewal answered this in the affirmative. In deciding for how long after expiry it could be renewed it was held that there was “no particular period” of time after which a licence could not be renewed “but only in exceptional circumstances would an application for renewal be entertained after a delay of two to three days”.

Mr TG attended and spoke in support of his application.

**RESOLVED** that it be determined that Mr TG’s application for the renewal of his private hire vehicle licence be granted.

(Report circulated to Members)

33 **Application for the issue of a Hackney Carriage Vehicle Licence (Mr H.A.)**

The Principal Licensing Officer reported that Mr HA had applied for a hackney carriage licence. He had indicated that, if successful, he would put a London type cab (TX4 Elegance) onto the circuit.

Mr HA was not in attendance.

**RESOLVED** that it be determined that Mr HA’s application be refused. The Licensing Committee was satisfied with the conclusion of the Mouchel Ltd. survey (published in September 2010) together with a top-up survey published in March 2011 that there was no significant unmet demand for hackney carriages in Exeter. Mr HA had adduced no evidence that cast doubt on the survey findings or persuaded the Licensing Committee that there was significant unmet demand. The Licensing Committee found no reasons that justified a departure from the policy of not exercising its discretion to grant further hackney carriage licences.

(Report circulated to Members)

The meeting commenced at 5.30 pm and closed at 8.00 pm

Chair

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## SCRUTINY COMMITTEE - COMMUNITY

29 May 2012

### Present:

Councillor Norman Shiel (Chair)

Councillors Mitchell, Bowkett, Choules, Clark, Dawson, Donovan, Laws, Morris, Mottram, Payne and Tippins

### Apologies:

Councillors Branston

### Also present:

Strategic Director (KH), Strategic Director (MP), Assistant Director Environment, Assistant Director Economy, Assistant Director Finance, Assistant Director Housing and Contracts, Housing Operations Manager, Museums Manager, Leisure Facilities Manager and Member Services Officer (SJS)

### In attendance:

Councillor Rob Hannaford - Portfolio Holder for Housing and Community Involvement

Councillor Greg Sheldon - Portfolio Holder for Environment and Leisure

## 29 Minutes

The minutes of the meeting held on 6 March 2012 were taken as read and signed by the Chair as correct.

## 30 Declaration of Interests

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

<b>COUNCILLOR</b>	<b>MINUTE</b>
Councillor Bowkett	31 (Committee Member on the Synergy Housing Board (Astor Homes) and an employee of Exeter Council for Voluntary Services)
Councillor Hannaford	31 (his parents had brought their property under the 'right to buy' scheme)
Councillor Mottram	31 (his company undertakes work for Parkwood Leisure) 33* (his company undertakes work for Parkwood Leisure)

## 31 **Portfolio Holders to present their priorities for the Forthcoming Year**

Councillor Bowkett declared a personal interest as Committee Member on the Synergy Housing Board (Astor Homes) and as an employee of Exeter Council for Voluntary Services.

Councillor Hannaford declared a personal interest as his parents had brought their property under the 'right to buy' scheme.

Councillor Mottram declared a personal interest as his company undertakes work for Parkwood Leisure.

Councillor Hannaford presented the priorities within the Housing and Community Involvement Portfolio for the forthcoming year. The report is attached to these minutes.

The following responses were given to Members' questions:-

- there were sites and parts of sites within the city with planning approval that had not yet been built on, the Council would work with developers to bring these sites forward
- the Council had a policy that required 5% of all new housing development to be Disability Discrimination Act compliant
- work was on-going to prevent residents becoming homeless
- the Council policy was for 35% affordable housing on new development wherever possible
- would work with and support the County Council in the development of the 150 Extra-Care bed units
- would discuss with officers and talk to Oxford City Council Portfolio Holder with regards to their Additional Licensing Scheme in respect of private sector HMO properties
- would explore the feasibility of having a private tenant led organisation to assist in improving standards in private sector rented properties
- would intervene to reduce the impact of Welfare Reform on residents; it could potentially affect up to 70 families within the city
- was not against the 'right to buy' scheme if the Council could keep 100% of the receipts to enable reinvestment in the development of new affordable housing; at present, the Council would only be able to replace one house for every three/four sold under the scheme
- the solar panels had already been installed; this was at no cost to the Council
- the Residential Park Forum had met twice and there was a strong desire to build upon this initial work
- the new Exeter Board, a Joint Committee of City and County Councillors had replaced the old County Committee and would provide a more joined up and effective way of working to resolve community and housing issues within the city
- previously the council were required by law to operate an 'open register' for people in housing need; people's priority was by their needs and they would then be appropriately banded; local family and work connections were taken into account.

The Housing Operations Manager clarified that the number of people accepted as homeless in the last four years had decreased.

Councillor Sheldon presented the priorities within the Environment and Leisure Portfolio for the forthcoming year. The report is attached to these minutes.



The following responses were given to Members' questions:-

- the system review was being undertaken by Vanguard and staff led
- works had been undertaken on the Heavitree Park paddling pool last year and further works were now required; a consultation with local residents was due to take place shortly on the upgrading of the facilities at St Thomas, it would have to close if it was not refurbished
- the review of the parking enforcement and community patrol teams would provide a more flexible service; a report detailing the changes would come to this Committee in due course, staffing levels were anticipated to remain the same
- the Flowerpot Skate park was greatly used and was showing signs of wear; the wooden ramps would be replaced with harder wearing concrete ramps
- there was no budget to build new parks; although Section 106 monies were used to build play areas on new developments
- Devon County Council as the disposal authority deals with the waste that was collected by the Council, and all such waste including food waste was currently planned to be sent to the new Energy from Waste plant being built in Marsh Barton; so there would be no justification for a separate collection of food waste at present. However, a joint bid for government funding was being prepared with other Local Authorities in Devon, which would propose some separate food waste collection
- would pro-actively manage the Council's fleet this year to reduce its overall carbon footprint
- bi-weekly refuse collections successfully encouraged residents to recycle, and specific partnership work was carried out with others such as the University, in order to encourage residents including students to manage and reduce their waste
- the Council was committed to improving air quality although the management of traffic, which was the main cause of the poor air quality in Exeter, was primarily a county council responsibility
- had seen some changes in the demographic of HMO's since the increase in the availability of purpose built student accommodation
- it was not compulsory for food businesses (cafés/restaurants, etc.) to display their Food Hygiene Rating Scheme score; would publicise the scheme in the next edition of 'the Citizen'
- an example of working with partner agencies and business to reduce alcohol-fuelled anti-social-behaviour would be the newly formed Exeter Night Time Economy Forum
- RAMM was one of only four museums in the UK still in the running to win the Art Fund prize and the prestigious title of 'Museum of the Year'
- the plans for the swimming pool were at the feasibility stage and a full consultation would be undertaken; it was hoped that the Pyramids pool would be able to stay open until a new pool had been completed
- a capital bid for the works to the athletics track had been submitted for 2013/14.

The Assistant Director Environment advised that:

- to encourage taxi proprietors to replace their taxis with vehicles with lower emissions, a policy would be introduced which would link charges to emissions;
- food business proprietors who were not satisfied with their Food Hygiene Rating Scheme score could register their reasons on the national web-site, and request a re-inspection, although very few had done so.

The Committee congratulated the officers at RAMM on reaching the final four for the Art Fund prize and the title of 'Museum of the Year'.

Scrutiny Committee - Community noted the achievements and priorities presented.

### 32 **Appointment of Members to Working Groups**

Membership of the following working group was agreed:-

#### Parkwood Leisure Contract Working Group

Councillor Shiel (Chair), Councillor Mitchell, Councillor Morris and Sheldon.

The Community Toilets Working Group would report its conclusions to the September meeting of this Committee.

### 33 **Parkwood Leisure Management Contract**

Councillor Mottram declared a personal and prejudicial interest and left the meeting during consideration of this matter as his company undertook work for Parkwood Leisure.

Councillor Mitchell (the Chair) reported on the progress of the Parkwood Leisure Contract Working Group. He advised that the first meeting had taken place and that the following had been discussed:-

- the background to the contract
- contractual issues
- QUEST and assessing and benchmarking
- improving levels of service to above those specified in the contract
- Four of leisure facilities
- meeting on a monthly basis.

The Scrutiny Committee – Community noted the update.

### 34 **Statutory Service Plan (Business Compliance) 2012/13**

The Assistant Director Environment presented the report on the proposed adoption of the Statutory Service Plan (Business Compliance) 2012/13. The plan set out the Council's regulatory function in respect of food safety, health and safety and other statutory functions over the forthcoming year.

Scrutiny Committee – Community noted the report and requested Executive to:-

- (1) approve the Statutory Service Plan (Business Compliance) 2012/13; and
- (2) authorise the Assistant Director Environment to change the Statutory Service Plan in light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

### 35 **Private Sector Housing Policy : Financial Assistance Packages 2012/13**

The Assistant Director Environment presented the report informing Members of the financial assistance awarded to private sector households in 2011/12 and seeking approval for proposed changes to the types and levels of financial assistance that

would be available in 2012/13. Financial assistance packages formed one of the policy tools available to improve housing conditions in the private sector. A review of the other policy tools would be contained in the Private Sector Housing Renewal Policy that would form a sub-strategy of the Housing Strategy, which would be reported to this Committee in September 2012.

In response to Members' questions, the Assistant Director Environment clarified the following:-

- the Disabled Facilities Grant scheme was for existing dwellings that required adaptations e.g. installation of stair-lifts, replacement of baths with level access showers, so that an occupant with a disability could remain living in their home
- there were 800 licensed HMO within the City which were inspected every five years as part of the licensing process. There was no general proactive inspection programme for other tenanted properties due to available resources, but targeted proactive inspection did take place. However, the Council did respond to a variety of tenants' complaints (e.g. about disrepair) and were able to assess the property condition at this point. It was recognised that tenants were often unaware of where complaints could be reported and were sometimes fearful of the landlord's reaction, hence the need to promote access to the service with this group
- Cosy Devon – offered financial assistance for insulation measures in properties with little loft or cavity wall insulation for those on low income
- a comprehensive risk assessment of the impact that the Welfare Reform could have on the Council was being undertaken and would be presented to Members early next year.

The Strategic Director (KH) advised that new developments require 5% of housing be Disability Discrimination Act compliant.

A Member raised the benefit of a tenant led organisation within the City to help improve the standards in the private rented sector.

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

- (1) approve the financial assistance tools as set out in the report and their respective budget allocation; and
- (2) authorise the Assistant Director Environment, subject to prior consultation with the Portfolio Holder for Housing and Community Involvement, to re-allocate uncommitted parts of the respective budget allocation between financial assistance tools, in order to meet need.

(Report circulated)

## 36 **2012 Review of Re-cycling Plan 2011/16**

The Assistant Director Environment presented the report updating the Committee on progress with the Recycling Plan since its approval in 2011 and seeking ongoing support from the Committee for re-cycling initiatives.

He advised that whilst Exeter maintained a steady recycling rate, as a consequence of the economic downturn there was less consumption and fewer materials had been produced for collection and processing. However, there had also been a reduction in rubbish produced to around 300kg per head per annum. The garden waste scheme

was undergoing changes with all customers registered annually to enable the collection crew to target their rounds to those registered addresses. A reduction in miles travelled and resources was anticipated as result of forth-coming review to establish new routes.

In response to Members' questions, the Assistant Director Environment clarified the following:-

- Bring banks for small electrical appliances were being introduced to the bring bank sites and the bank areas tidied to enhance their appeal; this would include more uniform colour coding, improved signage and more regular cleaning.
- Ward Members were informed of any changes to rounds a week in advance of letters sent to the public
- the Council would wish to assist community compost schemes within the City although these did have constraints in particular with their siting in proximity to homes, and the need for a community organiser
- work was undertaken with the University to promote recycling and better waste management. This had included attendance at Fresher's Weeks, and providing content within the University's tenant handbook on recycling and waste management
- the proposed door-knocking campaign was a professional targeted survey; would ensure that the survey took into account of the absence of students during the summer break in June
- the benchmarking group was comprised of authorities with similar demographics to Exeter, for which information was made available for comparison, but this did not entail officer meetings at each of those cities across the country.

Scrutiny Committee - Community:-

- (1) noted the progress made by the Council to date in implementing the Re-cycling Plan 2011/16; and
- (2) supported the Re-cycling Improvement Plan 2012/13.

