



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 17 DECEMBER 2013**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

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1 Minutes	
To sign the minutes of the meeting held on 15 October 2013.	5 - 10
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 28 October 2013	11 - 22
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5 Licensing Committee - 19 November 2013	43 - 46
6 Scrutiny Committee - Community - 12 November 2013	47 - 52
7 Scrutiny Committee - Economy - 14 November 2013	53 - 62
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9 Audit and Governance Committee - 27 November 2013	71 - 74
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11 Executive - 10 December 2013	83 - 90

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

Notices of Motion

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Office of Corporate Manager Democratic & Civic Support			
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12 Notice of Motion by Councillor Edwards under Standing Order No. 6

That Exeter City Council:

- 1) notes that payday lenders are trapping millions of people in spirals of debt.
- 2) believes that the Financial Conduct Authority (FCA)'s new proposals for regulating payday lenders are a step in the right direction, but do not go far enough.
- 3) further believes:
 - i) that the FCA's proposals would not prevent payday lenders from drip feeding new loans to people who have payday debts and are struggling to pay them back
 - ii) that the FCA's proposals would not prevent people from being hit with escalating penalty fees
 - iii) that the FCA's proposals would not stop payday lenders from raiding people's bank accounts without telling them.
- 4) welcomes that some of Britain's biggest debt, consumer and anti-poverty organisations – including Which?, Citizens Advice, StepChange Debt Charity, Church Action on Poverty and the Centre for Responsible Credit – and MPs from every Party represented at Westminster have come together to support the Charter to stop the Payday Loan Rip-Off.
- 5) resolves to:
 - i) endorse the Charter to Stop the Payday Loan Rip-Off which calls on the FCA to introduce tougher regulation of payday lenders.
 - ii) encourage residents of Exeter to support the Charter by signing the online petition at <http://www.change.org/paydayloancharter>
 - iii) promote and support the development of local credit unions and more affordable lending
 - iv) work with partners on campaigns against increasing levels of personal debt.
- 6) agrees to send a copy of this motion to Martin Wheatley, Chief Executive of the Financial Conduct Authority and to all local Members of Parliament.

Pages

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

The Council Notes:-

- that England is now widely recognised to be the Country with the most centralised system of government in Europe;
- that devolution has brought decisions about tax and spending and the quality of public services closer to voters in Scotland and Wales, whilst English voters have not gained comparably greater influence over decision-making that affects their taxes and services; and

Considers:-

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- that the likely scale of change in how public services are funded and provided makes it democratically unsustainable for those changes to be decided within the existing over-centralised Government model;
- that services and their delivery need to be reformed and integrated across local agencies to enable them to take a proactive, preventative approach to problems rather than relying upon reactive solutions;
- that voters should be given back a meaningful say on a wider range of tax and spending decisions, through place-based budgetary arrangements with the abolition of the discredited Barnett formula and the reinstatement of fair financial distribution amongst English Councils; the re-creation of a municipal bond market and the certainty of multi-year funding settlements for the life of a Parliament;
- that central government should enable local decision-making through the joining up and reducing in size of Whitehall Departments in order to facilitate local place-based budgets by reducing Ministers' powers to intervene in local decisions and replacing bureaucratic tick-box inspection regimes with local service user champions; and
- that formal constitutional protection to local democracy be granted to reflect a new, more mature working arrangement between central and local government; and

The Council therefore resolves to:-

- support the Local Government Association's Rewiring Public Services campaign, which embodies the above objectives;
- ask the City's Members of Parliament to support the Rewiring Public Services campaign which will improve local voters' influence over services, tax and spending; and
- instruct Officers to write to the Secretary of State informing him of this Resolution.

Date: Date Not Specified

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register



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THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 15 October 2013

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

35 **APOLOGIES**

Apologies for absence were received from Councillors Bowkett, Choules, Dawson and Henson.

36 **ALDERMAN MARGARET MIDGLEY**

The Council observed a minutes silence in memory of Alderman Margaret Midgley who had recently passed away having faithfully served the Council for many years.

37 **MINUTES**

The minutes of the Ordinary Meeting held on 16 July 2013 and the Extraordinary Meeting held on 16 July 2013 were taken as read and signed as a correct record.

38 **OFFICIAL COMMUNICATIONS**

The Lord Mayor announced that this was Phil King, the Lord Mayor Support Officer, last meeting as he was leaving the Council to move to Oxford. Members wished him well for his future and thanked him for his efficient service.

In accordance with Standing Order 5 (2) (a), the Lord Mayor took at this point Executive 1 October 2013 minute no 99 – Recording of Council Meetings. The minute was proposed by Councillor Edwards, seconded by Councillor Sutton and approved.

39 **PLANNING COMMITTEE - 22 JULY 2013**

The minutes of the Planning Committee held on 22 July 2013 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Planning Committee held on 22 July 2013 be received.

40 **PLANNING COMMITTEE - 2 SEPTEMBER 2013**

The minutes of the Planning Committee held on 2 September 2013 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Planning Committee held on 2 September 2013 be received.

41

PLANNING COMMITTEE - 30 SEPTEMBER 2013

The minutes of the Planning Committee held on 30 September 2013 were presented by the Chair, Councillor Bialyk and taken as read.

In relation to Minute 81 (Planning Application No.13/3822/03 – Exeter Golf and Country Club, Topsham Road, Exeter), the Chair stated that any changes to outline planning applications of a sensitive nature should be brought back to Members for their consideration and not dealt with under delegated powers.

RESOLVED that the minutes of the Planning Committee held on 30 September 2013 be received.

42

LICENSING COMMITTEE - 23 JULY 2013

The minutes of the Licensing Committee of 23 July 2013 were presented by the Portfolio Holder for Environment, Health and Wellbeing (former Chair of Licensing Committee), Councillor Owen and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 23 July 2013 be received.

43

LICENSING COMMITTEE - 24 SEPTEMBER 2013

The minutes of the Licensing Committee of 24 September 2013 were presented by the Deputy Chair, Councillor Laws and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 24 September 2013 be received.

44

SCRUTINY COMMITTEE - COMMUNITY - 3 SEPTEMBER 2013

The minutes of the Scrutiny Committee - Community held on 3 September 2013 were presented by the Chair, Councillor Shiel and taken as read.

RESOLVED that the minutes of the Scrutiny Committee - Community held on 3 September 2013 be received.

45

SCRUTINY COMMITTEE - ECONOMY - 5 SEPTEMBER 2013

The minutes of the Scrutiny Committee – Economy held on 5 September 2013 were presented by the Chair, Councillor Leadbetter and taken as read.

In relation to Minute 39 (Petition – Magdalen Road Car park Charges) the Portfolio Holder for Economy and Culture advised that car park usage in the city would be monitored over the coming 12 months and this data would be used to undertake a full review of the Council's car parks in due course.

RESOLVED that the minutes of the Scrutiny Committee - Economy held on 5 September 2013 be received.

46

SCRUTINY COMMITTEE - RESOURCES - 18 SEPTEMBER 2013

The minutes of the Scrutiny Committee - Resources held on 18 September 2013 were presented by the Chair, Councillor Baldwin and taken as read.

RESOLVED that the minutes of the Scrutiny Resources - Community held on 18 September 2013 be received.

47

AUDIT AND GOVERNANCE COMMITTEE - 26 SEPTEMBER 2013

The minutes of the Audit and Governance Committee held on 26 June 2013 were presented by the Deputy Chair, Councillor Baldwin and taken as read.

RESOLVED that the minutes of the Audit and Governance Committee held on 26 September 2013 be received.

48

EXECUTIVE - 17 SEPTEMBER 2013

The minutes of the Executive held on 17 September 2013 were presented by the Chair, Councillor Edwards and taken as read.

In relation to Minute 83 (Asset Management Review – Housing Garage Sites) the Leader stated that the review was being undertaken to ensure that the Council was better informed as to the usage and ownership of the garages.

The Portfolio Holder for Housing and Customer Access stated that the proposals were a holistic approach to the way forward for garage sites and the consultation process should highlight any ownership issues. This would be a phased project over a number of years.

The Portfolio Holder for Economy and Culture clarified that the proposal for Anthony Road was part of the Council Own Build Wave 3 and that a full consultation had been undertaken prior to the planning application being submitted.

RESOLVED that the minutes of the Executive held on 17 September 2013 be received and, where appropriate, adopted.

49

EXECUTIVE - 1 OCTOBER 2013

The minutes of the Executive held on 1 October 2013 were presented by the Chair, Councillor Edwards and taken as read.

In relation to Minute 97 (Capital Monitoring Statement to 30 June 2013) the Leader stated that the tendering and procurement process could be an issue for Scrutiny Committee – Resources to scrutinise.

With regards to Minute 101 (Exeter Science Park Centre) the Leader clarified that the loan would be paid back in instalments with interest, and that there was also the option for Exeter Science Park Centre to pay back the money earlier should they be in a position to do so.

RESOLVED that the minutes of the Executive held on 1 October 2013 be received and, where appropriate, adopted.

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

Councillor Bull, seconded by Councillor Pearson, moved a Notice of Motion in the following terms:-

- (1) already one in four households in the UK are in fuel poverty, meaning they need to spend more than 10% of their income on keeping their homes warm. The problem is likely to get worse, with one in three households projected to be in fuel poverty by 2016;
- (2) the main reasons for this crisis are that gas, oil and coal prices are high and the UK's homes are some of the most energy inefficient in Europe – leaking heat from their doors, walls and windows;
- (3) cold homes are damaging the health of vulnerable members of society, including children, older people and people with disabilities. Diseases such as asthma are made worse and people are more likely to have strokes and heart attacks. Illnesses caused by cold homes cost the NHS nearly one billion pounds each year; and
- (4) over the next 15 years the Government will raise an average of £4 billion every year in carbon taxes through the European Emissions Trading Scheme and the Carbon Floor Price. Re-cycling this revenue back into households could bring nine out of ten homes out of fuel poverty, lower people's bills, cut carbon emissions and create jobs.

Exeter City Council resolves to:-

- (1) support the Energy Bill Revolution campaign calling for the Government to re-cycle revenues from carbon taxes into improving the energy efficiency of UK homes; and
- (2) notify local Members of Parliament of its support for the campaign and urge them to support the campaign by emailing MPsupporters@energybillrevolution.org.

In presenting the Notice of Motion, Councillor Bull stated that the country was facing an energy bill crisis, with millions of people nationwide struggling to heat their homes. It was estimated that 5,957 families in Exeter were currently in fuel poverty meaning that these households need to spend more than 10% of their income on keeping their homes warm. It was projected that by 2016 one in three households would be in fuel poverty. The two main reasons for this crisis were the high price of gas, oil and coal and that the UK's homes were some of the most energy inefficient in Europe. This meant they cost much more than they should to heat and power and cold homes were damaging the health of vulnerable members of society and costing the NHS nearly one billion pounds each year.

Councillor Bull stated the answer was for the Government to use the money it received from carbon taxes to help make homes super-energy efficient. The Government must provide more funding from carbon taxes to help combat climate change. The current Green Deal had failed and, at its current take up rate could take 160 years for all of the UK's housing to benefit. Over the next 15 years the Government would raise an average of £4 billion every year in carbon taxes. If the Government recycled this carbon revenue back to households, it could provide billions of pounds to help insulate the UK's homes.

There would be enough carbon tax revenue to treat 600,000 fuel poor households every year and help them potentially reduce their energy bills by an average £310 a year. Recycling carbon revenue to make homes super-energy efficient could bring 9 out of 10 homes out of fuel poverty and quadruple savings in carbon emissions compared to the Government's new energy efficiency schemes and create up to 200,000 jobs which would help economic recovery. The Energy Revolution Bill was a public alliance, made up of over 150 major organisations supported by the Liberal Democrats and the Labour Party and the Big Six Energy companies.

Councillor Pearson, in seconding the motion, referred to the fact that one in five households were in fuel poverty and that hardworking people were forced to choose between warm homes or hot food. The Council had already invested in energy saving measures for their tenants by installing Solar Panels and this Energy Revolution Bill would help aid investment in new technologies to bring hard working people out of fuel poverty.

Some Councillors felt that the proposals in the Energy Revolution Bill were unworkable and that the Government was taking steps to help the hardworking people out of fuel poverty by ensuring that there was competition in the energy market and that ensuring that Energy Companies put customers on their lowest tariff.

In supporting the motion, other Councillors felt that the £4 billion raised by carbon taxes could be better spent to address fuel poverty in Exeter and beyond. Whilst recognising the measures that the Council had undertaken by installing Solar Panels on its council houses and civic buildings and its commitment to District Heating Systems, there was a need for pressure to be put on the Government to address fuel poverty and increase energy efficiency measures.

Councillor Bull, in response, stated that over 150 organisations and 201 MPs from all parties were supporting this Energy Revolution Bill but Exeter's MPs were absent from the list. The Bill was about using the carbon taxes currently collected by the Government and redirect them to tackle fuel poverty. He asked Members to support this motion.

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

Voting for:

Councillors Bialyk, Branston, Brock, Bull, Clark, Crew, Denham, The Deputy Lord Mayor, Councillor Edwards, Fullam, Laws, The Right Worshipful the Mayor, Councillor Macdonald, Martin, Mitchell, Morris, Newby, Owen, Payne, Pearson, Robson, Ruffle, Sheldon, Spackman, Sutton, Tippins, Wardle and Winterbottom

(28 Members)

Voting against:

Councillors Baldwin, Donovan and Mrs Henson

(3 Members)

Abstain:

Councillors Crow, Leadbetter, Mottram, Prowse and Shiel

(5 Members)

The Notice of Motion was carried.

(The meeting commenced at 6.00 pm and closed at 7.25 pm)

Chair

PLANNING COMMITTEE

Monday 28 October 2013

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Choules, Denham, Edwards, Mrs Henson, Mitchell, Newby, Owen, Sutton, Tippins and Winterbottom

Apologies:

Councillor Prowse

Also Present:

Assistant Director City Development, Senior Area Planning Officer, Planning Solicitor and Democratic Services Officer (Committees) (HB)

89

MINUTES

The minutes of the meetings held on 22 July, 2 September and 30 September were taken as read and signed by the Chair as correct.

90

DECLARATIONS OF INTEREST

Councillors Choules and Sutton declared disclosable pecuniary interests and withdrew from the meeting during consideration of the item below:-

Councillors Denham and Spackman declared other interests and withdrew from the meeting during consideration of the item below:-

COUNCILLOR	MINUTE
Councillor Choules	92 (macebearer at the University)
Councillor Denham	92 (lives close to the application site)
Councillor Spackman	92 (lives close to the application site)
Councillor Sutton	92 (employee of the University)

91

PLANNING APPLICATION NO. 13/0042/03 - CORNER OF SUMMERLAND STREET AND RED LION LANE, EXETER

The Senior Area Planning Officer presented the application for re-development to provide five storey building with 28 flats and retail/restaurant unit at ground floor and associated works.

Members were circulated with an update sheet - attached to minutes. The Senior Assistant Planner reported that the applicant had agreed to provide two affordable units with a lease of 25 years.

Mrs Taverner spoke against the application. She circulated photographs and raised the following points:-

- the development is over bearing and will block out natural light particularly to her living room via the front windows and Juliet balcony
- the development will increase parking problems in the area

- the area suffers from anti social behaviour associated with the nearby Arena nightclub. These problems could be reduced if a proposal for a pavement cafe was put forward instead.

In response to Mrs Taverner's comments, some Members expressed the view that the introduction of more residents to the area might help reduce anti-social behaviour.

The recommendation was for approval subject to the completion of a Section 106 Agreement under the Town and Country Act 1990 to secure items identified in the report, and subject also to the conditions as set out in the report.

RESOLVED that:-

- (1) planning permission for re-development to provide a five storey building with 28 flats and retail/restaurant unit at ground floor and associated works be **APPROVED** subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 securing the following items:-
 - the development to be designed and built so as to be compatible with the Council's proposed Local Energy Network (LEN) scheme for the City Centre, and a payment prior to occupation towards the scheme;
 - payment towards a new community centre in Belmont Park;
 - a contribution towards the provision of, or improvements to, an indoor swimming pool, sports hall or other indoor sporting facilities in the City of Exeter;
 - a contribution towards the provision of, or improvements to, sports pitches;
 - payment to Devon County Council towards off-site pedestrian/cycleway/urban realm improvements in the area bounded by, and inclusive of, Western Way, Sidwell Street, and Summerland Street;
 - a contribution towards mitigation of impact on Natura 2000 sites; and on-site provision of affordable units.

and subject also to the following conditions:-

- 1) C05 – Time Limit – Commencement
- 2) C15 – Compliance with Drawings
- 3) C17 – Submission of Materials
- 4) C57 – Archaeological Recording
- 5) The level of noise emitted from fixed plant and equipment on the site shall not exceed a rating noise level of 42dB (07:00-23:00) and 29dB (23:00-07:00), (measured in accordance with BS4142:1997) at the nearest residential receptors (or other surrogate point with appropriate distance corrections). The developer shall demonstrate by measurement compliance with this level prior to occupation of the development and as requested by the LPA thereafter.

Reason: In the interests of local residential amenity.

- 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 residential amenity
- 7) No development shall take place on site until a full investigation has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority
- 8) Full details of the kitchen extraction system shall be submitted for approval in writing prior to commencement of the development. The agreed equipment shall be installed in full prior to the commencement of any restaurant use, and operated as agreed thereafter. (For further guidance, see annex B of the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems').
Reason: In the interests of local amenity.
- 9) No deliveries shall be taken at or dispatched from the site outside the hours of 7am to 11pm Monday – Saturday nor at any time on Sundays, Bank or Public Holidays. **Reason:** In the interests of local amenity.
- 10) A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and emissions of noise and dust. The CEMP should contain a procedure for handling and investigating complaints as well as provision for regular liaison with residents and the Local Authority during the development, in order to discuss forthcoming work and its impact.
Reason: In the interests of local amenity.
- 11) No part of the development hereby approved shall be occupied until cycle parking facilities have been provided in accordance with details (including as to access arrangements) that shall previously have been submitted to agreed and approved in writing by the Local Planning Authority and maintained for that purpose at all times.
Reason: To encourage travel by sustainable modes in accordance with Local Plan Policy T3.
- 12) No part of the development shall commence until a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in strict accordance with the approved Plan unless, otherwise agreed in writing by the Local Planning Authority. The plan shall include:
(i) the timetable of the works;
(ii) hours during which construction vehicles will be present at the site;
(iii) the routing of vehicles to and from the site;
(iv) the methods of traffic control at the site and / or at any other location if required;
(v) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits; (vi) the compound / location where all building materials will be stored during the demolition and construction phases;

Prior to commencement it is recommended that the developer consults, and if necessary meets with, the Local Highway Authority to establish a safe means of progress.

