



## Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 29 JULY 2014**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

	Pages
1 Minutes	
To sign the minutes of the Ordinary Meeting held on 8 April 2014 and the Annual Meeting held on 3 June 2014	3 - 14
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 14 April 2014	15 – 30
4 Planning Committee - 12 May 2014	31 – 46
5 Planning Committee - 16 June 2014	47 – 58
6 Licensing Committee - 13 May 2014	59 – 62
7 Scrutiny Committee - Community - 17 June 2014	63 – 80
8 Scrutiny Committee - Economy - 26 June 2014	81 – 96
9 Scrutiny Committee - Resources - 2 July 2014	97 – 110
10 Audit and Governance Committee - 25 June 2014	111 – 116

Office of Corporate Manager Democratic & Civic Support

Civic Centre, Paris Street, Exeter, EX1 1JN

Tel: 01392 277888

Fax: 01392 265593

[www.exeter.gov.uk](http://www.exeter.gov.uk)

11 Executive - 24 June 2014

117 – 122

12 Executive - 15 July 2014

123 – 134

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

Date: Monday 21 July 2014

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 8 April 2014

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

11 **APOLOGIES**

Apologies for absence were received from Councillors Crew, Crow, Edwards, Laws, Macdonald and Tippins.

12 **MINUTES**

The minutes of the Special and Ordinary meetings of Council held on 25 February 2014 were taken as read and signed as correct.

13 **PLANNING COMMITTEE - 17 FEBRUARY 2014**

The minutes of the Planning Committee of 17 February 2014 were presented by the Chair, Councillor Bialyk and taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 17 February 2014 be received.

14 **PLANNING COMMITTEE - SPECIAL - 24 FEBRUARY 2014**

The minutes of the Special Planning Committee of 24 February 2014 were presented by the Chair, Councillor Bialyk and taken as read.

**RESOLVED** that the minutes of the Special Planning Committee held on 24 February 2014 be received.

15 **PLANNING COMMITTEE - 17 MARCH 2014**

The minutes of the Planning Committee of 17 March 2014 were presented by the Chair, Councillor Bialyk and taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 17 March 2014 be received.

16 **LICENSING COMMITTEE - SPECIAL - 26 FEBRUARY 2014**

The minutes of the Special Licensing Committee of 26 February 2014 were presented by the Chair, Councillor Dawson and taken as read.

In respect of Minute 3 (Application for the Grant of a Sex Entertainment Venue Licence – EX4 – Eden Lounge, 162-163 Fore Street) and in response to a question, the Chair of Licensing Committee advised that the Decision Notice giving details of the meeting and the decision together with conditions would be published in due course.

**RESOLVED** that the minutes of the Special Licensing Committee held on 26 February 2014 be received.

17

**LICENSING COMMITTEE - 25 MARCH 2014**

The minutes of the Licensing Committee of 25 March 2014 were presented by the Chair, Councillor Dawson and taken as read.

**RESOLVED** that the minutes of the Licensing Committee held on 25 March 2014 be received.

18

**SCRUTINY COMMITTEE - COMMUNITY - 4 MARCH 2014**

The minutes of the Scrutiny Committee - Community of 4 March 2014 were presented by the Chair, Councillor Shiel and taken as read.

In respect of Minute 11 (Questions from Members of the Council under Standing Order 20) and in response to a question, the Portfolio Holder for Housing and Customer Access stated that it was anticipated that the introduction of fixed term tenancies would help to deal with issues such as damage to properties and anti-social behaviour. Whilst the majority of tenants leave their properties in a good state of repair, the Council would be taking a firm but fair approach when it came to the recovery of costs towards repairs when a tenancy was terminated.

**RESOLVED** that the minutes of the Scrutiny Committee - Community held on 4 March 2014 be received.

19

**SCRUTINY COMMITTEE - ECONOMY 6 MARCH 2014**

The minutes of the Scrutiny Committee - Economy of 6 March 2014 were presented by the Chair, Councillor Leadbetter and taken as read.

**RESOLVED** that the minutes of the Scrutiny Committee - Economy held on 6 March 2014 be received.

20

**SCRUTINY COMMITTEE - RESOURCES - 19 MARCH 2014**

The minutes of the Scrutiny Committee - Resources of 19 March 2014 were presented by the Chair, Councillor Baldwin and taken as read.

**RESOLVED** that the minutes of the Scrutiny Committee - Resources held on 19 March 2014 be received.

21

**AUDIT AND GOVERNANCE COMMITTEE - 12 MARCH 2014**

The minutes of the Audit and Governance Committee of 12 March 2014 were presented by the Chair, Councillor Bowkett and taken as read.

**RESOLVED** that the minutes of the Audit and Governance Committee held on 12 March 2014 be received.

**EXECUTIVE - 18 MARCH 2014**

The minutes of the Executive of 18 March 2014 were presented by the Deputy Leader, Councillor Sutton and taken as read.

In respect of Minute 36 (Bowling Green Road, Topsham – Damage Flood Defences) and in response to a question, the Deputy Leader clarified that the repair works for Bowling Green were being assessed. In order to claim the costs of these works from the Government's Bellwin Scheme, the works would need to be completed by the end of May 2014.

The Council expressed their thanks to all the staff that had worked tirelessly in Topsham during the recent period of extreme weather conditions.

**RESOLVED** that the minutes of the Executive held on 18 March 2014 be received and, where appropriate, adopted.

**EXECUTIVE - 1 APRIL 2014**

The minutes of the Executive of 1 April 2014 were presented by the Deputy Leader, Councillor Sutton and taken as read.

In respect of Minute 42 (Overview of Revenue Budget) and in response to a question regarding the staff pension contributions, the Portfolio Holder for Environment, Health and Wellbeing clarified that the employers contribution rate for each employee was calculated by the pension fund administrator as it forecasts the level required to meet pension fund liabilities based upon current and past employees. The deficit on the pension fund was due to various reasons (investment performance of the pension fund, members living longer etc) and therefore employers' rates have had to increase to work towards closing the gap.

In respect of Minute 45 (Member's IT Provision), a Member wished his concerns regarding realising the proposed efficiency savings be noted.

In respect of Minute 50 (Bus and Coach Station Site) and in response to a question, the Deputy Leader assured Members that progress was being made with this project.

**RESOLVED** that the minutes of the Executive held on 1 April 2014 be received and, where appropriate, adopted.

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

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

That the Council:-

- recognises the importance of its twinning relationship with Yaroslavl, Russia. The City Council recognises that this relationship is long-term and that it has been at its best when jointly we have put our people first, introducing them to new experiences and new friends. Our twinning relationship has helped us to meet, mix and get along, to share our ideas, our hopes and our fears and we have given each other support.

- It is in this spirit that Exeter City Council raises concern over the treatment of Lesbian Gay Bi-sexual and Transgender (LGBT) people in Russia. In 2013, The Russian LGBT Network, an umbrella LGBT group based in St. Petersburg, conducted an anonymous survey on discrimination against LGBT populations, more than 50% of the 2,007 respondents had experienced psychological abuse, and 15% had experienced physical violence.
- The recent proposals and adoption of anti-LGBT laws in Russia, which include banning representing “traditional” and “non-traditional” relationships as equally acceptable, making it illegal to say anything positive about being gay publicly, or to tell a child that there is nothing wrong with being gay or being raised by gay parents, has coincided with evidence of the spread of homophobic violence in the country.

Exeter City Council recognises that putting people first in our twinning relationships means putting all people first, whatever their sexual orientations.

Exeter City Council resolved to:-

- (1) To write to the Foreign Secretary and Russian Ambassador to the United Kingdom, expressing this Council’s disquiet at the continuing Civil Rights issues occurring in Russia, including the systematic discrimination towards the LGBT community; and
- (2) That it considers the above matter to be in direct contravention of the Twinning Agreement between the Cities of Exeter and Yaroslavl, dated 17 October 1989, and as such requests officers to:

Write to the City Administration in Yaroslavl offering its support to the LGBT community in Yaroslavl in particular and in Russia as a whole; and  
Make representations to this effect to the official delegation from Yaroslavl during their forthcoming civic visit to the City in July 2014.

In presenting the Notice of Motion, Councillor Mitchell stated that over the past 25 years the City Council had valued its twinning agreement with Yaroslavl and the friendship between the two cities. But like any friendship differences should be aired and open. The twinning agreement states that the “Cities are united in the desire to develop as far as is possible links between people in the USSR and Great Britain in a spirit of peaceful co-operation and mutual understanding of all peoples”. With the recent proposals and adoption of anti-LGBT laws in Russia which limits the rights of the LGBT community, he felt that this was not in spirit of the Twinning Charter.

The LGBT community and their supporters were subject to fines and even imprisonment and LGBT tourists were sometimes deported. The recent proposals include banning representing “traditional” and “non-traditional” relationships as equally acceptable and making it illegal to say anything positive about being gay publicly. Furthermore, LGBT community are not permitted to raise children and there has been evidence of the spread of homophobic violence in the country. The Mayor of Yaroslavl who supported human rights has been detained and is awaiting trial.

The City Council, whilst valuing the 25 year friendship between the two cities, recognises that putting people first in our twinning relationships means putting all people first, whatever their sexual orientations.

Councillor Pearson, in seconding the motion, thanked Councillor Mitchell for bringing this matter to the Council's attention. He stated that the Twinning Agreement includes the words "mutual understanding of all people" and asserted that all people are different and that no one should be discriminated against. He stated that the motion was not a criticism of the Yaroslavl City Administration or its residents but the Council expressing its disquiet at the continuing Civil Rights issues and the systematic discrimination towards the LGBT community occurring in Russia.

Councillor Winterbottom, seconded by Councillor Mrs Henson moved an amendment to part two of the Motion to read:

"Informal discussions take place with the Exeter/Yaroslavl Twinning Association, expressing the concerns of the Council over civil rights issues occurring in Russia, including the systematic discrimination towards the LGBT community, and urges them to raise these concerns with their counterparts in Yaroslavl".

The amendment proposed by Councillor Winterbottom was put to the vote and lost.

In supporting the motion, Councillors, whilst recognising the importance of the friendship and twinning agreement with Yaroslavl, supported upholding the rights of the LGBT community. People should not be victimised and subject to verbal and physical abuse because of their sexual orientations and in the twenty first century people should be free to choose whom they love.

Councillor Mitchell, in response, stated that this resolution sent a message that this Council does not tolerate the victimisation of the LGBT community and its supporters.

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

Voting for:

Councillors Baldwin, Bialyk, Bowkett, Branston, Brock, Bull, Choules, Clark, Dawson, Denham, The Deputy Lord Mayor, Councillor Fullam, Henson D, Mrs Henson, Leadbetter, The Right Worshipful the Lord Mayor, Councillor Martin, Mitchell, Morris, Mottram, Newby, Owen, Payne, Pearson, Prowse, Robson, Ruffle, Sheldon, Shiel, Spackman, Sutton and Wardle.

(32 Members)

Abstain:

Councillor Winterbottom

(1 Member)

The Notice of Motion was carried.

(The meeting commenced at 6.00 pm and closed at 7.00 pm)

Chair





## ANNUAL COUNCIL

Tuesday 3 June 2014

### Present:-

The Right Worshipful the Mayor (Councillor Prowse)  
The Deputy Lord Mayor (Councillor Newby)  
Councillors Baldwin, Bialyk, Bowkett, Branston, Brimble, Brock, Bull, Choules, Clark, Crew, Dawson, Denham, Donovan, Edwards, Fullam, George, Hannaford, D J Henson, Holland, Laws, Leadbetter, Lyons, Mitchell, Morris, Mottram, Pearson, Raybould, Robson, Sheldon, Shiel, Spackman, Sutton, Wardle, Williams and Winterbottom

### Apologies

Councillors Foggin, Owen and Tippins

### 1 COUNCILLOR EDWARDS

The Lord Mayor welcomed Councillor Edwards back after his recent illness.

### 2 ELECTION OF THE LORD MAYOR

**RESOLVED** on the nomination of Councillor Leadbetter, seconded by Councillor Robson, that Councillor Graham John Prowse be elected Lord Mayor of the City for the ensuing Municipal Year.

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

### 3 APPOINTMENT OF THE DEPUTY LORD MAYOR.

**RESOLVED** on the nomination of Councillor Sutton, seconded by Councillor Donovan, that Councillor Newby be appointed Deputy Lord Mayor of the City for the ensuing Municipal Year.

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

### 4 VOTE OF THANKS

**RESOLVED** that the Council record its appreciation for the able and courteous manner in which Councillor Rachel Lyons and Mrs Saxon Spence have discharged the duties of Lord Mayor and Lord Mayor's Consort during the past year.

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

The retiring Lord Mayor returned thanks.

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

The retiring Deputy Lord Mayor returned thanks.

5                    **ELECTION OF THE LEADER OF THE COUNCIL AND CONFIRMATION OF THE DEPUTY LEADER OF THE COUNCIL.**

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

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

6                    **MRS YOLONDA HENSON**

Councillors Edwards and Leadbetter thanked former Councillor Mrs Henson for her long and dedicated service to the Council and the City, having served as a Councillor for 32 years.

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

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

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

<b>Councillor</b>	<b>Portfolio or Group</b>
Edwards P.W	Leader, Budget and Strategic Vision
Pearson O.	Enabling Services
Hannaford, R.M.	Housing and Customer Access
Owen K.	Environment, Health and Wellbeing
Sutton R.H.	City Development
Denham R.C.	Economy and Culture
Leadbetter, A.R.	Conservative
Fullam, A.A.	Liberal Democrat

8                    **APPOINTMENT OF COMMITTEES**

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

(The meeting commenced at 7.00 pm and closed at 8.15 pm)

Chair

**EXETER CITY COUNCIL**

**EXECUTIVE,  
SCRUTINY AND OTHER COMMITTEES ETC. 2014/15**

**EXECUTIVE (8)**

Edwards, P.W. (Leader)	Leadbetter, A.R.
Denham, R.C.	Owen, K.
Fullam, A.A.	Pearson, O.
Hannaford, R.M.	Sutton, R.H.

**PORTFOLIO HOLDERS**

Edwards, P.W.	Leader, Budget and Strategic Vision
Pearson, O.	Enabling Services
Hannaford, R.M.	Housing and Customer Access
Owen, K.	Environment, Health and Wellbeing
Sutton, R.H.	City Development
Denham, R.C.	Economy and Culture

**SCRUTINY - RESOURCES (13)**

Baldwin, M.A. (Chair)	Morris, H.
Mottram, L.W. (Deputy Chair)	Robson, L.S.
Bialyk, P.	Sheldon, G.N.
Brock, Mrs S.R.	Spackman, R.D.
Bull, P.D.	Tippins, G.M.
George, S.	Winterbottom, J.W.
Lyons, R.C.	

**SCRUTINY - COMMUNITY (13)**

Shiel, N. (Chair)	George, S.
Newby, R.C. (Deputy Chair)	Holland, P.G.
Branston, R.A.	Mitchell, K.J.
Bull, P.D.	Morris, H.
Brimble, S.A.	Raybould, C.E.
Clark, M.R.	Robson, L.S.
Foggin, O.	

**SCRUTINY - ECONOMY (13)**

Henson, D.J. (Chair)	Foggin, O.
Brock, Mrs S.R. (Deputy Chair)	Holland, P.G.
Brimble, S.A.	Lyons, R.C.
Branston, R.A.	Robson, L.S.
Bull, P. D.	Wardle, A.J.
Crew, R.B.	Williams, M.
Donovan, J.J.	

**SCRUTINY REVIEW WORKING GROUP (8)**

Edwards, P.W. (Chair)  
Baldwin, M.A.  
Bull, P.D.  
Branston, R.A.

Lyons, R.C.  
Morris, H.  
Shiel, N.  
Vacancy

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

Bialyk, P.M. (Chair)  
Spackman, R.D. (Deputy Chair)  
Choules, M.  
Denham, R.C.  
Edwards, P.W.  
Lyons, R.  
Mitchell, K.J

Mottram, L.W.  
Newby, R.C.  
Raybould, C.E.  
Sutton, R.H.  
Williams, M.  
Winterbottom, J.W.

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

Spackman, R.D. (Chair)  
Edwards, P.W.  
Mitchell, K.J.  
Newby, R.C.

Sutton, R.H.  
Winterbottom, J.W.  
Chair of Planning Committee

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

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

Leadbetter, A.R.  
Sutton, R.H.

### **EXETER BOARD (13)**

(5 City Councillors)

Baldwin, M.A.  
Branston, R.A.  
Lib Dem - No nomination

Robson, L.S.  
Sutton, R.H.

(9 County Councillors)

Foggin, O.M.  
Hannaford, R.M.  
Hannan, A.  
Hill, R.J.  
Leadbetter, A.R.

Morse, E.  
Owen, J.  
Prowse, G.J.  
Westlake, R.A.

### **LICENSING COMMITTEE (14)**

Dawson, C. (Chair)  
Laws, S. (Deputy Chair)  
Brimble, S.A.  
Choules, M.  
Clark, M.R.  
Crew, R.B.  
George, S.

Fullam, A.A.  
Henson, D.J.  
Holland, P.G.  
Newby, R.C.  
Pearson, O.  
Shiel, N.  
Tippins, G.M.

### **Licensing Sub-Committees (3)**

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

### **AUDIT AND GOVERNANCE COMMITTEE (11)**

Sheldon, G.N. (Chair)  
Baldwin, M.A. (Deputy)  
Bowkett, S.J.  
Brock, Mrs S.R.  
Donovan, J.J.  
Henson, D.J.

Laws, S.  
Lyons, R.C.  
Morris, H.  
Raybould, C.E.  
Williams, M.

### **INDEPENDENT PERSONS**

Mr M Fowkes and Mr W Page appointed as Independent Persons to assist the Council in promoting and maintaining high standards of conduct amongst its Elected Members.

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

(4 City Councillors)

Crew, R.B.  
Vacancy

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

(9 County Councillors)

Foggin, O.M.  
Hannaford, R.M.  
Hannan, A.  
Hill, R.J.  
Leadbetter, A.R.

Morse, E.  
Owen, J.  
Prowse, G.J.  
Westlake, R.A.

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## PLANNING COMMITTEE

Monday 14 April 2014

### Present:

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

### Also Present:

Assistant Director City Development, Area Planner (MH) and Democratic Services Officer (Committees) (HB)

47

### MINUTES

The minutes of the meetings held on 17 and 24 February and 17 March 2014 were taken as read and signed by the Chair as correct.

48

### DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

49

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

The Assistant Director City Development reported that on 24 February 2014, this Committee had resolved to defer consideration of the application for the erection of specialist golf course netting (20 and 30 metres high) to enable further discussions between the applicant and adjacent landowners on a more appropriate solution, with verbal updates to be given to future meetings of this Committee.

These discussions had been delayed as Will Gannon, the Chairman of the Golf Club, who was representing the Club had been on holiday. The Club had now commenced discussions with Persimmon and, if insufficient progress was being made, a mediation process would then be proposed with a jointly agreed mediator.

50

### PLANNING APPLICATION NO. 13/4984/01 - LAND KNOWN AS MONKERTON FARM ON WESTERN AND EASTERN SIDES OF CUMBERLAND WAY

The Assistant Director City Development presented the application for outline planning permission for residential development scheme including new access to Cumberland Way and internal roads to accommodate two way public transport link between Cumberland Way and Harts Lane, and associated infrastructure (All matters reserved for future consideration apart from access).

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

The Assistant Director City Development reported that Members of the Committee had visited the site and that the applicant had advised of a correction to the site area west of Cumberland Way from 8.05 hectares to 7.56 hectares. He referred to

the requirement for the provision of 10% open space in association with the development and that it was the intention for the majority of this to be secured as part of the proposed Monkerton Ridge Park.

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

- the report conflicts with the Traffic Order to close Pinn Lane south of the Tithebarn Lane Link Road and with material previously reported to this Committee;
- error on paragraph 4.2.2. of the applicant's transport assessment;
- construction site traffic has been a significant problem to Pinhoe residents particularly at Station Road and Pinn Lane and this will increase with forthcoming developments. There are a number of facilities such as a doctor's surgery, a dentist and an outreach centre for adults and increased traffic will increase the danger to pedestrians;
- Pinhoe is subject to a large number of separate developments and no individual development should be considered in complete isolation; and
- the development conflicts with the Monkerton Masterplan.

Members were concerned that the County Council were seeking a share of CIL funding to provide sufficient education facilities to serve the new development. They felt that, given the demand on CIL monies for other elements, the Council should not make any commitment in respect of education provision' particularly as CIL was a new process and firm commitments cannot be made early in the planning process and before the full amount of CIL contributions were confirmed.

The Assistant Director provided the following responses to the issues raised:-

- with regard to construction traffic through Pinhoe a condition would be included so that no development would take place until a Construction environment management plan had been provided and agreed by the local planning authority to include details of access arrangements;
- the extract from the WSP Transport Assessment is likely to be a drafting error. The access off Tithebarn Link would serve Monkerton Farm east of Cumberland Way and run through to Pinn Lane, however, the intention is that it crosses Pinn Lane to serve the Sandrock Nursery site. There will be a further traffic regulation order to stop access to Pinn Lane to the south and it would not serve the Gypsy Hill Hotel;
- the applicant was proposing to meet the minimum requirement for open space, however, more was appropriate. The County Council was seeking to argue that it would provide more open space east of Cumberland Way, however, that was land liable to flooding;
- it will be for the Council to decide the use of CIL contributions to infrastructure provision;
- improvements to the Tithebarn Lane motorway bridge would be a potential use of CIL; and
- provision of a doctor's surgery space is usually through the market, thus paying commercial rents.

**RESOLVED** that:-

- (1) subject to prior consultation with the Chair of the Planning Committee, the Assistant Director City Development be granted delegated authority, to **APPROVE** the application for outline planning permission for residential development scheme including new access to Cumberland Way and internal roads to accommodate two way public transport link between Cumberland Way and Harts Lane, and associated infrastructure (All matters reserved for



future consideration apart from access) subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 in respect of the following:-

- affordable housing;
- provision of an appropriate amount of public open space to be agreed, together with arrangements for its ongoing management and maintenance;
- a contribution to support the additional costs of providing bus services;
- a contribution towards implementation of a travel plan and its measures;
- a contribution to the cost of relevant Traffic Regulation Orders; and
- sustainability measures including district heating.

and subject also to the following conditions (which may be varied or supplemented as appropriate)

- 1) C01 - Standard Outline
- 2) C04 - Outline - Exclude Details
- 3) Time Limit – Approval of Reserved Matters
- 4) Time Limit - Outline
- 5) Compliance with Drawings
- 6) Submission of Materials
- 7) Unless otherwise agreed in writing by the Local Planning Authority, as part of the first application for approval of reserved matters, a phasing plan shall be submitted to, and be approved in writing by, the Local Planning Authority. The phasing plan shall include details of the anticipated timing for the delivery of the areas of public open space/green infrastructure as well as the construction programme for the housing and other built elements of the development. The development shall take place in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
**Reason:** To ensure that the development proceeds in accordance with an agreed programme of delivery, that areas closest to existing transport services are developed first, and that within individual phases the open space associated with the development is co-ordinated with the construction of the houses which it will serve.
- 8) Prior to the submission of any reserved matters application(s) for an agreed phase or phases of the development, a framework plan and statement on the appearance palette for the agreed phase or phases of the development shall be submitted to and approved in writing by the LPA. The framework plan(s) (1:1000) shall show the indicative location of buildings and their type, public and private open spaces and parking typologies. The appearance palette shall be provided in the form of a statement providing information and guidance on building design and character, constructional materials and detailing, surface materials and their finishes, street furniture and street tree species. Unless otherwise agreed in writing, the reserved matters application or applications shall adhere to the approved framework plan(s) and accompanying appearance palette relevant to that part of the site.