(Report circulated)

### 37 **Extension of RAMM's Acquisition and Disposal Policy and Statement on Acquisition of Archaeological Archives**

The Museum Manager presented the report updating the current and planned strategy relating to collections development at RAMM and including a timetable for producing a Collections Development Policy by the end of 2013 along with an extension of the existing Acquisitions and Disposals Policy until that date. It also described the current position in relation to the acquisition of new archaeological archives.

Scrutiny Committee - Community noted the report including the timetable in respect of producing a Collections Development Policy for December 2013.

### 38 **Housing and AIM Property Maintenance Out-Turn Report 2011/12**

The Strategic Director (KH) submitted a report detailing the fourth quarterly/outturn report, covering the period from January to March 2012 (but including updated

figures at 10 May 2012). It included the financial position of the £7.5 million programme of reactive and planned property maintenance and refurbishment at the end of 2011/12 and covered revenue funded housing and non-housing schemes as approved by Council for the financial year 2011/12 and budgets for schemes rolled forward from 2010/11.

Scrutiny Committee - Community noted the outturn financial position and works in 2011/12, as detailed in the report.

(Report circulated)

### 39 **AIM Property Maintenance Proposed Programme 2012/13**

The Strategic Director (MP) presented the report detailing the proposed programme of property asset related project work in relation to the budgets set in 2012/13 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 2012/13.

The Housing Operations Manager clarified that the rolling programme for kitchen replacements was every 25 years although when a property became vacant a review of the kitchen was undertaken to determine if a replacement was needed.

A Member raised concerns regarding the current year budget for the Heavitree Park paddling pool refurbishment when funds had been spent in the previous year.

The Assistant Director Environment advised of the position with regard to the paddling pool advising that last year monies had been spent on improving the chlorination dosing of the pool following routine water sampling. Further works were planned to enhance the pool.

Scrutiny Committee - Community noted the programme of property asset related work for 2012/13, as detailed in the report.

(Report circulated)

### 40 **Housing Revenue Account - Final Accounts 2011/12**

The Strategic Director (KH) advised Members of the overall financial performance of the Housing Revenue Account for the 2011/12 financial year ended 31 March 2012. He updated Members on the HRA working balance, major repairs reserve and of the settlement payment to implement the HRA self-financing scheme. The Council had borrowed £56,884,000 based on the affordability of the Council's 30-year business plan to make the one-off debt settlement payment to the Department for Communities and Local Government.

In response to Members' questions, the Housing Operations Manager stated that the cost of the quarterly Insight newsletter which was distributed to 5,000 tenants and 900 leaseholders was just under £10,000 per annum.

Scrutiny Committee - Community noted the report.

(Report circulated)

41 **Community Services Outturn to 31 March 2012**

The Strategic Director (MP) advised Members of the overall financial performance of the Community and Environment Directorate for the 2011/12 financial year ended 31 March 2012.

In answer to a Member's question, the Assistant Director Environment advised that the income from immigration visits was in respect of foreign countries requesting inspections to ensure that their sponsored citizens were to be housed in suitable accommodation.

The Assistant Director Finance clarified the position with regards to the Preventing Homelessness Grant and that it was not ring-fenced.

The Strategic Director (KH) advised that the grant not being ring-fenced provided the Council with flexibility for accounting purposes.

A Member raised concerns regarding the reduction in the budget from Devon County Council for the Supporting People budget.

The Scrutiny Committee - Community noted the report.

(Report circulated)

The meeting commenced at 5.30 pm and closed at 8.35 pm

Chair

**PFH Housing and Community Involvement**  
**Cllr Rob Hannaford – reporting to Scrutiny Community**  
**29 May 2012**

**Build communities where everyone has a home**

- o Continue to offer a professional and flexible approach to developers seeking to build new homes in the City and to negotiate the provision of affordable housing that meets the identified housing needs of local residents.
- o Provide new affordable homes across the city and in the urban extensions at Newcourt , Monkerton and Alphington.
- o Seek to deliver at least 5% of all new affordable housing stock to meet the Council's wheelchair design standards and we shall produce a wheelchair housing strategy for the city.
- o Continue to assist in the facilitation and development of 150 Extra-Care homes across the City.

**Use a range of measures to solve housing problems**

- o Accessing funding and land for more social, shared ownership, affordable and shared equity housing after massive government cuts to grant funding and the abolition of the SWRDA and regional spatial strategy.
- o Review and monitor the pressures on the council's existing housing stock and Housing Revenue Account (HRA) from the new discounted Right To Buy proposals.
- o Ensure that we make best and prudent use of any funding that becomes available through the new HRA, to maintain existing stock and build new units.
- o Maintain and enhance our existing good work through the Tenants and Leaseholders Committee, Exeter Homes Partnership and Performance Review Committee.
- o Manage additional pressures and work loads from the cuts and changes to housing benefit, government imposed reductions in council tax benefits, and the Coalitions back to work agenda.
- o Work with the Environmental Health staff to monitor and drive up standards in private sector properties, especially for vulnerable groups and young people.
- o Look at establishing a scoring system for private sector properties to encourage landlords to improve their stock using energy saving grants etc.
- o Make further representations and support the private members bill to give greater rights and protection to park home owners.
- o Make the best use of the new funding streams from the revised planning systems for both housing and community initiatives.
- o We will also commit to Exeter being a city where no-one needs to sleep out on the streets for a second night.
- o Ensure that a hotline number is available on behalf of all Devon districts and ensure

<p>appropriate provision is made to cope with extreme cold weather periods</p> <ul style="list-style-type: none"> <li>o Continue to grow the Private Sector Leasing and EXtralet schemes to provide a wider pool of affordable accommodation in conjunction with the private sector</li> <li>o Maintain our Council properties well and continue to meet the Decent Homes Standard or similar standards</li> <li>o Provide up to £400,000 in renovation grants to those most in need to make private sector homes fit for habitation</li> <li>o We will build upon recent work to cut down the time it takes to install Disabled Facility Grant adaptations in private dwellings by use of approved builders lists and modular pricing of standard works.</li> <li>o We will work to strengthen to Protocol all the Devon Councils have with Registered Providers (Housing Associations) through which they undertake to contribute to the cost of disabled adaptations to their homes.</li> <li>o We will continue to work in partnership with Wessex Home Improvement Loans to develop innovative loan products, and improve marketing in order to encourage greater take up. We will also seek to expand the work of Wessex to include debt advice to clients in need.</li> </ul>
<p><b>Provide homes for rent that people can afford</b></p>
<ul style="list-style-type: none"> <li>o Ensure that we continue to take a lead role on the issue of homeless in Exeter and neighbouring areas, and when needed advocate for more funding, resources, and understanding of the often complex issues that are affecting people.</li> <li>o Facilitate the reuse of privately owned empty homes and properties ensuring they are fit for habitation</li> <li>o Build on our existing good work with the private sector to expand our portfolio of private properties which we manage on behalf of private landlords and use to proactively prevent homelessness.</li> <li>o Following the enactment of the Localism Act there will be considerably more flexibility offered to Local Authorities to decide how we allocate affordable housing in Exeter.</li> <li>o A group of senior officers and members are looking at how we can use increased flexibilities to adapt the allocations policy to ensure our social housing always goes to those most in need with a strong local connection to Exeter.</li> </ul>
<p><b>Retain current system of setting council rent</b></p>
<ul style="list-style-type: none"> <li>o Set Council rents in line with the Housing Revenue Account Business Plan</li> </ul>
<p><b>Provide 35% of all new build development as social housing</b></p>
<ul style="list-style-type: none"> <li>o Where viable, make 35% of all new homes built across the City affordable</li> <li>o Provide advice and a range of affordable housing options designed to help local people solve their housing needs</li> </ul>
<p><b>Introduce a co-operative and mutual model of home ownership where people are</b></p>



**given stability and equity while retaining housing stocks**

- We are working with the CDS Co-operative to introduce a cooperative and mutual model of home ownership, where people are given stability and equity while retaining housing stocks. This is an imaginative solution to meeting a need, and we are keen to support what would be one of the first scheme of its kind in the country.

**Install solar panels on council houses**

- Identify and maximise opportunities to increase the Council's own housing stock to high energy sustainability standards. Install 249 solar panels this year.
- We will continue to work in partnership with E.on to deliver energy efficiency grants and loans to ensure a smooth transition into the Green Deal and Energy Commitment Obligation (ECO).

**Empower residents to have a greater say**

- Build upon the new community grants system that has been recently set up and ensure new homes bonus funding empowers community groups.
- Work to support more joined up cost effective work between the city and county councils through the new Exeter Board on community and housing issues , where there is over lap , such as supporting people funding , community facilities etc.
- Work within the localism agenda in terms of community consultations and neighbourhood plans.
- Continue to support existing joint work with community groups, the voluntary sector, charities, community associations and faith groups across the city. .
- Ensure through the councils community strategy that we continue to support and encourage with other partner organisations social inclusion, tolerance and diversity in Exeter, and also work to tackle poverty.
- Working to develop the new scrutiny role for our existing TALC committee in line with new government legislation.
- We will further develop the Residential Park Forum in order to support those many Exeter householders who have additional housing challenges to deal with as park home residents.

**Cllr Rob Hannaford**  
**Portfolio Holder for Housing and Community Involvement**  
**May 2012**

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## **PORTFOLIO HOLDER FOR ENVIRONMENT & LEISURE PRIORITIES FOR 2012/13**

### **Public Realm**

- in line with the Administration's manifesto commitments around 'Quality of Life', and in recognition of the importance of providing free, high quality and year-round amenities, we will upgrade play facilities in St Thomas and Heavitree parks and progress the refurbishment of Flowerpot skatepark.
- in order to provide a more effective and seamless service to residents, enhance community safety and respond to a wider range of public concerns, we will work towards the integration of the parking enforcement and community patrol teams to create a new community safety & enforcement team.
- we will enhance the range of services provided by the Bereavement & Cemeteries team which will include extending Higher Cemetery Garden of Remembrance, developing natural burial options and organising a programme of memorial and other events in the city's three cemeteries throughout the year.
- we will undertake a systems review of the parks & open spaces function to ensure it is meeting customer demands as efficiently and effectively as possible.

### **Environment**

#### **Sustainability & Environment**

- We will proactively manage and reduce the amount of business miles our fleet operations carry out in order to reduce carbon emissions from our vehicles, promote more sustainable forms of transport and help reduce the impact on air quality.
- In order to promote waste minimisation and enhance our recycling, we will survey a cross-section of Exeter citizens to establish attitudes to recycling and use this information alongside operational data, to help reduce the amount of rubbish produced and collected per household in the City.
- At our Bring Banks, we will extend the range of items that can be recycled and diverted from landfill, such as small electrical goods and textiles, and seek to improve the attractiveness of such sites to users.
- We will continue to support our successful 'Green Team' partnership initiative in schools, extolling waste minimisation and recycling, and build upon it to reach out to other groups, particularly the younger generation.
- We will introduce a greater range of domestic waste receptacles, encouraging householders to down-size their bins and minimise their waste, as well as providing sea-gull proof sacks to protect and contain bagged waste, and help prevent spillage and litter from rubbish.
- We will seek to reduce fly-tipped rubbish by better targeting resources and improved working with partners, landlords and residents to bring about sustainable resolutions.
- To support greener transport, we will introduce a policy that encourages taxi proprietors to replace their taxis with vehicles that have lower emissions.

- We will submit an Air Quality Action Plan to Defra which details actions to be taken to improve the air quality in Exeter and seek to increase awareness of the health impacts of poor air quality, as well as identifying synergies between improving air quality and other Council objectives, such as carbon management and sustainable development.

### **Support for Business**

- When regulating businesses we will seek to engage with them in a positive manner and assist them in achieving compliance to ensure that their premises are safe places for people to work and visit, and that their business processes do not harm the environment.
- Through training, advisory visits and production of guidance documents, we will provide businesses with the tools to assist them to meet their legislative requirements.
- We will build upon the success of the Food Hygiene Rating Scheme, and work closely with businesses to engender a positive increase in the number of higher-rated food premises.
- We will use Exeter City Council's expertise to support businesses in complying with relevant legislative requirements. Operating nationally, on behalf of signed up businesses, as the Primary Authority.
- We will work with partner agencies and businesses to help reduce the negative impact of alcohol-fuelled anti-social behaviour and disorder, and ensure that existing and new licensing tools are used proportionately and effectively.
- Through the new Taxi Forum, we will seek to strengthen our policies in order to improve and enhance taxi provision for the travelling public in Exeter.