Reason: To minimise impacts from construction related traffic on the environment, the amenity of local residents/businesses and safety on the public highway.

- 13) A framework Travel Plan for the site is produced incorporating all elements of the development hereby permitted. The Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development and shall include, but not exclusively, the following elements;
- The facilities for sustainable travel.
 - The incentives for promoting sustainable travel, including details on residential travel packs.
 - Implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter
 - Mechanisms to secure variations to the Travel Plan following monitoring and reviews

A review of the targets shall be undertaken within 6 months of occupation of the development and on an annual basis thereafter, at the time of submission of the Annual Travel Plan Report.

Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car.

- 14) Prior to occupation of the development hereby permitted, secure cycle parking for residents and staff shall be provided in accordance with details (including as to access arrangements) 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, to encourage travel by sustainable means in accordance with Local Plan policy T3.

- 15) C35 - Landscape Scheme

- 16) C37 - Replacement Planting

- 17) The buildings comprised in the development hereby approved shall be constructed so that their internal systems for space and water heating are capable of being connected to 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 points on the site boundary agreed in writing by the LPA.

Reason: In the interests of sustainable development.

- 18) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes Level 4 (including a 44% CO2 emissions rate reduction from Part L 2006) as a minimum, in accordance with the requirements of the Code for Sustainable Homes 2006 and the Code for Sustainable Homes Technical Guide November 2010 (or such equivalent standard that is approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.

Reason: In the interests of sustainable development.

- 19) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority a Design Stage CSH assessment including the score expected to be achieved and 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. Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until an application for a Final Code Certificate has been made seeking certification that the required Code Level has been achieved and within one year of occupation of any dwelling the developer shall submit to the Local Planning Authority a Final Code Certificate to demonstrate that a Final Code Level of 4 or 5 has been achieved as required above.
Reason: In the interests of sustainable development.

- (2) in the event that the Section 106 Agreement is not completed by 30 November 2013, the Assistant Director City Development be authorised to negotiate an appropriate level of affordable housing and any other necessary contributions following the application of the relevant CIL charge.

(Report circulated)

92

PLANNING APPLICATION NO. 13/4170/03 - SOUTH CLOISTERS, ST. LUKES CAMPUS, HEAVITREE ROAD, EXETER

Councillor Sutton declared a disclosable pecuniary interest as an employee of the University of Exeter and withdrew from the meeting during consideration of this item.

Councillor Choules declared a disclosable pecuniary interest because of his paid role as macebearer at the University of Exeter and withdrew from the meeting during consideration of this item.

Councillors Denham and Spackman declared other interests as they lived close to the application site and withdrew from the meeting during consideration of this item.

The Senior Area Planning Officer presented the application for conversion from student accommodation to office space for medical department and four storey extensions on east and west elevations and an additional storey.

Members were circulated with an update sheet - attached to minutes.

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

- in view of the objections received, the University should consider alternative, less controversial sites, for the scheme
- the loss of student accommodation which would result if this scheme were to proceed is contrary to the University's policy of providing sufficient accommodation in the City for students. Although the University stated that there is decline in demand for catered accommodation, no evidence is provided to back this given that the total number of students is now 18,793
- an alternate option is to extend College House which, given its distance from College Road would be an ideal solution and will have minimum impact on Magdalen Road
- the development will have an adverse impact on the St Leonards Conservation Area
- oppose the loss of existing trees with inadequate replacement. These trees have a positive impact on the area
- the development will lead to an increase in on-street parking in an area where controls are necessary to ensure residents have parking spaces.

- There are 75 unlimited parking bays in the area, 12 adjacent to the College in College Road and College Avenue and 7 immediately outside the College
- in spite of the University's commitment to transport sustainability, insufficient regard has been given to the impact on traffic movement in the area. In particular, the University, to date, has failed to provide a traffic impact assessment relating to this scheme. This should cover issues such as parking in the area and on the campus, car sharing and single occupancy car journeys and how these as well as other elements of a Transport Plan will be monitored and enforced. This is important given the number of establishments in the area which generate significant traffic movement including the Police Station, Waitrose, Pyramids Swimming Pool, St Leonards and Newton Primary schools and Exeter School
 - number of employees will increase from 338 to 488 and students from 768 to 1,318, the overall total therefore rising to 1,806. This will significantly increase the impact on the area
 - the statement that the servicing activity is likely to be less intrusive can not be accepted as the increase in staff and students will lead to an increase in servicing. Already, service vehicles reverse through no entry signs on Raleigh Road which is illegal and which the University have failed to address.
 - the development will lead to increased traffic and therefore increased pollution. This would be contrary to the City and County Councils' policies for reducing carbon emissions in the City
 - although the number of objections received is relatively small, the impact on residents and the surrounding area will be significant. In the application the University states that the development will be a "landmark building" and a "signpost". A landmark feature would impact adversely on the St Leonards Conservation Area and the Conservation Area Appraisal/Management Plan published in 2008 refers to the importance of ensuring that there are no unsympathetic additions to the St Luke's campus
 - the Southern Area Working party expresses similar concerns regarding the impact on the townscape
 - ask the Committee to refuse the application which is contrary to the Core Strategy.

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

- object to the proposal which is overbearing, overlooking and will result in the loss of privacy.
- the introduction of top floor and balcony are particularly intrusive
- incongruity of scale and character of the proposal in relation to existing residential neighbours.
- loss of light and light pollution/nuisance, particularly if stairwell/other lights are permanently on
- the loss of trees, contrary to tree survey
- adverse impact on the Conservation Area
- footfall, traffic, parking demand and deliveries/waste collections with associated decrease in highway safety
- alternative, less intrusive locations on the campus for this development do not appear to have been explored
- the University statement that it will be a landmark development and a signpost contradicts its statement that it will endeavour to reduce impact on the area

Mr McCann spoke in support of the application. He raised the following points:-

- the College has existed since 1854 since when the residential area has grown around it

- the previous use of the South Cloisters was for the accommodation of students but these are no longer fit for purpose and they are now vacant
- the University wishes to expand the Medical School which is important for both teaching and research and it works closely with the RD&E Foundation Trust
- the University has worked closely with the City Council's Development Department and because of the concerns of residents of College Road, agreed to reduce the bulk of the top floor by three metres
- the University had full regard to its Sustainable Transport Strategy in developing this proposal which will encourage car sharing and use of public transport
- because of the loss of trees, following consultation with the Tree Officer, new trees will be planted and the two trees on the College Road/Raleigh Road junction retained

He responded as follows to Members' queries:-

- although public consultation was initially considered, the University did not consult with neighbours prior to submitting the application but, following the receipt of objections, held an open night at St Luke's two weeks ago to explain the plans to the public
- a Master Plan for the St Luke's campus had previously existed and the consultant's, Terence O' Rourke, had reported back on updated proposals for the site which had been publicised in the Express and Echo in May and, it was hoped, would be finalised before the end of the year.
- included in the Plan is the further development of the St Luke's Campus including College House, although this particular site might not be re-developed for another 10 or 15 years
- the University operates a Sustainable Transport Strategy which is updated on a rolling basis. As part of the Strategy, it subsidises bus routes to the University including additional services in the evening. It also operates a shuttle bus service from St Luke's to St David's Station and the Streatham Campus.

RESOLVED that the application for the conversion from student accommodation to office space for medical department and four storey extensions on east and west elevations and additional storey be **DEFERRED** for further consideration with regard to the overall Master Plan for the St Luke's campus, materials, the submission of a Traffic Statement, negotiations on a Section 106 Agreement under the Town and Country Planning Act 1990 and meaningful consultations with neighbouring residents.

(Report circulated)

93 **PLANNING APPLICATION NO. 13/4435/03 - PORTLAND HOUSE, LONGBROOK STREET, EXETER**

The Senior Area Planner presented the application for variation of condition two of the existing permission (Ref. No. 11/0895/03 granted 16-01-2012) to approve amended drawings showing additional accommodation at level six.

Members were circulated with an update sheet - attached to minutes.

RESOLVED that planning permission for variation of condition two to approve amended drawings showing additional accommodation at level 6 (Ref No 11/0895/03 granted 16-01-2012), be **REFUSED** because of increased massing and

having an unacceptable impact on the residential properties opposite and on the adjacent Conservation Area.

(Report circulated)

94 **PLANNING APPLICATION NO. 13/4541/03 - CATHEDRAL GREEN, CATHEDRAL CLOSE, EXETER**

The Assistant Director City Development presented the application for an annual Christmas market of up to 30 days to run for 4 years (revised site area).

Members were circulated with an update sheet - attached to minutes. The Assistant Director City Development advised that the market would terminate on 19 not 15 December 2013 and that the Conservation Officer was satisfied with the proposals.

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

- representing the Planning Sub Committee of the Civic Society
- not opposed in principle to the re-packaging of the market but have very strong concerns about the impact on the west front of the Cathedral
- the market should remain on the open grassed area on the south side of the Cathedral
- the West front represents the historic heart of Exeter and the existing open space is vital for the Cathedral to maintain its strong visual impact on the area. The location of the cabins in this area will obscure this iconic facade and will be visual vandalism
- the application has been submitted too late and does not allow for adequate consultation and negotiation regarding the most acceptable layout

He responded as follows to Members' queries:-

- objection is on aesthetic grounds
- application for the additional area should be refused, the five year permission granted for the area, the first year being 2012, to continue and, should the Cathedral still wish to extend the area, a further application be submitted in 2014, preferably in the summer for adequate time to be given to consider any further suggested changes

RESOLVED that, subject to no significant objections on material matters not already considered being received prior to the end of the consultation period, **APPROVAL** of the application for a temporary period of 30 consecutive days during November and December for the four years starting with 2013 be delegated to the Assistant Director City Development, subject also to the following conditions:-

- 1) 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 October 2013, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 2) The use hereby approved shall only be carried out for a single period of not more than 30 consecutive days during the months of November and December in the four calendar years commencing with 2013.
Reason: The use is unsuitable on a permanent basis or for a longer period in this locality.

- 3) The use hereby approved shall not be carried on other than between the hours of 10:00 to 21:00 Mondays to Saturdays and between the hours of 10:00 to 18:15 on Sundays and public or Bank Holidays, with the exception of the first day the market operates each year when the use may carry on until 22:00 unless that day is a Sunday.
Reason: So as not to detract from the amenities of the near-by residential property.
- 4) The works associated with assembling, dismantling and servicing of the Market shall not be carried out outside the hours of 08:00 and 22:00.
Reason: To safeguard the amenities of nearby occupiers
- 5) Notwithstanding condition no. 1, the use hereby permitted shall not commence on site in any given year 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 for that years market event:
- The laying out of the market area including the position of the toilets, stalls and the area(s) given over for selling and of hot food and drink.
 - A scheme for the collection and disposal of waste and the cleaning of the market area.
 - Details of means of power supply (including locations and sound levels of any generator(s))
 - Details of any general or flood lighting scheme.
- Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 6) Following the cessation of the market operation in each year all temporary structures associated with the market shall be removed and the condition of the surfaces and street furniture in Cathedral Green shall be reinstated to their condition prior to the commencement of the works associated with the market that year to the satisfaction of the Local Planning Authority.
Reason: To protect the appearance of the Cathedral Green.

(Report circulated)

95

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

It was noted that the issue of new regulations in respect of prior approval works had been raised at a meeting of the Planning Member Working Group on 10 September 2013 with specific reference to 48 Whipton Village Road and flats at Pembroke House, Southernhay.

Although introduced by the Government to help boost local economies, prime office accommodation was being lost and, in some cases, sub standard housing was being provided with poor amenities such as lack of parking and gardens as was the case with the former, which had previously been refused and dismissed on appeal.

RESOLVED that:-

- (1) the report be noted; and

- (2) the Chair write to Nick Boles MP, Minister for Planning and Development, to advise of this Council's concern regarding the impact of developments proceeding as a result of the new regulations.

(Report circulated)

96

ENFORCEMENT PROGRESS REPORT

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

RESOLVED that the report be noted.

(Report circulated)

97

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(Report circulated)

98

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 19 November 2013 at 9.30 a.m. The Councillors attending will be Edwards, Mitchell and Winterbottom.

**ADDITIONAL INFORMATION CIRCULATED AFTER AGENDA DISPATCHED -
circulated as an appendix**

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

Chair

**PLANNING COMMITTEE
28 OCTOBER 2013**

ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the Agenda

<p>Item 5 Pages 5-12 Ref: 13/0042/03 Corner of Summerland Street and Red Lion Lane Exeter</p>	<p>The Assistant Director Housing has concluded discussions with the applicant concerning the viability of the scheme and has advised as follows:</p> <p><i>Following long negotiations the Housing Development Team has secured a provision of 2 affordable studio apartments on the Red Lion Lane scheme. Whilst these 2 studios only represent an affordable housing provision of a little over 7%, this represents a good result given the viability issues on this site. Given the costs involved in building this scheme, the lower sales values for this type of accommodation in this location and the level of other S106 contributions required, the developer has accepted a lower than average profit margin in providing these 2 studios.</i></p> <p><i>We intend to take a long lease on these 2 studios and use them as part of our Private Sector Leasing (PSL) scheme, with appropriate break clauses, rental uplifts and alternative provision once the lease has finished. The PSL scheme will give the Council some useful temporary accommodation provision within this area of the city.</i></p>
<p>Item 6 Pages 13-20 Ref: 13/4170/03 South Cloisters St Lukes Campus Heavitree Road Exeter</p>	<p>Two further objections have been received to the application, both from occupants of flats in Spicer Road. The letters raise similar issues to those listed in the main report.</p> <p>Clarification of precise numbers of existing and proposed student and staff numbers on the campus has been requested from the applicant, in order to assess the impact on parking and vehicle activity in the area. It is clear that there will be a significant increase in people on the campus but no additional parking. Opportunities to park in the vicinity and limited by traffic regulation orders and therefore there will not be additional pressure on parking on the roads surrounding the site. Additional travel demand is addressed by a Sustainable Travel Statement which seeks to promote cycling, public transport and car sharing. The views of the County Head of Planning Transportation and Environment are awaited and will be reported verbally at the meeting.</p> <p>Following concerns raised by local residents, the upper floors of the proposed extension have been cut back from College Road by 3m. This is welcomed as it reduces any impact on neighbours' amenity or the street scene. Further illustrative material is expected to demonstrate the improved relationships. A section drawing has been provided by the agent demonstrating that the upper floors of the proposal would be at least 26m from any windows to existing dwellings in Raleigh Road. The relationship would not give rise to unacceptable overlooking or overshadowing.</p>

	<p>It has been confirmed by the University that it will be necessary to remove two trees to facilitate the development and they will be replaced with new high quality trees of an appropriate species. Final details are awaited.</p>
<p>Item 7 Pages 21-26 Ref: 13/4435/03 Portland House Longbrook Street Exeter</p>	<p>The County Head of Planning Transportation and Environment has no objection to the proposed development.</p> <p>For Members' information, the Exeter St James Neighbourhood Plan policy on large scale purpose built student accommodation is reproduced here in full:</p> <p><i>Large scale purpose built student accommodation will be permitted in areas where it can be properly integrated into the urban area. This means locations:</i></p> <ul style="list-style-type: none"> <i>a) that are not predominantly characterised by intact streets of tradition terraced, semi-detached and detached forms of 2-4 storey residential development;</i> <i>b) where the servicing and parking requirements could be achieved with no unacceptable impact on the amenity of the adjacent area for residents;</i> <i>c) where the scale and massing of any purpose built accommodation proposed would be broadly similar to that of surrounding buildings.</i> <p>The application has been carefully considered in the light of this policy and it has been concluded that the scheme complies with it.</p>
<p>Item 8 Pages 27-32 Ref: 13/4541/03 Cathedral Green Cathedral Close Exeter</p>	<p>An amended red line plan has been received which excludes the War memorial from the application area.</p> <p>The following correspondence has been received.</p> <p>Exeter Civic Society strongly object to the inclusion of West Front square within the permitted boundary, the red line should be redrawn to omit this area. The prospect of this being filled with booths is inappropriate at minimum. We have no objection in principle, nor to the area south of the steps being included.</p> <p>Officers consider that there is no objection in principle to using the area in front of the West Front. Details of the layout of the market are reserved to be approved by recommended condition 5. Access and egress from the Cathedral and a pedestrian route through the market and along the West Front would be ensured through approval of details under this condition.</p> <p>English Heritage recommends that the application is determined in accordance with national and local policy guidance. Method statements should be produced that ensure no ground disturbance that could impact on buried archaeology.</p> <p>Officers advise that there are no proposals to involve ground spikes or other intrusive ground fixing.</p>

Agenda Item 4

PLANNING COMMITTEE

Monday 2 December 2013

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Denham, Edwards, Mrs Henson, Newby, Owen, Prowse, Sutton and Tippins

Apologies:

Councillors Choules, Mitchell and Winterbottom

Also Present:

Chief Executive & Growth Director, Assistant Director City Development, Senior Area Planning Officer, Planning Solicitor and Democratic Services Officer (Committees) (HB)

99

DECLARATIONS OF INTEREST

Councillor Sutton declared a disclosable pecuniary interest and withdrew from the meeting during consideration of the item below:-

Councillors Denham and Spackman declared other interests and withdrew from the meeting during consideration of the item below:-

COUNCILLOR	MINUTE
Councillor Denham	101 (lives close to the application site)
Councillor Spackman	101 (lives close to the application site)
Councillor Sutton	101 (employee of the University)

100

PLANNING APPLICATION NO 13/3822/03 - EXETER GOLF AND COUNTRY CLUB, TOPSHAM ROAD, EXETER

The Assistant Director City Development reported that the Golf and Country Club had contacted the Council by email on 22 November 2013 advising that progress was slow in moving the application forward. As Persimmon had only discussed landscaping matters and not indicated a willingness to contribute to costs a meeting between the company and planning officers had been held on 29 November. A letter was expected from Persimmon this week. It was understood this would state that insurance was available and propose some form of compromise. The application would be again considered at the next meeting of this Committee on 13 January 2014.