**Reason:** In order to ensure compliance with the approved drawings and associated details

- 9) C34 – Landscape Scheme - Outline
- 10) C36 – No trees to be felled
- 11) C37 – Replacement Planting
- 12) C38 – Trees – Temporary Fencing
- 13) C57 – Archaeological Recording
- 14) Unless otherwise agreed in writing, the buildings comprised in the development hereby approved shall be constructed so that their internal systems for heating (space and water) are capable of being connected to the proposed decentralised energy network.  
**Reason:** In the interests of sustainable development.
- 15) 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
- 16) 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, emissions of noise and dust and the phasing and timing of work. 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.
- 17) The applicant shall undertake a noise impact assessment for this application, which shall be submitted and approved in writing prior to commencement of the development. This report shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment. If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity. These measures shall be agreed in writing by the LPA and shall be implemented prior to and throughout the occupation of the development.  
**Reason:** In the interests of local amenity.
- 18) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and,

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

**Reason:** No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

- 19) The occupation of any part of the development authorised by this permission shall not be allowed, unless otherwise agreed in writing by the local planning authority (in consultation with the Secretary of State for Transport) until either:-

(a) Devon County Council (in consultation with the Secretary of State for Transport) has approved in writing a full scheme of works for improvements to Moor Lane Roundabout; and,

(b) The approved works at Moor Lane Roundabout have been completed and are open to traffic in accordance with the local highway authority's written approval (in consultation with the Secretary of State for Transport) and have been certified in writing as complete on behalf of the local planning authority, in this case Exeter City Council.

OR

The Phase 3 or 'Tithebarn' Link Road has been completed in full between Cumberland Way, Tithebarn lane motorway bridge and the former A30 and open to traffic in accordance with the local Highway Authority's written approval (in consultation with the Secretary of State for Transport), and have been certified in writing as complete on behalf of the local planning authorities, in this case Exeter City Council and East Devon District Council.

**Reason:** To ensure that the capacity of Moor Lane Roundabout is enhanced to prevent the risk of queuing on the westbound A30 Honiton Road approach extending into and impacting upon the operation of M5 Junction 29. The applicants own analyses show that congestion on this approach would be exacerbated and further affect the Strategic Road Network if occupation of the development was to come forward before proposed Devon County Council improvements to Moor Lane Roundabout are in place, and full completion of the Phase 3 Link Road is not complete. The Agency do not require the full completion of the Phase 3 Link Road as a pre-requisite to occupation of the development, as the expected prior completion of the Moor Lane Roundabout improvements is demonstrated to give a sufficient safeguard against any detrimental impact affecting the Strategic Road Network

- 20) No development shall proceed on site until such time as a detailed sewerage evaluation has been carried out and funding provided for improvements identified as necessary. No building shall be occupied, and no connection to the public sewerage system take place, until all improvements to the public sewerage network, rendered necessary by the development, have been completed to the Local Planning Authority's satisfaction.

**Reason:** To ensure that the sewerage infrastructure is adequate to accommodate the proposed development.

- 21) Unless otherwise agreed by the planning authority, development on the Cumberland Way South land shall be limited to the occupation of 125 dwellings until such time that a link suitable for bus services into the site is provided from Cumberland Way to Harts Lane to a specification agreed in writing with the Local Planning Authority (in consultation with the Highway Authority).  
**Reason:** To ensure the site is served by sustainable transport modes required to meet the agreed residential trip rates.
- 22) The proposed ghost island priority access onto Cumberland Way (indicated in drawing GA-002) be designed and constructed fully in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and the Local Highway Authority.  
**Reason:** To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the National Planning Policy Framework.
- 23) Development of the land west of Cumberland Way shall be limited to the occupation of 200 dwellings until a full means of vehicular access has been provided through the priority junction onto Cumberland Way to the design agreed in condition 3.  
**Reason:** To ensure a permeable layout that minimises journey lengths to and from the site
- 24) 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. The approved Statement shall be adhered to throughout the construction period.  
**Reason:** In the interests of highway safety and public amenity
- 25) Unless otherwise agreed by the planning authority, no more than 50% of the dwellings approved on the land between Hollow Lane and the link road (approved through a reserved matters application) shall be occupied until a vehicular connection to the site has been provided onto Pinn Lane to a specification agreed in writing by the Local Planning Authority (in consultation with the Highway Authority).  
**Reason:** To protect the function of Hollow Lane as a primary cycle route, in accordance with Paragraphs 35 and 41 of the National Planning Policy Framework.
- 26) 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.
- 27) The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins,

For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

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

- 28) 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 at the application site boundary agreed in writing by the Local Planning Authority.

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

- 29) 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, and a CSH Level 5 (Zero Carbon) if commenced on or after 1<sup>st</sup> January 2016, 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 maybe approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.

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

- 30) 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.

- 31) Where construction of any dwelling hereby permitted has not been commenced before 1<sup>st</sup> January 2016, the Local Planning Authority shall be notified in writing of the identity of those dwellings for which construction has commenced before 1<sup>st</sup> January 2016, within 10 working days following that date.

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

- (2) a contribution from CIL may be given to provide education facilities, subject to other infrastructure requirements.

**PLANNING APPLICATION NO. 14/0290/03 - TOPSHAM LIBRARY, NELSON  
CLOSE, TOPSHAM, EXETER**

Councillor Newby advised that he had been referred to in the press in the context of this application and that, although he would participate in the debate, he would not be voting on the matter.

The Area Planner presented the application for planning permission for the demolition of existing library, erection of a new community hub facilities building incorporating use as library, community hall and office for The Estuary League of Friends.

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

Three further representations had been received. One related to ensuring the provision of disabled access and the others objecting to the proposal. In addition, a representation had been received on 14 April from the Topsham Society advising that they were in consultation with the League in respect of revised proposals to arrive at a solution acceptable to the Society and the community at large and seeking a deferral of the application. The League had advised that this was not the case and that the Society's objections had been relayed through the normal channels and were incorporated in the planning package.

The Area Planner also reported a proposed additional condition in respect of noise to be agreed with the Environmental Health Officer.

Councillor Baldwin, having given notice under Standing Order No. 44, spoke on the item, covering three categories:-

Need

- the Government is encouraging local communities to assume ownership of social/community activities. Topsham is lucky to have the Estuary League of Friends who currently use a number of venues including the Globe Hotel, Mathews Hall, the Church Hall etc. Although these are often fully booked so there is a need for a new centre for the many activities organised by the League as well as to ensure the continuation of the library;
- the existing library is no longer fit for purpose and a new facility will act as a community hub offering, in addition to a library, a social meeting place, a training centre and base for other agencies; and
- the facility will be of particular value to the growing elderly population in Topsham.

Traffic and parking issues

- the current site is the only suitable and affordable one in Topsham. Although many of the objections relate to traffic, many of the existing users come by public transport or foot as well as using the League minibus. Staff use the Topsham Rugby Club parking area;
- events organised by the League are staggered to avoid school hours; and
- a Green Transport Plan will be drawn up to further encourage use of public transport.

Design and impact on neighbourhood

- the footprint of the new facility will be similar to that of the existing library and the height will be in keeping with that of neighbouring properties;

- the two tone option of materials/colouring will help break up the bulk of the building and provide the illusion of reducing the height;
- the League have consulted with the local community and taken on board suggestions. The original scheme was revised; and
- the facility will be of great value to the Topsham community and is needed to cope with the growing demand and to attract funding.

Responding to a Member's query, she confirmed that the review of parking in Topsham was on-going and that reports were awaited from Devon County and Exeter City Councils. The League would have full regard to the outcome of the review.

Mrs Gilpin spoke in support of the application. She raised the following points:-

- the League wished to save and enhance the library which currently only operated for 15 hours a week and was to close with the end of Devon County Council support with the building to be demolished;
- the League had existed for 27 years and current clients ranged in age from 25 to 102 including six centenarians. With longer life spans and a growing elderly population requiring increased support from the community to combat isolation, ill health, dementia etc, the League offered a valuable service which would be sustained with the provision of a new facility;
- the League used a number of properties in Topsham, employing 16 staff and 68 volunteers with some 1,320 clients and 172 home visits a year. The area covered includes The Rydons, Digby and Newport; and
- a new facility will increase the opportunity for the young and old to mix.

In answer to Members' queries, Mrs Gilpin made the following points:-

- the League is self sufficient and self funding with a turnover of £360,000 per annum but badly in need of new facilities to help support the increasing number of elderly;
- in response to concerns relating to traffic generation, the majority of clients use public transport or walk or cycle to current premises used for events and will be encouraged to do so in respect of the new centre. Staff and clients utilise the Topsham Rugby Club car park. The League also operates a minibus to collect clients for events. Discussions are to be held with the new head-teacher of the school when in post regarding use of the school's parking spaces;
- other facilities in Topsham, such as Matthews Hall and the Dorothy Holman Centre, are already well used and booked many months in advance;
- have been Chief Executive of the League for ten years during which time the number of clients have grown from 403 to 1,300, the eldest now being 102 and it is envisaged that numbers will grow further; and
- lunch events are held at the Globe Hotel with 11 people arriving by the League minibus, four by car, eight in two cars of League staff with the remainder of the 40/45 arriving on foot, bicycle or by public transport.

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

- recognise good work and value to the community of the League of Friends;
- the proposal is entirely out of scale with the character of the surrounding area and is on the doorstep of a residential area;
- main objections relate to height and mass;
- the library is only part of the development with much of the space within the building to be used for office purposes;

- the League has significant ambitions for the premises and clients are not only from Topsham but from neighbouring areas of the City such as Digby and Sowton;
- live on High Street and kitchen window is 1.5 metres below that of the existing building;
- will be overshadowed by the development; and
- the design is misleading as the drawings give the impression that the new library will be set in isolation but is, in fact, some four metres from neighbouring properties.

In response to a Member's query, he advised that the premises would cover the entire corner of Nelson Close.

With regard to the use of glazing for some of the windows to prevent overlooking into neighbouring properties, Members requested that the condition be amended to ensure that the windows would only be capable of being partially opened. Members noted that the County Council would include a covenant to ensure the continuation of a community use on the site, the land to be leased to the League from the County.

**RESOLVED** that the application for planning permission for demolition of existing library, erection of a new community hub facilities building incorporating use as library, community hall and office for The Estuary League of Friends be **APPROVED** subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 in respect of a financial contribution towards Traffic Regulation Orders and subject also to the following conditions (which may be varied or supplemented as appropriate):-

- 1) C05 - Time Limit - Commencement
- 2) C15 – Compliance with drawings
- 3) C17 - Submission of Materials
- 4) Construction work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason:** in the interest of residential amenity
- 5) C57 - Archaeological Recording.
- 6) C58E - Contact Prior to Demolition.
- 7) C35 - Landscape Scheme.
- 8) The development hereby approved shall not be brought into use until the first floor windows in the end North-east and north-west elevations have been fitted with obscure glazing. Prior to the commencement of the development details of the obscure glazing to be installed, along with confirmation of which windows within the development will be openable and the method and extent of their opening, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all the windows within the development shall be installed and maintained strictly in accordance with the approved details unless the prior written approval of the Local Planning Authority is obtained for any variation thereto.  
**Reason:** In the interests of the privacy and amenity of the occupants of the adjacent property.



- 9) Prior to the building hereby approved being brought into use details of the proposals for any proposed scheme of external lighting of the building shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented strictly in accordance with the approved details.  
**Reason:** In the interests of the character and appearance of the area and the residential amenity of the occupants of surrounding properties.
- 10) The use of the building hereby approved shall not be carried on other than between the hours set out below:-  
  
First floor accommodation - 8am to 6pm Mondays to Saturdays;  
Ground floor accommodation - 8am to 10.30pm Mondays to Saturdays  
  
The building shall not be used at all on Sundays and public or Bank Holidays without the prior written agreement of the Local planning Authority.  
**Reason:** So as not to detract from the amenities of the near-by residential property.
- 11) No part of the development hereby approved shall be brought into its intended use until the dropped kerb, access, access drive, parking facilities and turning area 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 a safe and suitable access for all users, in accordance with paragraph 32 of the NPPF.
- 12) No part of the development hereby approved shall be brought into its intended use until the 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 area available for the traffic attracted to the site.
- 13) No amplified or other music shall be played in the premises prior to 10.00am on any day that the building is in use.  
  
**Reason:** To protect the residential amenity of the occupants of surrounding properties.

In accordance with Standing Order No. 27, Councillor Newby requested that his name be recorded as having abstained from voting on the above matter.

52 **PLANNING APPLICATION NO. 14/0440/03 - GUILDHALL SHOPPING CENTRE, 196-197 HIGH STREET, EXETER**

The Assistant Director City Development presented the application for planning permission for change of use from retail and business to café at ground and first floor and residential at second and third floors, alteration to provide new High Street entrance and replacement pedestrian canopy at Waterbeer Street.

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

The Assistant Director reported that a Listed Building application was being submitted in respect of 196 High Street which remained listed, although the actual elements that should be listed – a window and a fire place - were in 23 Trickhay

Street. The applicant had been urged to bring forward a more adventurous frontage for the High Street and the current proposals with glazing and “fin” features were welcomed by Members as it was now thought that the revised proposal would provide a welcoming entrance to the shopping centre. Although English Heritage had objected Members did not consider that the proposal would be damaging to listed buildings, their setting, or the character of the conservation area. An archaeological appraisal had also been submitted.

**RESOLVED** that the application for planning permission for change of use from retail and business to café at ground and first floor and residential at second and third floors, alteration to provide new High Street entrance and replacement pedestrian canopy at Waterbeer Street be **APPROVED** subject to the following conditions (which may be varied or supplemented as appropriate)

- 1) C05 - Time Limit - Commencement
- 2) C15 – Compliance with drawings
- 3) C17 - Submission of Materials
- 4) C57 - Archaeological Recording.
- 5) Prior to occupation of the development, a scheme for external lighting of the façade and entrance shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the agreed details.  
**Reason:** In the interests of the external appearance of the building and the Central Conservation Area.
- 6) 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.

**RESOLVED** that the Assistant Director City Development be authorised to **APPROVE** any Listed Building application for the same development under delegated powers subject to no new issues being raised.

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#### **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)

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#### **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 29 April 2014 at 9.30 a.m. The Councillors attending will be Choules, Mitchell and Spackman.

**Additional Information Circulated after Agenda Dispatched - circulated as an appendix**

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

Chair

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**PLANNING COMMITTEE  
14 APRIL 2014**

**ADDITIONAL INFORMATION**

**Correspondence received and matters arising following preparation of the Agenda**

<p><b>Item 5 Pages 5-20 Ref: 13/4984/01 Land known as Monkerton Farm on western and eastern sides of Cumberland Way Exeter</b></p>	<p>The applicant has advised a correction to the site area west of Cumberland Way from 8.05ha to 7.56ha. This has no adverse consequences on assessment of the application.</p>
<p><b>Item 6 Pages 21-36 Ref: 14/0290/03 Topsham Library Nelson Close Topsham</b></p>	<p>Three further representations have been received in response to notifications that the application would be considered by the Planning Committee. These representations can be summarised as follows –</p> <p>1<sup>st</sup> representation re-iterates no objection to community hub in principle but very concerned about traffic and parking issues from a safety perspective.</p> <p>2<sup>nd</sup> representation states that writer is unable to attend Committee due to work commitments but continues to strongly object for reason previously stated. It also states that a number of other objectors are unable to attend and that this fact should not be taken as any diminishing of the strength of objections previously voiced in the eyes of the Committee.</p> <p>3<sup>rd</sup> representation relates to ensuring that the building provides for disability access.</p>
<p><b>Item 7 Pages 14/0440/03 Pages 37-42 Guildhall Shopping Centre 196-197 High Street Exeter</b></p>	<p>The applicant has now submitted a listed building application because 196 remains formally listed. An Archaeological appraisal has also been submitted which concludes any remains are localised; if groundworks exceed indicated depths an archaeologist may need to be present. This is addressed by proposed condition C57. Planning Committee may wish to delegate authority to determine the listed building application subject to new issues arising during consultation.</p>

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## PLANNING COMMITTEE

Monday 12 May 2014

### Present:

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

### Apologies:

Councillor Mitchell

### Also Present:

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

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### DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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### PLANNING APPLICATION NO. 14/0515/03 & 14/0516/07 - GUILDHALL SHOPPING CENTRE, EXETER

The City Development Manager presented the application for the refurbishment and re-development of Higher Market and Unit 23 Queen Street comprising second storey extension to unit 23 and creation of roof terrace; internal remodelling and reconfiguration of existing A1 premises including change of use to A3 and creation of additional floorspace adjoining Queen Street; public realm improvements to Market Square and St Pancras Square including the erection of two A3 kiosks and pavement cafe areas and new hard and soft landscaping and other ancillary.

Members were circulated with an update sheet - attached to minutes. It was noted that the local Marks and Spencer management were satisfied with the impact of the development on the loading dock next to the site.

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

- not opposed to the overall proposal but object to the intention of replacing the existing cloisters and open-window walls in the Queen Street frontage. The new frontage and windows will impact adversely on this beautiful building which Exeter is lucky to have. The visual impact will be similar to large scale retail shopping centres and is inappropriate for this listed building;
- the buildings of historical significance and the existing open-window features, although added in the 1970's, can also be said to be historically significant; and
- the applicant has gone too far and should re-consider as modern retail units would be inappropriate in this setting.

He responded as follows to Members queries:-

- speaking as a citizen and not on behalf of any group; and

- believe that the addition of open-window walls in the 1970's was an improvement.

The recommendation was for approval subject to the conditions as set out in the report. Members felt that disabled access provisions were inadequate and asked that a condition be added to ensure that appropriate disabled access was secured to the Queen Street frontage.

**Subject to prior consultation with the Chair of the Planning Committee, the Assistant Director City Development be granted delegated authority**

**RESOLVED** that:-

- (1) planning permission for the refurbishment and redevelopment of Higher Market and Unit 23 Queen Street comprising second storey extension to unit 23 and creation of roof terrace; internal remodelling and reconfiguration of existing A1 premises including change of use to A3 and creation of additional floorspace adjoining Queen Street; public realm improvements to Market Square and St Pancras Square including the erection of two A3 kiosks and pavement cafe areas and new hard and soft landscaping and other ancillary works be **APPROVED**, subject to the Assistant Director City Development being authorised, subject to prior consultation with the Chair of the Planning Committee, to ensure the provision of disabled access on the Queen Street frontage 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) Prior to occupation of the development, a scheme for external lighting of the facades and entrances shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the agreed details.
  - 1) **Reason:** In the interests of the external appearance of the buildings and the Central Conservation Area.
- 6) Before the use hereby permitted begins, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by, the local planning authority and the approved scheme shall be implemented. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions/ as agreed thereafter.
  - 1) **Reason:** In the interests of local amenity.
- 7) 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.



- 8) Prior to commencement of any part of the site the local planning authority shall have received and approved a Construction Management Plan (CMP) including:
- a) the timetable of the works;
  - b) daily hours of construction;
  - c) any road closure;
  - d) hours during which delivery and construction traffic will travel to and from the site;
  - e) the number, sizes and routing of large vehicles visiting the site;
  - f) the compound/location where all building materials and waste will be stored during the demolition and construction phases;
  - g) areas on-site where delivery vehicles and construction traffic will load or unload building materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway without prior written agreement;
  - h) the means of enclosure of the site during construction works;
  - i) details of wheel washing facilities and obligations; and,
  - j) photographic evidence of the condition of adjacent public highway prior to commencement of any work.

Prior to commencement it is recommended that the developer consults and 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.

- 9) No part of the development hereby approved shall be brought into its intended use until the 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.

10) C35 - Landscape Scheme

11) C36 - No Trees to be Felled

12) C37 – Replacement Planting

13) CS8 – Trees – Temporary Fencing

- (2) listed building consent for the refurbishment and redevelopment of Higher Market and Unit 23 Queen Street comprising second storey extension to unit 23 and creation of roof terrace; internal remodelling and reconfiguration of existing A1 premises including change of use to A3 and creation of additional floorspace adjoining Queen Street; public realm improvements to Market Square and St Pancras Square including the erection of two A3 kiosks and pavement cafe areas and new hard and soft landscaping and other ancillary works be **APPROVED**, subject to the following conditions:-

- 1) C08 - Time Limit – Listed Building and Conservation Area
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials

58      **APPLICATION NO. 14/0564/03 - LORD MAMHEAD HOMES, MATFORD ROAD, EXETER**

The Chair advised that the application had been withdrawn.

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

**RESOLVED** that the position be noted.

59      **PLANNING APPLICATION NOS. 14/0722/03 & 14/0723/07 - 3 ST. LEONARD'S PLACE, EXETER**

The Assistant City Development Manager presented the application for a detached garden room.

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

Mr Kent spoke against the applications. He raised the following points:-

- do not object to a garden room but not one of this size. It is a massive detached building, ostensibly to be used for storage purposes. Usually summer houses are between 8ft by 8ft or 10ft by 10 ft, this garden room will be 40 ft by 15ft or 600 square feet in size;
- it is an inappropriate usage and unnecessary given the large house and garage extension of some 5,300 square feet with the large double garage added in 2013;
- although its use will allegedly be for a garden room, the proposal to add a patio and to include glazing suggests that it will also be used for other purposes. The large double garage should be used for storage;
- impact on conservation, wild life area and listed buildings;
- opening of “flood gates” to destruction of St Leonards Conservation Area. Understand that there are two similar planning applications pending;
- loss of residential amenity e.g. loss of privacy, overlooking. The building will have a view of the dining area;
- brickwork proposed is inappropriate and the Conservation Officer concurs with this view;
- possible use could be by teenagers which could be noisy;
- if granted, should be of a sensible proportion; and
- the proposal contravenes Local Plan policies.