### **Leisure**

- Drive forward the feasibility and project planning work for a new swimming pool, leisure centre and quality public space as part of the redevelopment of the bus station.
- Leisure contract - develop a level of service and customer experience which exceeds that as set out in the contract with Parkwood Leisure.
- RAMM - look to gain as much benefit for the city following the very successful first months of its operation from continued high numbers of visitors, and its contribution to the image and cultural life of the city.

Cllr Greg Sheldon  
22 May 2012

## SCRUTINY COMMITTEE - ECONOMY

31 May 2012

### Present:

Councillor Crow (Chair)

Councillors Bialyk, Bull, Choules, Leadbetter, Mottram, Pearson, Prowse, Robson and Wardle

### Apologies:

Councillors Brock, Crew and Lyons

### Also present:

Strategic Director (KH), Strategic Director (MP), Assistant Director Economy, Principal Economic Development Officer and Member Services Officer (SLS)

### In attendance:

Councillor Rosie Denham - Portfolio Holder for Economy and Tourism  
 Councillor Rachel Sutton - Portfolio Holder for Sustainable Development and Transport

Sally Little - Job Centre Plus  
 Janet Sinclair - Job Centre Plus  
 Ian Hatt - Exeter College

## 20 MINUTES

The minutes of the meeting held on 8 March 2012 were taken as read, and signed by the Chair as correct.

## 21 DECLARATIONS OF INTEREST

The following personal interests were declared:-

COUNCILLOR	MINUTE
Councillor Choules	22 (employee of Exeter University)
Councillor Prowse	22 (student landlord)
Councillor Pearson	23 (employee at the Exeter Phoenix)
Councillor Prowse	24 (is a volunteer and a family member works in a local charity shop)
Councillor Wardle	24 (Member of Exeter Civic Society and the Devonshire Association)
Councillor Prowse	28 and 29 (Member of Devon County Council)
Councillor Bull	29 (Member of Devon County Council's Highways and Traffic Orders Committee)

**22 QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER STANDING ORDER 19**

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

In accordance with Standing Order No. 19, a question from a member of the public, Mr David Knowles was put, in respect of issues raised by the 20% limit of Houses in Multiple Occupation, to which the Portfolio Holder for Sustainable Development and Transport responded. 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) are appended to the minutes.

Mr Knowles responded to the points raised.

Scrutiny Committee - Economy requested that a report to consider the issues raised by the question relating to the Council's Policy for the Threshold of Houses in Multiple Occupation be presented at a forthcoming meeting of the Planning Member Working Group.

**23 PORTFOLIO HOLDERS TO PRESENT THEIR PRIORITIES FOR THE FORTHCOMING YEAR**

Councillor Pearson declared a personal interest as an employee of the Exeter Phoenix.

Councillor Sutton presented the following priorities within the Sustainable Development and Transport Portfolio for 2012/13. A copy of the report is attached as an appendix to the minutes.

The following responses were given to Members' questions: -

- The enhancement of Central Station had progressed significantly and the City Council's contribution had been added to that made by Network Rail and Devon County Council. That element of the project had now been signed off.
- Work had been undertaken on behalf of a number of comparator authorities to ensure that an appropriate level of the Communities Infrastructure Levy (CIL) had been set. If the Levy was set too high, that could discourage house builders or if too low, insufficient funds would be available to deliver the infrastructure needed. Where possible the benefits of CIL would be kept local, though a certain level would go to Devon County Council to deliver local infrastructure such as roads and schools.
- The City Council was mindful of the need to encourage developers to employ local people, particularly on larger projects. Although, many of the volume house builders were nationally based, they had regional offices which employed local people, and local firms were often involved in some capacity. Many of these companies, as well as the City Council, promoted apprenticeship schemes.
- A web site had been developed though the Exeter and Heart of Devon Growth Board and the Portfolio Holder for Sustainable Development and Transport would encourage the details of procurement to be included on the website, so that local people could also access the necessary information about forthcoming projects.

- The importance of ensuring that planned play areas included in new developments were in place as soon as houses were occupied, as well as the appropriate maintenance, was acknowledged. A suggestion that the developers should be required to provide these facilities before being able to start another development would be unrealistic to enforce.
- The significance of an active Park and Ride on the south side of the city was acknowledged.

Councillor Denham presented the following priorities within the Economy and Tourism Portfolio for 2012/13. A copy of the report is attached as an appendix to the minutes.

The following responses were given to Members' questions and comments:-

- A more targeted business support approach for the start-up of businesses made best use of a limited resource. There was additional support through coordinated activities at Exeter University's Innovation Centre to reach as many people as possible. The Assistant Director Economy added that whilst he accepted the Member's comments on widening the support, the thrust of the work remained to support new businesses during the vulnerable first few months of their new business.
- The City Council's commitment to progress apprenticeship schemes was acknowledged and every practical effort would be made to develop this further.

A response would be made to a Member who had enquired about the provision of super fast broadband across the city.

Councillor Denham wished to place on record the thanks and appreciation of Scrutiny Committee –Economy for the hard work by the Festival and Events Manager and her team during the Olympic torch celebrations. The event had been very successful and had showcased the city to a wide audience.

Scrutiny Committee – Economy noted the achievements and priorities presented.

## 24 **BUS AND COACH STATION AREA DEVELOPMENT PRINCIPLES**

Councillor Prowse declared a personal interest as a volunteer and as a family member was employed in a local charity shop. Councillor Wardle declared an interest as a member of the Exeter Civic Society and the Devonshire Association.

The Strategic Director (KH) referred to the previous approval of the draft Development Principles for a public engagement exercise. The report considered the responses received, and now sought approval for proposed changes to the document, as well as the endorsement of the amended document for development management purposes. The proposed principles were set out in Section 8 of the report and Members were advised that there would be other opportunities to consider the future development of the Bus and Coach Station Development,

The Development Principles had been drawn up to guide preparation of a potential development scheme and potential planning application for this area by a prospective

developer, allowing a degree of flexibility whilst ensuring that key principles would be delivered. The Strategic Director (KH) confirmed that the 'principle' offered a clear statement regarding the detail, but that any planning application would ultimately be considered by Full Council.

Members were supportive of the forthcoming development and the proposed amendments to the main principles of development. A Member welcomed the proposed mix of both retail and leisure use. It was requested that consideration be given to ensuring there was adequate parking or stopping off facilities for visiting coaches.

Scrutiny Committee – Economy endorsed the contents of the report and supported Executive approval of the proposed response to the public consultation and the amendment to the Bus and Coach Station Development Principles as detailed in Section 8 of the circulated report.

(Report circulated)

## 25 **APPOINTMENT OF CHAIR**

It was agreed that Councillor Prowse act as Chair for the remainder of this meeting of the Scrutiny Committee – Economy, following the departure of the appointed Chair, Councillor Crow.

## 26 **PLACE MARKETING STRATEGY - EXETER ECONOMY 2012 - 2016**

The Assistant Director Economy presented the report which contained a draft of the Place Marketing Strategy. An outline of the proposal to proactively market Exeter, was considered at the September meeting of Scrutiny Committee - Economy. A copy of the draft Strategy which had subsequently been prepared was circulated with the report.

The Council will formally consult with the business community and key stakeholders to seek their views and commitment to deliver the Strategy. Following a period of consultation, a final Strategy will be presented to the September meeting of the Scrutiny Committee - Economy.

Scrutiny Committee – Economy supported the proposed priorities and approach of the draft Place Marketing Strategy.

(Report circulated)

## 27 **UNEMPLOYMENT IN EXETER**

The Assistant Director Economy presented a report on the level of unemployment and the nature of support available to help people back into work in Exeter. The report included a snapshot of employment trends, an analysis of Job Seekers Allowance claimants and detailed the range of activities carried out through partnership working with key agencies. A presentation on addressing unemployment was made by Sally Little, Devon Senior Operational Partnership Manager, Janet Sinclair, Devon Partnership Manager from Job Centre Plus and Ian Hatt, Assistant Principal from Exeter College.

Job Centre Plus had a targeted approach to reducing unemployment, using contract providers offering practical help with obtaining employment. They also run a range of pre-work programme measures as part of the Get Britain Working Initiative. They



hope to develop their partnership working to further influence major employers, as well as working more closely with the City Council. Exeter College have been working to address unemployment, including a long term commitment to develop apprenticeships and initiatives to help NEET learners (students not in education, employment or training). Ian Hatt welcomed any opportunity to develop good quality work experience placements particularly around professional as well as the more traditional practical services. A Member commented on the College's aspirations to develop apprenticeships and suggested there was a perception that a formal apprentice scheme did not necessarily lead to a permanent job and whether there were enough positive outcomes in terms of skills and experience. Ian Hatt stated that a formal apprentice scheme offered a structured approach to dealing with youth employment, with many apprentices gaining permanent employment. It was acknowledged that more intensive support and guidance was needed for some young people to develop their educational needs and skills. Job Centre Plus and the College had been working with Careers Advisors in schools and local employers to enable young people to explore the available options.

Scrutiny Committee – Economy noted the report and particularly the activities detailed in section five of the circulated report.

(Report circulated)

## 28 **CAPITAL PROGRAMME MONITORING**

Councillor Prowse declared a personal interest as a Member of Devon County Council in relation to forthcoming road works due to take place in the city centre. Councillor Bull declared a personal interest as a Member of the Highways and Traffic Orders Committee (HATOC).

The Strategic Director (KH) advised Members of the final position with regard to the 2011/12 capital programme for the Economy and Development Directorate. The details of the final expenditure on projects for the year were set out. A complete list of capital projects was circulated with the report. A discussion took place on the implementation of the enhancement scheme including works to York Road. It was acknowledged that people did not necessarily behave as predicted by transport models and this issue would need careful monitoring.

Scrutiny Committee – Economy noted the report.

(Report circulated)

## 29 **SCRUTINY ECONOMY REVENUE FINAL ACCOUNTS 2011/12**

Councillor Prowse declared a personal interest as a Member of Devon County Council.

The Strategic Director (KH) advised Members of the overall financial performance of the Economy and Development Directorate for the 2011/12 financial year ended 31 March 2012. He also highlighted the major differences by management unit from the approved annual budget. Regular reports had been made to this Scrutiny Committee on the estimated revenue outturn. He responded to a Member's comment on the shortfall in car parking income over the last two years. A number of measures had been taken to address this, with a number of initiatives suggested by the Car Parks Task and Finish Group, including the restructuring of car parking charges, with a

series of reports to the Executive. The surplus of income from the city's residential parking scheme was noted.

Scrutiny Committee - Economy noted the report.

(Report circulated)

30 **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 discussion of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of the Act.

31 **EXETER AND HEART OF DEVON GROWTH BOARD MINUTES**

A copy of the minutes of the most recent meeting of the Exeter and Heart of Devon Growth Point Board minutes was circulated for Members' information, and to inform Members of a number of issues that the City Council will need to consider and take forward as appropriate.

Scrutiny Committee – Economy noted the content of the Exeter and Heart of Devon Growth Board Minutes.

(Minutes circulated to Members)

The meeting commenced at 5.30 pm and closed at 8.20 pm

Chair

**MINUTE ITEM 23****SCRUTINY ECONOMY COMMITTEE  
31 MAY 2012****SUSTAINABLE DEVELOPMENT AND TRANSPORT PORTFOLIO  
PROGRAMME FOR 2012/13****IMPROVING SERVICE DELIVERY**

- The City Development service has a pivotal role to play in delivering the City Council's corporate vision. A priority this year will be to complete a systems review of City Development that achieves our ambition of delivering good and in the process generating high income levels, such as through New Homes Bonus, while meeting the desire for greater community involvement.

**HOUSING OUR COMMUNITIES**

- Now the Local Development Framework strategy has been adopted we need to progress consultation on and adoption of an Affordable Housing SPD that includes guidance on the introduction of the higher affordable housing requirements in the Core Strategy, the future mix of units, approach to viability assessments and the calculation of off-site financial contributions.
- Key focus must be to bring forward outline and full planning permissions to enable the implementation of the proposed new communities at Monkerton and Newcourt and preparation of a development brief in partnership with the local community, for strategic growth at Alphington.