101

PLANNING APPLICATION NO. 13/4170/03 - SOUTH CLOISTERS, ST. LUKES CAMPUS, HEAVITREE ROAD, EXETER

Councillor Sutton declared a disclosable pecuniary interest as an employee of the University of Exeter and withdrew from the meeting during consideration of this item.

Councillors Denham and Spackman declared other interests as they lived close to the application site and withdrew from the meeting during consideration of this item.

The Senior Area Planning Officer presented the application for conversion from student accommodation to office space for medical department and four storey extensions on east and west elevations and an additional storey. He reported the receipt of four additional representations.

Members were circulated with an update sheet - attached to minutes.

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

- following deferral at the previous meeting of this Committee, further information has now been received. However, this information has been received too late for proper consideration - the Transport Statement of 38 pages was submitted on 28 November and the Master Plan for the St Lukes campus, together with conditions for a proposed Section 106 Agreement, had been circulated on 29 November which had not been seen by some of the objectors
- although the colour of materials have been changed the scale and massing has not
- the University refused on two occasions to discuss the initial application with residents and the latest consultation exercise has been inadequate
- the proposal to delegate the decision to approve is wrong for an application of this size and it should be refused to allow for further consultation
- there is a lack of car parking provision on the campus and photographs confirm that there is a significant amount of illegal parking in neighbouring streets. The development is likely to result in a high degree of overspill into neighbouring streets. The applicant has failed to increase car parking capacity
- the development will lead to an increase in on-street parking in an area where controls are necessary to ensure residents have parking spaces. There are 75 unlimited parking bays in the area, 12 adjacent to the College in College Road and College Avenue. The County Council state that they are looking to reduce unlimited car parking spaces here from 12 to nine.
- traffic congestion in the area is significant and there have been two serious accidents in Heavitree Road recently. There are a number of establishments in the area which generate significant traffic movement including the Police and Ambulance Stations, Waitrose, Pyramids Swimming Pool, St Leonards and Newton Primary schools, Exeter School and residential homes
- service vehicles, including catering and refuse vehicles, reverse through no entry signs on Raleigh Road which is illegal and which the University have failed to address. The number of these vehicles is likely to increase with this development
- Tim Jones, Chair of the Devon and Cornwall Business Council, stated at the meeting of Scrutiny Committee - Economy on 14 November 2013 that because of the significant pressure on the City's transport structure the cancellation of the high speed bus project had been a real blow. This development will only increase this transport pressure
- the University states that the development will be a "landmark building" and a "signpost". A landmark feature would impact adversely on the St Leonards Conservation Area and the Conservation Area Appraisal/Management Plan published in 2008 refers to the importance of ensuring that there are no unsympathetic additions to the St Luke's campus

- a comprehensive statement on the overall development of the St Lukes Campus is required first prior to bringing forward proposals for South Cloisters
- the loss of student accommodation which would result if this scheme were to proceed is contrary to the University's policy of providing sufficient accommodation in the City for students and is also contrary to the City Council's Core Strategy
- the development will have an adverse impact on the St Leonards Conservation Area. The Southern Area Working Party expresses similar concerns regarding the impact on the townscape
- the development should be opposed for reasons of height, massing, intrusiveness, impact on privacy and affect on natural light. It will lead to increased traffic and therefore increased pollution in a densely developed area
- the Committee was asked to refuse the application which is contrary to the Core Strategy.

Ms Mallett spoke against the application. She circulated photographs and raised the following points:-

- the development would have an unacceptable impact on College Road and adjacent area with the large mass being out of character with the area
- the latest consultation did not offer any re-assurances, and supporting documentation, including the future Masterplan for the campus and the Transport Statement, were not received in sufficient time
- the introduction of glazing in place of panelling on the fourth storey does not alleviate the anticipated loss of privacy for neighbouring properties
- as a signpost feature it dwarfs Raleigh and College Roads
- light pollution will continue at night from stairwells and offices
- loss of trees is opposed and replanting will be with immature trees. Contradictory statements have been received regarding the value of the trees to the street scene
- traffic congestion remains a huge concern and there will be an increase in demand for parking in the area with no provision on campus
- illegal reversing of service vehicles into Raleigh Road continues
- the proposal is overbearing, overlooking and will result in the loss of privacy.
- incongruity of scale and character of the proposal in relation to existing residential neighbours.

Mr McCann spoke in support of the application. He raised the following points:-

- the University has responded to the issues raised at the previous meeting and has produced a Transport Statement and Devon County Council has no highway objections. The University has agreed to a condition requiring a contribution of £6,000 towards Traffic Regulation Orders in the vicinity. It has also produced a Statement of Community Involvement
- as part of its Sustainable Transport Strategy, the University subsidises bus routes to the University including additional services in the evening. It also operates a shuttle bus service from St Luke's to St David's Station and the Streatham Campus.
- a lighter colour of materials has been introduced together with glazing replacing panelling on the fourth floor. Allied to the earlier agreement to reduce by three metres the extension of the building towards College Road the overall impact will not be oppressive
- a template for the future development of the St Lukes Campus was produced on 19 November. The University wishes to expand the Medical School which is important for both teaching and research and is working closely with the RD&E Foundation Trust and the NHS which will assist in the

funding of research. Of a recent £535 million investment in the University facilities, approximately £12.1 million is to be committed to this development which will result in the creation of 240 new jobs

- there will be an additional 330 students and 155 staff; the average student spend is calculated to be £185 per week including rent

He responded as follows to Members' queries:-

- catering vehicles deliver via the Raleigh Road entrance as does Biffa Waste Removal, both of whom have been requested to abide by agreed visiting times. This issue will be revisited to ensure that the times are adhered to
- the University operates a robust Sustainable Transport Plan. It subsidises bus routes to the University including additional H and D bus services in the evening. It also operates a shuttle bus service from St Luke's to St David's Station and the Streatham Campus. It has also developed car sharing and other uses of public transport and has provided cycle parks and shower facilities. It has introduced staff and student travel discounts. Car sharing will be extended on to the St Lukes campus. It is therefore incorrect to state that the University has no regard for sustainability issues. However the University does not pay staff to bring cycles to work.
- the staff increase of 400 relates to 240 new jobs and the transfer of 160 from the Veysey Building on the Salmonpool Lane site
- the Master Plan for the St Luke's campus envisages the development of the South Cloisters as the initial scheme, both the Listed Buildings fronting on to Heavitree Road and the quadrangle are to be maintained, the latter because it provides valuable amenity space. It is not anticipated that the remainder of the site will be re-developed for some 10-15 years. The University has worked closely with the City Council's City Development team in developing the Master Plan.

The County Council's Highway Development Management Officer responded to Members' queries:-

- the University has possessed for some time a robust Travel Plan and has effectively introduced a number of sustainable transport initiatives, for example, single car occupancy has been reduced on the main Streatham Rise campus from 45% to 35% between 2009 and 2011. Further, the St Lukes site is very close to the City Centre and main arterial bus routes so many of the additional staff and students are not expected to use cars
- the Triangle Car Park is close to the St Lukes site

RESOLVED that, subject to no new substantive objections being received prior to the end of the consultation period (4 December 2013), the Assistant Director City Development be granted delegated authority to **APPROVE** planning permission for conversion from student accommodation to office space for medical department, four storey extensions on east and west elevations and additional storey subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 to secure the requested financial contribution of £6,000 towards a review of the Traffic Regulation Order in the vicinity of the site and subject also to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials

- 4) C35 - Landscape Scheme
- 5) Unless otherwise agreed in writing or shown on the approved plans, no trees, shrubs and/or hedges on or around the site shall be felled, lopped or removed without the prior written consent of the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 6) C37 - Replacement Planting
- 7) C38 - Trees - Temporary Fencing
- 8) 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 amenity.
- 9) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.
Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- 10) The buildings comprised in the development hereby approved shall be constructed so that their internal systems for space and water heating are capable of being connected to 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 points on the site boundary agreed in writing by the LPA.
Reason: In the interests of sustainable development.
- 11) Any additions to the building hereby authorised, in terms of the proposed side and roof extensions, shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if commenced on or after 1 January 2019. Prior to commencement the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved and 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 three months of the substantial completion of any such building 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.
- 12) Where construction of any building (other than a dwelling) hereby permitted has not been commenced before 1 January 2019, the Local Planning Authority shall be notified in writing of the identity of all buildings for which construction has commenced before 1 January 2019, within 10 working days following that date.
Reason: In the interests of sustainable development.

- 13) The development hereby approved shall be constructed so as that the internal systems for space and water heating are capable of being connected to the proposed District Heating network. Details of those heating systems, and details of the means of connection to the proposed District Heating network, shall be submitted to and approved in writing by the local planning authority prior to occupation of the development.
Reason : In the interests of sustainable development.
- 14) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement should include details of access arrangements and timings and management of arrivals and departures of vehicles. Prior to commencement it is recommended that the developer consults, and if necessary meets with, the Local Highway Authority to establish a safe means of progress. The approved Statement shall be adhered to throughout the construction period.
Reason: In the interests of highway safety and public amenity.
- 15) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 16) The University Travel Plan shall be updated with specific details on the proposed measures to reduce single occupancy car driver trips to the St Luke's campus and shall be submitted to and agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development and a review of travel patterns for the site shall be undertaken within six months of occupation of the development and on an annual basis thereafter, unless otherwise agreed with the Local Planning Authority.
Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF.
- 17) Before the development hereby approved is brought into use, a plan shall be submitted to and approved in writing by the local planning authority indicating the proposed windows in the west elevation of the property which shall be permanently glazed with obscure glass to a minimum level of obscurity to conform to Pilkington Glass Level 3 or equivalent. The development shall take place in accordance with the agreed details, and therefore so maintained.
Reason: To protect the amenities of nearby properties”.

102

PLANNING APPLICATION NO. 13/3185/01 - NEWCOURT CARAVAN PARK, EXETER

The Assistant Director City Development presented the application for extension to existing mobile home park for up to 22 additional units.

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

- 84 years of age and have lived in 20 Moon Ridge for 21 years which was bought to enjoy a quiet and peaceful retirement

- were not told on purchase that Wilson Leisure would seek to develop the large open field bordering the property
- proposal will lead to two properties being located next to my boundary fence, part of the garden will be lost and car parking space will be re-located
- seek the re-location of five of the proposed units -18A to 22A - although the two properties closest to 20 Moon Ridge are of greatest concern.

Mr North responded to Members' queries to clarify the area of his land which he believed would be lost and explaining that he anticipated that his home would be only eight feet away from the nearest property.

The Assistant Director City Development explained the landscaping proposals and confirmed that trees would be preserved.

Mr McMurdo spoke in support of the application. He raised the following points:-

- the proposal presents a sustainable addition to the City's housing stock and will contribute to the five year plan for the supply of housing
- original number of housing units has been reduced from 25 to 22
- the principle of development is not in doubt as the site was identified in the Core Strategy adopted in 2011 and accepted by the Planning Inspector.
- the development of the site is in accordance with the Strategic Housing Land Availability Assessment
- there will be no significant harm, either short or long term, to existing residents of the Park with little impact on the character and appearance of the Park.
- there will be a minimal ecological impact and the bio-diversity of the remaining open space will be enhanced.
- no objections have been received from the Environment Agency, South West Water or Devon County Council
- pedestrian access to the Riverside area will not be provided as requested by the County Council.
- a viability appraisal showed that there would be insufficient profit generated by onsite affordable housing

Members questioned Mr McMurdo on the outline layout for the 22 homes in light of Mr North's concern over the impact on his property. They felt that the issue of proximity of two of the dwellings could be resolved by re-designing the road through the site and adjusting the location of the new homes.

The Assistant Director advised that these issues could be addressed as part of condition two relating to the details of the layout and it would be appropriate to consult Ward Councillors at this stage. Further, an informative would be added to ensure that the applicant was made aware of the request to change the location of the individual homes.

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

RESOLVED that planning permission for extension to existing mobile home park for up to 22 additional units be **APPROVED** subject to the following conditions:-

- 1) C07 - Time Limit - Outline
- 2) Approval of the details of the layout, scale, appearance of the buildings, 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.

Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

- 3) The development shall not begin until full details of drainage works have been submitted to and approved by the Local Planning Authority in writing. Thereafter the development shall be completed in accordance with the approved details.
Reason: To ensure the satisfactory drainage of the development.
- 4) C11 - Sewage Disposal
- 5) No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:
 - (i) the timetable of the works;
 - (ii) the hours of deliveries;
 - (iii) the routing of vehicles to and from the site;
 - (iv) the methods of traffic control at the site and / or at any other location if required;
 - (v) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
 - (vi) the compound / location where all building materials will be stored during the demolition and construction phases;
 - (vii) areas on or near the site where delivery vehicles and construction traffic will load or unload materials with confirmation that no vehicles will park on the County Highway for loading, unloading or waiting for site entry;Prior to commencement it is recommended that the consults, and necessary meets with, the Local Highway Authority to establish a safe means of progress.
Reason: To minimise impacts from construction related traffic on the environment and the amenity of residents and businesses.
- 6) C34 - Landscape Scheme - Outline
- 7) C36 - No Trees to be Felled
- 8) C38 - Trees - Temporary Fencing
- 9) C57 - Archaeological Recording
- 10) C61 - Approval of Foundation Details
- 11) Notwithstanding the annotation on the submitted feasibility plan drawing no. 47063729-001 Rev C there shall be no direct access created from the southern boundary of the application site to the footpath which runs along the estuary.
Reason: In order to limit the potential for increased disturbance in that location to the detriment of the Exe Estuary Special Protection Area.
- 12) A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the construction and demolition phases

and highway safety, including but not limited to details of access arrangements and timings and management of arrivals and departures of vehicles, site traffic vehicle routes, emissions of noise and dust, the phasing and timing of work and site compound details. The CEMP should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development, in order to discuss forthcoming work and its environmental impact.

Reason: In the interests of local amenity.

- 13) 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.

- 14) 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.

- 15) Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall be implemented in accordance with the submitted Flood Risk Assessment by Clarkebond (UK) Ltd dated December 2012 - Report No WE02946/FRA.

Reason - To ensure that the drainage strategy for the site is appropriate and minimises the impact of the development.

Informative : Attention is drawn to the fact that the Planning Committee considered the potential relationship of new park homes to No 20 Moonridge to be a key consideration in respect of any eventual approval of the layout of the development. Accordingly you are advised to give this issue particular consideration in the preparation of any "reserved matters" application and to discuss the layout with officers prior to any formal submission.

(Report circulated)

103

URGENT BUSINESS

The Chair agreed to take this matter as urgent business in order for an early decision to be taken within the 28 day deadline for an application under Section 106BA of the Town and Country Planning Act 1990 as amended by the Growth and Infrastructure Act 2013, these sections having introduced a new procedure for the review of planning obligations in respect of affordable housing. The applicant wished to reduce for viability reasons the affordable housing provision agreed under an earlier Section 106 Agreement as part of planning permission granted on 6 February 2012 from 15% to 0%. Other provisions of the obligation would remain. Because of the specialist nature of the necessary negotiations an independent consultant would be engaged to analyse the applicant's submissions and submit a recommendation to the Council.

104 **SECTION 106 AGREEMENT - PINHOE QUARRY, HARRINGTON LANE, EXETER**

The Assistant Director City Development presented the report seeking delegated powers for the Assistant Director City Development to determine an application to vary the affordable housing provisions of a Section 106 Agreement under the Town and Country Planning Act 1990 relating to Pinhoe Quarry in consultation with the Chair of this Committee and the Portfolio Holder for City Development.

RESOLVED that the determination of the Section 106BA application for Pinhoe Quarry be delegated to the Assistant Director City Development, following independent viability advice, in consultation with the Housing Development Manager, the Chair of the Planning Committee and the Portfolio Holder for City Development or any nominated substitute if those post holders are unavailable at the time.

(Report circulated)

105 **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

(Report circulated)

106 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(Report circulated)

107 **SITE INSPECTION PARTY**

RESOLVED that the next Site Inspection Party will be held on Tuesday 7 January 2014 at 9.30 a.m. The Councillors attending will be Bialyk, Mrs Henson and Sutton.

Additional Information Circulated after Agenda Dispatched - circulated as an appendix

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

Chair

PLANNING COMMITTEE
2 DECEMBER 2013

ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the Agenda

<p>Item 5 Pages 5-12 Ref: 13/4170/03 South Cloisters, St Lukes Campus Heavitree Road Exeter</p>	<p><u>TRANSPORT ISSUES</u></p> <p>A Transport Statement has now been submitted by the applicant.</p> <p>In support of this the applicant's Planning Consultant has commented as follows:</p> <p><i>"As you are aware, the University already has a very robust Travel Plan. Whilst measures are already in place to deter those visiting the St Luke's Campus from travelling by car, these measures are being reinforced as part of the current proposals. The additional measures include extension of the staff car-sharing incentives and increased parking charges for long-stay parking in the Magdalen Road car park. Additional cycle parking is also being installed on the campus.</i></p> <p><i>The locality has good accessibility by public transport. It is a short walk to the city centre, and the Bus Station in particular, and there are frequent services along Heavitree Road. This is reflected in the low proportion of students (6%) who currently travel to the campus by car. The additional travel plan measures that will be put in place to discourage car use should further diminish this proportion. "</i></p> <p>The County Head of Planning, Transportation and Environment has commented on it as follows:</p> <p><i>"Following concerns that insufficient information had been provided for the Highway Authority to consider the application, the applicant has now provided a Transport Statement detailing the:</i></p> <ul style="list-style-type: none"> • <i>Current parking provision on site, and utilisation of this.</i> • <i>Number of additional staff and students arising from the proposals.</i> • <i>Likely transport impacts arising from these additional movements.</i> • <i>Strategy for reducing single occupancy car borne trips.</i> <p><i>A brief overview of these is given below:</i></p> <p><i>There are currently 140 vehicular parking spaces on site and stands to accommodate 180 bicycles. The car park is at capacity on most days, although it does not fill up until mid-late morning. A</i></p>
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low level of overspill parking, believed to be in the region of 10 cars, occurs on adjacent streets, although this is not a concern for the highway authority. A survey by the applicant also indicates a handful of additional free spaces during the day.