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

**RESOLVED** that:-

- (1) planning permission for a detached garden room be **APPROVED** subject to the following conditions:-
  - 1) C05 - Time Limit - Commencement

- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 19 March 2014 (*dwg. no's. 1410-100 & 101*) and the brick sample received on 4 April 2014 (*Furness Brick Company, Old Victorian Pressed*) as modified by other conditions of this consent.

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

- 3) 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:** For the reasons of public amenity.

- (2) Listed Building Consent for a detached garden room be APPROVED subject to the following conditions:-

- 1) CO8 – Time Limit – Listed Building and Conservation area.

- 2) the development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 19 March 2014 (*dwg. no's. 1410-100 & 101*) and the brick sample received on 4 April 2014 (*Furness Brick Company, Old Victorian Pressed*) as modified by other conditions of this consent.

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

- 3) Construction/demolition work shall 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:** For reasons of public amenity.

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**PLANNING APPLICATION NO. 14/0832/03 - LAND TO NORTH, WEST SOUTH OF MET OFFICE OFF HILL BARTON ROAD, EXETER**

The Assistant City Development Manager presented the application for the variation of condition 25 relating to timing of provision of a vehicular link between the site and Oberon Road (Ref. No. 12/0472/01 granted 29-11-2013).

The application related to an outline approval by the Council of planning permission for a mixed use scheme of up to 750 dwellings, a local centre, public open space, demolition of buildings, landscaping, highway access to Hill Barton Road and associated infrastructure works, granted in November 2013.

As the result of a drafting error, condition 25 of the permission that was issued did not accord with the wording shown on the Planning Committee minute for the item. The applicant had applied to vary the wording of condition 25 so that it would be the same as that intended by the Planning Committee.

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

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

- inadequate level of assessment of the impact of development of the Consortium land on the Fitzroy Road junction with Honiton Road and the internal junctions of the site under the scenario where the Oberon Road link to the Consortium land has not been delivered;

- it concludes that there has been insufficient assessment of the highway impact on the Consortium development, and that the recommended condition will not deliver the development or the road network envisaged by the master plan for the area;
- the owners and developers do not own the land required to deliver Oberon road. It is not lawful for the County Council and City Council to state that they are confident that Oberon Road will be delivered;
- under these circumstances, the Honiton Road development will not secure occupiers interest at sufficient rental income to achieve a viable site. Then the Fitzroy Road link to the Consortium land will also not be delivered;
- the Masterplan access strategy for the area then fails and the Consortium and David Wilson land housing a minimum of 633 properties will have unpredicted impacts on critical points in the network;
- the conditions applied to the Consortium land consent do not achieve the Masterplan aspirations or protect the deliverability of the employment site at Honiton road;
- it is in the interests of delivery of the Masterplan that the Oberon Road connection is not allowed to compromise the Honiton Road site and that it is secured for delivery in advance of the Fitzroy Road connection which is in line with the proposal for the Section 37 application; and
- the technical note and formal assessment of Fitzroy Road will be used in any appeal if the current proposals for a Section 37 application cannot be supported.

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

- the planning application has already been approved by the Committee in 2013 with the recommendation of Devon County Council supported and included in the conditions. Although the conditions in the draft decision notice reflected this the final decision notice did not. The Section 73 notice was therefore submitted to rectify the position and discharge the highway condition;
- if the Committee is not minded to approve, rather than defer the application, it should be refused; and
- not aware of any concerns expressed by the Met Office.

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

**RESOLVED** that, subject to a variation to the existing Section 106 Agreement under the Town and Country Planning Act 1990 relating to permission 12/0472/01 so that it is linked to the new consent and removes the ability to implement the earlier consent, planning permission for a variation of condition 25 relating to timing of provision of a vehicular link between the site and Oberon Road (Ref. No. 12/0472/01 granted 29-11-2013) be **APPROVED**, subject to the following conditions:-

- 1) C01 - Standard Outline
- 2) Unless otherwise agreed in writing by the Local Planning Authority, the first application for approval of reserved matters shall made before the expiration of two years from the date of this permission, and the development hereby permitted shall begin before the expiration of two years from the date of the first reserved matters approval.

**Reason:** To ensure compliance with section 91 - 92 of the Town and Country Planning Act 1990.

- 3) C04 - Outline - Exclude Details
- 4) The outline planning permission hereby approves the following plans together with the design principles and parameters established in the approved Design and Access Statement and Design and Access Statement supplement:  
Revised illustrative masterplan as shown on Figure No. 5.3 (submitted via email on 18 December 2012).  
Parameters plan as shown on Figure No. 5. Rev B (submitted via email on 18 December 2012).  
Signal controlled access onto Hill Barton Road as shown on Indicative Junction Arrangement Appendix D3 Rev G (submitted via email on 31 January 2013).  
Prior to the submission of any reserved matters application(s) for an agreed phase or phases of the development, a framework plan and statement on the appearance palette for the agreed phase or phases of the development shall be submitted to and approved in writing by the LPA. The framework plan(s) (1:1000) shall follow the principles established in the indicative masterplan and it shall be in accordance with the approved parameter plans. The framework plan(s) shall show the indicative location of buildings and their type, public and private open spaces and parking typologies, together with how the design principles in the approved Design and Access Statement and Design and Access Statement supplement will be applied at the more detailed level. The appearance palette shall be provided in the form of a statement providing information and guidance on building design and character, constructional materials and detailing, surface materials and their finishes, street furniture and street tree species.  
Unless otherwise agreed in writing, the reserved matters application or applications shall adhere to the approved framework plan(s) and accompanying appearance palette relevant to that part of the site.  
**Reason:** In order to ensure compliance with the approved drawings and associated details
- 5) As part of the first application for approval of reserved matters, a detailed phasing plan shall be submitted to, and be approved in writing by, the Local Planning Authority. The phasing plan shall specify the proposed timing for the delivery of the areas of public open space/green infrastructure as well as the construction programme for the housing, railway station access, and other built elements of the development.  
**Reason:** To ensure that the development proceeds in accordance with an agreed programme of delivery, that areas closest to existing transport services are developed first, and that within individual phases the open space associated with the development is co-ordinated with the construction of the houses which it will serve.
- 6) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and any agreed phase of the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.  
**Reason:** To ensure that the materials conform with the visual amenity requirements of the area.

- 7) A detailed scheme for landscaping, including the planting of trees and/or shrubs and hard landscaping including boundary screen walls and fences shall be submitted to the Local Planning Authority as part of the submission of each phase of the reserved matters; such scheme shall specify types and species, and any earthworks required, together with a programme of planting and the timing of implementation of the scheme.  
**Reason:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 8) C37 - Replacement Planting
- 9) C38 - Trees – Temporary Fencing
- 10) C57 - Archaeological Recording
- 11) Unless otherwise agreed in writing by the Local Planning Authority, the dwellings in any phase agreed in accordance with condition 5 of this consent shall achieve a Code Level 4 (including a 44% CO2 emissions rate reduction from Part L 2006) as a minimum, and a Code Level 5 if commenced on or after 1<sup>st</sup> January 2016, in accordance with the requirements of the Code for Sustainable Homes 2006 and the Code for Sustainable Homes Technical Guide November 2010 and Exeter Core Strategy Policy CP15 (or any alternative standard that is agreed and approved in writing by the Local Planning Authority). Unless otherwise agreed in writing by the Local Planning Authority, no dwelling in that particular phase shall be occupied until an application for certification has been made confirming 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 evidence of the certification to demonstrate that a Final Code Level of 4 or 5 has been achieved as required above.  
**Reason:** In the interests of sustainable development.
- 12) The Local Planning Authority shall be notified in writing of the identity of all dwellings for which construction has commenced before 1<sup>st</sup> January 2016, within 10 working days following that date.  
**Reason:** In the interests of monitoring compliance with sustainable development requirements.
- 13) Any individual building contained within the District Centre, other than a dwelling, hereby approved shall achieve a BREEAM 'excellent' standard (or such equivalent standard that is approved in writing by the Local Planning Authority) as a minimum, and shall achieve 'zero carbon' if commenced on or after 1<sup>st</sup> January 2019. Prior to commencement of such a building 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.

- 14) The Local Planning Authority shall be notified in writing of the identity of all buildings (other than dwellings) for which construction has commenced before 1<sup>st</sup> January 2019, within 10 working days following that date.  
**Reason:** In the interests of sustainable development.
- 15) 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.
- 16) 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, emissions of noise and dust and the phasing and timing of work. 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.
- 17) No development shall take place on any individual phase of the site identified pursuant to condition 5 until a full investigation of the site 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. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.  
**Reason:** To ensure that the site is safe for residential occupancy.
- 18) Prior to commencement of each phase of the development the applicant shall review the ambient noise environment on the site and propose a scheme of noise mitigation measures based on this review, to ensure that the residential properties are protected from noise. This shall be submitted to and approved in writing by the LPA prior to commencement of the development. All works that form part of the scheme shall be completed before any of the permitted development is occupied. The applicant should aim to achieve at least the 'Reasonable' standards for internal noise level specified in BS8233:1999 Sound Insulation and Noise Reduction for Buildings – Code of Practice.  
**Reason:** In the interests of local amenity. This condition will be applied flexibly depending on the location of the proposed dwellings within the site and their proximity to the railway and to commercial land uses.
- 19) No deliveries shall be taken at or dispatched from commercial units in the local centre 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.
- 20) No individual Class A unit size shall exceed 750m<sup>2</sup> in floorspace.

**Reason:** In the interests of minimising vehicle journeys to and from the site and to protect the vitality and viability of existing retail centres.

- 21) No development shall take place on site until an evaluation has been undertaken of the foul drainage provision available and the results, together with a scheme for any improvement works, has been agreed in writing by the Local Planning Authority. The scheme shall include full details of the proposed improvement works, a timescale for implementation and adoption of these works, and arrangements for maintenance of the system prior to adoption. No buildings shall be occupied unless and until the approved improvement works have been implemented in accordance with the agreed scheme.

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

- 22) No more than 250 dwellings shall be built until such time as improvements to Moor Lane Junction, as shown on drawing B2300117/MOORLN/101A, or an alternative scheme agreed in writing with the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport), has been completed in accordance with the Local Planning Authority's approval and is open for public use.

**Reason:** To ensure that the strategic highway network can accommodate the additional traffic generated by the development.

- 23) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be limited to the occupation of a maximum of 500 dwellings to be served from the proposed signal controlled junction onto Hill Barton Road and any further occupation beyond 500 dwellings shall require the provision of a further and alternative means of full vehicular access at a location to be agreed in writing with the Local Planning Authority (in consultation with the Highway Authority).

**Reason:** To limit the total number of vehicle trips through the Hill Barton Junction in order to prevent congestion on Hill Barton Road and encourage both alternative vehicular access, trip distribution and permeability within the development.

- 24) A comprehensive Travel Plan will be developed for all elements of the development hereby permitted. The acceptability of the Travel Plan will need to be agreed in writing by the Local Planning Authority and Local Highway Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport) in advance of occupation of the development.

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

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



A review of the targets shall be undertaken within 3 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 other than the private car and consequently reduces dependence on private car travel.

- 25) Unless otherwise agreed in writing by the relevant planning authority (in consultation with the local highway authority) no further development shall take place beyond the first occupation of the 600th dwelling or 5 years from the first occupation of the 500th dwelling, whichever is earlier, until:
- k) the local planning authority has approved in writing a scheme of works to provide a new transport link from Oberon Road into the development, including details of access for Ellen Tinkham School; and,
  - l) the approved works have been completed in accordance with the local planning authority's approval (in consultation with the highway authority) and  
are open for public use.

**Reason:** To ensure the proper planning of the area.

- 26) The proposed estate roads, footways, footpaths, junctions, verges, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, cycle routes, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

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

- 27) Unless otherwise agreed in writing by the Local Planning Authority, prior to the occupation of any dwelling within each phase of the development that adjoins the David Wilson Homes development to the west of the site, vehicular access to an adoptable standard shall be provided to the site boundary so that it is capable of linking to the approved highway network within the David Wilson Homes development.

**Reason:** To assist with provision of a choice of routes for all development traffic in the south west part of the Hill Barton and Monkerton Masterplan Framework area.

- 28) Unless otherwise agreed in writing with the Local Planning Authority, for each application for approval of reserved matters, a detailed scheme for the pedestrian and cycle network shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
- (a) the access points identified on drawing number PERA2010 3301 received by the Local Planning Authority on 27 November 2013;
  - (b) details of routes, road crossings, bridges, surface treatments, lighting, street furniture and signage;
  - (c) a programme for implementation synchronised with the progressive occupation of the development; and
  - (d) such temporary measures as are necessary (such as ramps where routes cross unfinished roads) to ensure the routes are fully usable during the construction period.

The approved scheme shall be adhered to at all times, including (where applicable) any amendments subsequently agreed in writing by the Local Planning Authority. The routes provided in accordance with this condition shall be maintained at all times thereafter, including keeping them free from vegetation, unless and until they become maintainable at public expense.

**Reason:** To ensure that the pedestrian and cycle routes are provided, to encourage travel by sustainable means in accordance with policy T3.

- 29) Unless otherwise agreed in writing with the Local Planning Authority, for each application for approval of reserved matters, a scheme for on-site bus routes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

(a) details of routes and stops (including shelters, seats, and static and electronic signage);

(b) a programme for implementation synchronised with the progressive occupation of the development, road adoption programme, and/or applicable funding;

(c) any temporary arrangements during the construction period.

The approved scheme shall be adhered to at all times, including (where applicable) any amendments subsequently agreed in writing by the Local Planning Authority. The facilities provided in accordance with this condition shall be maintained at all times thereafter, unless or until they become maintainable by or on behalf of a public authority.

**Reason:** To ensure that suitable bus routes and stops are provided, to enable and encourage use of public transport in accordance with policy T3.

- 30) Prior to commencement of any phase of the development, details shall be submitted to the Local Planning Authority of:-

- secure cycle parking for residents;
- secure cycle parking, lockers, showers and changing facilities for staff;  
and
- cycle parking for visitors;

as applicable to the type of premises in question.

Construction of that phase shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to first occupation of that phase, the cycle parking and other facilities shall be provided in accordance with the approved details.

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

- 31) Unless otherwise agreed in writing with the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 or any Order revoking and re-enacting that Order, no extension, garages or other development shall be carried out within the curtilage of the dwelling(s) within the 'potential zone of influence from Met Office satellite receivers' shown on drawing identified as Appendix 5.1 received by the Local Planning Authority on 7 February 2013, without the formal consent of the Local Planning Authority.

**Reason:** In order to protect the visual and residential amenities of the surrounding area, to prevent overdevelopment and to ensure that any future

alteration or expansion of the approved dwellings undertaken under permitted development rights cannot cause an obstruction to Met Office satellite receivers.

- 32) Unless otherwise agreed in writing, no development shall take place until the Local Planning Authority (in consultation with the Met Office) has approved in writing a detailed plan outlining how vehicles, machinery and other equipment involved in the construction phases of the scheme will be deployed and managed to prevent interference and obstruction to Met Office satellite receivers in relation to their operational schedules. Construction work will only take place in accordance with the agreed plan.

**Reason:** In the interests of minimising the impact of development work on the performance of the satellite receivers.

- 33) Prior to commencement of the development, a detailed scheme for the management of surface water shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the "Proposed surface water drainage strategy" set out in para 8.3 of the submitted Flood Risk Assessment.

**Reason:** To protect controlled waters.

- 34) The development shall not commence until full details of the Planned Drainage Strategy is submitted to and approved in writing by the Local Planning Authority. This shall include appropriate evidence of seasonal variation of the soil conditions with regard to permeability characteristics and monitoring of the level of the natural ground water table. The drainage design proposals should be based upon the worst conditions to ensure adequate storage / attenuation is provided all year round. The developer will also need to demonstrate that the necessary drainage infrastructure can be accommodated within the development without undue constraints upon the Public Open Space.

**Reason:** In the interests of the proper drainage of the site and to ensure that public space within the site is not rendered unusable at any time of the year.

- 35) Unless otherwise agreed in writing by the Local Planning Authority, prior to commencement of development or site preparation, an Ecological Method Statement and an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. They shall include (but not be limited to) a lighting plan to ensure a dark corridor for commuting bats, a reptile mitigation plan and opportunities for enhancement.

**Reason:** In accordance with the terms of the submitted Environmental Statement and to protect and enhance biodiversity.

- 36) Unless otherwise agreed in writing by the Local Planning Authority, the first application for approval of reserved matters shall include a proposal for incorporating an element of public art into the design or layout of a public area within the development hereby approved.

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

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#### **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)

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### **ENFORCEMENT PROGRESS REPORT**

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

**RESOLVED** that the report be noted.

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### **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted. It was noted that a Public Inquiry would be held into the Home Farm proposal in September.

**RESOLVED** that the report be noted.

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### **SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 3 June 2014 at 9.30 a.m, with Councillors Bialyk, Spackman and Winterbottom attending.

**Additional information circulated after agenda dispatched - circulated as an appendix**

(The meeting commenced at 5.30 pm and closed at 6.44 pm)

Chair

**PLANNING COMMITTEE  
12 MAY 2014  
ADDITIONAL INFORMATION**

**Correspondence received and matters arising following preparation of the Agenda**

<p><b>Item 4</b> <b>Pages 5-12</b> <b>Refs: 14/0515/03 &amp; 14/0516/07</b> <b>Guildhall Shopping Centre</b> <b>Exeter</b></p>	<p>The applicant's agent has confirmed, for clarification, that the proposal includes A3 (Restaurant) uses at upper floor levels as well as at ground floor. There are no policy implications, and the recommendation remains as set out in the main agenda.</p>
<p><b>Item 5</b> <b>Pages 13-18</b> <b>Ref: 14/0564/03</b> <b>Lord Mamhead Homes</b> <b>Matford Road</b> <b>Exeter</b></p>	<p>APPLICATION WITHDRAWN</p> <p>The application has been withdrawn for the following reason: "Trustees have and must accept ultimate responsibility for directing the affairs of a charity, and ensuring that it is solvent, well-run, and delivering the charitable outcomes for the benefit of the public for which it has been set up." Source: Charity Commission. The restrictions imposed on how the site can be developed, including tree preservation orders, access, et al., and delivering Lord Mamhead Homes with vacant possession leads the trustee board to question its viability at this juncture and place the development in abeyance.</p>
<p><b>Item 6</b> <b>Pages 19-24</b> <b>Ref: 14/0722/03 &amp; 14/0723/07</b> <b>3 St Leonards Place</b> <b>Exeter</b></p>	<p>29 April. Members made a site visit prior to discussion at Delegation Briefing; issues raised by the objections were discussed at both. Members were generally happy with the proposals. Because of the uncertainty regarding the origin of two of the objections, legal advice was that the application be considered by the Planning Committee.</p> <p>2 May. Further objection regarding the choice of brick. This has been considered in relation to the existing walls and is deemed appropriate.</p> <p>7 May. Notification was received from an immediate neighbour that they have not submitted any letter of comment, objection or approval and requested that this was duly noted at Planning Committee. Furthermore, they state that they do not have any objections to the proposals.</p>
<p><b>Item 7</b> <b>Pages 25-34</b> <b>Ref: 14/0832/03</b> <b>Land to north, west, south of</b> <b>Met Office</b> <b>Off Hill Barton Road</b> <b>Exeter</b></p>	<p>A further representation has been received on behalf of objectors in the form of a technical note on highway matters. It concludes that there has been insufficient assessment of the highway impact of the Consortium development, and that the recommended condition will not deliver the development or the road network envisaged by the master plan for the area.</p> <p>The objector has put forward an alternative wording for the condition in question, which reads (with proposed alterations to the recommendation in bold):</p>

*Unless otherwise agreed in writing by the relevant planning authority (in consultation with the local highway authority), no further development shall take place beyond the first occupation of the 500<sup>th</sup> dwelling or 5 years from the first occupation of the **first** dwelling, whichever is the earlier, until:*

*a). The local planning authority has approved in writing a scheme of works to provide a new vehicular transport link from Oberon Road into the development, including details of access for Ellen Tinkham School; **and***

*b). The approved works have been completed in accordance with the local planning authority's approval (in consultation with the local highway authority).*

The County Head of Planning, Transportation and Environment has advised that he is satisfied with the recommendation set out in the main agenda.

As discussed in the main report, this application is to correct the wording of a condition so that it is consistent with the advice of the Highway Authority and the resolution made by Members when the original application was determined. There have been no changes in circumstances that would justify revisiting the highway capacity issues or questioning the very clear advice provided by the Highway Authority.

## PLANNING COMMITTEE

Monday 16 June 2014

### Present:

Councillor Bialyk (Chair)

Councillors Spackman, Choules, Denham, Edwards, Lyons, Mitchell, Mottram, Newby, Raybould, Sutton, Williams and Winterbottom

### Also Present:

Assistant Director City Development, Principal Project Manger (Development) and Democratic Services Officer (Committees) (HB)

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### DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

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### PLANNING APPLICATION NO. 14/0815/03 - EXETER CRICKET CLUB, COUNTY GROUND, PRINCE OF WALES ROAD, EXETER

The Principal Project Manager (Development) presented the application for demolition of cricket pavilion and machine shed and development of three to five storey student residential accommodation and associated works.

The Principal Project Manger (Development) described the location of the proposed new building, the overall number of student units to be created, the storey height of the building and the relationship of the building to the Valley Park and Prince of Wales Road. The relevant development plan policies were outlined and, in particular, the St. James Neighbourhood Plan Policies D1, C2 and SD2. The reasons for the removal of the existing pavilion to facilitate the enabling student scheme was explained and the objection received from English Heritage highlighted.

The comments made by the Devon Design Panel were explained and the changes since the Panel meeting outlined. The comments made by the St. James Panel were explained and the amended plans or responses made by the architect reported. It was reported that the Tree Officer had assessed the site and the proposed replacement planting scheme was considered acceptable. The importance of a Section 106 Agreement to secure the building of the pavilion was reported. The Principal Project Manager (Development) concluded that the proposal met the development plan policies and the material considerations were in favour. It represented an appropriate scheme which preserved and enhanced the character and appearance of the conservation area and resulted in the continued presence of cricket with a new pavilion secured by a legal agreement.

Councillor Owen, having given notice under Standing Order No. 44, attended the meeting and spoke on this item.