**A CITY OF GROWTH AND BUSINESS**

- Implementation of a comprehensive approach to infrastructure planning including adoption of a Community Infrastructure Levy, maintenance of an up to date Infrastructure Delivery Plan and establishment of governance arrangements for CIL and the NHB major infrastructure fund.
- Adoption of development principles for the Bus Station, consideration of a feasibility study, submission of an outline planning application for the development and approval of reserve matters application for the first phase. The project will require successful negotiations to relocate the Bus Depot and a finance package for non commercial facilities.
- Completion of improvements to London Inn Square and King William Street Car Park to coincide with the opening of the proposed JLP store.
- Implementation of the Princesshay artwork and improvements to support Cowick Street and Heavitree local shopping centres and development of proposals for Central Station Yard and around Central Library.

**QUALITY OF LIFE**

- Identification of schemes and associated funding solutions to address significant flooding issues in the City affecting the River Exe and Northbrook. We will also be undertaking an early review of the Council's policy framework, and decision-making arrangements, in respect of the river and canal to improve democratic accountability and ensure the city is best placed to maximise the potential of this asset.

- To update the Council's Open Space Strategy and records of locally important heritage.

### **A SUSTAINABLE CITY**

- Development of viable proposals for district heating schemes at Monkerton and the Grecian Quarter/Heavitree Road.
- Consideration of a Design Review Panel to raise the quality of development.
- Progress implementation of the Council's Green Infrastructure Strategy.
- Preparation and adoption of an SPD on sustainable construction and an approach to allowable solutions.

### **THRIVING COMMUNITIES**

- Preparation of an Issues & Options DMDPD, conduct of public consultation upon it and consideration of the results.
- Establish procedures and consider applications for neighbourhood plans and support for communities, such as St James Forum, through the process.
- Establish a register of Assets of Community Value in response to any regulations.

### **PUBLIC REALM SERVICES - PARKING, WATERWAYS & FLOOD PREVENTION**

- explore the integration of the parking enforcement and community patrol teams to create a new community enforcement & safety team.
- work to determine the preferred option for upgrading Exeter's flood defences and putting in place a local funding partnership that will secure financial contributions from a range of agencies in both the public and private sectors and will in turn unlock the core funding from central government.
- progression of the various ideas/initiatives generated by the Parking Task and Finish Group successfully setup by Scrutiny – Economy. These reports to be provided to Executive for future consideration,
- the completion of the King William car park refurbishment in readiness for the opening of the John Lewis store.

**Councillor Rachel Sutton**  
**Portfolio Holder Sustainable Development and Transport**  
**May 2012**

## SCRUTINY ECONOMY COMMITTEE 31 May 2012

### Key Elements of the Programme for the Economy Portfolio for 2012/13

The importance of Exeter's economy as an economic hub and focus for growth within Devon and the wider South West is clear. The area provides a base for leading regional, national and international employers, attracting people with higher level skills and investors. Maintaining and improving the competitiveness of and confidence in the city for investment, promoting and helping people into employment and attracting more visitors have to remain high priorities

There are continued uncertainties in the economy. Therefore an absolute priority for the City Council must be to continue to support growth and recovery.

The key priorities for supporting growth and recovery in 2012/2013 are summarised as follows:

- We will continue to work with Land Securities and the Crown Estate to build on the City Centre Vision, and feasibility study undertaken with a view to bringing forward the development of the Bus & Coach Station site. If a viable scheme can be identified we will be looking to press ahead with the planning processes and seeking to agree Heads of Terms for a development agreement. In conjunction with these proposals we will undertake feasibility and initial planning for a new leisure facility.
- In the short term the arrival of John Lewis to the City Centre will be a major boost to the economy; we have a lot to do in terms of supporting this investment with improvements to the public realm.
- A priority for this year will be to continue to work to capitalise on the investment that has been made in the "Growth Point" outside the city. We will continue to work with the Exeter and Heart of Devon Growth Board to influence and secure support for priority actions and developments from the new Local Enterprise Partnership.
- Continue to work with the Exeter and Heart of Devon Employment and Skills Board to promote investment in relevant training provision for employers and progress projects which support local people to take advantage of job opportunities arising from the Exeter and East Devon New Growth Point projects.
- Develop the Council's approach to helping people into employment. The report before Scrutiny Committee sets out some proposals including the creation of a number of apprenticeship opportunities within the Council.
- We will continue to progress the development of Exeter Science Park with a particular focus on progressing the first buildings on site and its promotion.
- We will maintain our support for measures to promote business formation and survival through a programme of activities coordinated by Exeter Business Support which is based on a partnership with the University of Exeter Innovation Centre.
- Support for the formation and survival of social enterprises.
- Agree and implement a place marketing strategy differentiating the city from others focussing on promoting and securing investment in the Exeter economy.

- Provide a responsive and proactive commercial property and investment support service to facilitate investment and the finding of suitable accommodation.
- Work with the Cultural Partnership to prepare a cultural strategy to develop the breadth and quality of activity in the city and to realise the contribution culture can make to the life of residents and the city's economy.
- We will continue to support key festivals in the city including Respect, Animated Exeter and the Exeter Festival of South West Food and Drink. Recognising the importance of events and festivals to the image, attraction and enjoyment of the city, we do recognise a gap at the moment in the spread and nature of events across the year. We will, with partners, be looking to develop either a new kind of event, or variation of an existing one, where resources allow.
- We will seek to support district shopping centres in local communities to ensure they continue to be vibrant and vital. This will require attention through the planning process, and consideration of approach to support communities through the New Homes Bonus.

**Councillor Rosie Denham**  
**Portfolio Holder Economy and Tourism**  
**May 2012**

## SCRUTINY COMMITTEE - RESOURCES

20 June 2012

### Present:

Councillor Baldwin (Chair)

Councillors Bowkett, Branston, S Brock, Bull, Crew, Crow, D J Henson, Macdonald, Pearson, Robson and Spackman

### Apologies:

Councillor Ruffle

### Also present:

Chief Executive, Assistant Director Finance, Assistant Director Housing and Contracts, Corporate Manager Democratic & Civic Support and Member Services Officer (SJS)

### In attendance:

Councillor Edwards – Leader, Portfolio Holder for Budget and Strategic Vision

Councillor Martin – Portfolio Holder for Business Transformation and Human Resources

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

## 23 **Minutes**

The minutes of the meeting held on 21 March 2012 were taken as read and signed by the Chair as correct.

## 24 **Declarations of Interest**

A Member declared the following personal interest:-

<b>COUNCILLOR</b>	<b>MINUTE</b>
Councillor Macdonald	29 (Trustee of a tenant at Verney House)

## 25 **Interim Audit Report**

Mr Morris of Grant Thornton, the Council's External Auditor, presented the Interim Audit Plan. Members were advised on the audit approach, the audit risk assessment and the results of the interim audit work.

During discussion Members raised the issue of the possibility of outsourcing the internal audit work or joining the South West Audit Partnership and the adequate segregation of duties into the creditors system which was raised in the plan.

The Assistant Director Finance advised that measures were being introduced to address the adequate segregation of duties in the creditors system to ensure that

appropriate separation occurs between the ordering of goods and the processing of invoices.

Mr Morris clarified that the majority of councils have in-house internal audit and the segregation of duties in the creditors system would be followed up when the next audit was undertaken.

Mr Morris updated Members on the changes that taken place since the Audit Commission had been abolished and that Grant Thornton had the contract to undertake audit work for the majority of councils in the South West. The audit fee for the next five years would decrease by 40% and there would also be a reduction of 50% in the fee for the certification of grants.

Members noted the Plan.

(Plan circulated)

## **26 Leader and Portfolio Holder to present the priorities for the forthcoming year**

The Leader presented the priorities for the budget and providing value for money across the Council's services. The report is attached to these minutes.

The Leader stated that he shared Members concerns regarding the year on year reduction in the Council's reserves. The Council was addressing the Government cuts in grants through the recent senior management restructure and streamlining services through the Vanguard process.

Councillor Martin presented the priorities within the remit of the Portfolio Holder for Business Transformation and Human Resources. The report is attached to these minutes.

The following responses were given to Members' questions:-

- the Council was looking into the best way to provide an accessible and flexible service for the customer including the possibility of a late evening opening instead of a Saturday morning opening
- the Council was constantly looking at trends of how people use the web site and exploring how social media was used to access information
- access to WIFI for Committee Rooms and the Customer Service Centre would be looked into
- a recent example of partnership working was that Devon County Council had agreed to buy some pages in the Exeter Citizen.

## **PERFORMANCE MANAGEMENT**

### **27 Housing and AIM Property Maintenance Outturn Report 2011/12**

The joint report of the Assistant Director Housing and Contracts, Assistant Director Economy and Assistant Director Finance was submitted.

Scrutiny Committee – Resources noted the:-

- (1) outturn financial position of the £5.8m programme of revenue funded housing reactive and planned property maintenance and refurbishment for 2011/12 as detailed in the report: and



- (2) outturn financial position of the £1.7m programme of revenue funded non-housing reactive and planned property maintenance and refurbishment for 2011/12 as detailed in the report.

(Report circulated)

## 28 **Resources Scrutiny Revenue Final Accounts 2011/12**

The report of the Assistant Director Finance was submitted.

In response to a question, the Corporate Manager Democratic and Civic Support advised that the Police and Crime Commissioner's Election in November 2012, would not have any additional costs implications for the Council as all costs would be recovered from the Home Office.

The Scrutiny Committee – Resources noted the report.

(Report circulated)

### **MATTERS FOR CONSIDERATION BY THE EXECUTIVE**

## 29 **Capital Monitoring 2011/12 and Revised Capital Programme for 2012/13 and Future Years**

Councillor Macdonald declared a personal interest as a Trustee of a Tenant at Verney House.

The Assistant Director Finance presented the report advising of the overall financial performance for 2011/12 in respect of the Council's revised annual Capital Programme and sought approval of the 2012/13 revised capital programme.

He advised that the capital expenditure in the year amounted to £13,123,271, a reduction of £3,181,809 on the planned figure of £16,305,080. The actual expenditure during 2011/12 represented 80.5% of the total approved for the revised Capital Programme, which meant £4.9 million would need to be carried forward to be spent in future years.

The Scrutiny Committee – Resources noted the report and recommended that Council approves the:

- (1) overall financial position for the 2011/12 annual capital programme; and
- (2) amendments to the Council's annual capital programme for 2012/13.

(Report circulated)

## 30 **Overview of Revenue Budget 2011/12**

The Assistant Director Finance presented the report advising Members of the overall financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2011/12 financial year. There was an underspend in the HRA of £1,834,077 in the planned contribution to the Repairs Fund. This was due to a significant underspend in the HRA capital programme and the fact that the capital programme had been financed from other capital resources. There had also been additional income from rents. Members were updated on the earmarked reserves

which included monies for the voluntary redundancy programme and the New Homes Bonus.

The Assistant Director Finance clarified the accounting position with the new contract for the sports facilities.

The Chief Executive advised that the Council did not yet know what impact the Welfare Reform would have on some residents' ability to pay their council tax and rent and any subsequent effect this could have on debt recovery rates.

The Scrutiny Committee – Resources noted the report and requested that Council note the overview of the Resources Budget for 2011/12 and approve:-

- (1) the net transfer of £727,999 to Earmarked Reserves as detailed in paragraph 3.11 of the circulated report;
- (2) the supplementary budgets of £138,260 as detailed in paragraph 3.16 of the circulated report;
- (3) Earmarked Reserves at 31 March 2012;
- (4) the Council Tax account and collection rate;
- (5) the outstanding sundry debt, aged debt analysis and debt write-off figures;
- (6) the creditor payments performance;
- (7) having regard to the General Fund working balance of £4,285,425 at 31 March 2012, the overall financial position of the Council as set out in paragraph 3.14 of the circulated report;
- (8) the Housing Revenue Account working balance at 31 March 2012 of £5,764,423 and the Council Own Build working balance of £28,207.

(Report circulated)

### **31 Treasury Management 2011/12**

The Assistant Director Finance presented the report detailing the overall performance for the 2011/12 financial year and the position regarding investments and borrowing as at 31 March 2012.

He updated Members on the position with the monies held in the Icelandic banks and that due to very low interest rates the Council continued to use short term borrowing to manage its cash flow. The Council's borrowing requirements were under constant review, monitoring short and long term interest rates.

The Scrutiny Committee – Resources noted the Treasury Management report for 2011/12 and recommended approval by Council.

(Report circulated)

### **32 Annual Governance Statement**

The Assistant Director Finance presented the proposed Annual Governance Statement that would accompany the Council's Annual Statement of Accounts for

2011/12. This Statement also incorporated the Council's Code of Corporate Governance which was published on the Council's website.