The submitted transport statement states that on a worst case day the development will correspond to an additional 330 students and 155 staff. Whilst the Highway Authority accepts the student numbers as being realistic, we would like to see consideration given to a sensitivity test of a scenario with 200 staff.

The submitted information aspires to a future car driver mode split for staff of 33%. Applying this to the expected additional staff numbers (155) results in an additional 51 car driver trips to St Luke's campus per day (or 66 if assuming 200 staff). There is also expected to be a small increase, approximately 10, in students driving onto campus.

The focus of reducing single car occupancy travel will fall within the existing university travel plan. Since its introduction across the university this has introduced provisions for discounted bus travel for staff, salary sacrifice for cycle purchase and promotion of university car share groups. Between 2008 and 2010 the number of recorded car drivers to university sites fell from 44% to 35%.

For the St Luke's site itself, the development will directly provide 60 cycle parking spaces, showers for staff and measures to promote car sharing by extending the number of dedicated spaces (up to 12 for the anticipated opening, with potential for further expansion) and removing the fee for car sharers to park on site. These measures are welcomed and should be secured by appropriate conditions to cover a site wide travel plan and a cycle parking condition.

Evaluation of Application

The primary highway concern as a result arising from this development is if demand for car parking on site were to significantly exceed supply, there is potential for a high volume of overspill of parking onto the neighbouring area. In turn, this could result in inappropriate parking on the public highway to the detriment of highway safety, operation and residential amenity.

Consequently, the fundamental issue on highway grounds is if the additional traffic from the development, considered alongside any work to free up existing spaces, could be accommodated by the available on site car parking. To consider this, account has been taken of the existing mode splits at the St Luke's site, the likely additional traffic arising from the submitted application and the work undertaken by the university to date to encourage sustainable travel.

The current single occupancy car drive split for the St Luke's site is 53%. By comparison, the 2010 mode split for the whole university, of which the majority work at Streatham Hill campus, was 35%. Given that the St Luke's campus is considerably more accessible by sustainable travel modes (notably the proximity to

Park and Ride stops, Exeter Central station and a number of residential areas) than the main university campus this disparity is surprising. Whilst the exact details behind this are unclear, it suggests that insufficient work has been done to date to promote sustainable travel on the St Luke's campus and that there is likely to be considerable potential to encourage a shift to sustainable modes of travel in future years.

The applicant has suggested that through promotion of sustainable travel modes they can reduce the staff car driver split at St Luke's campus to 33%. Considering the above factors, the highway authority accepts that a car driver mode split in the region of 30% could be achieved. Such a change would reduce the existing car borne trips to the site by around 55 to 60 vehicles a day.

Such a reduction would be broadly equal to the additional traffic arising from the proposal, in the region of 60 trips, and therefore satisfies the highway authority that the submitted proposal would not give rise to any significant issues on the public highway.

Other Considerations

The site is bordered by a mix of traffic sensitive arterial roads, bus routes and residential roads (both public and private) and therefore any demolition or construction works should be sensitively managed. To minimise the impact of such works the applicant should liaise with the highway authority and public transport operator to formulate an appropriate plan for managing construction and demolition traffic. I would recommend this is secured by a condition.

The Highway Authority intends to review the parking arrangements in this area of the city, and the development proposals have potential to influence any strategy. The review of the existing residential parking zones, making and implementing traffic orders is expected to cost in the region of £25,000 and therefore a contribution of £6,000 towards this scheme is requested. Were the application to be approved, this contribution should be secured prior to commencement.

Finally, whilst the Highway Authority believes that additional demand from the current application could be accommodated within the existing site through appropriate management, any future expansion of the St Luke's campus may require considerable investments or radical management to accommodate additional travel demand. The applicant is therefore advised that a detailed review of transport behaviour at this campus is undertaken to provide a suitable evidence base for evaluating any future proposals for the site.

The Head of Planning, Transportation and Environment, on behalf of Devon County Council, as Local Highway Authority recommends a financial contribution in the sum of £6,000.00 towards traffic regulation orders in the vicinity of the site, to be secured by an appropriate agreement, and the following conditions:

- 1. No development shall take place, including any works of*

demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement should include details of access arrangements and timings and management of arrivals and departures of vehicles. Prior to commencement it is recommended that the developer consults, and if necessary meets with, the Local Highway Authority to establish a safe means of progress. The approved Statement shall be adhered to throughout the construction period. REASON: In the interests of highway safety and public amenity.

2. No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times. REASON: To ensure that adequate facilities are available for the traffic attracted to the site.
3. The University Travel Plan shall be updated with specific details on the proposed measures to reduce single occupancy car driver trips to the St Luke's campus and shall be submitted to and agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development and a review of travel patterns for the site shall be undertaken within 6 months of occupation of the development and on an annual basis thereafter, unless otherwise agreed with the Local Planning Authority. REASON: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF."

DESIGN ISSUES

The extension on the College Road side had already been reduced by 3m prior to the last Planning Committee meeting. Further revised plans have been received which show amendments to the colour of materials and the amount of glazing. The applicant's consultant has comments as follows:

"We have reviewed again the details of the scheme, and concluded that a lighter colour of cladding might assist. We modelled the elevations in both light grey and white to compare with the dark grey originally proposed. As outlined below, this has been subject to consultation with the neighbouring residents. The general consensus is that to change the materials to light grey would be an improvement, and we are prepared to change the external materials accordingly.

We also felt that the visualisations presented to the Committee were not particularly representative since they did not show the wider context in which the proposals will be viewed. We have therefore prepared additional photomontages that set the proposals within the wider context of College Road. These demonstrate that the openness of the road is maintained and that there will not be an oppressive effect on the neighbouring residential properties.

Following the most recent consultation exercise we have also amended the roof extension on the projection towards College Road to provide glazed elevations. This will contribute to the lightweight feel of the top section of the building.

The additional material that we have prepared showing the proposals clad in lighter grey and the glazed top deck...in our view...confirms that the impact of the proposed development on College Road will be acceptable. “

MASTERPLAN ISSUES

The applicant's agent has advised as follows:

“The current application for South Cloisters has come forward following an initial overview of the potential of the campus. That initial overview that has been shared with yourselves is summarised on the attached plan, and was shared with those who attended the recent consultation event. The South Cloisters development is to meet the immediate operational requirements for which funding has been identified and committed, and is the only site that is currently available on the St Luke's campus, being largely redundant to its previous use comprising predominantly student accommodation. Whilst other parts of the campus may have longer term development potential, they are currently in use and required for their existing purposes for the foreseeable future. Moreover, there is no funding currently identified or committed for future phases of redevelopment.

South Cloisters is the first phase of the template for future development on the site and is in accordance with the evolving framework for the wider development of the campus in the longer term. The proposals are therefore in accordance with the evolving development strategy for the campus overall.”

S106 OBLIGATIONS

The applicant's agent has commented as follows:

“We understand that the highway authority has now requested a financial contribution (of £6,000) towards a review of Traffic Regulation Orders in the locality. Providing this requirement is for purposes directly related to the development proposed, then the University is prepared to enter into a S106 giving an undertaking to pay the required sum at an appropriate stage in the development process.

Other than the above, we do not consider that any S106 Obligations can be justified having regard to the, now statutory, tests in the wake of the introduction of CIL legislation. You are aware that the University is already part of the consortium involved in developing a local energy network and has contributed funds through that involvement. The indoor swimming pool facility at St Lukes is another good example of integration into the local (and wider) Exeter community, through inclusive public access and their excellent “learn to swim” programme for children, as well as other pool based adult education courses.“

SUSTAINABILITY AND BREEAM

Core Strategy Policy CP13 requires major developments to connect to existing or proposed Decentralised Energy Networks. The University of Exeter (the applicant) is a signatory to a Memorandum of Understanding with the City Council, Teignbridge District Council, Devon County Council and the NHS Trust to endeavour to bring forward a network in this area. The Exeter Energy Network study commissioned by these partners identified that it is viable and feasible to serve this area with a Low Temperature Hot Water District Heating network.

It is therefore considered appropriate to require by condition the building to be capable of connecting to such network in future. In practice this requires a centralised system of space and water heating, sufficient room to be made available for a heat exchanger and a route by which a connection can be made between the heat exchanger and the Energy Network. These requirements are not considered to be onerous and preferred routing is identified in the Exeter Energy Network study.

The applicant has advised that it would be difficult to meet the requirements of previously recommended condition 11 (BREEAM) in respect of the conversion elements of the proposal. A revision to the wording of the condition is requested that requires only the extensions to comply with the BREEAM 'excellent' standard.

COMMUNITY CONSULTATION ISSUES

The project architects have provided a Statement of Community Involvement that sets out the engagement that has taken place and the resultant changes that have been made to the proposals.

Since deferral of the application, a further event has been held with local residents to discuss the proposals and the changes that are proposed to ameliorate any perceived impacts. The meeting was attended by representatives of the University and their professional advisors (design, transport and planning). The colour of cladding now proposed reflects what the applicant understood to be the preferred choice of residents arising from the discussions held with them.

The University is anxious that the application is determined as soon as possible as they have a tight timetable for academic and funding reasons. For this reason, the application is being reported back to the December 2nd meeting of the Planning Committee. However, some of the information and revisions have only just been received. As a (non-statutory) courtesy to local residents they have been consulted on the revised plans and given until December 4th to respond.

To date, one further objection has been received, raising the following point:

- Residents who object still object to the revised plans entirely. The change in colour of the proposed materials does not alter this objection.

CONCLUSION

1. The Highway Authority is satisfied with the details contained in the Transport Assessment and recommends approval subject to a financial contribution to a review of Traffic Regulation Orders in the locality and to appropriate conditions.
2. The change in materials has given the development a more lightweight feel with a less oppressive impact on the character of the area.
3. The applicant has provided details of future plans for the campus – see the plan attached to this document. However, Members are reminded that they should determine the current application on the basis of the formally submitted proposal and the impacts arising from it.
4. Other than the Highway Authority request, no other impacts of the proposed development have been identified which could be mitigated via a section 106 Agreement.
5. The applicant has consulted local residents and taken their views into account in modifying the planning application.

RECOMMENDATION

Subject to no new substantive objections being received prior to the end of the consultation period (4 December 2013) the Assistant Director City Development be granted delegated authority to APPROVE the application subject to a section 106 legal agreement to secure requested a financial contribution towards a review of Traffic Regulation Orders in the locality, and to conditions 1-12 of the original report, as modified below.

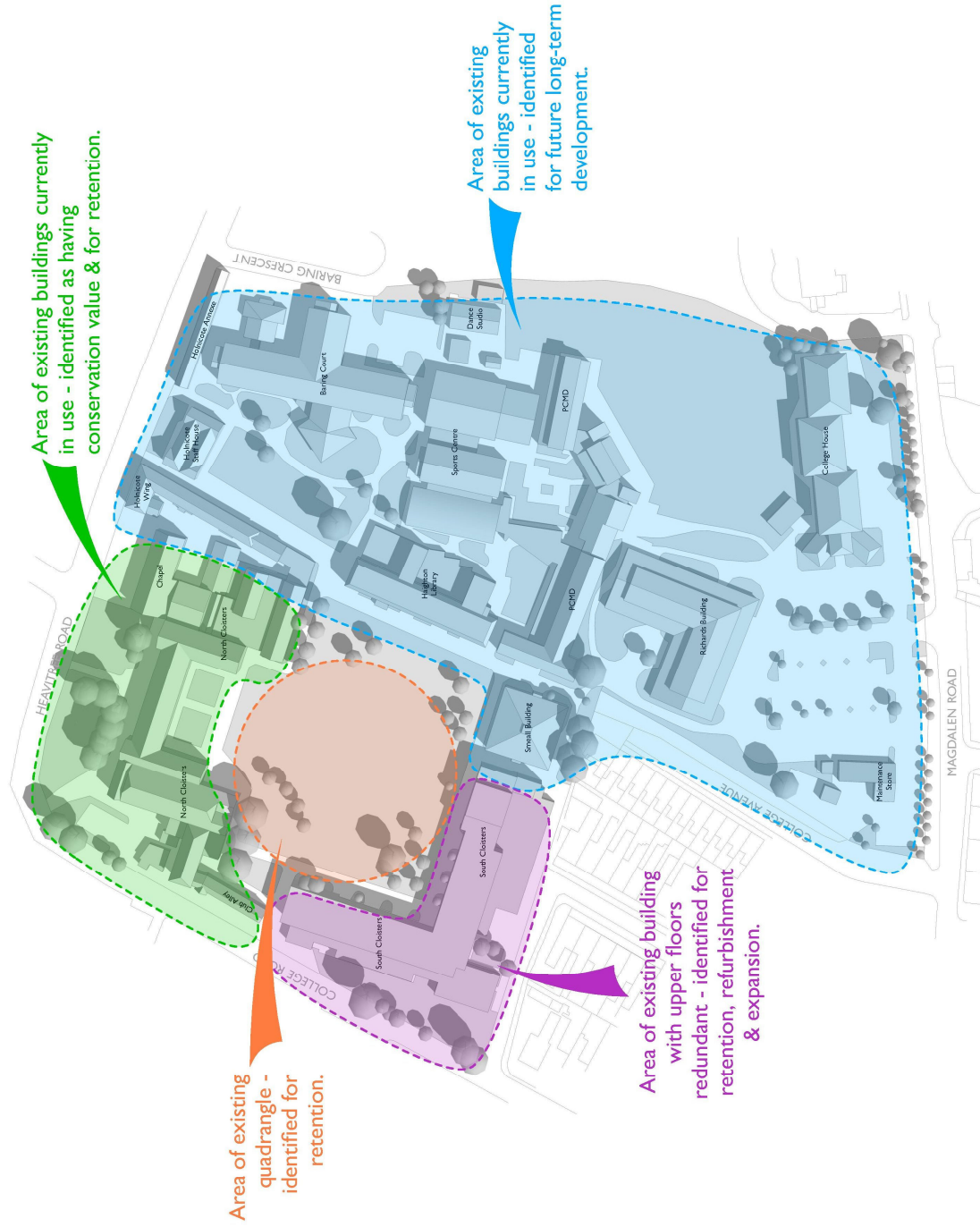
Revised condition 11

Any additions to the building hereby authorised, in terms of the proposed side and roof extensions, shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if commenced on or after 1st January 2019. Prior to commencement the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved and 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 any such building 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.

Additional condition (no. 13)

The development hereby approved shall be constructed so as that the internal systems for space and water heating are capable of being connected to the proposed District Heating network. Details of those heating systems, and details of the means of connection to the proposed District Heating network, shall be submitted to and approved in writing by the local planning authority prior to occupation of the development. **Reason:** In the interests of sustainable development.

Item 6 Pager 13-20 Ref: 13/3185/01 Newcourt Caravan Park Exeter	Nothing additional to report.



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LICENSING COMMITTEE

19 November 2013

Present:

Councillor Catherine Dawson (Chair)

Councillors Laws, Clark, Denham, Macdonald, Payne, Pearson, Ruffle, Shiel, Tippins and Winterbottom

Apologies:

Councillors Choules, D J Henson and Newby

Also present:

Assistant Director Environment, Licensing Solicitor, Principal Licensing Officer, Environmental Health Manager, Solicitor and Democratic Services Officer (Committees) (HB)

26 **Minutes**

The minutes of the meetings held on 23 July and 24 September 2013 were taken as read and signed by the Chair as correct records.

27 **Declarations of Interest**

No declarations of disclosable pecuniary interest were made by Members.

28 **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

29 **Application for a Street Trading Consent (Mr TG)**

The Principal Licensing Officer reported that Mr TG had applied for consent to street trade for a period of twelve months in Apple Lane opposite the "Original Style" Tiles entrance, a consent street under the provisions of the Local Government (Miscellaneous Provisions) Act 1982.

Mr TG proposed to use a six metre mobile catering van and to trade Monday to Saturday 07.30hours to 15.30hours. He would be selling fast food.

Mr TG did not attend the meeting.

An objection had been received from Mr RG, Acting Estate Manager for the Sowton Management Company, stating that the van brought no amenity value to the estate, was a nuisance and constituted a hazard to road vehicle users as vehicles had been damaged in minor collisions. It also restricted access to the estate for large delivery vehicles and would impede access for fire vehicles in the event of an emergency.

Mr RG had been asked to canvass the views of the Sowton traders further but had not responded to date. The Environmental Health Manager advised that the Devon and Somerset Fire and Rescue Service had no objection to the location of the vehicle.

RESOLVED that consent be granted for a period of twelve months, subject to the conditions as set out in the report.

(Report circulated to Members)

TRANSPORT ACT 1985

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

30 **Application for a Hackney Carriage Vehicle Licence (Mr SH)**

RESOLVED that Mr SH's application be refused.

(Report circulated to Members)

31 **Application for a Hackney Carriage Vehicle Licence (Mr MK)**

RESOLVED that Mr and Mrs MK's application be refused.

(Report circulated to Members)

32 **Local Alcohol Action Areas**

The Assistant Director Environment reported that Exeter had submitted an expression of interest to become a pilot authority for the Home Office Local Alcohol Action Area project. Twenty local authorities would be selected to receive help over a 15 month period with local initiatives including advice and support in formulating action plans but not funding. The deadline for submission had been 15 November. Projects had to be in line with the key aims of:-

- tackling alcohol crime and disorder;
- reducing alcohol related health harms; and
- promoting growth by establishing diverse and vibrant night time economies especially in areas that have a night time economy that offers little beyond drinking alcohol.

The bid was in line with the following initiatives in Exeter:-

- the newly established Exeter Health and Wellbeing Board – one of the four key priorities;

- this Committee's current examination of licensing polices through a number of working groups; and
- the work of the Alcohol, Violence and Night Time Economy Working Group.

The bid was supported by the Police, Devon County Council Public Health Directorate, the Chief Executive of the RD&E Trust, the Chair of the local Clinical Commissioning Group and the Devon and Cornwall Police and Crime Commissioner.