- St. James Neighbourhood Forum do not object in principle to the development and, although preferring accommodation other than for students, accept that the development is necessary to secure the long term future of the Cricket Club;
- share concerns of the Forum regarding a number of issues with the development, principally those of design;

- the Neighbourhood Plan produced by the Forum was the first of its kind in the country and strongly welcomed and supported by the City Council and the Department for Communities and Local Government. It would be wrong therefore, having accepted the Plan, to ignore the views and concerns of the Forum;
- some 50 letters of support and five letters of objection have been received. The majority of the former are from Cricket Club members with the latter including residents of the Horseguards development as well as residents of the St. James Ward;
- the Forum Design Panel was set up as a smaller body within the Forum to examine the issues, the Panel comprising a number of individuals with planning/design backgrounds and who had a number of concerns regarding design;
- SD2 of the Neighbourhood Plan covers design and landscape issues and included a requirement for the Forum to be satisfied with the design. The Forum, as well as being concerned with aspects of the design, feel that there will be an unacceptable impact on Hoopern Valley. There was concern that the Forum's views would be overridden by the decision of the Planning Authority.
- there was no reference in the report to the views of the City Council's Conservation Officer;
- conditions are required to ensure that student accommodation will be car free, that there will be an enforceable refuse plan and that there is a management policy for the loading bays;
- paragraph 1.98 of National Planning Policy states that planning permission should be refused if it conflicts with a Neighbourhood Plan. There is no point in a Neighbourhood Plan if it is going to be ignored by the Planning Authority; and
- as the Forum is not satisfied with some issues, request the deferral, rather than the refusal, of the application;

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

- the St James ward hosts two iconic sporting establishments - the football and cricket clubs;
- two policies - SD2 and D1 - of the Neighbourhood Plan are relevant to the proposal. Arising from the former, the Forum established a Design Panel, the Chair having met with the architects to discuss those issues with which the Forum had concerns;
- feel that the student accommodation will be overbearing on a site that is important both to the locality and the City as a whole as it is visible from a wide area. Are seeking a reduction in massing;
- the Devon Design Panel expressed some of the concerns that are shared by the Forum;
- are supportive of the Club's ambitions and feel that an iconic club should have an iconic building;
- an individual, not the Forum, sought the listing of the building by English Heritage; and
- request deferral of the application for further consideration to be given to the design issues.

Mr Steward spoke in support of the application on behalf of the Cricket Club. He raised the following points:-

- this long established cricket club has worked closely with Yelverton Properties, Lacey, Hickie and Caley Architects and Exeter City Council planning officers to bring forward a sustainable, well designed development



to ensure the future viability of the Club. It will be a win-win scenario for all parties;

- this leading local Club will be able to remain at the County Ground and ensure the future development of cricket for locals and the wider Exeter and district community, particularly youth cricket;
- a new pavilion will be provided at no cost to the Club with a 30 year lease replacing a building which is no longer fit for purpose and costly to run and maintain;
- the St James Neighbourhood Forum have been very positive and made a significant contribution during the pre-application process;
- the University are supportive, especially as extra student accommodation will be provided; and
- unlike other Cricket Clubs, Exeter Cricket Club do not pay players, income raised being used to further the development of cricket especially the youth section and the running of the building.

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

In response to questions and comments made by Members, the Principal Project Manager (Development) confirmed that the Conservation Officer had been consulted and raised no objection. The Principal Project Manager (Development) also confirmed that the choice of materials would be made following further consultation with the St. James Neighbourhood Forum prior to the final approval being made by the Local Planning Authority.

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

**RESOLVED** that, subject to a Section 106 Agreement under the Town and Country Planning Act 1990 securing the construction of the replacement cricket pavilion and a Student Management Plan, the Assistant Director City Development, subject to prior consultation with the Chair of this Committee, be authorised to **APPROVE** planning permission for demolition of cricket pavilion and machine shed and development of three to five storey student residential accommodation and associated works, 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) C37 - Replacement Planting
- 6) No development shall take place on site until a full investigation of the site 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. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.  
**Reason:** In the interests of the amenity of the occupants of the buildings hereby approved

- 7) If, during development, contamination not previously identified is found to be present at the site then no further development, unless otherwise agreed in writing with the Local Planning Authority, shall be carried out until the developer has submitted an investigation and risk assessment, and where necessary a remediation strategy and verification plan, detailing how this unsuspected contamination shall be dealt with. Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy, shall be submitted to and approved by the Local Planning Authority.  
**Reason:** In the interests of the amenity of the occupants of the buildings hereby approved and to prevent groundwater pollution
- 8) No part of the development hereby approved shall be brought into its intended use until the access, disabled parking facilities, turning area, access drive and access drainage 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 provide a safe and suitable access and ensure that adequate facilities are available for the traffic attracted to the site.
- 9) 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
- 10) No part of the development hereby approved shall be occupied until the pedestrian/cycle connections from the development to the boundary of the site with Prince of Wales Road, as indicated on Drawing 13049 L01.04 have been provided in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and maintained for this purpose at all times.  
**Reason:** To provide adequate facilities to promote the use of sustainable modes, in accordance with paragraphs 29 and 3 of the NPPF.
- 11) No development shall take place, including any works of demolition, until a Construction Method Statement to include earth removal 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. The approved Statement shall be adhered to throughout the construction period.  
**Reason:** In the interests of highway safety and public amenity
- 12) The building hereby approved shall be designed and constructed with the aim of achieving BREEAM 'Excellent' standard and shall achieve a BREEAM score of 61 as a minimum. Within three months of commencement a BREEAM design stage assessment report shall be submitted to the Local Planning Authority. This shall demonstrate that the development has been designed so as that BREEAM 'Excellent' standard can be achieved. 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 by a licensed BREEAM assessor.

**Reason:** To ensure the building complies with Exeter Core Strategy Policy CP15.

- 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 interest of residential amenity.

- 14) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

**Reason:** In the interests of the preservation and enhancement of biodiversity in the locality.

67 **PLANNING APPLICATION NO. 14/0824/03 - EXETER CRICKET CLUB, COUNTY GROUND, PRINCE OF WALES ROAD, EXETER**

The Principal Project Manager (Development) presented the application for a new cricket pavilion, relocation of machine storage shed and practice nets and new sight screen and alterations to access.

The Principal Project Manager (Development) described the siting, height, external appearance and relationship of the proposed building in relation to the cricket pitch and Prince of Wales Road. The St. James Neighbourhood Plan Policy SD2 was highlighted as it specifically referred to development at the Cricket Club. The details of the building were explained in relation to the comments which arose from the Devon Design Panel. The issue of noise was raised and the need for a specific condition agreed. The Principal Project Manager (Development) commented that the scheme met the development plan policies and would represent a scheme which preserved and enhanced the character and appearance of the Longbrook Conservation Area.

Councillor Owen, having given notice under Standing Order No. 44, attended the meeting and spoke on this item.

- request that the further consultations with the St. James Neighbourhood Forum, in respect of the application for student accommodation, should include the final proposals on the pavilion, particularly materials and colouring; and
- important for the relevant condition on noise to be robust as noise problems have occurred in the past in association with the neighbouring Squash Club.

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

- the Devon Design Panel, after considering the proposals on 7 November 2013, were not consulted further on revisions; and
- the "Two Hoots" property near to the University is a good example of a development appropriate for this Conservation Area.

Mr Steward spoke in support of the application on behalf of the Cricket Club. He raised the following points:-

- same consultation undertaken as for the student accommodation application with the St James Neighbourhood Forum and the Devon Design Panel. The Panel were very supportive and felt that the pavilion would sit well with the neighbouring accommodation block;

- responding to Panel views, the pavilion height would be reduced by removing the current mound of earth and changes would be made to the frontages facing both the pitch itself and the Prince of Wales Road. The layout and design of the pavilion would help maximise its use and emphasis was on a modern design for use by the club and visiting teams;
- will look to use solar panels; and
- accept appropriate noise condition.

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

In response to Members' comments, further control on any potential noise disturbance from events at the cricket club was considered necessary. In addition, the Principal Project Manager (Development) confirmed that the choice of materials would be made following further consultation with the St. James Neighbourhood Forum prior to the final approval being made by the Local Planning Authority.

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

**RESOLVED** that planning permission for a new cricket pavilion, relocation of machine storage shed and practice nets and new sight screen and alterations to access be **APPROVED**, subject to the following conditions:-

- 1) C05 – Time Limit - Commencement
- 2) C15 – Compliance with Drawings
- 3) C17 – Submission of Materials
- 4) C35 – Landscape Scheme
- 5) C37 – Replacement Planting
- 6) C45E – Time Restriction
- 7) No development shall take place on site until a full investigation of the site 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. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.  
**Reason:** In the interests of the amenity of the occupants of the buildings hereby approved.
- 8) If, during development, contamination not previously identified is found to be present at the site then no further development, unless otherwise agreed in writing with the Local Planning Authority, shall be carried out until the developer has submitted an investigation and risk assessment, and where necessary a remediation strategy and verification plan, detailing how this unsuspected contamination shall be dealt with. Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy, shall be submitted to and approved by the Local Planning Authority.  
**Reason:** In the interests of the amenity of the occupants of the buildings hereby approved and to prevent groundwater pollution

- 9) No part of the development hereby approved shall be brought into its intended use until the access, turning area, access drive and access drainage 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 provide a safe and suitable access and ensure that adequate facilities are available for the traffic attracted to the site
- 10) 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
- 11) 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. The approved Statement shall be adhered to throughout the construction period.  
**Reason:** In the interests of highway safety and public amenity.
- 12) 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 interest of residential amenity.
- 13) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.  
**Reason:** In the interests of the preservation and enhancement of biodiversity in the locality.
- 14) No development shall take place until details of the land drain to be created within the southern part of the site have been submitted to and approved in writing by the Local Planning Authority and installed within an agreed time period.  
**Reason:** To reduce the potential for surface water run-off from the site.
- 15) Prior to the use of the building, an Events Management Statement to address potential issues of noise from amplified music or functions events shall be submitted to, and approved in writing by, the Local Planning Authority and adhered to thereafter, unless otherwise agreed by the Local Planning Authority.  
**Reason:** In the interests of residential amenity.

The Assistant Director City Development referred to a letter in the Express and Echo in respect of student accommodation and reported that the annual City Council report on student accommodation in the City would be available shortly and would help inform the debate when this application was brought before the Committee in the future.

69        **PLANNING APPLICATION NO. 14/0783/03 - 6 NEWCOURT ROAD, TOPSHAM, EXETER**

The Assistant Director City Development presented the application for a single storey extension alongside existing conservatory

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

**RESOLVED** that planning permission for a single storey extension alongside existing extension be **APPROVED** subject to the following conditions:-

- 1)        C05 - Time Limit - Commencement
- 2)        The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 21st March 2014 (*dwg. no(s).099-80160 page 5 to 8*), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3)        C17A - Matching materials

70        **PLANNING APPLICATION NO. 13/3822/03 - EXETER GOLF AND COUNTRY CLUB, TOPSHAM, EXETER**

The Assistant Director City Development reported that the Golf Club and Persimmon were in discussions and had not requested a mediator to resolve differences and that it was hoped that they would resolve outstanding issues.

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

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

72        **SITE INSPECTIONS - ROTA FOR VISITS**

The report of the Assistant Director City Development was submitted.

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

73        **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party be held on Tuesday 8 July 2014 at 9.30 a.m., the Councillors attending being Choules, Edwards and Lyons.

**Additional information circulated after agenda dispatched - circulated as an annexe**

(The meeting commenced at 5.30 pm and closed at 7.15 pm)

Chair

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**PLANNING COMMITTEE  
16 JUNE 2014**

**ADDITIONAL INFORMATION**

**Correspondence received and matters arising following preparation of the Agenda**

**Item 4 - Pages 5-26**

**Ref:14/0815/03 and 14/0824/03**

**Exeter Cricket Club, Prince of Wales Road, Exeter**

Draft Section 106 Agreement resolved with additional clause inserted stating that the student block shall not be occupied until the pavilion has been completed.

One letter received from a resident in connection with application 14/0815/03 wishing to change their representation from objection to support subject to an undertaking from the developer that the student accommodation cannot be occupied until the new pavilion has been built to the Cricket Club's satisfaction.

One additional letter of objection has been received concerning the loss of the cricket pavilion which is suggested to represent one of the best of its type in the country; a view previously supported by an eminent architect. In addition, objection is also raised to quality of the new buildings which will dominate the existing landscape and be more conspicuous from Prince of Wales Road. The close relationship of the new pavilion to the existing squash club is also considered poor and would result in an ill-considered assembly of buildings.

The Cricket Club comment that the existing pavilion does not include any restrictions regarding hours of use and is unaware of any problems being caused in the past. Concern is raised that any restriction could have an impact on the viability of the clubhouse. However the Club is prepared to agree to a time limit on the use of amplified music, such that no amplified music shall be permitted after 12 midnight without the Council's prior written consent.

Condition 6 of application – 14/0824/03 *No live or amplified music shall be permitted from the pavilion hereby approved between the hours of 12 midnight and 1000 hrs unless otherwise agreed, to a specified noise level, in writing by the Local Planning Authority.*

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

Condition 15 of application 14/0815/03 in relation to the provision of a land drain be deleted and incorporated within application 14/0824/03 to become condition 14 of this planning permission. To enable suitable planning control to be exercised within the relevant red lined application plan.

Condition 9 of application 14/0824/03 – delete words *disabled parking facilities* from this condition, as the disabled parking is exclusively for the student accommodation.

Agent has advised that during the recently updated bat survey a single common pipistrelle bat was recorded entering the pavilion. Applications for appropriate licences, the demolition of the Pavilion, and the appropriate mitigation measures, will therefore be carried out in strict accordance with the Method Statement submitted with the application.

**Item 5 - Pages 27-36**

**Ref: 14/0899/03**

**Rougemount Telephone Exchange, Queen Street, Exeter**

Deferred until Planning Committee 21 July 2014.

**Item 6 - Pages 37-38**

**Ref: 14/0783/03**

**6 Newcourt Road, Topsham**

Nothing further to report.



## LICENSING COMMITTEE

13 May 2014

### Present:

Councillor Catherine Dawson (Chair)

Councillors Laws, Clark, Newby, Payne, Pearson, Ruffle, Shiel, Tippins and Winterbottom

### Apologies:

Councillors Choules, Denham, D J Henson and Macdonald

### Also present:

Corporate Manager - Legal, Environmental Health Manager, Principal Licensing Officer and Democratic Services Officer (Committees) (HB)

## 8 **Minutes**

The minutes of the special meeting held on 25 February 2014 and the ordinary meeting held on 26 March 2014 were taken as read and signed by the Chair as a correct record.

## 9 **Declarations of Interest**

No declarations of interest were made by Members.

## 10 **Policy Review of the Impact of the Licensing Act 2003 within Exeter**

The Environmental Health Manager presented the report seeking to review the City Council's current Statement of Licensing Policy which had come into effect in January 2011. There was a legal requirement to review such policy statements every five years and the current policy had to be reviewed by 2016 and it was necessary therefore to commence preliminary work.

Members of the Licensing Committee together with the Portfolio Holder for Environment, Health and Wellbeing, and supported by officers, had formed four working groups and examined the following aspects of the broader licensing agenda:

- Night-time economy
- Voluntary tools
- Standard conditions
- Regulatory tools

The groups had met between October 2013 and January 2014, with some Members participating in a late-night city centre survey of different licensed premises in December, as well as a number attending a presentation by Best Bar None organised by the Voluntary Tools working group.

The key findings from the groups were:-

- a desire to promote a vibrant night time economy with a rich mix of entertainment and activity that is welcoming, clean, safe and that accommodating of the wide range of tastes of a diverse population.
- in response to concern over segmentation caused by concentrations of similar licensed premises that cater in the main for a particular customer type (e.g. young adult male clientele), a wish to see a wider offering to attract a more diverse demography, with a more dispersed spread of premises in the city centre.
- a wish to see a café culture positively engendered.
- establishment of a pragmatic, proportionate and enforceable Pool of Conditions that can be commonly used by the licensing committee, responsible authorities and applicants.
- to establish a Best Bar None scheme within the city.
- to work towards Purple Flag status for the city
- review of the Cumulative Impact Policy to make its impact clearer and more accessible to both applicants and responsible authorities.
- to consider the need to establish Public Spaces Protection Orders which replace the Designated Public Place Orders (DPPO).

It was noted that the reference to the St. James Dispersal Order in Appendix 4 of the report should be deleted as the order had expired.

**RESOLVED** that:-

- (1) a revised Licensing Policy be drafted addressing the key areas and considerations developed by the working groups in accordance with the timetable set out in the report, with view to the adoption of a revised policy by Council in April 2015;
- (2) the new Licensing Policy should recognise the key aims and considerations developed by the Licensing Committee Members working groups, as set out in the report and summarised above; and
- (3) a draft revised policy be submitted to the next meeting of this Committee on 22 July 2014 for noting.

**11 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.

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

**12 Application for a Hackney Carriage Vehicle Licence (Mr AE)**

**RESOLVED** that Mr AE's application be refused.

13 **Application for a Hackney Carriage Vehicle Licence (Mr SHA)**

**RESOLVED** that Mr SHA's application be refused.

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

**RESOLVED** that Mr SH's application be refused.

The meeting commenced at 5.30 pm and closed at 6.50 pm

Chair

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## SCRUTINY COMMITTEE - COMMUNITY

17 June 2014

### Present:

Councillor Shiel (Chair)

Councillors Newby, Branston, Brimble, Bull, Clark, Foggin, George, Holland, Mitchell, Morris, Raybould and Robson

### Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Customer Access, Assistant Director Environment, Assistant Director Public Realm, Assistant Director Housing, Housing Needs Manager, Technical Accounting Manager, Principal Accountant Service (PM), Scrutiny Programme Officer and Democratic Services Officer (Committees) (HB)

### In attendance:

Councillor Rob Hannaford - Portfolio Holder for Housing and Customer Access  
Councillor Keith Owen - Portfolio Holder for Environment, Health and Wellbeing

The Very Reverend Dr Jonathon Draper - Dean of Exeter Cathedral

## 20 **Minutes**

The minutes of the meeting held on 4 March 2014 were taken as read and signed by the Chair as correct.

## 21 **Declaration of Interests**

No declarations of disclosable pecuniary interest were made.

## 22 **Dean and Chapter - Roman Bath House**

The Chair welcomed the Very Reverend Dr Jonathan Draper, Dean of Exeter Cathedral, to the Meeting.

The Dean explained the proposals for the re-excavation and display of the Roman Bath House in the context of the Cloisterplus programme and the wider vision of increasing the accessibility and understanding of the Cathedral's role and mission in the community and at the same time securing the fabric of this ancient and historic building. The development of sustainable income was seen as a key element to ensure that all those who visit the Cathedral enjoy the best possible experience and access as well as the fullest engagement with the spiritual, historic and cultural heritage of the Cathedral.

He enlarged on the proposals for the Bath House and surrounding Cathedral Green as well as the Cloisters themselves which would provide high quality facilities next to the Cathedral building, including a welcome centre, external shop, cafe and function area. The Bath House was one of the largest and oldest of its kind in the country and

was likely to attract between 50-100,000 visitors a year, therefore doubling the visitor figure for the Cathedral itself. The visitor centre and interpretation elements were in the early stage of planning and would incorporate interpretations of the Saxon and Norman eras as well as the Roman period with glazing to be placed on top of the Roman remains with public viewing platforms. The roof would be grassed to complement the remainder of the Green.

Discussions were continuing with English Heritage and a bid would be made to the Heritage Lottery Fund. Total cost and implementation date were unknown at present.

Members welcomed the proposals and the Dean acknowledged offers of support which would come from the Council, individuals, faith groups and institutions across the City. He confirmed continued use of the Green for annual events such as the Craft Fair and Christmas Market for which enhanced management measures would be developed to complement the new Cathedral Green vista on completion of the proposals. Maintaining an appropriate balance between the sacred and secular was paramount.

The Chair thanked the Dean for his presentation.

## 23 **Portfolio Holders' Statements**

The Portfolio Holders for Housing and Customer Access (Councillor Hannaford) and Environment, Health and Wellbeing (Councillor Owen) presented the work programme and broad priorities relevant to their portfolios for 2014/15. They would be working closely with officers to refine and develop these priorities over the coming months. The refined list of priorities for 2014/15, which would also include outcomes and targets, would be published in September 2014 in the Council's Corporate Plan. Also reported were the priorities for 2012/14 which had been reported previously and a list of priorities and initiatives which had been completed. Portfolio Holders' statements attached to minutes.

The following responses were given to Members' questions in respect of the Housing and Customer Access portfolio:-

- it was hoped that a Credit Union could be administered from the Civic Centre as part of the development of a community hub serving the whole of the City and not just focusing on City Council services, this philosophy being reflected by the imminent move of the CAB to the Civic Centre and the desire for social services staff to also maintain a presence in the Customer Service Centre;
- in seeking to deliver a full range of housing options, new solutions would be explored to provide affordable homes including co-operative housing and self-build housing; and
- with 25% of tenants in private sector accommodation, the move to licence HMO's was an important policy decision and, after consultation, a report would be submitted to the September meeting of this Committee. He stated that the Council had a moral duty to seek the highest standards.

The following responses were given to Members' questions in respect of Environment, Health and Wellbeing:-

- work was on going with communities and local organisations to maintain parks and play areas and explore new business models to protect them for the future. Sports clubs were already undertaking ground maintenance work for the King George III Playing Fields and others were coming forward with



other collaborative suggestions. A report would be submitted to the September meeting of this Committee;

- there was a need for realism regarding the potential for volunteer support, although Exeter CVS was a good source for identifying such resources. Potential grant sources would also be explored; and
- it was anticipated that the new enforcement regime, as detailed in the report to this Committee, would prove effective.

With regard to the allotment review, consultations were on-going and the deadline for comments had been extended to 4 August for a report to be submitted to the September meeting of this Committee. With a £43,000 deficit, the aim of the review was to reduce costs, improve management and generate income. Reference was made to meetings with Members in attendance and to liaison between allotments representatives on agreeing the way forward. A Member suggested the establishment of a Task and Finish Group to consider the responses received to the consultation but it was felt that there would be insufficient time to report back to the September Scrutiny meeting. The Portfolio Holder invited Members to respond direct to him with their views. He advised that new ways of allotment provision would be examined, for example, through the planning process and utilising existing park areas. He referred to Network Rail owned land at St James' Park station used as an allotment. He stated that he would also review the method of consultation.

### **ITEMS FOR DISCUSSION**

#### **24 Council response on petition in respect of badgers**

The Assistant Director Public Realm presented the report setting out the following e-petition of 232 signatories calling for Exeter City Council to prohibit badger culling on Council owned land.