The Scrutiny Committee – Resources:-

- (1) supported the Annual Governance Statement; and
- (2) recommended that Council note and approve the Annual Governance Statement to be included within the Council's Annual Statement of Accounts for 2011/12.

(Report circulated)

### 33 **New Approach to Managing Building Contracts - Total Project Delivery Initiative**

The Assistant Director Housing and Contracts presented the report which sought Members' approval to continue the initiative for the delivery of the housing kitchen, bathroom, gas central heating and boiler replacement for up to four years, following a successful six month trial period. Members were also asked to approve the examinations of the practicality of extending the initiative to cover working budgets in respect of PSL's, Extralet and disabled adaptation programmes.

Members were updated on the background and the advantages of the Total Delivery Project Approach.

Members welcomed the scheme and that local companies would be more encouraged to tender for work.

The Scrutiny Committee – Resources noted the report and recommended to Executive that:-

- (1) they note the initial progress made on the TPD pilot; and
- (2) support its continuation and extension for up to 4 years, or until respective budgets involved are exhausted, subject to annual review and approval by the Assistant Director Housing and Contracts.

(Report circulated)

## **MATTERS FOR CONSIDERATION BY SCRUTINY COMMITTEE - RESOURCES**

### 34 **Petition Scheme - Application for S49 Hardship Business Rate Relief**

The Assistant Director Finance presented the report to consider a petition with 150 signatures in support of an application for hardship business rate relief under Section 49 of the Local Government and Finance Act 1988.

Members discussed the remit of the petition scheme and the appeal procedure should the applicant want to contest any decision made by the Council.

The Scrutiny Committee – Resources noted the petition and agreed that the application be determined by the Assistant Director Finance in consultation with the Leader of the Council.

(Report circulated)

35 **Member's Allowances Paid 2011/12**

The Corporate Manager Democratic and Civic Support presented the report advising of the allowances paid to Elected Members and Co-opted Members in 2011/12.

The Scrutiny Committee – Resources noted the report.

(Report circulated)

36 **Workforce Profile 2011/12**

The Chief Executive presented the report providing Members with an outline of some workforce issues for the Council between April 2011 and March 2012.

Members welcomed the proposed apprenticeship scheme which would be the subject of a report to Executive on 3 July 2012 and the reduction in sickness levels.

The Scrutiny Committee – Resources noted the report.

(Report circulated)

The meeting commenced at 5.30 pm and closed at 7.10 pm

Chair

**LEADER'S REPORT TO SCRUTINY RESOURCES**

**The Council's Current Financial Standing**

Exeter City Council continues to face unprecedented cuts in its financial support from the Government. For Exeter this has meant a reduction in formula grant of almost 23% between 2010/11 and 2012/13 with expectations of further cuts in grant beyond that. In cash terms our formula grant has reduced from £10.7 million in 2010/11 to £8.3 million in 2012/13. As a consequence of this we were required to reduce our budget this year by £1 million. This means we can no longer just manage our budgets better; we have to now manage our business differently as well as being prudent with our finances. The restructure of the Council has already seen a reduction in our senior management of 30% which will produce half of the saving required as a consequence of the government cut. The remaining 50% is being found through other efficiency savings which do not impact on front line service delivery.

The Council's Medium Term Financial Plan also indicates that the Council will need to make further savings of £2.2 million by 2016/17.

Members will note however in the revenue outturn reports being presented to Scrutiny Resources that last year the Council has performed extremely well. We have achieved our overall savings target and the Council has in fact made a surplus due to increased income from services like recycling. There has also been further good news with regard to the money that we had invested in 2 Icelandic banks. We have already recovered £3 million of the £5 million that we had invested and it is currently predicted that we will eventually recover all of our original investment plus some interest.

Apart from government grants one of the most important sources of our income is council tax and this currently raises about £4.7 million for us. As you know this has been frozen for the second year running and in comparison with most other district councils Exeter has a very low council tax; it currently has the 5<sup>th</sup> lowest district band D council tax. However, this also means that the council is also less able to generate additional revenue from council tax in comparison with most other councils. Whilst other sources of revenue, such as car parking income and property income, are relatively substantial in Exeter, they are both largely dependent on the health of the economy and cannot be expected to significantly increase from current levels in the short term.

With regard to the Council's revenue reserves, significant use has already been made of them in recent years as part of the overall budget strategy. The Council's revenue reserves at the end of 2007/08 were some £10.1 million, comprised of £7.5 million of unallocated General Fund balances and £2.6 million of earmarked reserves. By contrast, the Council's reserves position as at 31 March 2012 shows total revenue reserves of only £6.2 million, of which £4.3 million are in respect of the unallocated General Fund balance. The Council has already planned to use its reserves so that the General Fund Balance reduces to the prudential minimum level of £2 million by the end of 2016/17.

All of this leads to the inescapable conclusion that Exeter City Council will have to continue to reduce its cost base in the medium term if it is to meet its legal duty to have a balanced budget, whilst providing a wide range of mandatory services to the public. In recent years the Council has been able to save very significant sums from budgets through greater efficiency and reduced staffing. That is why the Council has reduced its senior management structure and will continue with its systematic review of services to find the necessary savings in other areas. Our overall financial aim remains to find efficiency savings which do not impact on front line service delivery.

The Labour Manifesto was widely endorsed by the people of Exeter in the elections, I believe because it shows a positive vision for the city despite financial constraints. Economically Exeter has much to be optimistic about. It is our leadership and vision for the city that appeals to commercial partners. We are investing in the infrastructure of our communities and taking opportunities as with the torch relay to celebrate with the community. Exeter has a bright future with Labour.

## PORTFOLIO HOLDER REPORT TO SCRUTINY RESOURCES

### Transformation Programme

Local authorities are under attack from many in the Coalition government, including local government ministers. Our response as a Labour Council is to transform the organisation, to ensure that it is ready to respond to the contemporary demands placed on us by our residents and customers. Some councils have outsourced services, where the imperative is to slash budgets rather than provide quality services. We believe a service mainly staffed by our own workforce is the model most efficient and responsive to demand.

This process started with the Senior Management Review which was concluded at the start of this year and I am pleased to say that we now have all of the Strategic Directors, Assistant Directors and Corporate managers in post.

We committed to introducing Systems Thinking to the council, to facilitate us in taking an outside-in view of the way we currently work. This has helped us to focus on what is important for our residents and customers and how we might reconfigure our services to deliver what matters to the customer in the most efficient way, stripping out unnecessary waste and duplication.

As a result of information and analysis since last summer, three reviews have been established:

- “Help Me With My Financial/Housing Problem” (with a view to broadening this out in the future to “Help me Back to Financial Independence”)
- “Maintain the City’s Physical Assets”, which focuses on the maintenance of our Housing stock and Commercial Buildings.
- “Enable Good Development”, which focuses on Planning and Development.

As referred to earlier, these three reviews put a clear emphasis on refocusing our services around the needs of our customers and residents and stripping out unnecessary waste, duplication and bureaucracy. It is also about how we measure and continually review and improve performance. It is vital for the success of this work that councillors understand what we are trying to achieve and that we are also beginning to look at the way we review performance, make decisions and ensure that we are leading the focus on the best outcomes for our customers.

We remain committed to extending our opening hours. We are therefore looking as part of the review which relates to helping people with financial or housing problems, whether there is value in offering that service one evening in the week rather than on a Saturday morning.

### Welfare Reform

April 2013 will see more changes for residents currently receiving Housing Benefit or Council Tax Benefit, and poses significant challenges for the Council in providing ongoing support. Council Tax Benefit is being abolished at the end of the financial year, to be replaced by a local Council Tax support scheme. Funded by a fixed grant, based on indicative figures released recently, for Exeter this amounts to a cut in Council Tax Benefit expenditure of 14%. The Council has a very tight timescale within which to establish a local scheme which protects the most vulnerable in society while supporting the work incentives being introduced through Universal Credit. Options for the scheme will be discussed shortly followed by a period of consultation. The final scheme must be agreed by 31<sup>st</sup> January 2013 to avoid a default scheme being imposed by the Government.

Although details have not yet been confirmed in regulations, based on information announced so far, residents will also be affected by other aspects of welfare reform, mainly the Benefit Cap and Social Sector Size Restrictions.

**Benefit Cap** – a limit on overall benefit income for individuals and households out of work. The restriction will be administered by reducing Housing Benefit payments putting responsibility for any resulting hardship on the Council. Exemptions apply for households in receipt of qualifying disability benefits, and the cap does not affect pension age claims. Around 50 households in Exeter could be affected.

**Social Sector Size Restrictions** – affecting Council and Housing Association tenants, a deduction will be made from Housing Benefit payments in cases where the claimant is considered to have spare bedroom/s. The reduction could be 14% of gross rent for 1 spare bedroom and 25% for 2 or more bedrooms. Approximately 329 Council and 730 Housing Association tenancies could be affected.

## IT

It is easy to take our IT resources for granted but like many organisations we are dependent on robust IT systems and expertise to support the delivery of our services as well as our internal communication.

In order to ensure that we are ensuring that our systems are fit for purpose, we will be delivering key projects:

**Network Upgrade** – The infrastructure that operates at the heart of the council's network is now 10 years old. This key piece of equipment links together the file servers, PCs and printers and provides the communication hub for the entire network. The upgrade will provide resilience and will have an immediate benefit on performance, whilst ensuring greater capacity for the council's future ICT requirements, such as the Desktop Virtualisation project.

**Desktop Updates** - For a number of years, the council has operated a strategy where PCs are replaced if they are over 4 years old. However, as we strive to manage long term costs and provide a flexible working environment, we are developing a new approach towards how we manage the council's PC estate.

We will introduce 'virtual desktops' which means that we can increase our return on investment by extending the life of PCs. Virtualised desktops create a special environment on PCs where applications such as Microsoft Office (Word, Excel, PowerPoint etc), including corporate systems are 'published'. This allows older equipment to be used. Users will benefit from improved performance and flexibility. For example, it will be easier to provide access to vital business applications via mobile devices.

Another benefit of the virtual desktop is that they are managed centrally, which means ICT Services can better respond to user demands. Applications available in the virtual environment will no longer require a physical installation and in the event of any problems, PCs can be rebuilt in a matter of minutes. Users can quickly and easily work at any virtual desktop PC and if any applications are missing, they can be published almost immediately.

**Members IT Provision** – Members currently have the option of using either their own PC or a PC/Laptop supplied by ECC to access their council email remotely via a secure portal and Citrix technology. The majority of the ECC laptops used by members are now between 4 and 5 years old and are in need of replacement. It is proposed to review the current IT provision by working with



the Member Development Steering Group to consider the needs of Members and assess available technologies.

**Website review** – We are working to ensure that that continually improve our website and intranet so that it can be effectively used as a way of communicating with our residents, councillors and staff. In order to achieve this, we are working to ensure that we have processes in place that allows information to be updated on the website as quickly as possible.

**Intranet review** – Following the staff survey, the role of the Intranet as a communications tool is being investigated as part of the staff focus groups. This will help us understand whether what we currently have is fit for purpose and what changes we may need to make so that staff see it as a key communication tool, alongside other methods such as City News.

## **Health and Safety**

- We continue to strive to be an exemplar for health and safety by managing work- related sickness absence and encouraging sensible risk management.
- We maintain our commitment to safe working practices by ensuring that we are implementing the health and safety action plan that was approved by Employee Liaison Forum.
- We will aim to reduce the incidence of accidents and incidents through ongoing risk assessment and safety management commitment.

## **HR**

We are currently working to reframe the way that HR works with the rest of the organisation. In particular, we are moving towards a Business Partnering model where there is a specific adviser identified for each directorate in order that they might build more understanding of the service and issues they face.

Other key initiatives within HR include:

- Supporting the development of opportunities for youth employment, in particular the introduction of an Apprenticeship Scheme. The HR unit are currently discussing options with Exeter College, Bicton College and Plymouth College of Art to look at possible options for opportunities for young people with the Council. It is anticipated that a scheme can be introduced from September and dependent upon outcomes rolled out across the Council.
- A fit for purpose Council in respect of Council Structure, Systems Review work and service delivery; and employment policy and practice which underpins this
- Supporting Employees through an immense period of change whilst maintaining and improving services to the public

## **Civic Centre**

- In order to continue to maximize the use of the council's assets, we shall continue to find suitable tenants for the remainder of Phase 3. Part of it is already being taken by the Children's Service of DCC. We continue to ensure that the offices are maintained to a high standard and are suitable to face the changes that will be brought about as a consequence of the various reviews across the organisation.
- The Devon Registration Service has been based within the Customer Service Centre from early June with the ability for marriages to take place here on a Saturday morning.