RESOLVED that the bid be endorsed by this Committee.

33 **Licensing Committee Training Programme 2014**

The Environmental Health Manager tabled the schedule of training events for Licensing Committee Members for 2014. As well as providing on-going training for current Committee Members, it would also apply to any new Members joining the Council after the May Elections and appointed to this Committee. It was noted that the first training session listed for 23 January 2014 related to decision making for Sex Establishment Licence Applications.

The Chair urged Members to attend as many of the sessions as possible.

RESOLVED that the schedule be noted.

The meeting commenced at 5.30 pm and closed at 6.40 pm

Chair

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SCRUTINY COMMITTEE - COMMUNITY

12 November 2013

Present:

Councillor Norman Shiel (Chair)

Councillors Mitchell, Bowkett, Branston, Clark, Crow, Macdonald, Morris, Mottram, Payne and Spackman

Apologies:

Councillors Bull and Choules

Also present:

Deputy Chief Executive, Assistant Director Customer Access, Assistant Director Environment, Assistant Director Housing and Contracts, Housing Operations Manager, Principal Accountant (SR), Mobile Benefits Training Officer, Housing Options Manager, Housing Needs Manager and Democratic Services Officer (Committees) (HB)

51 **Minutes**

The minutes of the meeting held on 3 September 2013 were taken as read and signed by the Chair as correct.

52 **Declaration of Interests**

No disclosable pecuniary interests were declared.

ITEMS FOR SCRUTINY COMMITTEE DISCUSSION

53 **Key Propositions from the LGA's publications - "Re-wiring Public Services"**

The Deputy Chief Executive reported on issues arising from the visit of Sir Merrick Cockell, Chairman of the Local Government Association and his presentation on the LGA's publication – "Re-wiring Public Services". The document was a response to the severe funding constraints imposed on local authorities and the need to identify new methodology for the delivery of services. Ten key propositions had emerged from the document with the appropriate Scrutiny Committees identified for each should Members wish to give detailed consideration to any of the themes.

The following responses were given to Members' queries:-

- the need for an equitable distribution of funding for local authorities across the UK was widely recognised which could be achieved by replacing the Barnett formula with a needs-based funding model;
- although merging Government departments would reduce bureaucracy, the loss of expertise within Local Government and the Civil Service was an issue; and
- closer partnership working at local level with other bodies such as the Police and Public Health as well as neighbouring authorities would increase in importance.

The Deputy Chief Executive advised that the views of the other Scrutiny Committees would also be sought in order to determine the Council's response to the LGA

document. It was hoped that it would act as a stimulus to the ongoing process of identifying and progressing new and innovative ways of achieving service delivery.

54 **Housing Revenue Account Budget Monitoring to September 2013**

The Assistant Director Housing and Contracts presented the report on major differences by management unit to the outturn forecast for the first six months of the financial year up to 30 September 2013. During this period, the total of the variances indicated that there would be a net surplus of £36,885. This represented a reduction of £1,562,160 compared to the revised budgeted surplus of £1,562,160. It was estimated that the working balance would stand at £3,327,181 at 31 March 2014.

He explained that approximately half of the variances were due to decisions taken by Executive subsequent to budgets being set, specifically for the acquisition of flats at Dean Clarke House and towards the next phase of building new Council stock. He further advised that there were additional cost pressures of approximately £775,000 in the empty properties and reactive repairs budgets and these accounted for the remaining variations in the overall Housing Revenue Account figures. Work was now underway to identify why there were such pressures on the empty properties and reactive repairs budgets and what could be done about them.

In response to Members, the Housing Operations Manager enlarged on the methodology of responding to repair requests including the repair of voids and advised that a review of void repairs was in progress. It was noted that there was a significant minority of properties with a disproportionate call on the re-active repair budget. Members felt that there was insufficient detail in explaining the areas of overspend and requested a further report.

Scrutiny Committee – Community:-

- (1) noted the report; and
- (2) requested a further report on the overspend for submission to a future meeting of this Committee.

(Report circulated)

55 **Community Budget Monitoring to September 2013**

The Principal Accountant presented the report advising Members of any major differences by management unit to the revised budget. The current forecast suggests that net expenditure for this Committee will increase from the revised budget by a total of £84,520 which represents a variation of 0.76% from the revised budget.

The current capital programme showed a total forecast spend of £4,372,880 in 2013/14.

The Principal Accountant reported that the cost of dealing with illegal campers exceeded the budget by £75,000. This did not include the associated costs of cleaning up, which had been absorbed by the Parks and Open Spaces service. The Deputy Chief Executive enlarged on this problem, caused largely by rough sleepers with tents, whose occasional aggressive behaviour necessitated the use of bailiffs to secure their removal. The Council worked with Devon County Council on this issue, the County also contributing to removal costs. Referring to the impact on environmental protection of recent redundancies he emphasised that reductions in Government funding would impact further on service delivery. Responding to a

Member who sought further detail of cleansing costs, he reminded Members of Scrutiny Committee powers and of their ability to summon officers to report to the Committee.

Scrutiny Committee - Community noted the report.

(Report circulated)

ITEMS FOR EXECUTIVE

56 Improving Housing Resident Involvement

The Assistant Director Housing and Contracts presented the report seeking Members' approval for improving the way that the Council involved its housing residents in the management and strategic direction of the services they receive. He remarked that the approach set out in the report reflected the Council's commitment to new ways of working introduced by the systems review process and changes to the regulatory framework in which housing operates. Also, because of the change over in Assistant Director responsibilities and as he was not the report author it was likely that the methodology proposed in the report would be fine tuned to enable the Housing Performance and Projects Manager to focus on other tasks and to expand residents' involvement beyond simply the remit of the Performance Scrutiny Partnership. He also commented that careful thought needed to be given on how best to recruit new members of the Performance Scrutiny Partnership going forward in order to obtain a representative cross-section of opinion.

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

- (1) the new direction for Housing Resident Involvement;
- (2) the proposal to dismantle the existing Resident Involvement governance structure and create a single Performance Scrutiny Partnership from 1 April 2014;
- (3) the redundancy of the Housing Resident Involvement Manager from 1 April 2014; and
- (4) the creation of a new part-time administrative role from 1 April 2014.

(Report circulated)

57 Environmental Performance

The Assistant Director Environment presented the report setting out an updated Environmental Performance report in a single document format and seeking Members' approval for a revision of the three strategies in one overall strategy. Following consultation, a final report would be brought back to Members for approval in the New Year.

The following responses were given to Members' questions:-

- the Exeter Together collective energy purchasing scheme evaluation had produced some extremely useful learning points which had been fed to the Department of Energy and Climate Change evaluation of the national project,

published recently. The project was focussed on learning about behavioural change and what motivates people to switch energy providers;

- air quality in Exeter was generally good but trigger points for Nitrous Oxide were exceeded at times along the main arterial routes into the City. Reducing vehicle use, by encouraging park and ride and cycling etc. were all factors which reduced Nitrous Oxide levels;
- there had been a decrease in grey waste collection per head; recycling rates were largely static partly resulting from reduced packaging and newspaper purchase; and
- work was underway to encourage greater take-up of composting e.g. with Council tenants.

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

- (1) the revision of the Environmental, Carbon Management and Climate Change strategies in to one encompassing strategy; and
- (2) a revised Environmental Performance Strategy being submitted to them in draft form for consultation in Spring 2014 and subsequent approval following consultation.

(Report circulated)

ITEMS FOR INFORMATION ONLY

58 Devon Home Choice

The Chair, following a meeting of the Housing Performance Review Committee which included representatives of the tenants, had requested a report on the operation of Devon Home Choice including the bidding patterns of applicants registered in Exeter with the scheme and also the rate of refusals from people offered properties.

The Housing Options Manager spoke to a presentation updating Members on statistics in the following areas:-

- refusals of allocated properties since April 2013;
- percentage of households in housing need bidding for houses; and
- benefits and challenges of Devon Home Choice as an allocation system.

He responded as follows to Members' questions:-

- all those refusing offers of accommodation were asked for reasons but many did not provide meaningful answers;
- Devon Home Choice offered a better choice than the previous system and was not as rigid; and
- downsizing was encouraged and a key element was the provision of new smaller homes in the right location. Focussed support from housing staff seemed to work better than offering financial incentives.

Members supported the proposal of forming a Task and Finish Group to evaluate the operation of Devon Home Choice and determine whether the system should be retained or alternatives considered.

Scrutiny Committee - Community supported the establishment of a Devon Home Choice Task and Finish Group comprising Councillors Crow, Mitchell and Morris.

59 **Universal Credit Update**

The Assistant Director Customer Access presented the report updating Members on the Department for Work and Pensions (DWP) Universal Credit proposal.

Scrutiny Committee - Community noted the current update on the Universal Credit and requested the submission of further updates on a six monthly basis.

(Report circulated)

60 **Minutes of the Devon and Cornwall Police and Crime Panel**

The minutes of Police and Crime Panel meetings were circulated after each meeting to Members of this Committee to enable them to raise any issues of concern or interest at these Scrutiny meetings. No issues were raised.

The Chair confirmed that Tony Hogg, the Police and Crime Commissioner, had been requested to attend a meeting of this Committee and that he was looking to identify a suitable date when he would be free.

61 **Task and Finish Groups**

RESOLVED that membership of the following Task and Finish Groups be confirmed as set out:-

- **Health Issues** - Councillors Macdonald, Payne and Shiel
- **Community Patrol** - Councillors Clark, Mitchell and Mottram

The meeting commenced at 5.30 pm and closed at 8.00 pm

Chair

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SCRUTINY COMMITTEE - ECONOMY

14 November 2013

Present:

Councillor Leadbetter (Chair)

Councillors Brock, Bialyk, Bowkett, Branston, Bull, Martin, Mottram, Prowse, Robson and Wardle

Apologies:

Councillors Crew and Crow

Also present:

Chief Executive & Growth Director, Assistant Director Economy, Economy and Tourism Manager, Principal Accountant, City Centre Manager, Service Manager Business/Commercial Operations and Democratic Services Officer (Committees) (SLS)

In attendance:

Tim Jones - Chair of Devon and Cornwall Business Council
Nigel Wilcock - Director, Mickeldore Ltd
Jay Milling - Deputy Chair Exeter Cultural Partnership

47 **Minutes**

The minutes of the meeting held on 5 September 2013 were taken as read and signed by the Chair as correct.

48 **Declarations of Interest**

No declarations of discloseable pecuniary interests were made.

49 **QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19**

In accordance with Standing Order No. 19, a question from the public, Mr and Mrs Geoff Poad was put, in respect of the opening hours of the Cathedral and Quay Car Park to which the Portfolio Holder for Economy and Culture responded. A copy of the question had been circulated to Members and was made available at the meeting. Mr and Mrs Poad were not present, but a written response would be sent to them. The question and the reply from the Portfolio Holder (in italics) are also appended to the minutes.

Scrutiny Committee - Economy requested that the issues raised by the question be considered as part of an existing Parking Review currently taking place. The outcome would be reported to a future meeting of Scrutiny Committee - Economy.

50 **QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 20**

In accordance with Standing Order 20, a question from a Member, Councillor Ruffle, was put to the Portfolio Holder for Economy and Culture in relation to the Mary Arches Street Car Park. The Portfolio Holder replied. A copy of the question had previously been circulated to Members. The question and the reply from the Portfolio Holder (in italics) are appended to the minutes.

51 **KEY PROPOSITIONS FROM THE LGA'S PUBLICATIONS - "RE-WIRING PUBLIC SERVICES"**

The Chief Executive and Growth Director reported on the issues arising from the recent visit to Exeter by Sir Merrick Cockell, Chairman of the Local Government Association and his address to local Chief Executives and Members on the LGA's publication - "Re-Wiring Public Services". The document was a response to the funding constraints imposed on local authorities and the need to identify new ways of delivering services. Members were invited to consider the ten key propositions which were subsequently linked to the work of the City Council's Scrutiny Committees.

A Member suggested that the proposition for changing the financial distribution should be devolved to as local a level as possible. It was also considered that a cross party agreement to protect local democracy, enshrining the role of local government as a recommendation should be supported.

Scrutiny Committee – Economy supported the position that the views of the other Scrutiny Committees would also be sought in order to determine the Council's response to the LGA's publication - "Re-Wiring Public Services".

(Report circulated)

52 **UPDATE ON THE HEART OF THE SOUTH WEST LOCAL ENTERPRISE PARTNERSHIP AND ITS EUROPEAN STRUCTURAL AND INVESTMENT FUND STRATEGY**

Councillor Leadbetter declared an interest as a Member of the Heart of the South West Local Enterprise Partnership.

The Economy and Tourism Manager presented a report which updated Members on the Heart of the South West Local Enterprise Partnership priorities (HSWLEP) and the progress made by it to develop a Strategic Economic Plan. The LEP wished to develop a European Structural and Investment Fund Strategy (ESIF) for the period 2014 – 2020, to help secure a potential injection of £118 million investment into Devon and Somerset. The report also provided background on the potential for working with the LEP to address the city's economic development priorities.

Tim Jones, Chair of the Devon and Cornwall Business Council and current Chair of the HSW LEP Board attended the meeting. He referred to the importance of managing expectations as there was an opportunity for Exeter to apply to this fund, and suggested identifying a number of projects, which were in effect ready to go. A Member recalled the high speed bus project which could have made a real impact on the city's traffic congestion. Tim Jones agreed that despite such a competitive environment, projects encouraging green travel would be an ideal type of project to pursue. A Member commented on the potential job losses at Flybe and concern over the future of the FlyBe Training Academy. He also referred to Exeter's employment sustainability and how such success would be measurable. Tim Jones acknowledged the difficulties of accurately measuring success by the LEP, but it may be possible to chart through deliverable projects. Every effort was being made to mitigate any job losses at Flybe. He responded to a comment on developing the skills agenda particularly in relation to combating the growing levels of youth unemployment. It was important to concentrate on the key issue of developing skills to ensure meaningful well paid jobs were created for a local workforce.

The Chief Executive & Growth Director thanked Tim Jones for his hard work and dedication and acknowledged the impact he had made in his tenure as the Chairman of the LEP Board which was due to finish soon. It was noted that Mr Jones would remain on the Board in a private capacity.

Scrutiny Committee - Economy noted the emerging priorities of the LEP as expressed in their draft European Structural and Investment Fund Strategy, and that progress with the LEP's strategic plans and funding bid documents be reported back to future meetings.

(Report circulated)

53 **EXETER KNOWLEDGE ECONOMY CONSULTATION UPDATE**

The Assistant Director Economy introduced the report which presented Members with the recommendations of the consultation and research undertaken for the development of knowledge based Economic Development Strategy for Exeter. Nigel Wilcock from Mickeldore attended and presented an update on the emerging Strategy. He proposed that the vision behind the Strategy would ensure that Exeter would be recognised as the best known city in the South West for innovation. He outlined the practical steps needed to progress the Strategy.

The Chief Executive & Growth Director advised that the implementation of the Strategy should provide the likelihood of greater job prospects in Exeter. The Chair suggested that the Strategy should also recognise the excellent technical and innovative work carried out by both Exeter City and Devon County Councils. Nigel Wilcock advised that they would take the Strategy forward, and would continue to use a range of organisations including ExIST and the Exeter and Heart of Devon Growth Board, but an individual focus group will be needed to champion the work. A Member enquired if there were any challenges for the City Council in delivering any of the actions. The Chief Executive & Growth Director responded, that the City Council did not have the resource, capacity or skills to deliver all of the work, but there was the opportunity to work with key partners to shape the work needed to advance it. He responded to a comment on the challenges of creating collaborative working for the whole sub region, stating that the Strategy provided a vision, which could be focussed for example through the development of the Science Park. He agreed there needed to be early engagement with the identified partners.

Scrutiny Committee – Economy supported the adoption of the knowledge economy strategy as the basis for the economic development strategy to be presented to the City Council for approval, early in 2014.

(Report circulated)

54 **BUDGET MONITORING**

The Principal Accountant presented the report, which detailed the major differences by management unit to the outturn forecast for the first six months of the financial year up to 30 September 2013, which included a variation of 1% from the approved budget. The report also provided an update on budget monitoring for the Economy and Development Capital Programme and potential areas of budgetary risk including the main areas of car parking, planning and property portfolios.

A Member commented on the patronage of the Parr Street and Howell Road car parks. The Chief Executive & Growth Director stated that the Assistant Director

Public Realm had noted the numbers using the car park on a regular basis, and it was part of her brief to address this as a priority. A Member was concerned over the minimum amount taken for payment by credit card, and awaited a reply to a previous question sent to the car parking team. The Service Manager Business /Commercial Services responded to a comment on the Pay and Display machines, which were being updated and enhanced with a mobile phone payment option. He explained that the ticket machines were geared to credit cards which required a minimum payment, rather than debit card use and that this would be addressed in the near future. The cost of equipment able to dispense change for pay and display was prohibitive and the Pay by Phone system being introduced would enable payment of the correct tariff.

Scrutiny Committee – Economy noted the report.

(Report circulated)

55 **CHRISTMAS LIGHTS TASK AND FINISH GROUP UPDATE**

The City Centre Manager presented a report on behalf of the Christmas Lights Task and Finish Group and detailed the progress made in implementing their earlier recommendations. As part of the exercise, the eventual supplier had exceeded the brief to ensure that Bedford Square and the gateways were an important part of the display. Although a core budget of £14,500 was identified as part of a three year commitment, there had been little financial support from other sources. The Christmas lights display would only improve or even be extended if a Business Improvement District was put in place.

A Member highlighted the effort made by the independent sector in Gandy Street, Fore Street, Cowick Street and Magdalen Road and the important role they played to offer a suitable gateway display to the centre of Exeter. The City Centre Manager responded to a Member's comment on the lack of the main retailer's involvement and could not explain their reticence, although there was often a lack of local flexibility to the corporate approach. He fully intended to repeat the requests to businesses next year. He hoped that the Christmas Lights display resulting from the work of the Task and Finish Group would demonstrate to local businesses that a suitable budget was critical to a future light display for Exeter.

Scrutiny Committee – Economy noted the progress in implementing the previously agreed recommendations of the Task and Finish Group.