*We the undersigned petition the council to prohibit the culling of badgers on council-owned land and invest in vaccination programmes locally. We ask this because we believe culling to be inhumane, inefficient and unscientific. This is a national issue which will be of direct concern to the people of Exeter when DEFRA 'rolls out' its culling policy in 2014. The object of the petition is to ensure that Exeter's badger population is as safe as possible from slaughter and that the already available injectable badger vaccine against bTB is used in as many cases as possible. We ask this because we believe the culling policy is inhumane (DEFRA's measurement of 'humaneness' is to time the screams of wounded badgers), inefficient (previous culls showed an increase in bTB because of badger movement) and unscientific (the majority of scientific opinion hold that a cull will have 'no meaningful result')*

Councillor Mitchell moved and Councillor Bull seconded a motion supporting the petition. The motion was carried.

Scrutiny Committee - Community recommended that the petition be supported.

#### **25 Annual Scrutiny Report - 2013/14**

The Scrutiny Programme Officer presented the report updating progress and work of Scrutiny for the period 2013/14 in direct relation to the appointment of the Programme Officer in July 2013 including a synopsis of Task and Finish Group investigations, a review and proposals for the Scrutiny system and timetabling/plans for 2014/15.

Scrutiny Committee - Community:-

- (1) supported the report and were content with the progress and direction of Scrutiny over the past year, together with the proposals on direction for the forthcoming year; and
- (2) approved the Annual Scrutiny report for public circulation on the Council's website.

**26 Housing Revenue Account - Final Accounts - 2013/14**

The Technical Accounting Manager advised Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2014 in respect of the Housing Revenue Account and the Council's new build schemes. An outturn update in respect of the HRA Capital Programme was also incorporated in the report in order to help provide a comprehensive financial update in respect of the Housing Revenue Account.

The 2013/14 financial year had ended with an overall net deficit of £327,077. This represented a decrease of £1,206,837 compared to the revised budgeted surplus of £879,760, of which a projected overspend of £1,037,024 had previously been reported to this Committee as part of the quarterly budget monitoring updates.

Members noted the Action Plan appended to the report setting out steps to be taken to reduce the £680,000 overspend that had occurred in respect of voids. The prolonged high winds and wet weather had resulted in an increase in the number of reported leaks, damp ingress and roof repairs in the last three months of 2013/14 which had led to a further overspend in respect of reactive repairs.

Council staff were proactively visiting properties when aware of potential maintenance issues as a by-product of other contact with the property, for example, by contractors.

Scrutiny Committee - Community noted the report.

**27 Community Services Final Accounts - 2013/14**

The Principal Accountant advised Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2014 in respect of Community Services. An outturn update in respect of the Community Capital Programme was also incorporated in the report in order to help provide a comprehensive financial update in respect of the Scrutiny Committee - Community budgets.

The total variance for the year showed a deficit of £107,592 after transfers from reserves and revenue contributions to capital, as set out in the report. This represented a variation of 1.08% from the revised budget.

The Scrutiny Committee - Community noted the report.

**ITEMS FOR EXECUTIVE**

**28 Review into the policy for allocating social housing - Report of Task and Finish Group**

The Assistant Director Customer Access presented the report of the Task and Finish Group convened by this Committee to review the Council's allocation of social

housing. The Group had been chaired by Councillor Shiel, other Members being Councillors Hannaford, Mitchell, Morris and Crow.

The following responses were given to Members queries:-

- criteria operated by other Councils for restricting accommodation offers to individuals with a local connection arose from local practise and related to specific policies such as requirements of Section 106 Agreements;
- the proposal for a system to remove applications where people do not bid for 12 months would include a six month trigger for staff to contact the individuals concerned to discuss if there were any barriers to their bidding;
- areas for potentially qualifying for housing in light of community contribution included;
  - employment within the area;
  - voluntary work (the standard used most commonly is 10 hours per month);
  - ex Services Personnel;
  - foster or community carers; and
  - those engaged in training or apprenticeships;

and further suggestions from Members were invited. This would also be picked up in the consultation;

- the system encompassed a more flexible approach with less emphasis on tenancies for life and increased use of private sector accommodation;
- rents were higher for temporary accommodation because of the higher management costs involved;
- the effective communication of the operation of Devon Homechoice and options available had always been a priority and would continue with proposed changes in the system, highlighted by the consultation process proposed on the suggested changes;
- consultation on Band E would be via the existing register, experience from Teignbridge District Council suggested that there would not be significant concerns. Other outreach methods would be required; and
- the Portfolio Holder referred to a recent tenant survey showing that 31% were either working full or part time with 7% seeking work, 9% not seeking work and 18% unable to work. It was proposed that the Council choose to prioritise working households for some properties, for example, in areas where it is identified that there is an over-representation of economically inactive households. Members supported exploring mechanisms to prioritise working households for some lettings, and targeting areas where there were a high proportion of economically inactive households.

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

- (1) restricting the eligibility for housing to those with an evidenced housing need within the policy and thereby removing Band E;
- (2) removing applications where people do not bid for 12 months or refuse three properties deemed suitable for their needs;
- (3) providing additional priority for working households and those who make a contribution to the local community;

- (4) only registering applicants with a local connection of two year's residence in Devon; and
- (5) agreeing a six week consultation period with households on the housing register, partners (housing associations, Devon County Council, neighbouring local authorities, voluntary sector agencies etc.) and staff on the above recommendations, the outcomes of the consultation to be reported back to this Committee and Executive for final decision.

## 29 **Resourcing Enforcement Services**

The Assistant Director Public Realm presented the report seeking approval to create an Enforcement Team for off street parking, illegal encampments, litter and dogs from existing staff resources. Reasons for a new team were:-

- reduced capacity and resilience as a result of previous budget savings;
- transfer of parking and enforcement staff to Devon County Council; and
- to ensure budget discipline in respect of illegal camping issues.

A Member expressed regret that a Task and Finish Group had not been established in June 2013 to examine some of these issues. The reduction in the out-of-hour service was of particular concern. As noise and anti-social behaviour were significant problems in certain areas of the City he did not feel that the previous re-assurances he had received would be adequately addressed by the measures proposed and the new system being established.

Other Members expressed the view that the City Council was increasingly taking on responsibilities of other bodies without appropriate recompense.

Scrutiny Committee - Community supported the report and requested Executive to approve the establishment of an Enforcement Team of five FTE's to be created from the current four Community Patrollers and the Environment Enforcement resource to focus on statutory and business critical enforcement work.

## 30 **Environmental Health and Licensing Statutory Services Plan - 2015/16**

The Assistant Director Environment presented the report seeking approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2014/15. The Plan set out the Council's regulatory function in respect of food safety, health and safety, licensing, Environmental Permitting and other statutory functions over the forthcoming year.

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

- (1) approve the Statutory Service Plan 2014/15; and
- (2) authorise the Assistant Director Environment to change the Plan in light of centrally issued guidance and/or to meet operational costs.

## 31 **Additional Licensing for certain types of Houses in Multiple Occupation**

The Assistant Director Housing presented the report seeking approval to enter into a ten week consultation period with relevant stakeholders on a proposal to extend the principles of Mandatory HMO Licensing, currently operated by Exeter City Council,

through the introduction of an Additional Licensing Scheme covering specific types of HMOs.

There were some 2,500 HMOs in Exeter of which about 700 were covered by the Mandatory Licensing Scheme introduced nationally in 2006. Mandatory licensing was restricted to three or more storeys with five or more tenants, typically shared houses occupied by students and properties that had been split into bedsits. Mandatory licensing did not cover rented properties in buildings which had been poorly converted into self contained flats or to the majority of flats in multiple occupation above commercial premises. A significant proportion of these posed an increased risk in respect of fire safety and were frequently associated with poor management and anti social behaviour. Introduction of additional licensing would assist in tackling these problems and further the Council's objectives of improving standards in the private rented sector. This proposal would also generate income and therefore help defray the significant resource cost required to address these problems.

A Member welcomed these proposals, confirming that some multi-occupied properties, including student occupied buildings, caused significant problems and were very poorly maintained.

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

- (1) enter into a formal 10 week consultation period with relevant stakeholders, particularly landlords, tenants, partner agencies and the public at large; and
- (2) support the submission of a further report on the outcome of the consultation to this Committee and Executive in November 2014, the report to also provide recommendations as to whether or not additional Licensing should be progressed.

#### **ITEM FOR INFORMATION ONLY**

### **32 Meetings of the Devon and Cornwall Police and Crime Panel**

Details of meetings of the Police and Crime Panel had been circulated to Members of this Committee to enable them to raise any issues of concern or interest at these Scrutiny meetings.

Members had no queries.

The meeting commenced at 5.30 pm and closed at 8.25 pm

Chair

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## **SCRUTINY COMMITTEE (COMMUNITY)**

**17 June 2014**

### **Portfolio Holder Priorities 2014/15 (Covering Note)**

The work programme for the Portfolio Holders for Housing and Customer Access, Environment, Health and Wellbeing, City Development and Enabling Services is set out in the attached document (Appendix A).

Members should note that the document sets out the broad priorities for 2014/15 and that Portfolio Holders will be working closely with officers to refine and develop these priorities over the coming months. The refined list of priorities for 2014/15, which will also include outcomes and targets, will be published in September 2014 in the Council's Corporate Plan.

The document also shows the priorities for 2012-14, which were reported previously to this Committee, and a list of priorities and initiatives which have been completed.

Contact for enquires: Howard Bassett  
Democratic Services (Committees)  
Room 2.3  
01392 265275

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**Scrutiny Committee (Community)****Portfolio Holder Priorities for 2014/15**

<b>Priority</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
Continue to invest in community projects through Community Grants and the Local Infrastructure Grants schemes, and work with communities to build the capacity for new projects in the future	Richard Short	Cllr Edwards
Build 20 new council houses on Council owned land and continue to look for funding to increase this number	Roger Coombes	Cllr Hannaford
Explore new solutions to providing affordable homes, including co-operative housing and self-build housing	Roger Coombes	Cllr Hannaford
Introduce specific schemes to improve the standards of private rented accommodation.	Roger Coombes	Cllr Hannaford
Work with the Plough and Share Credit Union and other partners to increase access to affordable and ethical credit	Bindu Arjoon	Cllr Hannaford
Work with communities and local organisations to maintain our parks and play areas and explore new business models to protect them for the future.	Sarah Ward	Cllr Owen
Explore ways to reduce costs for local community groups through collective purchasing of insurance, energy, maintenance and other goods and services.	Sarah Ward	Cllr Owen
Protect existing allotments, look for opportunities to provide new allotments and explore the use of public open spaces for community food production.	Sarah Ward	Cllr Owen
Work with the Exeter Health and Wellbeing Board and other partners to increase levels of physical activity in the city and promote the sustainable use of the river, canal and other green spaces for active lifestyles.	Robert Norley	Cllr Owen
Find new ways of improving recycling rates across the city	Robert Norley	Cllr Owen
Protect frontline services by reducing the Council's energy costs through a range of energy efficiency schemes	Mike Carson	Cllr Pearson
Continue to require that all new housing developments of three or more homes includes 35% social and affordable housing	Richard Short	Cllr Sutton

Promote the Register of Assets of Community Value which gives communities the first chance to bid for local facilities	Richard Short	Cllr Sutton
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## Portfolio Holder Priorities 2012-14

### Key

Grey shaded areas denote initiatives superseded by new manifesto

<b>Initiative or project</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
Work in partnership with other agencies to ensure we are developing the best services for communities in the City	Bruce Luxton	Cllr Edwards
Seek to introduce innovative solutions to building new housing, such as a co-operative and mutual model of home ownership where people are given stability and equity	Roger Coombes	Cllr Hannaford
Implement the recently approved Empty Homes Enforcement Policy to return privately owned empty homes to use and ensure they are fit for habitation	Roger Coombes	Cllr Hannaford
Assist in the development of 150 Extra-Care homes	Roger Coombes	Cllr Hannaford
Develop a new Housing Strategy in consultation with our residents, communities, tenants and wider stakeholders.	Roger Coombes	Cllr Hannaford
Deliver at least 5% of all new affordable homes to meet the council's wheelchair design standards, produce a wheelchair housing strategy for the city and cut down the time it takes to install Disabled Facility Grant adaptations in private dwellings by use of approved builders lists and modular	Roger Coombes	Cllr Hannaford
Grow the Private Sector Leasing and Extralet schemes to improve access to affordable private sector tenancies and drive up standards in private rental properties	Roger Coombes	Cllr Hannaford
Provide financial assistance to those most in need to make private sector homes fit for habitation, safe and decent	Bob Norley / Roger Coombes	Cllr Hannaford
Set fair and affordable council rents and use increased flexibility to decide how we allocate housing in Exeter	Roger Coombes	Cllr Hannaford
Continue to offer a professional and flexible approach to developers seeking to build new homes in the City and to negotiate the provision of affordable housing that meets the identified housing needs of local residents.	Richard Short	Cllr Hannaford

<b>Initiative or project</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
Provide new affordable homes across the city and in the urban extensions at Newcourt, Monkerton and Alphington.	Richard Short	Cllr Hannaford
Where viable, make 25% of all new homes built across the City affordable	Roger Coombes	Cllr Hannaford
Continue to investigate and encourage innovative schemes to deliver affordable housing without public subsidy	Roger Coombes	Cllr Hannaford
Review and monitor the pressures on the council's existing housing stock and Housing Revenue Account (HRA) from the new discounted Right To Buy proposals.	Roger Coombes	Cllr Hannaford
Ensure that we make best and prudent use of any funding that becomes available through the new HRA, to maintain existing stock and build and acquire new units.	Roger Coombes	Cllr Hannaford
Maintain and enhance our existing good work through the Tenants and Leaseholders Committee, Exeter Homes Partnership and Performance Review Committee.	Roger Coombes	Cllr Hannaford
Manage additional pressures and work loads from the cuts and changes to housing benefit, government imposed reductions in council tax benefits, and the Coalitions back to work agenda.	Bindu Arjoon	Cllr Hannaford
Work with the Environmental Health staff to monitor and drive up standards in private sector properties, especially for vulnerable groups and young people.	Roger Coombes	Cllr Hannaford
Run training sessions for Landlord up to four times per year.	Roger Coombes	Cllr Hannaford
Ensure that the new powers under the Mobile Homes Act 2013 are incorporated into current policy	Roger Coombes	Cllr Hannaford
Make the best use of the new funding streams from the revised planning systems for both housing and community initiatives.	Roger Coombes	Cllr Hannaford
Develop our approach to reducing street begging including the introduction of an alternative giving scheme, improved access to accommodation and treatment services and more robust enforcement	Bruce Luxton	Cllr Hannaford

<b>Initiative or project</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
Transform how the council maintain its properties and provide a better service with improved value for money	Roger Coombes	Cllr Hannaford
Continue to work to strengthen to Protocol all the Devon Councils have with Registered Providers (Housing Associations) through which they undertake to contribute to the cost of disabled adaptations to their homes. New	Roger Coombes	Cllr Hannaford
Build on our existing good work with the private sector to expand our portfolio of private properties which we manage on behalf of private landlords and use to proactively prevent homelessness.	Roger Coombes	Cllr Hannaford
Use increased flexibilities with allocations policies to ensure our social housing always goes to those most in need with a strong local connection to Exeter.	Roger Coombes	Cllr Hannaford
Continue to work in partnership with E.on to deliver energy efficiency grants and loans schemes to maximise take up of Green Deal and Energy Commitment Obligation (ECO).measures.	Roger Coombes	Cllr Hannaford
Improve the way we deal with visitors to our Customer Service Centre who have financial and housing problems so that they receive timely and cost effective advice	Bindu Arjoon	Cllr Hannaford
Continue to work in partnership with Wessex Home Improvement Loans to develop innovative loan products and provide debt advice to clients in need	Bob Norley	Cllr Hannaford
Local Welfare Support	Bindu Arjoon	Cllr Hannaford
Prepare for the household benefit cap	Bindu Arjoon	Cllr Hannaford
Proactively work with businesses to reduce negative impacts on the public/public realm through the use of licensing and regulatory tools, and greater engagement with them over: - Food Hygiene Rating System - Waste management - Business litter - Customer nuisance	Bob Norley	Cllr Owen
Replacement of Flowerpot Skate Park	Sarah Ward	Cllr Owen
Improve existing play areas, consult residents about developing new ones and refurbish water play facilities at Heavitree and St Thomas	Sarah Ward	Cllr Owen

Initiative or project	Assistant Director/ Corporate Manager	Portfolio Holder
Proactively work with businesses to increase the number engaging with the Council as their Primary Authority. In addition, work with Trading Standards to enhance the Primary Authority offering.	Bob Norley	Cllr Owen
Support Fairtrade Fortnight and raise awareness of social and environmental concerns about goods and services	Bruce Luxton	Cllr Owen
Implement a project in conjunction with Gas Safe, to encourage and ensure regular maintenance of gas appliances using qualified gas engineers.	Bob Norley	Cllr Owen
In preparation for a revision of Licensing Policy due 2014, work with Licensing Committee Members on 4 key elements to enhance outcomes: - Pool of conditions - Special licensing tools - Voluntary schemes - Late night economy	Bob Norley	Cllr Owen
Progress multi-agency actions to reduce alcohol-related violence, disorder and nuisance through the introduction of schemes such as: - Taxi marshals - Safe Zones - Taxi rank provision and siting - Under-age sale of alcohol testing	Bob Norley	Cllr Owen
Introduce and co-ordinate a multi-agency Exeter Safety Advisory Group (ESAG) to ensure that public safety is appropriately safeguarded at large events.	Bob Norley	Cllr Owen
Comprehensively review the key factors contributing to Exeter's recycling rate and seek to re-invigorate recycling by a variety of actions including:	Bob Norley	Cllr Owen
Progress development of a low emissions strategy which will contribute to the Air Quality Action Plan for Exeter.	Bob Norley	Cllr Owen
Explore the use of licensing tools available to allow the management of concentration of gambling premises in a locality.	Bob Norley	Cllr Owen
Conduct a review of the purposeful system of keeping people and the environment, safe and healthy.	Bob Norley	Cllr Owen
Review the opportunities for greater income generation and increased commercial awareness across the Environment, Health and Wellbeing portfolio	Bob Norley	Cllr Owen

<b>Initiative or project</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
Through the Joint Waste Management Board, proactively engage with exploring the potential for joint working in clusters across Devon in partnership with other councils.	Bob Norley	Cllr Owen
Review the MRF operation over the medium to longer term will be carried out to identify potential benefits.	Bob Norley	Cllr Owen
Assist with formulating the council's street enforcement policy which sets out how to deal with rough sleepers and beggars and associated anti-social behaviour.	Bob Norley	Cllr Pearson
Bring forward outline and full planning permissions for proposed new communities at Monkerton and Newcourt and prepare a development brief for growth at Alphington in partnership with the local community	Richard Short	Cllr Sutton
Work with the private sector to deliver 600 homes per year required by the Core Strategy and maintain a five year housing land supply	Richard Short	Cllr Sutton
Fund community activities at a local level and across the City through Community Grants and the New Homes Bonus	Richard Short	Cllr Sutton
Introduce a Community Infrastructure Levy to ensure funding is captured from development to pay for required infrastructure and maintain an up to date Infrastructure Delivery Plan.	Richard Short	Cllr Sutton

## Completed initiatives/projects - April 2014

<b>Initiative or project</b>	<b>Portfolio Holder</b>
Improve the council's existing housing stock to high energy efficiency and sustainability standards	Cllr Hannaford
Introduce flexible tenancies in our own stock to optimize the potential for council-owned homes to be available for people in most housing need	Cllr Hannaford
Install solar panels on up to 55 council-owned homes in Hawthorn Road	Cllr Hannaford
Review the late Thursday opening until 7pm, after 6 months of promotion.	Cllr Hannaford
Achieve a target collection rate of 98.5% for business rates in the year	Cllr Hannaford
Tenancy Strategy and Tenancy Policy	Cllr Hannaford
Ensure that affected residents are aware of the changes under the Welfare Reform Act and support them in dealing with these (Council Tax Support Scheme incorporated)	Cllr Hannaford
Review of Anti-Social Behaviour in Council Housing	Cllr Hannaford
Work with partners to combat fuel poverty, including the installation of solar panels on council houses across	Cllr Hannaford
Encourage lower emissions in Exeter's taxi fleet	Cllr Owen
Extend Higher Cemetery Garden of Remembrance, develop natural burial options and organise a programme of memorial and other events in the City's three cemeteries	Cllr Owen
Take action to improve the appearance of the children's burial area in Higher Cemetery	Cllr Owen
Submit an Air Quality Action Plan to Defra and seek to increase awareness of the health impacts of poor air quality	Cllr Owen
In partnership with HSE, Public Health, D&SFR, CoC and Trading Standards, launch an 'Estates Excellence' programme in Marsh Barton, focussing on health, safety and welfare of employees.	Cllr Owen



## SCRUTINY COMMITTEE - ECONOMY

26 June 2014

### Present:

Councillor Henson (Chair)

Councillors Branston, Brimble, Bull, Crew, Donovan, Foggin, Holland, Lyons, Robson, Wardle, Williams, Sutton and Denham

### Apologies:

Councillors Brock

### Also present:

Chief Executive & Growth Director, Assistant Director Economy, Principal Accountant Service (PM), Economy and Tourism Manager, Events, Facilities and Markets Manager, Service Manager Business and Commercial, Visitor Facilities Officer, Senior Collections Officer, City Centre Manager, Democratic Services Manager (Committees) and Democratic Services Officer (Committees) (SLS)

### In attendance:

Councillor Sutton - Portfolio Holder for City Development

Councillor Denham – Portfolio Holder for Economy and Culture

### 30 **Minutes**

The minutes of the meeting held on 6 March 2014 were taken as read and signed by the Chair as correct.

### 31 **Declarations of Interest**

Councillor Branston declared a discloseable pecuniary interest and withdrew from the meeting whilst Minute 38 was discussed.

### 32 **Portfolio Holders' Statement**

The Portfolio Holders for City Development (Councillor Sutton) and Economy and Culture (Councillor Denham) presented the work programme and broad priorities relevant to their portfolios for 2014/15. They would be working closely with officers to refine and develop these priorities over the coming months. The refined list of priorities for 2014/15, which would also include outcomes and targets, would be published in September 2014 in the Council's Corporate Plan. Also reported were the priorities for 2013/14, and a list of priorities and initiatives which had been completed.

Councillor Sutton confirmed that, through the responsibility of the City Development Portfolio, further details of the Bus and Coach Station would be made available at a separate meeting.