## **Democratic Services**

- We will be running the Police and Crime Commissioners elections in November of this year (on behalf of Cornwall Council which is the Returning Authority) which has led to us realigning other work to an earlier than normal date (the annual electoral canvas will start two months earlier than normal) (leading to an additional cost as originally this election was to be combined with the May ECC elections and had been budgeted accordingly);

## STANDARDS COMMITTEE

Thursday 21 June 2012

### Present:

Professor Kirby (Independent Member) (Chair for the Meeting)  
Councillors Branston, S Brock, D J Henson, Laws, Payne and Winterbottom

### Apologies:

Andrew Mimmack

### Also present:

Corporate Manager Democratic & Civic Support, Corporate Manager Legal/Monitoring Officer and Member Services Officer (SLS)

## 4 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 4 April 2012 were taken as read, and signed by the Chair as a correct record.

## 5 DECLARATIONS OF INTEREST

The following personal interest was declared:-

<b>MEMBER</b>	<b>MINUTE</b>
Professor Kirby	6 (a candidate for the position of 'Independent Person')

## 6 THE REVISED ETHICAL FRAMEWORK

Professor Kirby declared a personal interest and withdrew from the meeting as he had submitted an application for the position of an 'Independent Person' on the proposed newly constituted Standards Committee.

It was agreed that Councillor Mrs Brock would act as Chair whilst the applications for the new role of 'Independent Persons' were discussed.

The Corporate Manager Legal/Monitoring Officer presented a report which updated Members on the significant changes to the Standards Regime with effect from 1 July 2012, including the:-

- the Members' Code of Conduct,
- Declaration of Interests and
- arrangements for Standards brought about as a result of the Localism Act 2011("the Act").

The existing Standards regime will come to an end on 1 July, and although there would no longer be a mandatory requirement for Local Authorities to have a Standards Committee, Section 27 of the Act imposes a statutory duty to 'maintain high standards of conduct by Members and Co-opted Members of the Council'. Members acknowledged that in order to fulfil that obligation, there was a continued need for a Standards Committee and they approved a newly constituted terms of reference, which was set out in Appendix 1 of the report.

Members were disappointed that despite ongoing discussions between the Monitoring Officers, it had not been possible to agree a Devon-wide Code of Conduct for use by all local authorities in the County. They considered four Code of Conduct options, and agreed that a slightly amended National Association of Local Council's Code of Conduct, set out in Appendix 3(iii) to the report, would be the most appropriate for Exeter City Council to adopt.

The report referred to the new duty for Members to register and declare any 'Disclosable Pecuniary Interests' that they or their spouse, civil partner or person with whom they are living might have. Failure to properly disclose such an interest could result in prosecution. A copy of the Register of Disclosable Interests and Register of Other Interests would be sent to Members to enable them to comply with the spirit of the legislation and fulfill the requirement of notifying the Monitoring Officer of any 'Disclosable Interest' within 28 days of becoming a Member.

The report also set out the requirement for the appointment of at least one 'Independent Person' who would be consulted in relation to complaints. These positions were advertised and applications were received from the current independent members, Andrew Mimmack and Professor Kirby. Members recommended that they should be appointed as the independent persons, on the newly constituted Standards Committee, during the transitional period.

**RECOMMENDED** to Council, that :-

- (1) the City Council discharges its obligation to maintain high standards of conduct through a newly appointed Standards Committee, and Council adopt the revised terms of reference as set out in Appendix 1 to these Minutes;
- (2) the outline procedure for dealing with complaints against Members as set out in Appendix 5 of the report be adopted, and the Monitoring Officer to expand the detail of the procedure at a later date;
- (3) the National Association of Local Council's Code of Conduct as amended, be adopted, to come into full force with effect from 1 July 2012 as set out in Appendix 2 to these Minutes;
- (4) in consultation with the Chair of Standards Committee, the Monitoring Officer be designated as the "Proper Officer", and she be authorised to determine requests from Members for dispensations to take part in the debate and/or vote in a meeting where he/she has an interest to declare, and where there is conflict, for another Member of Standards Committee to be consulted;
- (5) the Monitoring Officer, in consultation with the Chair of Standards Committee, be authorised to deal with any complaint received, alleging a breach of the Code of Conduct in accordance with the complaints procedure set out in Appendix 5. This shall include the authority to decide whether an allegation merits investigation;
- (6) the appointment of two Independent Persons be confirmed on an annual basis to assist the Standards Committee;
- (7) the appointment of Mr Andrew Mimmack and Professor Brian Kirby as the Council's 'Independent Persons' be approved with effect from 1 July 2012 for the duration of this municipal year;

- (8) Members note the new obligation placed on them to disclose any Pecuniary Interest they may have with effect from 1 July 2012;
- (9) Members note the new offence of failing to disclose a Pecuniary Interest where that person fails, without reasonable excuse, to notify the Monitoring Officer of a Disclosable Pecuniary Interest or participates in any discussion or votes at a meeting where he/she had a Disclosable Pecuniary Interest; and
- (10) the revised code of conduct and terms of reference replace the existing code and terms of reference in the Council's Constitution.

(Report circulated)

(The meeting commenced at 4.30 pm and closed at 6.20 pm)

Chair

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## EXECUTIVE

Tuesday 19 June 2012

### Present:

Councillor Edwards (Chair)  
Councillors Denham, Fullam, Hannaford, Mrs Henson, Martin and Sutton

### Apologies:

Councillor Sheldon

### Also present:

Chief Executive, Strategic Director (KH), Strategic Director (MP), Assistant Director Public Realm, Assistant Director City Development, Assistant Director Housing and Contracts and Member Services Manager

52

### MINUTES

The minutes of the meetings of Executive held on 20 March and 3 April 2012 were taken as read and signed by the Chair as a correct record.

53

### DECLARATIONS OF INTEREST

The following personal interests were declared:-

Councillor	Interest
Martin	56 (personal interest as Trustee of Exeter Community Transport Association and a shareholder of the Real Food Store).

54

### STATUTORY SERVICE PLAN (BUSINESS COMPLIANCE) 2012-13

The report of the Assistant Director Environment was submitted, seeking approval for the adoption of the Statutory Service Plan (Business Compliance) 2012/13. The plan sets out the Council's regulatory function in respect of food safety, health and safety and other statutory functions over the forthcoming year.

Scrutiny Committee – Community considered the report at their meeting on 29 May 2012 and the support of members was noted.

Councillor Mrs Henson asked whether the use of pork substitute was routinely included in the restaurant inspection checklist and the Strategic Director (MP) undertook to investigate and confirm the position to her.

**RECOMMENDED** to Council that:-

- (1) the Statutory Service Plan (Business Compliance) 2012/13 be approved;
- and

- (2) the Assistant Director Environment be authorised to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

(Report circulated)

55 **PRIVATE SECTOR HOUSING POLICY: FINANCIAL ASSISTANCE PACKAGES**  
**2012/13**

The report of the Assistant Director Environment was submitted, informing Members of the financial assistance awarded to private sector households in 2011/12 and seeking approval for proposed changes to the types and levels of financial assistance that will be available in 2012/13.

Scrutiny Committee – Community considered the report at their meeting on 29 May 2012 and their comments and support were noted.

Executive noted that financial assistance packages were an important tool in the range of measures available to improve housing conditions in the private sector. Members noted that the private rented sector housing stock in Exeter was larger than the national average and welcomed all measures to improve the standard of accommodation.

**RESOLVED** that:-

- (1) the financial assistance tools outlined in the report, and their respective budget allocation be approved; and
- (2) the Assistant Director Environment, in consultation with the Portfolio Holder for Housing and Community Involvement, be authorised to re-allocate uncommitted parts of the respective budget allocation between financial assistance tools, in order to meet need.

(Report circulated)

56 **BUS AND COACH STATION AREA DEVELOPMENT PRINCIPLES**

Councillor Martin declared a personal interest in the item as a trustee of Exeter Community Transport Association and a shareholder of the Real Food Store.

The report of the Assistant Director City Development was submitted, presenting to Members the responses received to the public engagement exercise in respect of the draft Development Principles, and seeking approval for proposed changes to the document and the endorsement of the amended document for development management purposes.

Scrutiny Committee – Economy considered the report at their meeting on 31 May 2012 and the comments and support of members were noted.

Executive noted and welcomed the responses to the consultation. The Portfolio Holder Sustainable Development and Transport emphasised that this was the first stage of consultation, relating to the general principles of the development, and consultation would be undertaken on more detailed proposals in due course.



**RESOLVED** that:-

- (1) the consultation responses be noted and the Bus and Coach Station Development Principles endorsed, subject to the amendments listed in the report, to inform decision-making by the City Council; and
- (2) the proposed response to the public consultation and the amended principles in paragraph 8.1 of the report be agreed.

(Report circulated)

57

### **NEIGHBOURHOOD PLANNING**

The report of the Assistant Director City Development was submitted, presenting to Members the draft 'Neighbourhood Planning Protocol'.

Executive welcomed the protocol which aimed to provide clarity for local communities, to establish a co-ordinated approach and to help manage resource implications. Members agreed that the process should be straightforward and accessible in line with the principle of devolving responsibility to local communities and were concerned to avoid any formalisation of the process that may deter communities from applying. Nevertheless, should the number of applications increase significantly, the Chair undertook to bring the process back to Executive for review.

**RESOLVED** that:-

- (1) the adoption of the Neighbourhood Planning Protocol for Exeter City Council be agreed; and
- (2) in accordance with the Neighbourhood Planning Protocol, delegated authority be granted to the Assistant Director City Development, in conjunction with the Portfolio Holder for Sustainable Development and Transport, to publicise applications for Areas and Forums, consider representations and to determine the applications.

(Report circulated)

58

### **LOCAL DEVELOPMENT SCHEME**

The report of the Assistant Director City Development was submitted, seeking approval to a revised programme for the preparation of the various documents that show how the authority is going to plan for development in its area.

He reported that the Planning Member Working Group on 12 June had supported approval of the Local Development Scheme but had identified the need to update the audit of Open Space, Sport and Recreation facilities.

Executive welcomed the Local Development Scheme and endorsed the need to update the Open Space audit as soon as possible.

**RESOLVED** that the Local Development Scheme be approved to come into effect on 25 June 2012.

(Report circulated)

**SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT DEVELOPMENT  
PLAN DOCUMENT - "HAVE YOUR SAY" CONSULTATION**

The report of the Assistant Director City Development was submitted, asking Members to consider the content of the 'Have your Say' document and agree its publication for consultation purposes in order to help inform the preparation and content of the Site Allocations and Development Management Development Plan Document (DPD). He identified the timetable for the process.

The Assistant Director City Development reported on amendments arising from discussion of the document by Planning Member Working Group. He circulated an amended Map 30 and a new Map 52 in relation to Local Centres – Whipton and the Open Space at Ringswell Campus, Ringswell Avenue/Bramley Avenue respectively. He reported on concerns expressed by Members at Planning Member Working Group regarding potential noise nuisance emanating from employment uses in residential areas and suggesting these should be limited to light industry – this would be dealt with under delegated powers. It was proposed to include updated information on student numbers and to add a designation of the Monkerton ridge line as Valley Park.

Executive supported the content of the "Have your Say" document, subject to the amendments proposed by the Planning Member Working Group and reported by the Assistant Director City Development.

**RESOLVED** that the publication of the 'Have your Say' document for consultation be agreed, and delegated authority be given to the Assistant Director City Development in conjunction with the Portfolio Holder for Sustainable Development and Transport to make minor changes to the document prior to publication.

(Report circulated)

**RENAMING OF CAR PARKS AND REMAKING OF PARKING PLACES ORDER**

The report of the Assistant Director Public Realm was submitted, seeking a decision on a proposal to rename four City Council car parks, amend tariffs at the refurbished King William Street Multi-Storey Car Park (MSCP) and Mary Arches Multi-Storey Car Park with effect from 3 September 2012, and revoke and remake the Parking Places Order to give effect to these and other changes.