(Report circulated)

56 **EXETER CULTURAL ACTION PLAN NOVEMBER 2013 TO 2015**

Councillor Denham attended the meeting and spoke to the Scrutiny Committee under Standing Order 44.

The report of the Museums Manager and Cultural Lead on the new two year Cultural Action Plan produced by Exeter Cultural Partnership (ECP) in association with the City Council was submitted to Members. The Action Plan represented the next phase of work to be undertaken by the ECP Steering Group.

Jay Milling, Deputy Chair of the Exeter Cultural Partnership, also attended the meeting and presented the report. He hoped that the range of activities referred to in the Action Plan would develop and strengthen the cultural sector, placing culture at

the heart of the city. He wanted Exeter to be seen as a culturally vibrant city, with a diverse 'offer' attracting more visitors staying longer and so delivering wider economic benefits to the city. The Plan was linked to the City Centre Strategy and there was a huge opportunity for stronger connections to be made between business and local cultural organisations. The forthcoming Rugby World Cup would provide a focus on Exeter and a linked programme of wider cultural activity could provide the platform for building lasting community and business relationships. This was an important development opportunity. Culture also needed to be connected to the wellbeing agenda, driving quality of life and improved health outcomes, all of which contribute to the economic competitiveness of the City.

Members welcomed the Action Plan and made the following comments -

- Whether developing the Cultural Action Plan through the recent Arts Council/Visit England Cultural Destination Programme would mean less funds for local groups. The Museums Manager explained that such national funding streams had in effect a 'firewall' between the individual funding programmes. There were elements of the Action Plan which could stand alone and could apply for other funding opportunities.
- There was appreciation that the Action Plan underscored culture's critical role at the heart of the city, and whether the Exeter City Council logo could be included on each page of the Plan. The Member also suggested that the career progression support outlined in the Plan should conclude with the aspiration of creating sustainable job opportunities for cultural practitioners.

Jay Milling responded to a comment on the importance of involving the overall community by connecting cultural activity and volunteering to the Health and Well-Being agenda. ECP recognised that it was at the beginning of a journey and was reliant at this 'start up' stage on funds from public sources. However, as it developed it was hoped the need for this would diminish as other funding streams and connections were identified.

Councillor Denham referred to the need for ongoing support and engagement as the Action Plan was developed. Some of the activities could be progressed with the alignment of the art grants around the main goals in the Plan, but other areas will also be progressed by the City Council's Economic and Development Team (for instance around the City Centre Strategy, City Tourism and Marketing Strategies, and Public Realm). It was important to grow the relationship with ECP and, through it, engagement with the wider cultural sector to ensure long term positive changes for the city.

Scrutiny Committee – Economy supported the continuing work of the Exeter Cultural Partnership and requested that it and the Portfolio Holder for Economy and Culture be kept informed with at least an annual report of progress of the Action Plan, and requested Executive to approve:-

- (1) the proposed Action Plan and consider its adoption as the City Council's framework document for planning, developing and supporting cultural activities in the city.

(Report circulated)

The Assistant Director Economy presented a report which informed Members of the position regarding void properties as at 30 September 2013, and commercial rent debts for the four quarters ending on the September 2013 quarter day. The report also identified key local property indicators against a relatively robust performance of the portfolio, in respect of regional and national trends.

An update on the new short term voids was provided at the meeting, with the majority of the properties having now been let. The level of net debt had also been revised to a lower figure of £135,000. A request was made for a brief report of any additional updates to be circulated at the meeting, and to include the detail of any outstanding debt written off. The Assistant Director Economy responded to a comment on the individual view taken on whether to take firmer actions on debt, where officers often exercised some discretion and worked with the individual business as soon as a problem was detected. A request for a snapshot of the debt figures over several years in future reports would also help put the latest figures in context.

Scrutiny Committee – Economy noted the report and the performance of the portfolio.

(Report circulated)

58 **TASK AND FINISH GROUPS - SCRUTINY COMMITTEE - ECONOMY**

Nominations had previously been requested for a number of proposed Task and Finish Groups involving Scrutiny Committee – Economy Members. Members were asked for any further nominations for the following:

- Training/Education/Skills/Employability and
- Growth – Marketing Exeter.

RESOLVED that Councillor Bialyk be nominated as a Member of the Growth – Marketing Exeter, Task and Finish Group.

The meeting commenced at 5.30 pm and closed at 8.40 pm

Chair

SCRUTINY COMMITTEE - ECONOMY
14 NOVEMBER 2013

PUBLIC QUESTION UNDER STANDING ORDER 19

The Cathedral and Quay car park currently closes at 10pm. we would like consideration to be given to it closing at 11.00pm or even 10.30 p.m. would help. Whilst this is only a small difference, an hour or even half an hour, would make a considerable difference to the residents of Exeter and visitors to our City wanting to attend events/concerts/theatre within the area and enjoy all that the City has to offer in the evenings.

We would therefore like to ask that as part of the work that Exeter City Council are doing, looking into Night time economy and the development of the Quayside, would you as the portfolio holder please look into the viability of extending the opening hours of the Quay car park bringing them in line with other car parks within the City of Exeter .

Reply

The Portfolio Holder for Economy and Culture thanked Mr and Mrs Poad for the question. She highlighted a number of car parks in the area that could also be used when visiting city centre venues. Although the Cathedral and Quay car park had spare capacity, she addressed the matter of the closing time, advising that regular occurrences of anti-social behaviour and vandalism in the past had influenced the decision to close.

Members considered a number of well documented issues relating to this car park and requested that any extension of the opening hours should take into account the possibility of an increased level of disturbance to local residents. They hoped that local residents would be appropriately consulted. A Member, who was also the Ward Councillor for St David's ward suggested that the name of the car park could appear to be misleading, and was in some way associated with the Cathedral. She was also aware of a number of instances of minor but aggravating issues in the area.

Members requested that the issue raised by Mr and Mrs Poad over the closing time of the Cathedral and Quay car park should be included in a review of car parking in the city.

Members noted that the issue of the closing time and other aspects of the Cathedral and Quay car park would be included in a review of car parking in the city, which had already commenced.

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SCRUTINY COMMITTEE – ECONOMY
14 NOVEMBER 2013

MEMBER QUESTION UNDER STANDING ORDER 20

"Will the Portfolio Holder please conduct an investigation into a possible abuse of this car park by some users whereby they can leave after the car park has 'closed', when at that time the exit gate in Mary Arches Street is left open?"

Councillor Ruffle

REPLY

The Portfolio Holder Economy and Culture, Councillor Denham confirmed that an urgent investigation had been launched to address an issue where some car park users were choosing to evade the charges when exiting the Mary Arches Street car park. The barriers had to be left in the raised position when the car park was not staffed to avoid any inconvenience to patrons. The suitability of the current arrangement will be picked up in the forthcoming review of parking.

Councillor Ruffle asked a supplementary question, if the situation had arisen due to changes in staffing levels at the Mary Arches Street car park. The Portfolio Holder for Economy and Culture assured Councillor Ruffle that the matter would be addressed.

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SCRUTINY COMMITTEE - RESOURCES

4 December 2013

Present:

Councillor Baldwin (Chair)

Councillors Bowkett, Brock, Crew, Dawson, Donovan, Macdonald, Morris, Sheldon and Robson

Apologies:

Councillors Ruffle, Bull and Newby

Also present:

Deputy Chief Executive, Assistant Director Finance, Scrutiny Programme Officer and Democratic Services Officer (Committees) (SLS)

41 **Minutes**

The minutes of the meeting held on 18 September 2013 were taken as read and signed by the Chair as correct.

42 **Declarations of Interest**

No declarations of discloseable pecuniary interests were made.

ITEMS FOR SCRUTINY COMMITTEE DISCUSSION

43 **Key Propositions from the LGA's Publications - "Rewiring Public Services"**

The Deputy Chief Executive reported on the issues arising from the recent visit to Exeter by Sir Merrick Cockell, Chairman of the Local Government Association and his address to local Chief Executives and Members on the LGA's publication - "Re-Wiring Public Services". The document was a response to the funding constraints imposed on local authorities and the need to identify new ways of delivering services. Members were invited to consider the ten key propositions which were subsequently linked to the work of the City Council's Scrutiny Committees.

Scrutiny Committee – Resources supported the position that the views of all the Scrutiny Committees would be sought in order to determine the Council's response to the LGA's publication - "Re-Wiring Public Services".

(Report circulated)

44 **Budget Monitoring (2nd Quarter)**

The report of the Assistant Director Finance was submitted, advising Members of any material differences by management unit of the revised budget for the first six months of the financial year up to 30 September 2013, which included a variation of 0.32% from the revised budget. The report also contained the detail of two key review areas, and potential areas of budgetary risk, which remained the subject of close monitoring. He confirmed that sufficient action had been taken to ensure that the appropriate reimbursement of the housing benefits subsidy would be forthcoming.

A Member referred to the unapportionable overheads in respect of pension contributions and asked if the commitment by the City Council was affected by

having a reduced workforce. The Assistant Director Finance stated that the employer contribution related to the current actuarial valuation, and although there were other factors, a reduction in staff meant that the contribution made to the pension scheme was likely to need topping up. A report would be presented to Executive on the future contribution that would be needed to be set aside.

The Scrutiny Committee – Resources noted the report.

(Report circulated)

45 **Financial Reporting Task and Finish Group Membership**

The Scrutiny Programme Officer attended the meeting and provided an update on the progress of individual Task and Finish Groups, including the conclusion of the Financial Task and Finish Group which had proved to be very successful. There was also a need to replace Councillors Owen and Pearson, following their appointment as Portfolio Holders, and nominations were sought from Scrutiny Committee – Resources.

The Scrutiny Programme Officer provided an update on the proposed programme of Task and Finish Groups -

- The Energy Neutral Council was expected to be up and running in the New Year.
- The Cost of Living Forum had already met twice and formed two sub groups on housing and wages.
- The Council Lettings Task and Finish Group was due to meet on 13 December.

She was hopeful that the second tranche of groups would commence in February, acknowledging the many commitments of Members. Other groups which had yet to meet were the WhistleBlowing and Procurement Task and Finish Group and the Cross Party Access to Credit Group which would tie in with the deliberations of the Cost of Living Forum.

In addition to the Task and Finish Groups, she reminded Members of the regular Scrutiny Review meetings held with the Chairs and Deputy Chairs of the Scrutiny Committees to discuss how any of the system changes might enhance scrutiny at the City Council.

RESOLVED that:-

- (1) Councillor Pearson continue to attend future meetings of the Financial Reporting Task and Finish Group, both as a Member and also in his capacity as Portfolio Holder, and
- (2) Councillor Sheldon be appointed to the Access to Credit Task and Finish Group.

46 **Overview of Revenue Budget 2013/14**

The report of the Assistant Director Finance was submitted, advising Members of the overall projected financial position of the General Fund Revenue Budget and Housing Revenue Account after six months, for the 2013/14 financial year.

The Assistant Director Finance advised that the Service Committee budgets showed a forecast overspend of £163,890 (1.3%) against a revised Service Committee Net Expenditure budget of £12,248,020. He outlined to Members, the individual budgets in respect of each of the Scrutiny Committees, including the areas of budgetary risk, the outstanding sundry debt, debt write-offs and creditor payments performance. A number of additional budgets had been approved or requested for approval and these were set out in an appendix to the report. The protocol now required a formal approval, and this included a request for a further sum to facilitate the Rugby World Cup bid. It was noted that this was part of the sum recently agreed by Executive for the Rugby World Cup staging.

A Member referred to the comparison of outstanding sundry debt with last year's figure and enquired why this had increased. The Assistant Director Finance stated that the recovery of Housing Benefit overpayments had to follow a statutory recovery path, including a staged recovery from the claimant. A review of the way the City Council runs the debt recovery operation was about to be undertaken and would look at the overall performance across the Council. The Member also suggested a review of the housing benefit claim process as more employers were now operating a zero hour or low hours contract, meaning that a claim could vary from week to week. The Assistant Director Finance stated that he would contact the Benefits Team to seek information on the impact of changes in working patterns and the adjustment process for claimants. He also responded to the likely level of debt write-offs for Business Rates in 2013/14, which on average in the past was approximately £400,000. The Business Rates team were slightly under the target for collected recovery this year.

The Scrutiny Committee – Resources noted the report and requested that Council approve the:-

- (1) General Fund forecast financial position for the 2013/14 financial year;
- (2) Housing Revenue Account forecast financial position for the 2013/14 financial year;
- (3) additional supplementary budgets listed in Appendix C of the circulated report;
- (4) outstanding Sundry Debt position as at September 2013, and
- (5) creditors' payments performance.

(Report circulated)

47 **Capital Monitoring Statement**

The Assistant Director Finance reported on the current position in respect of the Council's revised annual capital programme, the anticipated level of deferred expenditure into future years, and also sought Member approval to amend the annual capital programme in order to reflect the reported variations.

The report also contained further funding requests for additional lighting provision at the Flowerpot Skate Park, to progress an energy saving project and the introduction of an e-tendering system. The Deputy Chief Executive responded to a plea to ensure that the lighting at the Skate Park was sensitive to both light pollution and also the environment. Every effort had been made to mitigate such concerns to address the topography and minimise the impact on the wildlife. The energy savings project was an ambitious scheme across the Council's estate, but already the pilot had made some significant savings. The Assistant Director Finance added that LED lighting had

offered immediate savings in energy used, but further work was required to determine the solar panel payments. He also provided the detail of the new procurement section which is being set up to facilitate a corporate procurement process. Although tenders could be invited by email, the return tender had to be sent back in paper at some cost to the tenderer. E-tendering would enable tender documentation to be sent back securely and stored until the tender due date. It was hoped that the current, fragmented process would be more streamlined. The process would also support the Procurement Officer on spend across the Council and provide a more effective service.

A Member enquired about the kitchen replacement programme and sought clarification on the sum yet to be spent. The Assistant Director Finance stated that they were on track to spend £2.2 million, with an approximate figure of £5,000 set aside for each kitchen and the expected lifespan of the kitchen was at least ten years.

The Scrutiny Committee – Resources noted the current position in respect of the revised annual Capital Programme and the further funding requests set out in Section Nine of the circulated report and recommended its approval by Council.

(Report circulated)

48 Treasury Management - Half Yearly Report 2013/14

The Assistant Director Finance submitted the report, informing Members of the current performance for the 2013/14 financial year and the position regarding investments and borrowings at 30 September 2013. As part of the update, he advised that the City Council had chosen to take advantage of a break clause in the agreement with the Cooperative Bank to service the Council's financial affairs. This decision had proved to be timely as the Cooperative Bank had recently advised that they wished to give notice for a managed withdrawal from the local authority market. A tendering exercise had commenced and had been extended to four of the High Street banks. It was anticipated that a decision would be made before Christmas to enable a swift transition to the chosen Bank.

The Scrutiny Committee – Resources noted the Treasury Management report for the first six months of 2013/14.

(Report circulated)

49 Living Wage

The Deputy Chief Executive presented the report which considered how the Living Wage might be implemented within the Council. The report also considered the impact, both financially and organisationally, and sought to devise an appropriate plan to potentially enable implementation from 1 January 2014. The current living wage rate of £7.65 was based on a minimum income standard, including an analysis of the actual costs of living essentials such as rent, council tax, childcare and transport. The sum identified was intended to meet the basic needs to maintain a decent and safe standard of living, for a 40 hour week with no additional income. A list of the local authorities in England and Wales who had implemented, or were committed to the Living Wage, was attached to the report.

The implementation of the living wage would benefit 64 Exeter City Council employees whose current hourly rate was below this figure. The implementation of any future increases needed to fall into line with the national wage negotiation

timetable. Details of the City Council's lower pay scales were also attached to the report.

The Chair was concerned over the concept of the living wage and potential increase in council tax and felt that this was the wrong time to implement the Living Wage. The additional cost could have an adverse effect on smaller private businesses who were already feeling the effect of the compulsory pension contribution for all employees. There may also be consequences for individuals who had worked through the local government pay scale to gain the status and qualifications to merit a rise through the grades, with any recognition or incentive having been removed from an amalgamation of the lowest spinal column points. The Chair referred to the pressure felt by the Council in allocating £100,000 to the wage bill and that other staff may have expectations of a pay rise. She felt that she was unable to support the recommendations.

A Member referred to the increasing levels of food poverty and felt that now was the right time to realise the ambition of the scheme. A Member also agreed that the Living Wage was about enabling people to live and the additional wage bill could be put to good use to feed families. She was pleased that Exeter University as an employer had also adopted this stance.

The Deputy Chief Executive gave the following responses to Members' questions:-

- That an approach will be made to those employees who will benefit from the increase in the Living Wage who may have previously withdrawn from the local authority pension scheme, to encourage them to contribute and take up the offer of a workplace pension.
- Staff had been very supportive of the effort being made to close the gap between top and bottom pay scales. A number of presentations had been made and these had been positively received.
- A Cost of Living Forum had already set up a sub group to consider the issue of wages.
- Negotiations with the local authority trade unions had been supportive of the living wage increase.
- The cost of the increased salary costs had been funded by the reduction in the number of the Council's Senior Management Team.

The Scrutiny Committee – Resources noted the report and requested that Council:-

- (1) adopt the Living Wage for employees with Council Contracts of Employment and associated casual staff (excluding apprentices), commencing 1 January 2014;
- (2) delay the implementation of any future increases in the Living Wage until the subsequent April, to bring any increases in line with the national wage negotiation timetable;
- (3) amend the current and future pay scales to reflect the changes invoked by the adoption of the Living Wage;
- (4) increase the budgeted allocation by £25,000 in order to meet additional salary costs;

- (5) amend the Council's Pay Policy to reflect the changes highlighted above; and
- (6) to conclude any outstanding negotiations with the recognised Trade Unions.

(Report circulated)

50 Local Government (Access to Information) Act 1985 - Exclusion of Press and Public

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

51 Provision of ICT Services

The report of the Deputy Chief Executive was submitted, which outlined a business case for creating a shared ICT service between Teignbridge District Council, East Devon District Council and Exeter City Council. It was considered that the shared synergy and service approach between all three authorities was similar.

The Deputy Chief Executive confirmed that the development would also provide the opportunity to look at the service offered particularly in relation to out of office hour's facility. There were a number of fundamental decisions still to be made, but the final legal partnership agreement would also include a clear process for disengagement and an exit strategy.