The following responses were given to Members' questions in respect of the Economy and Culture portfolio:-

- the development of a local currency had been part of a fast moving programme. There had been a targeted consultation and an engagement exercise with the public and local traders, and a proposal will come back for consideration by this Scrutiny Committee. This project has been developed in partnership with Exeter University, who have offered research support. There is an ambitious timeline of 2015, but it would be exciting and advantageous to launch this at the same time as the Rugby World Cup comes to Exeter.
- she thanked a Member for their support for the implementation of the living wage, but added that whilst every effort would be made to pursue this widely, this had to be in the context of the available limited resources. However, the City Council was a key employer and will continue to contribute and comment on a range of issues. Research had been carried out as part of work requested by the Cost of Living Wage Forum with a desk based study and a launch to businesses and interested stakeholders to promote a better understanding of the potential impact. They have engaged with the Federation of Small Business to tease out the salient issues and get a better understanding of the concerns to see where best to place the future effort. It had now become apparent that they should target larger employers. She thanked Councillor Donovan's interest in raising this with the Exeter Chamber of Commerce and noted his comment about targeting specific levels of staff of service providers. They hoped to invite representatives from Islington Borough Council who now offered 92% of employees the living wage which was a phenomenal achievement and an example to be draw upon.

Members noted the statements.

### 33 **Annual Scrutiny Report 2013/14**

The Democratic Services Manager presented the report of the Scrutiny Programme Officer and provided an update on the progress and work of scrutiny within the City Council's political framework for the period 2013/14, following her appointment in July 2013. The report included a synopsis of the Task and Finish Group investigations, a review of the proposals for the Scrutiny system and timetabling/plans for 2014/15.

A Member welcomed the report and the achievements made which highlighted the importance of scrutiny. He hoped that the Committee would extend their support and thanks to the Scrutiny Programme Officer and those staff involved.

Scrutiny Committee - Economy:-

- (1) supported the report and were content with the progress and direction of Scrutiny over the past year, together with the proposals on direction for the forthcoming year; and
- (2) approved the Annual scrutiny report for publishing on the Council's web site.

### 34 **Future Management of Waterways**

The Service Manager Business and Commercial Operations reported on the latest position with regard to the management of the Estuary, Quay, Basin and Canal and the outstanding draft Harbour Revision Order. The City Council had continued as the Harbour Authority for the Estuary and Canal. In 2008, following lengthy deliberation, a HRO was submitted to the Department for Transport to allow for the Council's interests in the Exe Estuary to be divested to a Trust Port. This request was held in abeyance until very recently when the application was recently rejected by the Department of Transport. They considered that the HRO would not achieve the

statutory objectives. Following a reassessment in respect of the future management of the waterways and the current financial pressures on the City Council, it was considered that the option of a Trust Port should not be pursued. Work would continue on an alternative solution, which would be carried out in consultation with the users of the Port of Exeter area and other stakeholders and the outcome would be reported back to Members in due course.

The Service Manager stated that the costs associated with the waterways had been dramatically reduced over recent years. He acknowledged that it was still an expense for the city and suggested that most people would be surprised at the extent of the Port of Exeter area.

Scrutiny Committee - Economy recommended approval of the following to Executive and Council:-

- (1) that the draft Harbour Revision Order submitted to the Department of Transport was no longer viable and should not be pursued, but an alternative course of action was now required for the management of the Estuary, Quay, Basin and Canal, and
- (2) that a review be undertaken of the options open to the City Council in respect of the future management of the Estuary, Quay, Basin and Canal, in consultation with users of the Port of Exeter area.

### **35 Update on Consortium Bid for Major Arts Council Funding for the RAMM**

The Senior Collections Officer submitted a report on the content of the RAMM's bid to the Arts Council for a Major Partner Museum Grants Programme covering the period of 2015/16, 2016/17 and 2017/18. The funding bid will be for operational activities and has been made as a Member of the Peninsula Consortium with Plymouth Museum & Art Gallery. A bid had been made to Arts Council England and an announcement of the intention to fund will be made on 1 July 2014. Between July and March 2015 the Arts Council England will finalise funding agreements between it and successful applicants and include producing a new business plan. The funding was due to come on stream in April 2015.

Scrutiny Committee - Economy noted the report and requested Executive to endorse the RAMM's bid to the Arts Council for a Major Partner Museum Grants Programme covering the period of 2015/16, 2016/17 and 2017/18.

### **36 Economic Development Strategy**

Councillor Donovan declared an interest as a supplier of services to the Met Office.

The Economy and Tourism Manager reported on the new Economic Development Strategy, based on the Knowledge Economy Strategy, which had been adopted by the Scrutiny Committee - Economy in November 2013. This Strategy had also taken into account the contribution and impact of other adopted city strategies on the economic success of Exeter. The development of the city's Knowledge Economy has been an ongoing priority for the City Council and even though the city's economy has proved resilient there was no room for complacency. The focus remained on improving employees' skills, qualifications and employability and supporting business growth and investment through working in partnership with the business community and the Heart of South West Local Enterprise Partnership (HSWLEP), not just for Exeter, but also for the travel to work areas. The aim of the strategy had been to address issues within the city such as low average wages, low productivity and to

respond to changes and opportunities within the economy following the recession. A higher training level should result in higher pay for employees, and they should, in turn, have more disposable income with less pressure on the public purse.

The Chief Executive stated that this was one of the most important documents to have emerged in recent years and it provided clarity drawing together a number of different strategies. He agreed that the City Council and the city could not deliver this alone, and it was vital for the HSWLEP to buy into this otherwise we will be unable to achieve the opportunity. Exeter was the one place in the South West Peninsular that was capable of moving from a traditional employment base to a knowledge economy, and could emulate York or Cambridge in terms of the knowledge economy sector, taking the city's economy onto another level.

Members received responses to a number of comments -

- The Assistant Director Economy provided an update on the Science Park and of the two buildings that had already been developed, for a private company and a new Science Park Centre that was in effect another Innovation Centre. The new Science Park would provide enlarged space for businesses in the current centre at Exeter University providing another base for a growing small number of high tech businesses. It was likely that the two centres will be run together to ensure that the range of specialist business support was available to users of both Centres and more widely. An experienced commercial agency will be promoting the Science Park around the country and they had already responded to a number of enquiries.
- The Economy and Tourism Manager welcomed a comment on the importance of developing the local supply chain. A small working group had been set up focusing on one sector as the first attempt to pull together large employers with experts at the University and also to explore how best to develop the sector and specifically related to the local supply chain. Using the local supply chain had been a key priority for the development of the Science Park and the Met Office.
- The Chief Executive & Growth Director responded to a comment on the progress of the redevelopment of the Bus and Coach Station site advising that a design team had commenced some preliminary work. A public notice would be placed in the European Journal publication and Land Securities and the Crown Estate will be progressing the pre-planning consultation and after two years of work, there was now, hopefully, a commercially viable scheme.
- In response to a comment on providing low rents for local people, the Chief Executive & Growth Director also advised that the City Council was acutely aware of providing affordable housing to tackle housing issues, particularly for those paid below the national living wage.

Scrutiny Committee - Economy supported and requested Executive to approve the Exeter Economic Development Strategy as summarised in the circulated report.

### 37 **Scrutiny Economy - Final Accounts 2013/14**

The Principal Accountant advised Members of the overall financial performance for the Economy and Development Directorate for the 2013/14 financial year ended 31 March 2014. The final actual outturn had now been calculated and the report highlighted any major differences, by management unit, from the approved annual budget after adjusting for supplementary budgets and excluding the variance on capital charges.

The 2013/14 financial year had ended with a total variance of 54.67% and a surplus of £214,635. The main variations by management units were detailed and related to Planning, Property and Estates, Museums Service and Car Parking where there had been a significant increase in the income budget which had been achieved. Markets and Halls had also seen an increase in income. He referred to the capital programme with a total spend of £1,844,280 in 2013/14 with £863,354 of the programme deferred until 2014/15. The report also identified a number of areas of budgetary risk within the Economy revenue and capital budgets.

The Principal Accountant responded to an enquiry over using flash accounting reporting and also confirmed that Parkwood Leisure did make a small contribution to support the Council's facilities year on year, which was used for a specific area. He also advised that a financial update report was presented to the Strategic Management Team's Performance meeting every month to flag up any budgetary areas of concern. This detail was incorporated into the budget monitoring report and presented to Members every quarter.

Scrutiny Committee - Economy noted the report.

### 38 **Social Enterprise Support through Exeter Business Support**

Councillor Branston declared a discloseable pecuniary interest and withdrew from the meeting whilst this matter was discussed.

The Economy and Tourism Manager submitted a report as part of a review of the current and planned support available for social enterprises in the city and recommended a way forward for business support for social enterprises in the city. The original aim of developing and increasing the scale of this sector had been established over four years of direct funding support. However Peninsula Innovations Limited was now able to deliver this support and they were already fully funded from the economic initiatives budget.

The Economy and Tourism Manager advised that although the Fruit Tree for Business contract would end shortly, they should be congratulated for the ground breaking initiative and support they have given through their activities to existing social enterprises. In response to a Member's enquiry, she advised that the cost of the Fruit Tree for Business contract had been £25,000 but a service was now offered by Peninsula Innovations Ltd, for no additional cost. It was acknowledged that there were issues relating to being able to assist businesses and also social enterprises to access finance across Devon and the Heart of the South West Local Enterprise Partnership (HSWLEP) area.

Scrutiny Committee - Economy noted the following:-

- (1) The contract with the Fruit Tree for Business would not be extended after 30 June 2014;
- (2) business advice, support and guidance for social enterprises to be delivered through the existing contract with Peninsula Innovations Limited, and
- (3) Exeter Business Support working with other agencies will provide alternative options for business support for social enterprises within the city, in signposting to them, or in helping individuals/organisations obtain appropriate advice.

## 39 **Update on Evening & Night-Time Economy**

The City Centre Manager provided a verbal update on the progress made on developing and managing the evening and late night economy, and the efforts to encourage city centre traders to remain open until 7pm. There was support for change but progress was fragmented and a certain amount of frustration over the progress made. It was obvious that there would be huge benefits in connecting the day and evening economy, and the reality was that many businesses were quiet in the first one or two hours of morning trading, in comparison with the level of footfall for the same period after the traditional closing time of 5.30pm. There was an opportunity to capitalise on that and a formal report would be made to the next Scrutiny Committee - Economy meeting on the latest developments of the evening and night time economy.

Although a number of significant challenges to develop the evening and late night economy remained, this needed to be addressed in a meaningful way as emptier streets had a profound effect on levels of anti-social behaviour. There was a clear, logical vision and the City Centre Manager felt that the final outcome would be a success. The latest support for later opening included over 30% of retail business in the High Street, 40% of business in the Guildhall Shopping Centre and 50% in Princesshay. Every effort had been made to target retailers at key arrival points in the main thoroughfare to raise the perception that the city centre was open for business. Some soft publicity was planned and more work was planned with partners over the summer months. There were other potential blocks to success and an unwarranted perception around public transport in relation to Park and Ride in the early evening needed to be changed. The City Centre Manager confirmed a willingness to look at this and to an ongoing dialogue with Stagecoach. He responded to a Member's comment on the timescale and the importance of making progress during the summer months rather than carry on into the winter with this unresolved.

A Member suggested that a change in working hours might have an adverse effect on the staff working in these shops. The City Centre Manager understood the validity of such debate and recalled the case for Sunday opening, and yet that was now the second busiest day after Saturday. A Member suggested obtaining further detail, including sales figures to ensure a sufficient margin to allow retailers to take a measured judgement. The City Centre Manager stated that business did need to engage to see the opportunity for success. He highlighted one or two businesses on the High Street that had already successfully embraced the evening economy.

Scrutiny Committee - Economy noted the report.

## 40 **Tourism Facilities Update**

The Events, Facilities and Markets Manager presented a brief overview and update on the performance of the tourism facilities – the Exeter Visitor Information & Tickets (EVIT), Exeter's Underground Passages, Quay House Visitor Centre and the Red Coat Guided Tours. EVIT's focus had evolved from simply providing tourism information as the business had changed from predominately face to face exchanges with an upward trend in telephone and internet enquiries. There had also been an increase in ticket sales for a range of events. Staff at the Quay House Visitor Centre had also taken on the responsibility for the administration of bookings for the use of Piazza Terracina and the Transit Shed. The Red Coat Guides had always been highly valued by the public and existing tours had been refined and new tours developed. In response to a Member's comment, the Assistant Director Economy

stated that EVIT was not selling tickets for the Rugby World Cup, which would be the responsibility of an online ticketing agency. The Visitor Facilities Officer also responded to a comment on joint ticketing arrangements for the city's attractions such as the Underground Passages, the Cathedral and St Nicholas Priory. Visitors could not obtain a reduced price to visit all three attractions. This idea had been pursued but had not proved practicable as yet. An annual entrance ticket arrangement would also be explored further. The Cathedral had an existing annual pass arrangement for local residents.

A Member was pleased to hear there were 31 Red Coat Guides working in the city, and it was noted that a civic reception was held annually to acknowledge their great contribution to the city. The Events, Facilities and Markets Manager also responded to a comment on adequate signposting for tourism sites in the city.

Scrutiny Committee - Economy noted the report.

#### 41 **Meeting of the Parkwood Leisure Group**

Details of the latest meeting of the Parkwood Leisure Working Group, whose Members contribute to the monitoring of the Parkwood Leisure contract, had been circulated to Members of this Scrutiny Committee to enable them to raise any issues of concern or interest.

The Events and Facilities and Markets Manager also reported that a replacement representative for former Councillor Crow was required. The membership included the Chair of Scrutiny Committee – Economy, Councillor Henson, the Portfolio Holder Economy and Culture, Councillor Denham together with a representative from each of the political groups. Councillor Robson indicated that she wished to remain, and Councillor Donovan was nominated as the Conservative representative. It was noted that a nomination from the Liberal Democrat Group would not be made.

Scrutiny Committee - Economy noted the membership.

#### 42 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

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

#### 43 **Exeter and Heart of Devon Growth Board Minutes**

The minutes of the meeting of the Exeter and Heart of Devon Growth Board held on 17 April 2014 were circulated for Member's information, and to inform them of a number of issues that the City Council will need to consider and take forward as appropriate.

Scrutiny Committee - Economy noted the content of the Exeter and Heart of Devon Growth Board minutes.

The meeting commenced at 5.30 pm and closed at 7.30 pm

Chair

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## **SCRUTINY COMMITTEE (ECONOMY)**

**26 June 2014**

### **Portfolio Holder Priorities 2014/15**

The work programme for the Portfolio Holders for Economy and Culture and City Development is set out in the attached document (Appendix A).

Members should note that the document sets out the broad priorities for 2014/15 and that Portfolio Holders will be working closely with officers to refine and develop these priorities over the coming months. The refined list of priorities for 2014/15, which will also include outcomes and targets, will be published in September 2014 in the Council's Corporate Plan.

The document also shows the priorities for 2012 - 2014, which were reported previously to this Committee, and a list of priorities and initiatives which have been completed.

Contact for enquires: Sharon Sissons  
Democratic Services (Committees), Room 2.3, 01392 265115

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**Priorities for 2014/15**

<b>Priority</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
Continue to work towards the redevelopment of the Bus and Coach Station and the delivery of a new energy-efficient swimming pool that is fit for a growing population and future climate change.	Richard Ball	Cllr Denham
Support the development of a local currency (similar to the already successful Bristol Pound) to support local businesses and independent traders.	Richard Ball	Cllr Denham
Work with the University and employers to help businesses benefit from the city's graduates and to create more graduate jobs to attract and retain a skilled workforce.	Richard Ball	Cllr Denham
Recognise the contribution that culture makes to the Exeter economy and encourage initiatives to support local businesses, such as new markets, community events and cultural activities.	Richard Ball	Cllr Denham
Promote the Living Wage and Equal Pay amongst Exeter's employers	Richard Ball	Cllr Denham
Introduce a Local Labour Agreement and work with developers to offer more jobs and training opportunities for local people.	Richard Short	Cllr Sutton
Work with employers, training providers, Job Centre Plus and others to identify the skills local people will need for new jobs in the city, including those at the Exeter Science Park.	Richard Ball	Cllr Denham
Continue with the City Council apprenticeship scheme and ringfence 2 apprenticeships for young people with disabilities or learning difficulties.	Caroline Hall	Cllr Edwards
Work with partners to promote and improve bus and rail transport in the city and fight for adequate public transport to meet demand from new housing.	Richard Short	Cllr Sutton

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**Priorities for 2014/15**

<b>Priority</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
Continue to work towards the redevelopment of the Bus and Coach Station and the delivery of a new energy-efficient swimming pool that is fit for a growing population and future climate change.	Richard Ball	Cllr Denham
Support the development of a local currency (similar to the already successful Bristol Pound) to support local businesses and independent traders.	Richard Ball	Cllr Denham
Work with the University and employers to help businesses benefit from the city's graduates and to create more graduate jobs to attract and retain a skilled workforce.	Richard Ball	Cllr Denham
Recognise the contribution that culture makes to the Exeter economy and encourage initiatives to support local businesses, such as new markets, community events and cultural activities.	Richard Ball	Cllr Denham
Promote the Living Wage and Equal Pay amongst Exeter's employers	Richard Ball	Cllr Denham
Introduce a Local Labour Agreement and work with developers to offer more jobs and training opportunities for local people.	Richard Short	Cllr Sutton
Work with employers, training providers, Job Centre Plus and others to identify the skills local people will need for new jobs in the city, including those at the Exeter Science Park.	Richard Ball	Cllr Denham
Continue with the City Council apprenticeship scheme and ringfence 2 apprenticeships for young people with disabilities or learning difficulties.	Caroline Hall	Cllr Edwards
Work with partners to promote and improve bus and rail transport in the city and fight for adequate public transport to meet demand from new housing.	Richard Short	Cllr Sutton

## Portfolio Holder Priorities 2012 - 14

### Key

Grey shaded areas denote initiatives superceded by the new manifesto

<b>Initiative or project</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
City Centre Strategy 2013/2022	Richard Ball	Cllr Denham
Advertise premises and sites through our on-line commercial property register	Richard Ball	Cllr Denham
Economic Development Strategy 2013- 2018	Richard Ball	Cllr Denham
Provide free professional advice to small start up businesses and social enterprises and help existing ones grow	Richard Ball	Cllr Denham
Promote the City nationally and internationally to secure investment and attract new businesses and skilled workers	Richard Ball	Cllr Denham
Bring employers to major employment sites, including Exeter Science Park, creating upwards of 26,000 jobs in the next 15 years in the Exeter growth area	Richard Ball	Cllr Denham
Promote the City as a retail and visitor destination	Richard Ball	Cllr Denham
Work with Devon County Council to introduce more efficient and streamlined arrangements for civil parking enforcement and, subject to financial considerations, will be looking to play a leading role in future provision to ensure that Exeter's residents and businesses continue to have effective and measured parking enforcement that balances the competing needs of the city.	Sarah Ward	Cllr Denham
Work in partnership with the County Council and representatives of the community in Topsham to explore the available options for alleviating the reported pressures on parking space.	Sarah Ward	Cllr Denham
Offer an inspiring programme of events, activities and exhibitions at the Museum, enriching the cultural lives of all who live, visit and work in the City	Richard Ball	Cllr Denham
RAMM (Major Partners Museum Bid). Secure a successful bid.	Richard Ball	Cllr Denham
Work with Parkwood Leisure to maintain and improve sporting and leisure facilities operated on behalf of the council	Richard Ball	Cllr Denham
Continue to grant aid to Animated Exeter, Vibrasonic and Exeter Respect festivals	Richard Ball	Cllr Denham
Work with the Exeter Cultural Partnership to prepare a Cultural Strategy to develop the breadth and quality of activity in the City	Richard Ball	Cllr Denham
Review the management arrangements for car parking assets to explore whether a single management and enforcement regime can be introduced for all Council car parks to ensure that charging and other policies are consistently and fairly applied.	Sarah Ward	Cllr Denham
Continue to work with the Exeter and Heart of Devon Employment and Skills Board to promote investment in training provision for employers and progress projects which support local people to take advantage of job opportunities	Richard Ball	Cllr Denham
Work with local partners to explore how we can join up services to help residents to find or get back into employment	Richard Ball	Cllr Denham
Review the management and policy framework for the River & Canal function	Sarah Ward	Cllr Denham

Support thriving district shopping centres including Topsham, Cowick Street, Fore Street, Heavitree, Magdalen Road and Whipton Village	Richard Short	Cllr Denham / Cllr Sutton
Work towards a comprehensive re-development of the Bus and Coach Station, including retail space, new swimming pool and leisure facilities and new bus and coach station.	Richard Ball	Cllr Denham/Cllr Sutton
Continue to highlight the potential impact of aviation policies on Exeter Airport and draw attention to the consequences of air passenger duties on regional airlines and airports.	Richard Short	Cllr Sutton
Explore opportunities to secure funding to unlock barriers to building	Richard Short	Cllr Sutton

## Completed Initiatives/Projects - April 2014

<b>Initiative or project</b>	<b>Assistant Director/Corporate Manager</b>	<b>Portfolio Holder</b>
Support the organisation of the Exeter Festival of South West Food and Drink in Northernhay gardens	Richard Ball	Cllr Rosie Denham
Improve democratic accountability in respect of the river and canal to maximise its potential	Sarah Ward	Cllr Rosie Denham
Refurbish the King William Street car park and install charging points for electric cars	Sarah Ward	Cllr Rosie Denham
Rename key car parks to direct customers to where they want to be	Sarah Ward	Cllr Rosie Denham
Parking Tariffs	Sarah Ward	Cllr Rosie Denham
John Lewis opening	Richard Ball	Cllr Rachel Sutton
Help people into employment through an Exeter City Council Apprenticeship Scheme equipping them with skills and vital work experience	Caroline Hall	Cllr Pete Edwards
Introduce 'pay by phone' parking in all Council car parks to provide greater convenience and flexibility to customers wishing to visit and shop in the city.	Sarah Ward	Cllr Rosie Denham



## SCRUTINY COMMITTEE - RESOURCES

2 July 2014

### Present:

Councillor Baldwin (Chair)

Councillors Bialyk, Brock, Bull, George, Lyons, Morris, Sheldon, Spackman, Winterbottom, Edwards, Pearson and Hannaford

### Apologies:

Councillors Mottram, Robson and Tippins

### Also present:

Chief Executive & Growth Director, Assistant Director Finance, Corporate Manager Democratic and Civic Support, Scrutiny Programme Officer, HR Business Manager, Principal Project Manager (Infrastructure Management & Delivery) and Democratic Services Officer (Committees) (SLS)

### In attendance:

Councillor Edwards - Leader

Councillor Pearson - Portfolio Holder Enabling Services

Councillor Hannaford - Portfolio Holder Customer Access

## 18 **Minutes**

The minutes of the meeting held on 19 March 2014 were taken as read and signed by the Chair as correct.

## 19 **Declarations of Interest**

No declarations of discloseable pecuniary interests were made.

## 20 **Portfolio Holders' Statement**

The priorities for 2013/14 which had been reported previously and a list of priorities and initiatives which had been completed were presented. The work programme and broad priorities relevant to the portfolios for Scrutiny Committee Resources for 2014/15 were presented. The priorities and detail would be refined and developed over the coming months, to include outcomes and targets, and would be published in September 2014 in the Council's Corporate Plan.