Whilst it was proposed to rename the multi-storey section of the King William Street Car Park as the John Lewis Car Park for pragmatic, particularly traffic management, reasons, the Assistant Director Public Realm assured members that it would be clearly branded as an Exeter City Council car park and remain under the Council's ownership and control. The renaming of the Fairport car park to Magdalen Road was proposed in response to a request by traders in Magdalen Road.

Executive supported the proposals and members expressed their appreciation for the valuable work undertaken by the all-party Car Parks Task and Finish Group.

**RESOLVED** that:-

- (1) the proposals for renaming four car parks as detailed in paragraph 3.1 of the report be agreed;
- (2) the tariff structure detailed in Annex A of the report be approved for the King William Street/John Lewis MSCP and Mary Arches Street MSCP with effect from 3 September 2012;

- (3) in line with existing policy in pay on foot car parks, free parking for blue badge holders be withdrawn from the King William Street/John Lewis MSCP with effect from 3 September 2012;
- (4) The City of Exeter (Civil Enforcement Off Street Parking Places) Order 2008 be revoked and a new City of Exeter (Civil Enforcement Off Street Parking Places) Order 2012 be advertised;
- (5) authority to consider any objections to the proposed Order be delegated to the Strategic Director in consultation with the Leader of the Council and Portfolio Holder for Sustainable Development and Transport; and
- (6) subject to consideration of any objections, the City of Exeter (Civil Enforcement Off Street Parking Places) Order 2012 be made and sealed.

(Report circulated)

61

### **RETAINING RIGHT TO BUY RECEIPTS TO REINVEST IN ADDITIONAL HOUSING**

The report of the Assistant Director Housing and Contracts was submitted, informing Executive of the terms of the Right to Buy (RTB) Agreement produced by Communities and Local Government (CLG) under Section 11(6) of the Local Government Act 2003. It sought approval for the Assistant Director Finance to be authorised to enter into an Agreement with CLG on behalf of the Council and that the additional Right To Buy (RTB) receipts generated be utilised to help fund the Council's proposed House-building Programme up to 30% of the value of the total costs.

Executive welcomed the opportunity to retain Right to Buy receipts to help fund the Council's own house-building programme. Members supported the development of new properties wherever possible and noted the potential pitfalls of buying "off-the-shelf" homes. They were also informed that the Council would absorb the administrative costs of any abortive house sales.

**RESOLVED** that:-

- (1) the terms of the RTB Agreement produced by the Department of Communities and Local Government (CLG) under Section 11(6) of the Local Government Act 2003 - to enable local authorities to retain any additional Right to Buy (RTB) receipts generated as a result of the increased maximum RTB discount in order to fund the provision of replacement Council homes in their district be noted;
- (2) the Assistant Director Finance be authorised to enter into the Standard Agreement with the CLG on behalf of the Council and that the additional RTB receipts generated be utilised to help fund the Council's proposed House-building Programme; and

- (3) subsequently, should it be identified that sufficient retained RTB receipts will not be spent before they have to otherwise be returned to the DCLG, a report be submitted to Executive setting out their alternative use, as permitted under the agreement. Permitted alternative uses include the acquisition of existing homes on the open market or social housing provided through grants to housing associations.

(Report circulated)

62

### **PAY AWARD FOR LOW PAID STAFF**

The report of the Chief Executive was submitted, seeking agreement to the payment of a £250 pay increase for 2012/13, in respect of all staff earning a fulltime equivalent salary of under £21,000 per annum. The Chief Executive reported that, although the Chancellor of the Exchequer had promised a £250 pay rise to public sector employees in his 2010 emergency budget, the national Local Government Employers organisation had refused to agree the increase for the last two years.

Executive supported the proposed pay award and placed on record their appreciation for the commitment and co-operation of staff and the unions during this period of financial pressure.

**RESOLVED** that all employees whose full time equivalent salary is less than £21,000 per annum be awarded a pay increase of £250 (or the appropriate proportion for part-time employees) with effect from 1 April 2012.

(Report circulated)

63

### **PRINCESSHAY - ARTWORK TO COMMEMORATE VISIT BY QUEEN ELIZABETH II**

The report of the Strategic Director (KH) was submitted, informing Members of the proposals for an artwork in Princesshay to commemorate the visit to Exeter by Her Majesty Queen Elizabeth II on 2 May 2012, and to report the authorisation of expenditure for this artwork under Financial Regulation 21.

Executive noted that the proposed public artwork had been commissioned on a joint basis by Land Securities and Exeter City Council and the design of the artwork had been determined by a cross-party working group. The artwork would be funded through New Homes Bonus as set out in paragraphs 4.1 and 4.2 of the report.

Executive was pleased to note that Her Majesty the Queen had been grateful to receive the illustration of the design and members looked forward to the installation of the high quality artwork. They recorded their appreciation to the members and officers who had worked hard to progress the project.

**RESOLVED** that the commissioning of the public artwork in Princesshay be noted and that funding had been approved under Financial Regulation 21.

(Report circulated)

64 **APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES**

The schedule of representatives on outside bodies was circulated.

**RESOLVED** that:-

(1) the following appointments be agreed:-

**Central Exeter Relief in Need Charity** – Mr PJ Brock  
**Exeter Canal and Quay Trust Ltd** – Cllr Leadbetter to replace Cllr Mottram  
**Exeter International Airport Consultative Forum** – Cllr Mrs Henson to replace Portfolio Holder for Economy and Tourism (Cllr Denham)  
**Exeter School** – Mr J Taghdissian  
**St Edmunds and St Mary Major Charity, Exeter** – Mr PJ Brock  
**Exeter Board** – Cllrs Branston, Robson, Sutton and Mrs Henson - the fifth representative to be appointed on the nomination by the Liberal Democrat Group Leader

(2) existing representatives continue to serve on those bodies set out on the schedule where no current vacancies exist;

(3) no appointment be made to **Devon Playing Fields Association**; and

**RECOMMENDED** that appointments to outstanding vacancies set out in the Appendix to the minutes be agreed by Council.

(Schedule circulated)

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

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

66 **EXETER AND HEART OF DEVON GROWTH BOARD MINUTES**

**RESOLVED** that the minutes of the Exeter and Heart of Devon Growth Board of 23 April 2012 be noted.

(Minutes circulated to Members)

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

Chair

**The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 17 July 2012.**

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## EXETER CITY COUNCIL

COUNCIL  
17 JULY 2012

## APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

Vacancies are **emboldened**.

<u>BODY AND TERM OF OFFICE</u>	<u>CURRENT REPRESENTATIVES AND EXPIRY OF APPOINTMENTS</u>	<u>NUMBER OF MEETINGS PER ANNUM</u>	<u>TERMS OF REFERENCE</u>
Councillor Development Steering Group  1	Portfolio Holder for Business Transformation and Human Resources (Cllr Martin) Cllr Baldwin Cllr Morris Cllr Prowse Cllr Spackman <b>Former Cllrs Cole, Hobden and Mrs Morrish</b>  18.06.2013	4	To advise on the implementation of the Training and Development Strategy for Councillors and promote training and development opportunity.

Exeter Business Centre Board  1	Portfolio Holder for Economy and Tourism (Cllr Denham) Cllr Mrs Brock Cllr Winterbottom  <b>Former Cllr Mrs Morrish</b>  18.06.2013	4	The Board oversees the affairs of the Business Centre.
Exeter Council for Sport and Recreation  1	Portfolio Holder for Environment and Leisure (Cllr Sheldon)  <b>Former Cllr Taghdissian</b>  18.06.2013	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	Portfolio Holder for Economy and Tourism (Cllr Denham) Cllr Branston Cllr Bull Cllr Edwards Cllr Leadbetter Cllr Ruffle Cllr Winterbottom  <b>Former Cllr Newcombe</b>  18.06.2013	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 Fairtrade Steering Group  1	Cllr Martin Cllr Robson <b>Former Cllrs Hobden and Taghdissian</b>  18.06.2013	6	Promotes Fairtrade in Exeter and seeks to retain Fairtrade status for the City. Organises regular promotions including Fairtrade Fortnight in late February/early March and produces the Fairtrade Directory to promote shops and catering outlets that sell Fairtrade products in Exeter.



Exeter Municipal Charities (General List)  4	The Lord Mayor Cllr Branston - 13.12.2013 <b>Ald N.W.F. Long - 13.12.2013</b> Cllr Robson – 13.12.2013 Cllr Winterbottom -13.12.2013	12	To provide accommodation for people who feel unable to remain in their own homes by reason of failing health or reduced circumstances.
J L Thomas Liaison Group  1	Cllr Choules Cllr Prowse  <b>Former Cllr Newcombe</b>  18.06.2013	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.
Maynard School  5	Cllr Mrs Henson <b>Cllr Shiel nominated</b>  30.07.2017	5	School Governing Body
Parking and Traffic Regulation Outside London Adjudication Joint Committee  1	Portfolio Holder for Sustainable Development and Transport (Cllr Sutton)  <b>Former Cllr Taghdissian</b>  18.06.2013	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.
St Sidwell's Parish Lands and Other Charities  4	<b>P.J. Shepherd</b>  <b>18.10.2013</b>	2	Provide and maintain the St Sidwell's Almshouses and provide funds to assist in the education of children in the parishes of St. Sidwell's, St. Matthew's and St. James.
Turntable Furniture Re- cycling Project	<b>Former Cllr Newcombe</b> From 19 June 2012	12	Turntable Committee Meetings

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## EXECUTIVE

Tuesday 3 July 2012

### Present:

Councillor Edwards (Chair)

Councillors Denham, Fullam, Hannaford, Mrs Henson, Martin, Sheldon and Sutton

### Also present:

Chief Executive, Strategic Director (KH), Strategic Director (MP), Assistant Director City Development, Assistant Director Finance, Assistant Director Housing and Contracts, Corporate Manager Policy, Communications and Community Engagement, Corporate Manager Democratic & Civic Support and Member Services Manager

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### MAJOR GRANTS AND NEW HOMES BONUS PANEL

The Assistant Director City Development introduced the minutes of the first meeting of the Major Grants and New Homes Bonus Panel held on 14 June 2012. The Panel had considered three applications for funding from the Local Infrastructure Fund.

Topsham Rugby Club had applied for £70,000 from the Fund and the Panel had recommended to Executive a grant of £50,000 towards Phase 1 of the project, principally comprising new changing facilities, subject to conditions. An email and letter from the Club together with a letter from the Rugby Football Union (RFU) had subsequently been received and these were circulated to members of Executive. These informed the Council that, whilst grateful for the award of £50,000, the shortfall from the requested £70,000 had placed the Club in some difficulty since the RFU had stated that any additional funding would only be available at the end of the project. They informed the Council of their proposal to trim the project by £53,000 to reduce the funding gap.

Councillor Leadbetter attended the meeting and spoke on this item under Standing Order 44, highlighting the problems the shortfall would create for the project and querying why the full amount applied for had not been awarded.

The Portfolio Holder Sustainable Development and Transport responded that all three applications considered by the Panel had been excellent projects which the Panel had discussed at length. The percentage reduction made to the Rugby Club application was in line with that of another application considered. The Panel had been mindful that the Club had stated in their presentation that their target was to raise between £100,000 and £150,000 from internal fundraising but they had only included £80,000 from this source in their latest calculation.

The Chair expressed his support for the worthwhile work undertaken by the Topsham Rugby Club. The Club was not precluded from making a further application for funding at a later stage.

Other members acknowledged that there were many other deserving projects in the city and it was important to ensure that they all had a fair opportunity to apply for funding rather than allocating it on a "first come, first served" basis to the more organised communities. They were also conscious that sporting facilities often benefitted from a greater range of potential funding sources than community projects.

Members were reminded that this Council had made the decision to use New Homes Bonus funding to support community infrastructure projects, unlike many other authorities who were using the funds to plug gaps in their revenue budgets.

**RESOLVED** that:-

- (1) the recommendations made by the Major Grants and New Homes Bonus Panel in respect of the three applications to the Local Infrastructure Fund be approved; and
- (2) the minutes of the meeting of the Major Grants and New Homes Bonus Panel held on 14 June 2012 be received and, where appropriate, adopted.

(Minutes circulated)

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### **DECLARATIONS OF INTEREST**

The following personal interest was declared:-

Councillor	Interest
Hannaford	69 (personal interest as Trustee of Exwick Community Association)

69

### **CAPITAL MONITORING 2011/12 AND REVISED CAPITAL PROGRAMME FOR 2012/13 AND FUTURE YEARS**

Councillor Hannaford declared an interest in this item as a trustee of Exwick Community Association.