It was recognised that without the initial impetus provided by the DELT Project, of which Plymouth City Council was a major contributor, the Plan C case would not have progressed. Exeter City Council along with the remaining two district councils also wished to acknowledge the support and hard work provided by Plymouth City Council officers to get the project to its current stage.

The Scrutiny Committee – Resources supported the recommendations and requested that Executive and Council approve:-

- (1) the principle of creating a shared Exeter, Teignbridge and East Devon District Council's ICT service on the basis of the Plan C business case;
- (2) suitable staff availability for a Plan C Programme Team to enable a detailed Implementation Plan to be created;
- (3) the presentation to Executive and Council in early 2014 of an Implementation Plan with a view to execution of the Plan later in the year;
- (4) the provision of a budget of one third share of the estimated costs for external experts in legal and financial matters to the Programme team, that is £15,000;
- (5) the leadership of the Plan C Programme by Chris Powell (Corporate ICT Manager , East Devon) with appointees by each partner to enable governance arrangements to be developed. The proposed appointees are:

- Exeter - Mark Parkinson, Deputy Chief Executive

- Teignbridge - Steve Hodder, Business Lead, Corporate Service and Transformation
- East Devon - Simon Davey, Head of Finance

(6) that no additional resource be allocated to progress the DELT shared service model, but that the Council continue to keep a watching brief.

(Report circulated to Members)

The meeting commenced at 5.30 pm and closed at 6.50 pm

Chair

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AUDIT AND GOVERNANCE COMMITTEE

27 November 2013

Present:-

Councillor Bowkett (Chair)
Councillors Baldwin, Branston, D J Henson, Laws, Morris, Payne, Ruffle and Spackman

Apologies

Councillors Choules and Leadbetter

Also Present

Assistant Director Finance, Corporate Manager Democratic and Civic Support, Corporate Manager - Legal and Monitoring Officer, Litigation Solicitor, Audit Manager (HP) and Democratic Services Officer (Committees) (SLS)

Also Present

Barrie Morris – Director, Grant Thornton
David Bray – Senior Auditor, Grant Thornton

23

MINUTES

The minutes of the meeting held on 26 September 2013 were taken as read and signed by the Chair as correct.

24

DECLARATIONS OF INTEREST

No declarations of discloseable pecuniary interests were made.

25

ANNUAL AUDIT LETTER 2013 (GRANT THORNTON)

The Council's External Auditor, Grant Thornton, presented the Council's Audit Judgement. Barrie Morris introduced David Bray, who would also be attending future meetings. Barrie Morris updated the Committee and confirmed that the annual audit letter had been adjusted to take account of the additional financial pressures and demand for services along with welfare reform, and acknowledging the benefits of the Council's Transformation Programme. The certification letter had now been completed and complied with the statutory deadlines.

The Audit and Governance Committee received the letter.

(Letter circulated)

26

INTERNAL AUDIT PROGRESS REPORT

The report of the Audit Managers was submitted, advising Members of the work undertaken by Internal Audit during the period 1 July to 30 September 2013. Members were advised that the Council was on target to meet its Annual Audit Plan.

A number of issues were reported for management action which had highlighted concerns relating to an individual area within the Housing Benefit subsidy. In addition, Markets and Halls and the Facilities management had been addressed. In each case, a full explanation of the reasons behind the dispute against the

recommendations, as well as the solutions were given. The Assistant Director Finance clarified the City Council's responsibility in respect of the identified risk when accepting bookings for events at the Corn Exchange. He would pursue the suggestion to amend the booking form and request that the booking artist ensure the liability rests with the hirer. The Corporate Manager Democratic and Civic Support also responded to a comment on the level of discretion he had relating to charges for the hire of the Guildhall to encourage as wide a use as possible. The current scheme included a formally agreed fee, but it was felt desirable that he retain an element of discretion.

The report also outlined the key issues relating to the Council's debt recovery systems, and a number of recommendations would be taken into account when designing the new system. It was noted that the Assistant Director Finance would lead on an urgent review. A Member referred to the changes in the housing benefit subsidy and hoped that a degree of flexibility was offered to those individuals who found themselves in difficulty. He was also concerned that some instances of debt write-offs were not being appropriately monitored. The Assistant Director Finance advised that the City Council was sensitive to the increasing pressures resulting from the welfare reform changes. He agreed, that as part of the urgent review, the report would include a reference to staff resources as well as address the wider issues around the debtors system.

RESOLVED that:-

- (1) the Internal Audit Progress Report for the second quarter of the year 2013/14 be noted; and
- (2) a further report be made to the Committee to include the action taken on debtors' recovery.

(Report circulated)

27

REVISION OF THE INTERNAL AUDIT PLAN 2013/14

The report of the Audit Managers was submitted, which sought the Committee's approval for the revision of the 2013/14 Internal Audit Plan due to a planned absence by a member of staff.

RESOLVED that the Audit and Governance Committee approved the revised 2013/14 Internal Audit Plan.

(Report circulated)

28

PROTOCOL FOR RECORDING COMMITTEE MEETINGS

The Corporate Manager Democratic and Civic Support submitted a report which asked Members to consider adopting a Protocol to regulate filming and recording of public meetings by members of the public. The protocol would also offer guidelines to protect the public who attend meetings along with a range of sanctions, including the potential for removal from the meeting. A Member raised the issue of ensuring the protection of the integrity of any debate filmed and what safeguards would be in place over future editing to ensure that nothing inappropriate was subsequently broadcast. The Corporate Manager Democratic Services and Civic Support agreed that staff would be vigilant to ensure that the Council was not brought into disrepute. It was noted that the information for members of the public attending meetings would be updated to reflect the new guidance.

RESOLVED that the Audit and Governance Committee approve and adopt the Protocol.

(Report circulated)

29

REGISTER OF INTEREST FORMS AND CODE OF CONDUCT

The report of the Corporate Manager Legal Services and Monitoring Officer was submitted reminding Members of the following:-

- their obligations to comply with the requirement of Exeter City Council's Code of Conduct for Members,
- acquainting Members with the Department of Communities and Local Government recent Guidance "Openness and Transparency on Personal Interest", which required the declaration of membership of a trade union and
- reminding Members of the provisions of Section 106 of the Local Government Finance Act 1992.

Members were reminded that it was their responsibility to register/declare any interest they may have under Exeter City Council's Code of Conduct. However to assist them to comply electronic declaration forms had been prepared by CML for Members use.

The Corporate Manager Legal Services and Monitoring Officer reminded Members that she would be able to provide advice and assistance and further training on any aspect of the Member's Code of Conduct.

RESOLVED that:-

- (1) the report be noted;
- (2) DCLG's Guidance "Openness and Transparency on Personal Interest" be noted; and
- (3) the prohibition on taking part in setting of the council tax when in arrears with their own council tax contrary to Section 106 of the Local Government Finance Act 1992 be noted.

(Report circulated)

30

PROCUREMENT AND WHISTLEBLOWING TASK AND FINISH GROUP

Further nominations were sought for the Procurement and Whistleblowing Task and Finish Group.

RESOLVED that Councillor Baldwin be appointed to the Procurement and Whistleblowing Task and Finish Group.

31

PRESENTATION OF THE CORPORATE GOVERNANCE RISK REGISTER QUARTERLY REVIEW

The report of the Corporate Manager Policy, Communications and Community Engagement advising the Committee of the Council's risk management progress, including the updated Corporate Risk Register as part of the Council's corporate governance arrangements was received.

The Assistant Director Finance responded to a Member's question on the monitoring of individual sub-contractors, and would discuss the scope of the protocol with the Assistant Director Housing and Contracts. He also updated Members on the status and relationship of the City Council to the Cooperative Bank after a Member's concern about the Bank's ability to re-finance. Although the Cooperative Bank had recently given notice for a managed withdrawal from the local authority market, the City Council had also given notice to the Bank to withdraw from using its services. Following a consultation and tendering exercise to identify a new banking contract, it was anticipated that a new Bank would be selected by the middle of December.

RESOLVED that the Audit and Governance Committee be noted.

(Report circulated)

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

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

33 **CORPORATE GOVERNANCE RISK REGISTER QUARTERLY REVIEW (APPENDIX B)**

The Assistant Director Finance presented the report of the Corporate Manager Policy, Communications and Community Engagement which advised the Committee of the changes introduced to the Council's risk management policy and procedures. This included an appendix to the report (Appendix B).

The Audit and Governance Committee noted the details contained in Appendix B.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 7.05 pm)

Chair

EXECUTIVE

Tuesday 26 November 2013

Present:

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

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Housing and Contracts, Assistant Director Economy, Assistant Director Environment, Assistant Director Customer Access and Assistant Director Public Realm

102

MINUTES

The minutes of the meetings of the Executive held on 17 September and 1 October 2013 were taken as read and signed by the Chair as correct records.

103

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

104

IMPROVING HOUSING RESIDENT INVOLVEMENT

The report of the Assistant Director Housing and Contracts was submitted, seeking Members' approval to improve the way that the Council involves its housing residents in the management and strategic direction of the services they receive.

The Assistant Director Housing and Contracts stated that the approach set out in the report reflected the Council's commitment to new ways of working introduced by the systems review process and changes to the regulatory framework in which housing operated. It was likely that the methodology proposed in the report would be fine tuned to enable the Housing Performance and Projects Manager to focus on other tasks and to expand residents' involvement beyond simply the remit of the Performance Scrutiny Partnership. He also commented that careful thought needed to be given on how best to recruit new members of the Performance Scrutiny Partnership going forward in order to obtain a representative cross-section of opinion.

The Portfolio Holder Housing and Customer Access clarified that the approach proposed was to streamline the current system and enable a strategic view to be taken with regards to resident scrutiny of the landlord performance management. He thanked the Housing Resident Involvement Manager for her exceptional work and the Chair of Scrutiny Committee – Community for his involvement as Chair of the Performance Review Committee.

Members discussed the issue of ensuring that there was a diverse representation on the Performance Scrutiny Partnership which could include the co-option of members on to the Partnership should it be appropriate.

Scrutiny Committee – Community considered the report at its meeting on 12 November 2013 and the comments of Members were noted.

RESOLVED to approve:-

- (1) the new direction for Housing Resident Involvement;
- (2) the proposal to dismantle the existing Resident Involvement Governance Structure and create a single Performance Scrutiny Partnership from 1 April 2014;
- (3) the redundancy of the Housing Resident Involvement Manager from 1 April 2014;
- (4) the creation of a new part time administrative role from 1 April 2014; and
- (5) that the Performance Scrutiny Partnership consider ways to ensure there is diverse representation on the Partnership.

105

ENVIRONMENTAL PERFORMANCE

The report of the Assistant Director Environment was submitted, providing an updated report on the environmental performance of the Council in a single document, and seeking approval for a revision of the three strategies to one overall strategy. Following consultation, a final report would be brought back to Members for approval in the New Year.

In response to Members, the Assistant Director Environment clarified that there was currently a national Communities and Local Government Review which threatened the energy efficient requirement in the City Core Strategy. The Exeter Together Initiative was a collective energy purchasing scheme that had been part of a national Department of Energy and Climate Change sponsored project. The Council had undertaken this in partnership with other Authorities and private industry, which encouraged householders come together collectively to buy cheaper energy and switch energy provide. This national project was focussed on learning about behavioural change and what motivated people to switch energy providers. Work was being undertaken with community groups to encourage a greater take-up of composting through community composting schemes.

Member's discussed the difficulties of insulating older and listed properties; the Councils installation of solar panels on its buildings, its proposals for District Heating Systems and the need to encourage residents to use composting bins.

The Chair requested that a report be brought back to outline the budget implications of supplying composting bins to residents on new housing developments to encourage composting.

Scrutiny Committee – Community considered the report at its meeting on 12 November 2013 and the comments of Members were noted.

RESOLVED that:-

- (1) the report be noted;
- (2) the revision of the Environmental, Carbon Management and Climate Change strategies in to one encompassing strategy be approved; and

- (3) a revised Environmental Performance Strategy to be brought to Executive in draft form for consultation in Spring 2014 and subsequent approval following consultation.

106

EXETER CULTURAL ACTION PLAN NOVEMBER 2013 TO 2015

The report of the Museums Manager and Cultural Lead was submitted, presenting to Members the new two year Cultural Action Plan produced by the Exeter Cultural Partnership (ECP) in association with the City Council. The Action Plan represented the next phase of work to be undertaken by the ECP Steering Group.

Councillor Leadbetter spoke on this item under Standing Order no.44. He stated that the Scrutiny Committee – Economy supported the excellent work that the Exeter Cultural Partnership had undertaken on the Exeter Cultural Action Plan. There were, however, some concerns regarding how the Action Plan would move forward, measuring outcomes and what would happen if the funding application to the Arts Council was not successful.

The Portfolio Holder Economy and Culture agreed that the Action Plan was a positive way forward whilst recognising the challenges in measuring its outcomes. It was important to grow the relationship with ECP and through them engagement with the wider cultural sector to ensure long term positive changes for the city. It would be beneficial for the Portfolio Holder for Economy and Culture to sit on the ECP and that the Partnership regularly update the Council on progress being made.

The Portfolio Holder City Development clarified that should the application to the Arts Council be unsuccessful then the Action Plan and the bid content would be used to inform other applications for Grants from the Arts, Heritage Lottery Funding.

Scrutiny Committee – Economy considered the report at its on 14 November and their support of the continuing work of the Exeter Cultural Partnership and the request that they and the Portfolio Holder for Economy and Culture be kept informed with, at least an annual report of progress of the Action Plan, were noted.

RESOLVED that the proposed Action Plan be supported, its adoption as the Council's framework document for planning, developing and supporting cultural activities in the city be agreed and that a report updating Members on progress with the Action Plan be brought back to this Committee.

107

LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2014/15

The report of the Assistant Director Customer Access was submitted, seeking Members' view on the local Council Tax Support Scheme (CTS) for 2014/15.

Members were updated on the various components, financial impact and administration of the current Scheme including the Exceptional Hardship Fund. The Council, from 2014/15, would no longer receive a ring-fenced grant from Central Government for the cost of the CTS. The amount of CTS expenditure, together with the other Council Tax discounts and exemptions expenditure would need to be defined during the setting of the Council Tax base.

Councillor Leadbetter spoke on this item under Standing Order no.44. He commented on the estimated savings requirement of nearly £1.2 million and on the

80% threshold for support for working age claimants. He highlighted that the impact of the CTS was one of areas that the Cost of Living Forum was considering.

Members welcomed the fact that the Council Tax recovery rate was only marginally down from last year whilst acknowledging that there may still be recovery issues in cases where full financial circumstances of claimants were yet to be determined. Members commended the proactive work being done by officers in the newly designed System to help residents with their financial problems and acknowledged that contacting those residents that were having to pay Council Tax for the first time, having previously received 100% Council Tax Benefit was likely to have contributed to the low impact on recovery rates. They also considered what impact the welfare benefits changes coming forward could have on the Council's future collect rates as well as the financial strain on residents and expressed concerns about the numbers of working people in the City who were living in poverty.

The Assistant Director Customer Access commented that there had been a total of 11 awards from the Exceptional Hardship Fund as at the end of September 2013. The 'One View of Debt' team had been working to take a holistic view to help residents with their financial issues and this approach was working well in supporting those residents with financial problems.

Members supported the proposal to develop a Council tax Base Protection policy and the Assistant Director Customer Access confirmed that this work would be done within the newly established 'One View of Debt' team.

RECOMMENDED to Council:-

- (1) the continuation of the Current Scheme for the local Council Tax Support, from 1 April 2014;
- (2) the continuation of the current Council Tax discounts for Empty Unoccupied and Unfurnished properties and Empty Uninhabitable/Major Works properties from April 2014;
- (3) that a decision is taken on the adoption of a Council Tax base protection policy including the use of statutory fines up to prosecution for fraudulent cases;
- (4) the document attached as an appendix to this report are noted; and
- (5) that officers begin modelling the Scheme for 2015-16, for consideration by Council, reflecting any necessary proposed reductions to the current level of support as a result of reductions in Government funding.

108

RUGBY WORLD CUP FUNDING

The report of the Assistant Director Economy was submitted, seeking formal approval for the City Council to commit resources to support its Host City status for three games in the Rugby World tournament in September/October 2015.

The Assistant Director Economy advised that the Rugby World Cup was the third largest global sporting events and Exeter had been chosen as one of the Host Cities. As a Host City, the Council accepted responsibility for the provision of a Fanzone and a number of other activities as set out in the report.

Councillor Leadbetter spoke on this item under Standing Order no.44. He welcomed the Rugby World Cup tournament to the City and hoped that Exeter residents would have every opportunity of being involved.

Members discussed the economic benefits that the tournament would bring to the city and local businesses, possible income from food and drink stalls in the Fanzone to off-set the Council's contribution to costs as the Fanzone would have free entry and the need for the city to build on the legacy of the Rugby World Cup.

Whilst the majority of Members supported the way forward proposed to enable the City Council to sign the required formal Host City agreement, one Member had concerns that there was not a more detailed budget in place.

The Assistant Director Economy clarified that the budget as proposed would be used to fund the provision of the Fanzone and legacy work. The Fanzone would include a large screen, 24 hour security, toilet facilities, fencing, signage, cleaning and other costs over the prolonged period of time of the games, not just the three games to be played at Sandy Park. The £300,000 proposed was based on the advice of experienced event organisers and in taking this forward would be the subject of detailed negotiation with suppliers to manage expenditure as effectively as possible. Progress and expenditure would be reported to future meetings.

RECOMMENDED to Council to commit up to £300,000 towards activities relating to the city being a Host City for games and visitors to the Rugby World Cup 2015.

(In accordance with Standing Order 43, Councillor Fullam requested that his name be recorded as having voted against the recommendation)

109

FUTURE ARRANGEMENTS FOR CIVIL PARKING ENFORCEMENT

The report of the Assistant Director Public Realm was submitted, advising Members of the arrangements for the delivery of on-street civil parking enforcement from 1 April 2014. Members were advised that the annual fee offer to Exeter for 2014/15 was £421,219. The counter-proposal of £487,572 was not accepted by the County Council on the basis that it would not enable them to deliver their required savings.