Councillor Edwards presented the Leader's priorities for the forthcoming year. He referred to the medium term financial plan as the City Council continued to face ongoing monetary challenges. It was appropriate to have a meaningful consultation with the public over funding and budget changes in the next four years, and he would seek the support of the Scrutiny Committees to look at the individual areas of the Council. The City Council would have to become more self-sufficient in terms of funding and continue to develop the city's economic growth, looking at income generation through attracting new business and income from business rates.

Councillor Pearson presented the priorities within the remit for Enabling Services and commented on the new priority to progress the renewable and energy efficiency

programme to reduce the day to day energy running costs of the Council's estate. The ICT proposals were progressing, and there was an impact on every aspect of the Council's business, but the changes would make the IT Service well placed for the future.

Councillor Hannaford presented the priorities within the remit for the Portfolio Holder for Customer Access. He reported on work currently being done to incorporate Credit Union in the work of the Help Me System and he anticipated bringing forward a report to Committee once these plans had developed. Every effort had been made to continue to take a personal approach to managing the challenges of the welfare reform and that was reflected in the approach being taken by Customer Access Staff. A review of the Customer Services centre opening hours had been done and revised hours implemented. There had been some initial discussion as to how the Customer Service Centre could develop into more of a community hub, with a wider range of financial and social advice available with other partners.

Councillor Edwards gave the following response to a Member's question, as he was aware of the need for the city to look attractive at all times and particularly next year during the Rugby World Cup celebrations, He referred to recent discussions with the County Council over the level of weeds in the city, but there was an issue over funding of the work to remove them.

Councillor Pearson gave the following responses to Members' questions:-

- he welcomed an opportunity to find a way for the public to be able to rate services and contact made through the web site.
- the Strategic Management Team would consider a proposal for an employee survey and an action plan to support employees in managing the changes that would take place over the next four years. He would ensure that Members were updated.
- he had also met with the Council's Equalities Officer to discuss a Black and Ethnic Minorities Forum (BME) and how this would impact on the work of the City Council and anticipated some progress before the middle of September and was due to meet with the Chief Executive & Growth Director to discuss progressing this. He acknowledged that resources were scarce but there may be an opportunity to work with the Devon Group to get more out of the process. He would ensure that Members were kept informed.

Members noted the statements.

## 21 **Annual Scrutiny Report 2013/14**

The Scrutiny Programme Officer presented the report updating the progress and work of scrutiny within the City Council's political framework for the period 2013/14 following the appointment of the Scrutiny Programme Officer in July 2013, including a synopsis of the Task and Finish Group investigations, a review of the proposals for the Scrutiny system and timetabling/plans for 2014/15. The work had helped to encourage the profile of accountability to be raised. The Annual Scrutiny Work Programme meeting was due to take place on 14 July, which would allow Members the opportunity to examine the existing work schedule, review the task and finish groups and prioritise any new task and finish groups as well as receiving nominations for agreed groups for the following year.

A Member commented on the inclusion of the Audit and Governance Committee. A Member also welcomed the report and sought clarification on the proposals for change for the coming year and further review of Scrutiny. The Corporate Manager

Democratic and Civic Support stated that a forthcoming meeting of the Scrutiny Review Working Group would ensure cross party discussions with the group leaders and other representatives of the political groups and their deliberations would be reported to Executive and Council.

A Member thanked the Scrutiny Programme Officer for the hard work and achievement in drawing together the report and felt that the role of a dedicated scrutiny officer had been a great benefit to the Council.

Scrutiny Committee - Resources:-

- (1) supported the report and were content with the progress and direction of Scrutiny over the past year, together with the proposals on direction for the forthcoming year; and
- (2) approved the Annual Scrutiny report for public circulation on the Council's web site.

## 22 **Capital Monitoring 2014/15 and Revised Capital Programme for 2015/16 and Future Years**

The Assistant Director Finance presented the report updating Members of the overall financial performance of the Council's capital programme for the 2013/14 financial year. The capital expenditure in the year amounted to £11,829,575, a reduction of £2,988,845 on the planned figure of £14,828,420. The actual expenditure represented 79.8% of the total approved for the revised capital programme, which meant that £2.5 million would need to be carried forward to be spent in future years. The report sought approval of the 2014/15 revised capital programme, including the commitments carried forward from 2013/14.

The following responses were given to Members' queries:-

- the wildlife haven swift tower on Paris Street roundabout had been funded entirely from Section 106 monies including the Jury Inn's development.
- the J Based legacy system was based on the previous green screen computer system and had been replaced with a more modern IT platform, but access to archive data was still required.
- a written response on Beacon Avenue (Chaucer Grove) play area would be obtained from the Play Area Officer.
- the replacement of the Car Park Pay & Display machines had now been completed. Any increased trend of car park users using the pay by card facility would be reported to the Strategic Management Team. This detail would also be included in future budget monitoring reports presented at this Committee.
- the Principal Project Manager also provided an update on the use of Section 106 monies as part of the Heavitree improvement scheme, where, to date, it had not been possible to agree a tree planting scheme. It was desirable to use this money and one option may be to use the funding to create some added value to a Devon County Council project which was currently out to consultation, with a report due in August.

Scrutiny Committee - Resources noted the report and recommended Executive and Council approve the following:-

- (1) overall financial position for the 2013/14 annual capital programme, and
- (2) amendments and further funding request to the Council's annual capital programme for 2014/15.

## 23 Overview of Revenue Budget 2014/15

The Assistant Director Finance presented the report which advised Members of the overall financial position of the Housing Revenue Account and General Fund Revenue Budgets for the 2013/14 financial year and sought approval for the General Fund working balance, HRA working balance, a number of supplementary budgets totalling £267,310 and the creation of new earmarked reserves.

The following responses were given to Members' queries:-

- the Principal Project Manager referred to the Natura 2000 work to provide mitigation work along the estuary, with Section 106 monies to help reduce the pressure on this area as more people come to live and work in Exeter.
- the Assistant Director Finance stated that the sum reserved for insurance was in respect of future claims against the Council that were not covered by the current policy.
- the Assistant Director Finance stated that many local authorities adopted an approach of using short term loans to underpin their cash flow fluctuations at varying times of the month.
- the Assistant Director Finance responded to a comment on the Council's outstanding and increased debt, stating that housing debt had increased over the year from March 2012 to 2013 and mostly related to an overpayment in housing benefit, which could be recovered but only on a basis of affordability of the debtor. Every effort was being made to address this.

Scrutiny Committee - Resources noted the report and requested that Council note the overview of the Resources Budget for 2013/14 and approve:-

- (1) the net transfer of £3,419,871 to Earmarked Reserves as detailed in paragraph 8.3.6;
- (2) the supplementary budgets of £267,310 as detailed in paragraph 8.3.8;
- (3) Earmarked Reserves at 31 March 2014;
- (4) the Council Tax account and collection rate;
- (5) the outstanding sundry debt, aged debt analysis and debt write off figures be noted;
- (6) the creditor payments performance;
- (7) having regard to the General Fund working balance of £3,364,640 as at 31 March 2014, and overall financial position of the Council as set out, in paragraph 8.3.7; and
- (8) the Housing Revenue Account working balance as at 31 March 2014 of £5,963,219 and the Council Own Build working balance of £103,512.

## 24 Treasury Management 2013/14

The Assistant Director Finance presented a report on the overall performance for the 2013/14 financial year and the position regarding investments and borrowings at 31 March 2014. He responded to a number of Members' comments and confirmed that the Council had successfully completed the sale, at auction, of its outstanding monies held in Landsbanki. Glitnir had also repaid in full the funds invested during 2011/12, although the proportion repaid in Icelandic Krona remained invested in Iceland due to restrictive currency movements, but he anticipated that the restrictions would be lifted in the future and the funds returned. He also explained the

investment strategy was made on the basis of the usual financial risks assessments in accordance with the strict investment portfolio approved by Council.

Scrutiny Committee - Resources noted the Treasury Management report for the 2013/14 report and recommended approval by Council.

## 25 **Local Government Pension Scheme Discretions**

The Human Resources Business Manager presented the report and set out the Local Government Pension Scheme employer discretions which the Council was required to publish. It dealt with the inclusion of new discretions in respect of changes to the LGPS which came into effect on 1 April 2014, as well as providing for a review of existing discretions, which were set out in the report.

A Member referred to Regulations B 30 (2) in Appendix B of the report and expressed the view that the reference to exclude the deferred member who had been dismissed from employment should be removed from the discretion. A Member suggested that in certain cases it was better to discharge the pension benefits rather than take a moral stand. A Member also referred to consideration of the Human Rights Act.

Scrutiny Committee - Resources noted and recommended approval by Council the publication of the Employer Discretions Policies contained in Appendices A and B (with the exception of Regulation B30 (2)) circulated with the report in accordance with the requirements of the Local Government Pension Scheme Regulations.

## 26 **Annual Workforce and Learning and Development Profile**

The Human Resources Business Manager presented the report which provided the following information which were attached as appendices to the report:-

- comprehensive profile of the Council's workforce (as at 31 March 2014), benchmarked where appropriate against the Labour Market Statistics for Exeter as captured by the 2011 Census and the workforce profile as at 31 March 2013.
- HR performance data in respect of people resources and sickness absence during 2013-14
- information in respect of approach to Learning and Development activity for 2013-15

A Member referred to the level of sickness which had decreased from previous years, and enquired whether a comparator figure was available for local authorities. The Human Resources Business Manager stated that since the demise of the Best Value Performance Indicator (BVPI) this information was no longer gathered nationally and was at the discretion of the individual local authority to continue to make the calculation.

Scrutiny Committee - Resources noted the report.

## 27 **Budget Monitoring - Scrutiny Resources - Final Accounts 2013/14**

The Assistant Director Finance presented the report which advised Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2014 in respect of the Scrutiny Committee Resources. The total underspend variance of £44,304, after transfers from reserves and revenue contribution to capital, represented a variation of 0.78%

from the revised budget and was detailed in Appendix 1. The report also identified two areas of budgetary risk in relation to a partial reimbursement of Housing Benefits subsidy and an increase in employer contributions due to a combination of reduced staffing, investment performance and increased life expectancy. He responded to a Member's comment on the joint funding contribution in respect of the Local Government Pension Scheme.

Scrutiny Committee - Resources noted the content of this report.

## 28 **New Homes Bonus Update**

The Assistant Director Finance and Principal Projects Manager presented the report which updated Members in relation to New Homes Bonus received from the Government, and how it had been spent, particularly the element available to communities through the Local Infrastructure Fund. He referred to the New Homes Bonus for 2014/15 which totalled £2,774,994 of which £250,000 was allocated to the Local Infrastructure Fund, £120,000 was set aside for capacity building and neighbourhood plans in the General Fund, and £36,000 had also been set aside for ward projects. The balance would be held to fund the new Swimming Pool and Leisure Complex as well as reduce the debt held by the City Council.

The Principal Project Manager presented a table showing the distribution of Local Infrastructure Fund grants around the city. Groups were able to bid to fund projects, and, if any group was interested, they should contact him to make sure they met the eligibility criteria before they submitted their bid.

A Member enquired if the Natura 2000 mitigation initiative funding could be used to fund other improvements such as in St James, not only for green infrastructure projects but also social aspects and combating anti-social behaviour. The Chief Executive said that, unfortunately, this was not a permitted use of the fund.

Scrutiny Committee - Resources offered their continued support for use of the New Homes Bonus in the ways described in the circulated report, particularly in the use of the Local Infrastructure Fund to fund projects which filled gaps in the provision of community facilities across the city.

## 29 **Members Allowances Paid 2013/14**

The Corporate Manager Democratic and Civic Support presented the report on allowances paid to Elected Members in 2013/14.

A Member welcomed the openness and transparency and felt that the schedule should have shown a pension contribution for those Councillors who were members of the Local Government Pension Scheme. In response, the Corporate Manager Democratic and Civic Support advised that the pension eligibility for Members had changed and was now closed to new entrants and only continuing for existing members until the expiry of their term of elected office. A Member considered the employer contribution should be shown, but not the individual councillor contribution.

Scrutiny Committee - Resources noted the allowances paid and expenses claimed by Members in 2013/14.

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

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

31 **Information and Communications Technology (ICT) Shared Service Option**

The Assistant Director Finance presented the report and sought approval to enable the Council to progress with an Information and Communications Technology (ICT) shared service with two other local authorities (East Devon and Teignbridge District Councils). He responded to a Member's enquiry regarding the transfer of terms and conditions to new and existing staff, and also provided clarification on the management structure. A Member welcomed the report and suggested this would ensure a robust and resilient back up service. It was considered that an opportunity for Members to receive a Briefing on the new shared service would also be arranged in due course.

Scrutiny Committee Resources noted the report and recommended that Executive and Council approve the following:-

- (1) implementation of a shared Information and Communications Technology (ICT) service between Exeter, Teignbridge and East Devon Councils, according to the detail set out in the Updated Business Case and Implementation Plan circulated with the report;
- (2) creation of a stand-alone limited company ("the Company") to be called Strata Service Solutions Ltd which is wholly owned and controlled equally by the three councils to deliver the ICT shared service;
- (3) delegated authority be given to the Chief Executive & Growth Director, in consultation with the Leader of Exeter City Council, to finalise and sign legal agreements in line with the Updated Business Case and Implementation Plan;
- (4) delegated authority be given to the Section 151 Officer, in consultation with the Deputy Chief Executive, to transfer the remaining ICT budgets for FY 2014/15 as at go-live date (expected to be 1 November 2014 ) to the shared service (Strata) and to transfer future budgets as per the payment plan in the Updated Business Case;
- (5) the budget for this Council's share of the implementation costs as set out in the circulated report;
- (6) transfer of the ICT staff to the new company (under TUPE) at the go-live date;
- (7) transfer of all ICT assets to the company at the go-live date;
- (8) the appointment of Chris Powell as the Interim Chief Operating Officer of the company from 1 August 2014, with the expectation that recruitment for the final post will be competitive and conducted through an internal and external campaign starting in September;

- (9) transfer of the line responsibility for all ICT staff from 1 August 2014 to the Interim Chief Operating Officer. However staff will remain employees of the council until formal transfer; and
- (10) the creation of a Joint Executive Committee and Joint Scrutiny Committee, the terms of reference for which will be set up, following a formal report to Council agreeing this constitutional change.

## 32 **Corporate Property Interim Structure and Issues**

The Corporate Manager Property presented a report examining issues arising from the establishment of the new Corporate Property Unit with interim proposals for its efficient management. This would ensure a more coordinated approach to ensure the service was also fit for purpose with a focus on more efficiency and effective delivery of the maintenance spend, as well as a more coordinated health and safety overview.

Members requested an update of progress of the service at an appropriate time.

The Scrutiny Committee - Resources supported approval by Executive of the following:-

- (1) the creation of a new post of Corporate Property Assets Manager;
- (2) the creation of a new post of Helpdesk Co-ordinator;
- (3) the Corporate Energy Manager to be designated full time;
- (4) the new management structure encompassing the Estates Team and parts of the former Engineering Team to be formally approved, and
- (5) the Corporate Manager Property proceed to acquire an Asset Valuation programme in partnership with neighbouring authorities if possible.

The meeting commenced at 5.30 pm and closed at 8.15 pm

Chair



## **SCRUTINY COMMITTEE (RESOURCES)**

### **2 July 2014 Portfolio Holder Priorities 2014/15 (Covering Note)**

The work programme for the Portfolio Holders for Enabling Services, Environment Health & Wellbeing and City Development is set out in the attached document (Appendix A).

Members should note that the document sets out the broad priorities for 2014/15 and that Portfolio Holders will be working closely with officers to refine and develop these priorities over the coming months. The refined list of priorities for 2014/15, which will also include outcomes and targets, will be published in September 2014 in the Council's Corporate Plan.

The document also shows

- a) Priorities 2015 – which are the new priorities included in the recent manifesto,
- b) 2012 - 2014 - are priorities previously agreed that will be carried forward.

Therefore the two lists together are the total priorities each Portfolio Holder is expected to deliver.

Contact for enquires: Sharon Sissons, Democratic Services (Committees), Room 2.3  
01392 265115

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**Scrutiny Committee (Resources)**

**(APPENDIX A)**

**Priorities for 2014/15**

<b>Priority</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
Protect frontline services by reducing the Council's energy costs through a range of energy efficiency schemes	Mike Carson	Cllr Pearson

## Portfolio Holder Priorities 2012 - 14

<b>Initiative or project</b>	<b>Assistant Director/ Corporate Manager</b>	<b>Portfolio Holder</b>
Continue the 'looking good' systems redesign, with a view to introducing a new operating model for green space management, grounds maintenance and street cleansing in early 2014.	Sarah Ward/Bob Norley	Cllr Owen
Explore the potential for place-based service delivery, including partnerships with the County Council to deliver services on their behalf and place-based budgeting.	Bob Norley	Cllr Owen
<b>A Renewables and Energy Efficiency Programme</b>	Mike Carson	Cllr Pearson
Support our existing systems reviews by working across the council to develop a robust understanding of how our residents are contacting us in person, by telephone, or electronically (email/web/Twitter/Facebook).	Bindu Arjoon	Cllr Pearson
Explore the opportunities offered by social media and mobile technology to engage more residents and provide timely information	Bruce Luxton	Cllr Pearson
Publish the Exeter Citizen four times a year, ensuring all residents are informed of the council's policies, activities and events	Bruce Luxton	Cllr Pearson
Enhance and promote the use of the council's website for accessing information and services online	Mark Parkinson	Cllr Pearson
<b>Create a new corporate property function and unit including Asset Management</b>	Mark Parkinson	Cllr Pearson
Develop appropriate training programmes to encourage a supply of potential future female senior managers and investigate ways of targeting and encouraging more women to apply for management posts.	Mark Parkinson	Cllr Pearson
Progress an alternative strategy to delivering a shared IT service facility	Mark Parkinson	Cllr Pearson
Work with staff to ensure that they are aware of initiatives and change across the council and can readily submit opinions, attitudes and feedback.	Bruce Luxton	Cllr Pearson
Continue to enhance and promote the council's corporate identity and house style.	Bruce Luxton	Cllr Pearson
Provide more detailed training on equality and diversity.	Bruce Luxton	Cllr Pearson
Review the Council's in-house Engineering function	Sarah Ward	Cllr Sutton

### Completed Initiatives/Projects - April 2014

Initiative or project	Assistant Director/Corporate Manager	Portfolio Holder
Implement a systems review of City Development, including Building Control and Land Charges that will achieve our ambition of delivering good development	Richard Short	Cllr Sutton

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## AUDIT AND GOVERNANCE COMMITTEE

Wednesday 25 June 2014

### Present:-

Councillor Sheldon (Chair)  
Councillors Baldwin, Laws, Lyons, Morris and Williams

### Also Present

Deputy Chief Executive, Audit Manager (HP), Technical Accounting Manager, Policy Officer (LB), Scrutiny Programme Officer and Democratic Services Officer (Committees) (SLS)

David Bray - Senior Manager Assurance, Grant Thornton  
Geraldine Daly - Engagement Lead for Grant Thornton

43

### MINUTES

The minutes of the meeting held on 12 March 2014 were taken as read and signed by the Chair as correct.

44

### DECLARATIONS OF INTEREST

No declarations of discloseable pecuniary interest were made.

45

### ANNUAL SCRUTINY REPORT 2013/14

The Scrutiny Programme Officer presented the report updating the progress and work of scrutiny in relation to the Audit and Governance Committee which monitored performance against the internal audit plan, reviewed any revisions to the plan and considered any issues arising from the half yearly audit report. The Committee also monitored the Council's regulatory framework including the effective development and operation of risk management and corporate governance. The Scrutiny Programme Officer also referred to the success of the task and finish groups in raising the profile of scrutiny and the degree of transparency at the City Council. The Annual Scrutiny Work Programme meeting was due to take place on 14 July, which would allow Members the opportunity to examine the existing work schedule, review the task and finish groups and prioritise any new task and finish groups as well as receiving nominations for agreed groups for the following year.

A Member having been involved from the beginning of the process, welcomed the report and direction that scrutiny was taking at the Council. She hoped that every Member would continue to participate to some degree. The Scrutiny Programme Officer responded to the positive comments made on the recent scrutiny training provided, which 16 Members had attended. There were no current plans to repeat this annual training, although, if any Member had a question or had identified a further training requirement, they should contact her to discuss. The South West Scrutiny Network was due to meet shortly and the City Council now had a presence on this network. She had also responded to a comment on the progress made by the Cost of Living Forum Group and envisaged that a research report should be available by the end of July. The work would be reported to the Cost of Living Forum meeting on 15 September.

The Audit and Governance Committee -

- (1) supported the report and were content with the progress and direction of Scrutiny over the past year, together with the proposals on direction for the forthcoming year; and
- (2) approved the Annual Scrutiny Report for inclusion on the Council's web site.

46

#### **PRESENTATION ON THE SCOPE OF THE AUDIT AND GOVERNANCE COMMITTEE**

The Chair welcomed new Members to the Audit and Governance Committee.

The Audit Manager (HP) made a short presentation which outlined the role of internal audit in contributing towards the Council's probity and transparency. A copy of the terms of reference for the Audit and Governance Committee included details of the responsibility for overseeing the internal controls environment had been sent to Members. An invitation was extended to Members to contact the Audit Managers if they required any additional information.

David Bray and Geraldine Daly from the City Council's External Auditors, Grant Thornton, were also present. Geraldine Daly provided a brief overview of the audit regime they worked within, which provided:-

- an opinion on the Council's financial statements
- a value for money (VFM) conclusion;
- data and information to the Audit Commission; and
- a true and fair view of the financial position of the Council at the year end and of its expenditure and income for the year; which had been properly prepared in accordance with CIPFA's Code of Practice on Local Authority Accounting.

Geraldine Daly responded to a Member's enquiry of the opportunity to inspect the Authority's accounts and explained the difference to a Freedom of Information request. The inspection of accounts could be made under specific legislation and within a specific time frame. The set process was governed by the Audit Commission, with any approach made directly to Exeter City Council.

Members of the Committee thanked the Audit Managers and Grant Thornton for their informative presentations.

47

#### **GRANT THORNTON AUDIT PLAN 2013/14/ /AUDIT FEE LETTER 2014/15**

Geraldine Daly presented the detail of the Audit Commission's proposed work programme and scale of fees for 2014/15, to be charged by Grant Thornton for the auditing of the Council's services and accounts. The fee for 2014/15 had been set by the Audit Commission at £76,283, with no change from the 2013/14 period.