The report of the Assistant Director Finance was submitted, advising Members of the overall financial performance of the Council for the 2011/12 financial year, in respect of the annual capital programme. Approval was also sought for the 2012/13 revised capital programme, including commitments carried forward from 2011/12.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2012 and the support of members was noted.

**RECOMMENDED** that Council notes and approves:-

- (1) the overall financial position for the 2011/12 annual capital programme; and
- (2) the amendments to the Council's annual capital programme for 2012/13.

(Report circulated)

70

### **OVERVIEW OF REVENUE BUDGET 2011/12**

The report of the Assistant Director Finance was submitted, advising Members of the overall financial position of the HRA & General Fund Revenue Budgets for the 2011/12 financial year.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2012 and the support and comments of members were noted.

Members were pleased to note the reduction in debt over 30 days old. The Assistant Director Finance reported that the Council proactively managed debt, achieving recovery through the courts where necessary. In response to a question regarding housing benefit overpayments, he reported that these arose for a number of reasons including changes in claimants' circumstances. About 90% of this amount was recovered which was very high in comparison with other authorities.

**RECOMMENDED** that Council:-

- (1) approves the net transfer of £727,999 to Earmarked Reserves as detailed in paragraph 3.11;
- (2) approves supplementary budgets of £138,260 as detailed in paragraph 3.11;
- (3) notes Earmarked Reserves at 31 March 2012;
- (4) notes the Council Tax account and collection rate;
- (5) notes the outstanding sundry debt, aged debt analysis and debt write-off figures;
- (6) notes the creditor payments performance;
- (7) by taking into account the overall financial position of the Council as set out in paragraph 3.14, approves the General Fund working balance at 31 March 2012 at £4,258,425; and
- (8) approves the Housing Revenue Account working balance at 31 March 2012 at £5,765,423 and the Council Own Build working balance at £28,207.

(Report circulated)

71

### **TREASURY MANAGEMENT 2011/12**

The report of the Assistant Director Finance was submitted, reporting the overall performance for the 2011/12 financial year and the position regarding investments and borrowings at 31 March 2012.

In response to a question regarding assumptions made about interest rates, the Assistant Director Finance reported that the Council used the services of a Treasury Management Adviser. He reported that the Council continued to take advantage of the very low interest rates through short-term borrowing.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2012 and the support of members was noted.

**RECOMMENDED** to Council to approve the Treasury Management report for the 2011/12 financial year.

(Report circulated)

**ANNUAL GOVERNANCE STATEMENT**

The report of the Assistant Director Finance was submitted, setting out the proposed Annual Governance Statement that will accompany the Council's Annual Statement of Accounts for 2011/12. This statement also incorporated the Council's Code of Corporate Governance which is published on the Council's website. The Assistant Director drew particular attention to the steps that had been undertaken during the year to further improve the Corporate Governance arrangements.

Scrutiny Committee – Resources considered the report at its meeting on 20 June 2012 and the support of members was noted.

**RECOMMENDED** to Council to note and approve the Annual Governance Statement to be included within the Council's Annual Statement of Accounts for 2011/12.

(Report circulated)

**NEW APPROACH TO MANAGING BUILDING CONTRACTS - TOTAL PROJECT DELIVERY INITIATIVE**

The report of the Assistant Director Housing and Contracts was submitted, seeking approval to continue the initiative for the delivery of the housing kitchen, bathroom, gas central heating and boiler replacement for up to four years, following a successful six month trial period. Approval was also sought to examine the practicality of extending the initiative to cover working budgets in respect of PSL's, Extralet and disabled adaptation programmes.

Scrutiny Committee – Resources considered the report at their meeting on 20 June 2012 and the support and comments of members were noted.

Members welcomed the new approach which was designed to spread risk by letting a number of smaller contracts. They acknowledged the significant contribution of the former Head of Contracts and Direct Services to the initiative. They particularly welcomed the consequent benefits to the local economy of using local firms.

The Portfolio Holder Housing and Community Involvement commended the scheme and reported the support of the Tenant and Leaseholders Committee. The Chair commented on the high standard of work of which small firms were capable and requested the Assistant Director Housing and Contracts to ensure that current contractual procedures did not preclude them from competing for work.

Executive supported the proposal for an interim report to be made to the Committee after two years to enable the success of the initiative to be monitored.

**RESOLVED** that:-

- (1) initial progress made on the Total Project Delivery pilot be noted; and
- (2) the continuation and extension of the scheme be supported for up to four years, or until respective budgets involved are exhausted, with an interim report to Executive after two years, subject to annual review and approval by the Assistant Director Housing and Contracts.

(Report circulated)

### **LAINGS HOME REFURBISHMENT REVIEW**

The report of the Assistant Director Housing and Contracts was submitted, informing Members of the outcome of an internal review of the Laings property refurbishment programme. The review had been conducted as a consequence of an issue highlighted by Sovereign Housing Association connected to the use of Recycled Capital Grant Funding (RCGF) to fund the refurbishment of Laings homes. The Assistant Director reminded members of the history of the homes which had been designated as defective and the partnership agreement between the Council and Sovereign Housing Association which had refurbished them.

Councillor Leadbetter spoke on this item under Standing Order 44. He queried the three long term empty Laings homes, in the context of the City's housing shortage. In response, the Portfolio Holder Housing and Community Involvement referred to the enormous efforts made by the Council to return vacant homes to use and the excellent track record of the Empty Homes Service.

Executive noted the proposal of the Sovereign Housing Association to charge 80% of open market rent rather than the current rent. Members considered the options available and supported Option 1 whereby the Council would retain ownership of the remaining 21 properties and undertake the refurbishment works itself. It was noted that this would include energy efficiency measures.

**RESOLVED** that Option 1 as set out in the report be adopted; namely to end the trickle transfer of Laings homes to Sovereign Housing Association, for the Council to retain them as part of their Housing Revenue Account portfolio and for a programme of refurbishment to be put in place as and when Laings homes become available.

(Report circulated)

### **LAND AT PINBROOK ROAD, EXETER - CIVIC AMENITY SITE**

The report of the Assistant Director Economy was submitted, considering a request from Devon County Council to vary the terms of the change of use consent covering the new Civic Amenity Centre in Pinbrook Road to extend the hours of operation for a trial period.

**RESOLVED** that:-

- (1) the Property Manager be authorised to agree an extension of the Sunday opening hours of the Pinbrook Road Civic Amenity Centre until 6pm until the end of September 2012; and
- (2) should there be no significant concerns raised during this period of operation, the Property Manager be authorised to agree a permanent extension of operating hours on Sundays thereafter.

(Report circulated)

## **APPRENTICESHIP SCHEME**

The report of the Strategic Director (MP) was submitted, setting out proposals for the development and implementation of an Apprenticeship Scheme for Exeter City Council and seeking a decision on the funding in order to take forward the proposal. The scheme would initially be based around school leavers and it was planned to recruit six apprentices to start in September 2012. The areas for placement had been selected on the basis of suitable courses offered by local colleges.

Councillor Leadbetter attended under Standing Order 44 and spoke in support of the proposal which he considered to be an excellent idea. He hoped that the scheme would be extended beyond the initial one-year period.

Councillor Crew, attending under Standing Order 44, also strongly supported the proposal. He drew attention to the fact that the public sector was currently under-represented in respect of apprenticeship schemes and welcomed the opportunity for this Council to lead by example. He noted that an Ofsted report had indicated that apprentices who had previously undertaken work experience had particularly benefited and requested that the Council should look to extend work experience opportunities wherever possible.

All members of Executive strongly supported the Apprenticeship scheme. Whilst the initial 12 month pilot was designed to enable the Council to review the effective operation of the scheme, the intention was for it to continue beyond this period. Members particularly welcomed the new perspective that young people often introduced to organisations and proposed that the apprentices should be invited to reflect on their experience and provide feedback to a Scrutiny Committee in due course.

**RESOLVED** that:-

- (1) the establishment of an Apprenticeship Scheme on the terms and conditions set out in the report be agreed and that a budget of £50,000 be allocated to this scheme; and
- (2) a review of the Council's work experience policy and procedure be undertaken in due course.

(Report circulated)

## **BUILDING A STRONGER SUSTAINABLE CITY: CORPORATE PLAN 2012-2014**

The report of the Strategic Management Team was submitted, seeking approval to the Council's Corporate Plan for 2012-14. The Chief Executive introduced the report informing Executive that changes to the performance and inspection framework had enabled the publication of a shorter, more accessible corporate plan.

Councillor Leadbetter spoke on this item under Standing Order 44. He congratulated officers on the Plan, particularly welcoming the links with the business sector, and looked forward to its delivery.



Executive welcomed the clear and concise style of the document. Members noted the new focus on purposes, emerging from the systems-thinking review, which formed the framework of the Plan as a means of linking Council activity to the needs and preferences of citizens and customers. Executive supported the key actions identified in the Plan, acknowledging the financial challenges facing the Council in their delivery.

**RECOMMENDED** to Council to endorse the draft 2012-14 Corporate Plan.

(Report circulated)

78

### **UPDATE ON THE LOCALISM ACT 2011**

The report of the Chief Executive was submitted, updating on progress with the various provisions of the Localism Act and identifying issues for the Council.

Executive noted the current position in respect of the provisions of the Localism Act. They supported the procedure proposed in respect of the Community Right to Challenge, noting that this was based on statutory guidance, but requested that the Panel's recommendations on expressions of interest are submitted to Executive for approval. Members noted that the procedure could be reviewed, if necessary, in the light of experience.

**RESOLVED** that:-

- (1) progress on the various provisions of the Localism Act be noted;
- (2) the proposal in paragraph 12.4 to not set a timeframe for expressions of interest under the community right to challenge be supported, subject to review of this position every 12 months; and
- (3) the Council's draft guidance on the community right to challenge, as set out at Annex A of the report, be approved, subject to the Panel's recommendations on expressions of interest being submitted to Executive for approval.

(Report circulated)

79

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

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

80

### **CORPORATE SUPPORT UNIT - RESTRUCTURE**

The report of the Corporate Manager Democratic and Civic Support was submitted, requesting approval to the restructuring of the Corporate Support Unit within the Office of the Corporate Manager Democratic and Civic Support. The restructure involved a decrease in the overall number of staff in the unit, the voluntary redundancy of three members of staff and the consequential severance payment for the current postholders, together with other subsequent staffing changes in the remaining Corporate Support Unit.

Executive supported the proposed restructure.

**RESOLVED** that:-

- (1) the restructuring of the Corporate Support Unit as detailed in this report be approved; and
- (2) the payment of compensation to the holders of posts CE01104, CE02127 and CS07186 be approved in accordance with the Council's agreed redundancy policy under the provisions of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.00 pm)

Chair

**The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 17 July 2012.**

# Agenda Annex

## SEATING IN THE GUILDHALL

Lord Mayor's Chaplain			Deputy Lord Mayor Councillor Prowse (C)	Lord Mayor Councillor Newby (C)	Chief Executive	Corporate Manager Democratic/Civic Support	
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Member Services Manager	Corporate Manager Legal	Assistant Director Finance		Strategic Director	Strategic Director	
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Councillors	Councillors	Councillors		Councillors	Councillors
Tippins (L)	Bowkett (L)	Edwards (L)		Mrs Henson (C)	D J Henson (C)
Crew (L)	Robson (L)	Sutton (L)		Baldwin (C)	Donovan (C)
Branston (L)	Spackman (L)	Martin (L)		Shiel (C)	Mottram (C)
Laws (L)	Bull (L)	Sheldon (L)	TABLE	Crow (C)	Winterbottom (C)
Choules (L)	Dawson (L)	Hannaforde (L)			Leadbetter (C)
Bialyk (L)	Owen (L)	Denham (L)			
Macdonald (L)	Clark (L)				
Pearson (L)					

Cllr Morris (L)	Cllr Lyons (L)	Cllr Wardle (L)	Cllr Ruffle (LD)	Cllr Mitchell (LD)	Cllr Mrs Brock (LD)	Cllr Payne (LD)	Cllr Fullam (LD)
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L: Labour : 24  
 C: Conservative : 11  
 LD: Liberal Democrat : 5

### Portfolio Holders

Edwards: Leader  
 Hannaforde : Housing and Community Involvement  
 Martin: Business Transformation and Human Resources  
 Sheldon: Environment and Leisure  
 Sutton: Sustainable Development and Transport  
 Denham: Economy and Tourism

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