RESOLVED that the report and the proposals for parking enforcement post 31 March 2014 be noted.

110

PARKING TARIFFS

The report of the Assistant Director Public Realm was submitted, recommending that there should be no increase in parking tariffs until April 2015 at the earliest. The proposals also included the revocation of the present Parking Places Order and the making of a new Parking Places Order.

Councillor Baldwin spoke on this item under Standing Order no.44. Whilst she welcomed the freezing of charges until April 2015 she asked that the Council look again at the tariff for Topsham Quay Car Park. She commented that the current car park charges were too expensive, not in line with other district shopping centre car parks in the city and that Topsham Quay Car Park should be a long stay visitor's car park. She advised that the Topsham Traders were intending to open on the four Sundays leading up to Christmas and requested that the Council allow free parking for these Sundays in the Topsham Quay Car Park.

The Portfolio Holder Economy and Culture commented that the Topsham Quay Car Park Working Group had not been able to agree on a way forward. She advised that the Council would be undertaking a review of parking in the city, this review to take a holistic approach to all parking. In the meantime, from now until Christmas parking would be free in all City Council-run Pay and Display car parks after 5pm with those paying for three hours in Pay and Displays on Sundays being able to get the rest of the day's parking free.

In response to a Members comment, the Portfolio Holder Economy and Culture stated that without wishing to pre-empt the outcome of the Car Parks Review, it was evident that the use of the car parks at Howell Road and Parr Street has declined since the new tariffs were introduced and as a result, in addition to the recommendations in the report, it was proposed that Howell Road and Parr Street would revert to Tariff Band 3: Long Stay Visitors Car Parks when the Parking Order was sealed.

Members welcomed the freezing of car parking tariff until April 2015 as this would encourage visitors to the city and help to stimulate economic growth; the free parking proposed in the run up to Christmas; and the re-designation of Howell Road and Parr Street car parks to long stay car parks.

The Portfolio Holder City Development acknowledged the difficulties with parking in Topsham and supported the suggestion of the working group of increased and better signage of car parks. There was also a need to encourage the Topsham Traders to make use of alternative parking facilities and not park in valuable on street spaces that could be used by potential visitors.

RESOLVED that:-

- (1) no increase in the tariffs and charges shown in Annex A until April 2015 at the earliest be agreed;
- (2) the City of Exeter (Civil Enforcement Off Street Parking Places) Order 2012 be revoked and a new City of Exeter (Civil Enforcement Off Street Parking Places) Order 2014 be drafted and advertised, and officers be authorised to make all necessary operational and general amendments to the detail by way of clarification, as part of the Order;
- (3) the Order be amended to permit parking at the rear of the Civic Centre on all days and the times of parking be varied to favour customers visiting the Council offices;
- (4) the provisions in the Order concerning types of vehicle that may be parked in Council car parks to be amended and where necessary the boundaries of the car parks be clarified;
- (5) the provisions in the Order concerning types of Permit and conditions of use to be amended and Authority for determining the dates upon which Flexible Permits are to be available is delegated to the Assistant Director Public Realm in consultation with the Leader and Portfolio Holder for Economy and Culture;
- (6) authority be given for subsequent Amendments to the 2014 Order or later Orders to include the addition of parking places within the civil enforcement area is delegated to the Assistant Director Public Realm in consultation with the Leader and Portfolio Holder for Economy and Culture;

- (7) authority to make limited experimental interventions within the scope of the City of Exeter (Civil Enforcement Off Street Parking Places) Orders be delegated to the Assistant Director Public Realm in consultation with the Leader of the Council and Portfolio Holder for Economy and Culture;
- (8) authority to consider any objections to the proposed Order be delegated to the Assistant Director Public Realm in consultation with the Leader of the Council and Portfolio Holder for Economy and Culture;
- (9) the Order be amended to permit Howell Road and Parr Street car parks to be designated as Tariff Band 3: Long Stay Visitors Car Parks; and
- (10) subject to consideration of any objections, the City of Exeter (Civil Enforcement Off Street Parking Places) Order 2014 be made and sealed.

111

FUTURE DEVELOPMENT IN THE CITY

The report of the Assistant Director City Development was submitted, briefing Members on the context for, and showing the relationships between, the forthcoming strategic planning documents which will guide future development in the city:

- Development Delivery Development Plan Document (DPD)
- The Strategic Housing Land Availability Assessment (SHLAA)
- The Housing Land Review
- The Revised Development Delivery Policy Statement

The Assistant Director City Development clarified that the Housing Land Review assessed the sustainability of a number of areas in the City for development and this document could be used as a evidence based guide to ensure that the Council remained in control of planning in the city.

Members discussed the need to ensure that the Council had robust evidence based documents to protect the green setting of the city from development.

RESOLVED that:-

- (1) the publication of the Development Delivery Development Plan Document draft document for consultation and delegated power for the Assistant Director City Development in conjunction with the Portfolio Holder City Development to make minor changes to the document prior to publication be agreed;
- (2) the Strategic Housing Land Availability Assessment be noted;
- (3) the use of the Housing Land Review as an evidence base to guide the future development in the city be agreed; and
- (4) the Development Delivery Policy Statement to help deliver good development in the city be adopted.

112

DELEGATED AUTHORITY IN RESPECT OF FLEXIBLE TENANCIES

The report of the Assistant Director Housing and Contracts was submitted, seeking approval for the delegation of authority to the Assistant Director Housing and

Contracts to grant, administer and, where necessary, terminate any flexible tenancy.

RECOMMENDED to Council that the Assistant Director Housing and Contracts be given delegated authority to grant, administer and, where necessary, terminate any flexible tenancy and that the Constitution be amended to that effect.

113

APPOINTMENT TO OUTSIDE BODIES

The schedule of representatives on outside bodies was circulated.

RESOLVED that:-

(1) the following appointment be agreed:-

Exeter School – Councillor Prowse to replace Mr J Taghdissian

(2) representatives serve on those bodies set out on the schedule; and

RECOMMENDED that the appointment to the Exeter Municipal Charity be agreed by Council.

114

APPOINTMENT OF ASSISTANT DIRECTOR FINANCE

RESOLVED that the appointment of David Hodgson as Assistant Director Finance be noted.

(The meeting commenced at 5.35 pm and closed at 7.45 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 December 2013.

EXECUTIVE

Tuesday 10 December 2013

Present:

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

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Finance, Assistant Director Environment, Electoral Registration Officer, Projects and Business Manager and Democratic Services Manager (Committees)

115 DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

116 MAJOR GRANTS AND NEW HOMES BONUS PANEL

The minutes of the meeting of the Major Grants and New Homes Bonus Panel held on 29 November 2013 were submitted.

Members discussed the benefits of three year funding for those Strategic Arts Organisations who also receive Arts Council Funding, what would happen after the three year term had finished and the need to ensure that the funding was monitored.

The Chair commented that the agreements would be in principle only.

The Portfolio Holder for Economy and Culture clarified that the three year funding agreements would not be rolling agreements and all core funding would be subject to a Service Level Agreement with continuous monitoring.

RESOLVED that the minutes of the Major Grants and New Homes Bonus Panel held on 29 November 2013 be received and, where appropriate, adopted.

117 OVERVIEW OF GENERAL FUND REVENUE BUDGET 2013/14

The report of the Assistant Director Finance was submitted, advising Members of the overall projected financial position of the General Fund Revenue Budget and Housing Revenue Account after six months, for the 2013/14 financial year.

The Assistant Director Finance advised that the General Fund revenue position showed an underspend of £57,161 and the Housing Revenue Account (HRA) an overspend of £1,525,275. The HRA variation was due to approved expenditure to finance Phase II of the Council Own Build programme and purchase of flats at Dean Clarke House and an overspend on reactive repairs.

The Assistant Director Finance gave the following responses to Members' questions:-

- in the first year the cost of utilities at RAMM were anticipated to exceed the budget, which would be addressed next year by savings, to be made in the Museums Service
- with effect from April 2014 the Local Government Pension Scheme would be an average salary scheme
- HRA - the rental income from dwellings had been identified as a risk as the rent increases required from rent conversion could cause a slight increase in bad debts
- the car parks fee income as at November was marginally above budget.

The Portfolio Holder for Housing and Customer Access commented that the bathroom replacement programme was awarded to contractors on a block basis.

The Chief Executive & Growth Director clarified that planning appeals did not have an impact on planning income and the number of appeals that were allowed remained fairly constant.

Scrutiny Committee – Resources considered the report at its meeting on 4 December and the comments of the Members were noted.

RECOMMENDED that Council approves the:-

- (1) General Fund forecast financial position for the 2013/14 financial year;
- (2) HRA forecast financial position for the 2013/14 financial year;
- (3) additional supplementary budgets listed in Appendix C of the report;
- (4) outstanding Sundry Debt position as at September 2013; and
- (5) creditors' payments performance.

118

CAPITAL MONITORING STATEMENT TO 30 SEPTEMBER 2013

The report of the Assistant Director Finance on the financial position in respect of the Council's revised annual capital programme, advising Members of the anticipated level of deferred expenditure into future years and seeking Members' approval to amend the annual capital programme was submitted in order reflect the reported variations.

Members were advised that the revised capital programme for the current financial year was £17.687 million. During the first six months of the year, the Council had spent £6.044 million on the programme, which equated to 28.6% of the revised programme. This compared with £6.515 million (26.6%) being spent in the first six months of 2012/13. The report also contained further funding requests for lighting provision at the Flowerpot Skate Park, to progress an energy savings project and the introduction of an e-tendering system.

The Chair welcomed the lighting at the Skate Park and the LED lighting being installed across the Council which would result in significant efficiency savings.

A Member raised concerns regarding the anticipated borrowing over the next few years and the pressure the interest repayments could have on the revenue account.

The Chair commented that the proposed borrowings were small in comparison to the Council's assets and there was a need for the Council to 'invest to save'.

The Assistant Director Finance advised that the asset value base varied from scheme to scheme and, whilst some may add value, other schemes were written off.

Whilst the majority of Members supported the way forward proposed in respect of the annual capital programme, one Member had concerns regarding the amount of borrowing required to fund the programme.

Scrutiny Committee – Resources considered the report at the meeting on 4 December 2013 and the comments of the Members were noted.

RECOMMENDED that the Council notes and approves the current position in respect of the annual capital programme and the further funding requests set out in Section 9 of the report.

119

TREASURY MANAGEMENT - 2013/14 - HALF YEAR UPDATE

The report of the Assistant Director Finance was submitted, reporting on the current performance for the 2013/14 financial year and the position regarding investments and borrowings at 30 September 2013. The net interest position showed an estimated net reduction of £83,750 compared to the budgeted figure of £140,000.

The Assistant Director Finance clarified that whilst the £6 million was the net debt position the underlying general fund position in respect of borrowing was £32 million. This had been covered by using internal cash reserves. The Council continued to utilise short term borrowing as this remained very cheap. Executive was reminded that it had taken the decision to use 20% the New Homes Bonus for community infrastructure funding and 50% for Council funded major projects. In the Chancellor's Autumn Statement, it had been announced that, outside of the London Boroughs, Councils would now be able to keep all their New Homes Bonus monies.

Scrutiny Committee – Resources considered the report at the meeting on 4 December 2013 and the comments of the Members were noted.

RESOLVED that the Treasury Management report for the first six months of 2013/14 be noted.

120

LIVING WAGE

The report of the Deputy Chief Executive was submitted, asking Members to consider the specific issues with regards to the impact, both financially and organisationally, of the implementation of the Living Wage, and seeking to approve a set of recommendations for implementing the Living Wage for employees of the Council (excluding apprentices) as from 1 January 2014.

The Chair commented that the living wage proposal would make a real difference to those staff on lower wages and it was hoped that, by setting this precedent, it would encourage local businesses over the next few years to adopt the policy of paying the living wage. The cost of increased salaries had been funded in part, by the reduction in the costs of the Senior Management Team.

A Member raised concerns regarding the affordability of the living wage for small businesses and by the Council implementing this policy it was unfair to employees who had worked hard to improve their grade and salary.

The Chair clarified that the implementation of the living wage would benefit 64 Exeter City Council employees whose current hourly rate was below this figure.

Whilst the majority of Members supported the proposal for a living wage for all council employees and recognised that the living wage was a boost for the local economy, one Member had concerns regarding the implementation of this proposal.

Scrutiny Committee – Resources considered the report at the meeting on 4 December 2013 and the comments of the Members were noted.

RECOMMENDED to Council that the:-

- (1) Living Wage for employees with Council Contracts of Employment and associated casual staff (excluding apprentices) be adopted, commencing 1 January 2014;
- (2) implementation of any future increases in the Living Wage be delayed until the subsequent April, to bring any increases in line with the national wage negotiation timetable;
- (3) current and future pay scales be amended to reflect the changes invoked by the adoption of the Living Wage;
- (4) budgeted allocation be increased by £25,000 in order to meet additional salary costs;
- (5) Council's Pay Policy be amended to reflect the changes highlighted above; and
- (6) outstanding negotiations with the recognised Trade Unions be concluded.

(In accordance with Standing Order no.43, Councillor Mrs Henson requested that her abstention from voting be recorded)

121

2014/15 BUDGET STRATEGY AND MEDIUM TERM FINANCIAL PLAN

The report of the Assistant Director Finance was submitted, providing a strategic overview of the budgetary position for the 2014/15 financial year and beyond including an indication of the likely level of available resources and the known demand for resources and the proposals to ensure that a balanced budget was achieved.

The Assistant Director Finance advised that a saving of £2,419,000 had been identified for the next two years and additional savings of £3,160,000 over the following three years would need to be identified. The purchase of land of £280,000 was to be deleted from the Capital Programme and the public realm works at the Central Library of £20,000 would be deferred until 2014/15. The budget strategy for next year assumed that council tax would increase by 2% which would raise an extra £122,000.

The Chair advised that the budget for the Swimming Pool and Leisure Project had not yet been agreed as there were a number of issues regarding the building and ownership of the complex before the budget could be set.

A Member raised objections to the council tax increase of 2% for next year and could not support this proposal.

RESOLVED that the contents of the report be noted and the proposals to establish a balanced revenue budget and capital programme be approved.

(In accordance with Standing Order no.43, Councillor Mrs Henson requested that her voting against this recommendation be recorded)

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INDIVIDUAL ELECTORAL REGISTRATION

The report of the Electoral Registration Officer was submitted, setting out the time scales and resource implication relating to the forthcoming implementation of Individual Electoral Registration (IER) and also giving an update on other matters relating to Electoral Registration and Elections in the foreseeable future.

The Electoral Registration Officer advised of the background to IER, timescales and the budgetary implications. The Council would receive a Central Government grant of £65,082 for 2014/15 and, although there would be funding for 2015/16, the amount and whether any funding would be provided after 2016 was unclear. The final Ministerial decision regarding the live date for 2014, expected to be July 2014, had still to be made.

Members raised concerns regarding the low data match as a result of the data transfer test run, how IER could affect the electoral roll, turnout at elections and the need to ensure that Councillors were fully aware of the legislation. On a practical note Members requested a need to be fully trained to understand the process of registering on-line. Members supported the way forward and the proposal for an additional clerical post on a fixed term basis from 1 April 2014 to 31 March 2016.

RESOLVED that the:-

- (1) content of the report as to future pressures on the Democratic Services Elections Team be noted;
- (2) appointment of a temporary Clerical Assistant post be approved (fixed term contract to 31 March 2016), with further updates on the resource implications associated with the matters detailed in this report being presented to future meetings;
- (3) other measures being taken to ensure the Council's legal obligations are observed with regards to Electoral Registration and Election issues be noted; and
- (4) officers arrange a training session on the full implications of IER at the earliest appropriate opportunity.

**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, Schedule 12A of the Act.

SHARED ICT SERVICES

The Chair welcomed Mr Steve Hodder, Business Lead, Corporate Services and Transformation from Teignbridge District Council and Mr Mark Williams, Chief Executive, Mr Chris Powell, Corporate ICT Manager and Councillor Paul Diviani, the Leader from East Devon District Council to the meeting for this item.

The report of the Deputy Chief Executive was submitted, looking to consider the business case for the creating a shared ICT service with Teignbridge District Council, East Devon District Council and Exeter City Council.

The Deputy Chief Executive outlined the background to the project and the options that had been duly considered. The development would help to take forward the transformation agenda, as well as reducing risk and costs. It was recognised that, without the initial impetus provided by the DELT Project, of which Plymouth City Council, had been a major contributor, the Plan C case would not have progressed. Exeter City Council along with the remaining two district councils also wished to acknowledge the support and hard work provided by Plymouth City Council officers to get the project to its current stage.

The Chair commented that both Teignbridge and East Devon District Councils had supported the way forward and he welcomed this proposal whilst not under estimating the challenges faced by officers in realising this project.

Executive supported the proposal to ensure the Council had a robust ICT service while also saving costs and reducing risk.

Scrutiny Committee – Resources considered the report at its meeting on 4 December and the comments of the Members were noted.

RECOMMENDED to Council that:-

- (1) the principle of creating a shared ICT service with Exeter, Teignbridge and East Devon councils on the basis of the Plan C business case be approved;
- (2) suitable staff resources be made available for a Plan C Programme Team to enable a detailed Implementation Plan to be created;
- (3) an Implementation Plan be presented to Council in early 2014 with a view to execution of the plan later in the year;
- (4) a budget of one third share of the estimated costs for external experts in legal and financial matters be provided to the Programme Team i.e. £15,000;
- (5) the Plan C Programme be lead by Chris Powell (Corporate ICT Manager, East Devon) with the following appointees by each partner to enable governance arrangements to be developed:-

- Exeter – Mark Parkinson, Deputy Chief Executive
 - Teignbridge – Steve Hodder, Business Lead, Corporate Service and Transformation
 - East Devon – Simon Davey, Head of Finance; and
- (6) no additional resource be allocated to progress the DELT shared service model, but that the Council continue to keep a watching brief.

(The meeting commenced at 5.30 pm and closed at 7.15 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 December 2013.

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Agenda Annex

SEATING IN THE GUILDHALL

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

Cllr Morris (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
 Hannafor : Housing and Customer Access
 Pearson: Enabling Services
 Owen: Environment, Health and Wellbeing
 Sutton: City Development
 Denham: Economy and Culture

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