David Bray presented the Audit Plan for the year ended March 2014. He set out the approach adopted by the City Council, in response to the many financial challenges and opportunities now being faced. He outlined the scope of the Local Government Finance Act under which they operated and acknowledged recent changes to the council tax benefit system and also business rates retention. He also focused on the development of the Council business, in terms of financial reporting, legislation and corporate governance, setting out the significant risks associated with the Authority, but these were not unique to Exeter.



The report concluded that there were no internal audit weaknesses. The Council had an ongoing challenge in respect of their journal entry controls and the authorisation regime for journals prior to posting. A plan of action to address this has been identified. Geraldine Daly responded to a Member comment on how other authorities faced the same challenge, stating that the variation related to the reliance on technology and levels of control in place, as well as carrying out spot and sample checks. The Technical Accounting Manager also added that following a restructure of the teams and work review, the resource was now in place for a better authorisation of journals.

The Audit and Governance Committee noted the Audit Plan for the year ended March 2014 and also noted the Fee Letter set for 2014/15.

48

#### **AUDIT AND GOVERNANCE COMMITTEE UPDATE**

David Bray presented the Audit and Governance Committee Update report, which included the latest position and progress made for the period until 9 June 2014. The report covered the financial picture, local accountability and further detail on Local Government Governance. He reported that an update on the JS260 report, as well as the 2013/14 Value for Money conclusion, would be made to the September meeting.

He extended an invitation to Members to attend a number of summer workshops offering more information on local authority accounting processes. These workshops were being run by Grant Thornton at a number of locations within the south west, with the nearest one being in Taunton on 16 July. The half day workshops were free of charge.

The Audit and Governance Committee noted the Audit Committee Update and progress as at June 2014.

49

#### **CODE OF CORPORATE GOVERNANCE AND ANNUAL GOVERNANCE STATEMENT 2014/15**

The Technical Accounting Manager presented the report which set out the proposed update Code of Corporate Governance and the Annual Governance Statement that would accompany the Council's Statement of Accounts for 2013/14. The Statement also incorporated the Council's Code of Governance, which was published on the Council's web site.

The Annual Governance Statement would include details of the new management structure and these were set out in Appendix A of the report. The Statement included significant governance issues as set out in Appendix B, and included the proposed management activity and actions. It was considered that the Code of Conduct framework, changes to the Council's senior management structure and introduction of the Audit and Governance Committee would all help to continue to strengthen the Council's governance.

The Audit and Governance Committee supported the report and requested Council to approve the following:-

- (1) updated Code of Corporate Governance for 2014/15;
- (2) Annual Governance Statement being included within the Council's Annual Statement of Accounts for 2013/14.

The report of the Audit Managers was presented and included an opinion on the overall adequacy and effectiveness of the Council's control environment, and a summary of the work undertaken. The report also included an overall assessment of the internal control. It was noted that a self assessment had been conducted to identify the level of conformance with the standards and a summary of the findings were included, along with the results of the quality assurance and improvement programme. The detail was set out in Appendix A. Progress of the 2013/14 Audit Plan was included in Appendix B and a programme of internal work carried out throughout the year was included in Appendix C.

The Audit Manager (HP) provided an update on the recommendations made in their internal audit summary of work completed from the period January to March 2014. A Member commented on an issue relating to the student classification and exemption of council tax in relation to student property. She was concerned that as more specified purpose built student accommodation was being provided, it was likely that other student housing would return to shared and family housing and not be reclassified as non student housing. It was noted there were 2,900 private properties classed as receiving a student exemption and it was not practical to check each property. The exemption was based on a self assessment by the occupants as well as information provided by Exeter and Plymouth Universities, individual landlords and letting agencies. An assessment was made by the council tax team and a decision made on the responses received. A Member was concerned over the sample made and sought clarification on the actual classification process when the end of the student year was reached. The Audit Manager confirmed that there was an expectation that the property would continue as student accommodation and be rolled on from year to year. The Deputy Chief Executive suggested inviting a colleague from council tax to provide further clarification at the next meeting.

A Member also referred to the classification rate in relation to the debtor situation. The Audit Manager stated that they had raised concern over the need to have a coordinated approach to the collection of debt.

The Audit and Governance Committee noted the report and supported approval of the following:-

- (1) Audit report recommendations not accepted by management, as detailed in Appendix C, deemed as an acceptable risk to the Council; and
- (2) External assessment of the Internal Audit Service against the public sector Internal Audit Standards.

### **MEASURING THE EFFECTIVENESS OF THE AUDIT COMMITTEE - SELF ASSESSMENT CHECKLIST**

The Audit Manager (HP) presented a report on measuring the effectiveness of the Audit and Governance Committee. The requirement for an evaluation of the Committee's performance against the responsibilities set out in the terms of reference demonstrated the Council's commitment to improving its governance. A copy of CIPFA's Self Assessment Checklist – 'Measuring the Effectiveness of the Audit Committee' was attached as an appendix to the report, together with a request that it be completed by Members of the Committee. The results would be collated by the Audit Managers and used to identify targets for future improvements and would be reported to the Council in due course. It was considered that, as well

as the current Membership, those Members who sat on the Committee last year should be asked to participate and complete the checklist.

David Bray advised that, if required, they could facilitate one or two sessions to tease out the issues, and this could be completed at the next meeting.

The Audit and Governance Committee noted with assurance that it was operating effectively.

52 **REVIEW OF CORPORATE GOVERNANCE RISK REGISTER**

The report of the Corporate Manager Policy, Communications and Community Engagement included an updated Corporate Risk Register. The Policy Officer (LB) presented the quarterly report which advised the Committee of the Council's proposed, revised risk management arrangements. Risk management was a part of the Corporate Governance arrangements, and the process was embedded throughout the Council. She referred to the two areas at the previous meeting which had been raised with the relevant officers and confirmed that, following additional investigation, a further update would be made to the next meeting. The Assistant Director Environment and the Assistant Director Public Realm would be invited to update Members at the next meeting.

The Audit and Governance Committee noted the updated Corporate Risk Register.

53 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**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.

54 **REVIEW OF CORPORATE GOVERNANCE RISK REGISTER (APPENDIX B)**

The Policy Officer 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.

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

Chair

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## EXECUTIVE

Tuesday 24 June 2014

### Present:

Councillor Edwards (Chair)  
Councillors Denham, Fullam, Hannaford, Leadbetter, Owen and Pearson

### Apologies:

Councillor Sutton

### Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Environment, Assistant Director Customer Access, Assistant Director Public Realm, Housing Enabling Manager, Environmental Health Manager, Benefits Training Officer and Democratic Services Manager (Committees)

51

### MINUTES

The minutes of the meetings held on 18 March and 1 April 2014 were taken as read and signed by the Chair as correct.

52

### DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

53

### EXETER CITY COUNCIL'S LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2015/16

The report of the Assistant Director Customer Access was submitted, seeking Members' views on the local Council Tax Support (CTS) Scheme for working age residents for 2015/16. The local CTS scheme started in April 2013 and Members were required to agree the Scheme rules annually. It was highlighted that Members had the option of retaining the current scheme for 2015/16 or to make changes to the Scheme as outlined in the report.

The Assistant Director Customer Access highlighted the work that was being done to support those residents, who were experiencing difficulties with their payments, including proactive work to make contact with those likely to be affected as well as working with those residents who had multiple debts with the Council.

It was noted that the introduction of the Local CTS had not affected the Council's collection rates significantly.

In response to a Member's question, the Benefits Training Officer clarified that all the major precepting authorities contributed to the Council Tax Support Exceptional Hardship Fund. Last year the fund had been underspent but in the first quarter of this year, payments from the fund had sharply increased. In response to a question from a Member, it was confirmed that The Council Tax Support Scheme did support low income working households.

The Portfolio Holder for Housing and Customer Access emphasised the need to encourage local employers to pay the living wage and expressed concerns regarding the hardship that the unreasonably high cost of private rents in the city caused some families on low incomes.

**RECOMMENDED** that Council approves the continuation of the current 2014/15 CTS scheme for working age customers for 2015/2016.

54

### **RESOURCING ENFORCEMENT SERVICES**

The report of the Assistant Director Public Realm was submitted, seeking Member approval to create an Enforcement Team for off street parking, illegal encampments, litter and dogs from existing staff resources.

Two Members expressed serious concerns regarding the cut in resources and the subsequent consequence of a reduction in the Enforcement Team. They stated that they could not support this proposal.

The Portfolio Holder for Environment, Health and Wellbeing endorsed the recommendation stating that, in light of the budget position, the proposal enabled a cohesive approach to enforcement issues to maintain the standard of community safety whilst protecting important revenue streams.

Scrutiny Committee – Community considered the report at its meeting on 17 June 2014 and the comments of the Members were noted.

**RESOLVED** that the creation of an Enforcement Team of five Full Time Employees from the current four Community Patrollers and the Environmental Enforcement resource to focus on statutory and business critical enforcement work be approved.

(In accordance with Standing Order no.43, Councillor Fullam and Leadbetter requested that their vote against this recommendation be recorded)

55

### **ENVIRONMENTAL HEALTH AND LICENSING STATUTORY SERVICES PLAN - 2015/16**

The report of the Assistant Director Environment was submitted, seeking approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2014/15. The Statutory Service Plan sets out the Council's regulatory function in respect of food safety, health and safety, licensing, Environmental Permitting and other statutory functions over the forthcoming year.

The Assistant Director Environment clarified that there was no reduction in the overall functions in respect of the activities within the Statutory Service Plan.

Scrutiny Committee – Community considered the report at its meeting on 17 June 2014 and the comments of the Members were noted.

**RESOLVED** that the:-

- (1) Statutory Service Plan 2014/15 be approved; and

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

56

### **ADDITIONAL LICENSING FOR CERTAIN TYPES OF HOUSES IN MULTIPLE OCCUPATION (HMOS) THROUGHOUT EXETER**

The report of the Assistant Director Housing was submitted, seeking Members approval to enter into a 10 week consultation period with relevant stakeholders on a proposal to extend the principles of Mandatory Houses in Multiple Occupation (HMO) Licensing, currently operated by Exeter City Council, through the introduction of an Additional Licensing Scheme covering specific types of HMOs. The results of the consultation would be brought back to Scrutiny Committee – Community and Executive later in the year.

In response to a Member's question, the Environmental Health Manager stated that this proposal would generate income which would cover the resource costs to administer this scheme.

The Portfolio Holder for Housing and Customer Access welcomed this proposal to work with landlords to protect Exeter's most vulnerable tenants.

Scrutiny Committee – Community considered the report at its meeting on 17 June 2014 and the comments of the Members were noted.

**RESOLVED** that:-

- (1) a formal 10 week consultation period be entered into with relevant stakeholders, particularly landlords, tenants, partner agencies and the public at large; and
- (2) the outcome of the consultation with any recommendations as to whether or not Additional Licensing should be progressed be the subject of a further report to Scrutiny Committee – Community and Executive in November 2014.

57

### **FLOODING IN TOPSHAM - RESPONSE AND RECOVERY**

The report of the Assistant Director Public Realm was submitted, detailing the assessment, funding and repair of flood damage at Topsham following the severe storms earlier this year.

Members were advised that the impact to the Council had been approximately £26,000 but the Council had now received confirmation that it had been allocated £20,000 from the Severe Weather Recovery Scheme towards the costs associated with the works.

Executive recognised and commended council staff for their contribution and quick response to the flooding in Topsham.

**RESOLVED** that:-

- (1) the Council recognises and commends the response of the residents, community associations, voluntary and private sector organisations, statutory partners and council staff for their contribution to emergency flood response and flood recovery works at Topsham this year;
- (2) the Council engages with the Environment Agency and other agencies to promote a revised flood risk study to ensure that the community is adequately protected, identify future funding and clarify future responsibility for estuarine defences; and
- (3) a contribution of £5,000 be made to Devon County Council for the repair of the Goat Walk, Topsham, provided that there is sufficient money included in the allocation made available to the City Council from the Environment Agency for Flood Risk Management grant funding.

58

**SW EXETER DEVELOPMENT BRIEF**

The report of the Assistant Director City Development was submitted briefing Members on the results of public consultation on a draft South West Exeter development brief and representations received. The recommendation was for the adoption of an amended development brief as a Supplementary Planning Document (SPD). The adoption of a development brief as an SPD should provide more certainty on Council requirements at the planning application stage for the developer and public. There had been extensive consultation on the draft brief with local residents and the Alphington Forum and the proposed amendments were covered in Appendix two. The Planning Member Working Group had supported the brief with amendments.

During discussion, Members raised the issues of community facilities; the education provision in the area and all-through schools; car parking provision; broadband and health care facilities.

The Assistant Director City Development advised on community facilities within the Alphington Area. He would investigate broadband provision; the brief safeguarded a site for a Healthcare facility on the development unless one was delivered in SW Exeter.

**RESOLVED** that the:-

- (1) proposed amended development brief at Appendix two be approved: and
- (2) Assistant Director City Development be delegated to make any further necessary editorial corrections before publication.

59

**APPOINTMENT TO OUTSIDE BODIES**

The schedule of representatives on outside bodies was circulated.

**RESOLVED** that the appointment to Outside Bodies be delegated to the Corporate Manager Democratic and Civic Support to agree in consultation with the Group Leaders.



60      **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.

61                                      **EXPENDITURE PROPERTY ACQUISITION**

The report of the Assistant Director Housing was submitted, requesting the allocation of funding for a property acquisition.

**RESOLVED** that:-

- (1) funds be allocated from the Housing Revenue Account for a property acquisition;
- (2) the Corporate Manager Property be authorised to acquire the property; and
- (3) the property be let out as temporary accommodation (not for housing the homeless) until the redevelopment of the wider site is undertaken.

(The meeting commenced at 5.30 pm and closed at 6.43 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 29 July 2014.**

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## EXECUTIVE

Tuesday 15 July 2014

### Present:

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

### Also present:

Chief Executive & Growth Director, Assistant Director Economy, Assistant Director Customer Access, Assistant Director Finance, Assistant Director Public Realm, Corporate Manager - Legal, Corporate Manager Democratic and Civic Support, Corporate Manager Property, HR Business Manager, Litigation Solicitor, Senior Area Planning Officer, Housing Options Manager, Senior Housing Development Officer, Scrutiny Programme Officer and Democratic Services Manager (Committees)

62

### DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

63

### ANNUAL SCRUTINY REPORT 2013/14

The Scrutiny Programme Officer's report was submitted updating Members on the progress and work of Scrutiny for the period 2013/14 including a synopsis of Task and Finish Group investigations, a review and proposals for the Scrutiny system and timetabling/plans for 2014/15.

Members noted that this report was available on the Council's Web Site.

Scrutiny Committee – Community (17 June 2014), Audit and Governance Committee (25 June 2014), Scrutiny Committee – Economy (26 June 2014), and Scrutiny Committee – Resources (2 July 2014) considered this report and comments of the Members comments were noted.

**RESOLVED** that the report and the progress and direction of Scrutiny over the past year, together with the proposals on direction for the forthcoming year, be noted.

64

### MEMBERS' ALLOWANCES 2014/15

The report of the Corporate Manager Democratic and Civic Support was submitted setting out the report and recommendations of the City Council's Independent Remuneration Panel in relation to Members' Allowances for 2014/15.

In response to a Member's questions, the Corporate Manager Democratic and Civic Support clarified that the survey would take into consideration the various roles and tasks that Councillors had to undertake within the community and their time commitments as Portfolio Holders and attendance at Council meetings.

**RECOMMENDED** to Council that:-

- (1) the recommendations of the Independent Remuneration Panel, as set out in the report, be agreed;

- (2) a detailed survey be undertaken amongst Councillors to ascertain their time commitments whilst undertaking their various Member roles;
- (3) a representative from the South West Assembly together with an Independent Advisor on Members' Allowances be invited to join this Council's Independent Panel on Members' Allowances, to replace two of the existing Panel members; and
- (4) up to £5,000 be made available to cover any costs associated with the proposed review.

65

### **REDESIGN OF THE COUNCIL'S PRIVATE RENTED SCHEMES**

The report of the Assistant Director Housing was submitted updating Members on the redesign of the Council's private rented EXtraLet scheme in pursuit of the authority's corporate objectives of improving access to affordable private sector tenancies and driving up standards in private rental properties.

The Senior Housing Development Officer advised Members of the changes proposed which would allow landlords to tailor the scheme to suit their personal needs and also enable owners to work with their own contractors to undertake maintenance work rather than using the Council's contractors. The properties would still be inspected by the Council to ensure that they met the required standards.

In response to Member's questions, the Senior Housing Development Officer clarified that the scheme would be cost neutral to the Council. The condition of the properties would need to meet Council standards before they were made available to rent and to support this "condition" of properties would be added in under paragraph 6.1 of the report.

**RESOLVED** that the changes proposed to the current direct lettings and in-house management scheme as outlined in this report be approved.

66

### **REVIEW INTO THE POLICY FOR ALLOCATING SOCIAL HOUSING - REPORT OF TASK AND FINISH GROUP**

The report of the Assistant Director Customer Access was submitted which updating the findings and recommendations of the Task and Finish Group convened by the Scrutiny Community - Committee to review the Council's allocation of social housing.

The Assistant Director Customer Access advised Members of the recommendations of the task and finish group which would be subject to a robust and wide spread consultation, the results of which would be brought back to Executive to consider.

A Member felt that the changes proposed would help the Council to have a more accurate picture of the city's housing needs and requirements.

The Leader had concerns with regards to registering applicants with a local connection of two years residence in the whole of Devon and why this was not restricted to Exeter residents only.

The Housing Options Manager commented that it was anticipated that the changes proposed would help to bring about more mixed communities and that the city was presently a net exporter of tenants within Devon.

In response to Member's concerns regarding a local connection of two year's residence in Devon, the Portfolio Holder for Housing and Customer Access clarified that all exceptional cases were considered on an individual basis.

Scrutiny Committee – Community considered the report at its meeting on 17 June 2014 and the comments of the Members were noted.

**RESOLVED** that a six week consultation with households on the housing register, partners (housing associations, Devon County Council, neighbouring local authorities, voluntary sector agencies etc) and staff be undertaken on the following:-

- to restrict eligibility for housing to those with an evidenced housing need within the policy and thereby removing Band E;
- to remove applications where people do not bid for 12 months or refuse three properties deemed suitable for their needs
- to give additional priority for working households and those who make a contribution to the local community; and
- to only register applicants with a local connection of two year's residence in Devon;

The outcomes of the consultation to be reported back to Executive.

67                    **CREATION OF AN ADDITIONAL POST OF PROJECT SUPPORT OFFICER IN CITY DEVELOPMENT**

The report of the Assistant Director City Development was submitted updating Members on the recent redesign of City Development and the issues that have arisen in relation to the level of administrative and technical support from Project Support Officers (PSOs). The recommendation was for the creation of an additional full time PSO post (Grade 4) at a direct cost of about £20,600 per annum including overheads.

Members supported the way forward to ensure that there were adequate resources to cope with additional demands within City Development.

**RECOMMENDED** to Council that the City Development establishment be increased by a further full time post of Project Support Officer with effect from Council on 29 July 2014 and that budgets be adjusted accordingly.

68                    **COUNCIL RESPONSE ON PETITION IN RESPECT OF BADGERS**

The report of the Assistant Director Public Realm was submitted in response to a recent e-petition calling for Exeter City Council to prohibit badger culling on Council owned land and to consider the original recommendation in the light of the comments of Scrutiny Committee – Committee and the additional information about likely resource implications provided subsequently.

The Assistant Director Public Realm clarified that as well as the 232 signatures on the e-petition a paper petition with 500 signatures was also submitted, taking the total number of signatures to over 700.

This report had been to Scrutiny Committee – Community on 17 June 2014 and the Committee did not support the recommendation. A motion was proposed and seconded recommending that the petition *to prohibit the culling of badgers on council-owned land and invest in vaccination programmes locally* be supported. This motion was carried.

Whilst the majority of Members supported the need for the Council to comply with the Protection of Badger's Act 1992, some Members were of the opinion that badger culling on Council owned land should be prohibited.

**RESOLVED** that the Council:-

- (1) continue to comply with the Protection of Badger's Act 1992; and
- (2) prohibit badger culling on Council owned land.

(In accordance with Standing Order no.43, Councillor Leadbetter requested that his abstention from voting be recorded)

69

### **RUGBY WORLD CUP 2015 UPDATE**

The report of the Assistant Director Economy was submitted updating Members on the progress with preparations for the Rugby World Cup in September/October 2015.

Members noted the update.

70

### **FUTURE OF THE WATERWAYS**

The report of the Assistant Director Public Realm was submitted which sets out the latest position with regard to the management of the Estuary, Quay, Basin and Canal and the outstanding draft Harbour Revision Order (HRO).

The Assistant Director Public Realm reported that in 2008, following lengthy deliberation, a HRO was submitted to the Department for Transport to allow for the Council's interests in the Exe Estuary to be divested to a Trust Port. This request was held in abeyance until very recently when the application was recently rejected by the Marine Management Organisation (the successor in this respect to the Department of Transport). They considered that the HRO would not achieve the statutory objectives. Following a reassessment in respect of the future management of the waterways and the current financial pressures on the City Council, it was considered that the option of a Trust Port should not be pursued. Work would continue to consider alternatives which would be carried out in consultation with the users of the Port of Exeter area and other stakeholders and the outcome will be reported back to Members in due course.

Members discussed the timescales involved and the need to ensure that there was a robust and clear timetable for open and concise consultation with all the user groups involved. There was also a need to work with the other local authorities who had an interest in the Estuary including Devon County Council.

The Portfolio Holder for Economy and Culture commented that Scrutiny Committee – Economy would be updated on progress on a regular basis. There was a need to move the management of the Estuary forward whilst ensuring that all organisations that use the Estuary were positively engaged.

Scrutiny Committee – Economy considered the report at its meeting on 26 June 2014 and the comments of the Members were noted.

**RECOMMENDED** to Council that:-

- (1) the draft Harbour Revision Order submitted to the Department of Transport is no longer viable and should not be pursued, and an alternative course of action was now required for the management of the Estuary, Quay, Basin and Canal; and
- (2) a review be undertaken of the options open to the City Council in respect of the future management of the Estuary, Quay, Basin and Canal, in consultation with users of the Port of Exeter area.

71      **UPDATE ON CONSORTIUM BID FOR MAJOR ARTS COUNCIL FUNDING FOR THE RAMM**

The report of the Assistant Director Economy was submitted outlining the content of RAMM's bid to the Arts Council Major Partner Museum Grants Programme, 2015/16, 2016/17 and 2017/18.

The Assistant Director Economy advised Members of the successful bid to the Arts Council Funding for operational activities that had been made as a Member of the Peninsula Consortium with Plymouth Museum & Art Gallery. The funding of £515,479 would come on stream in April 2015 and would be a period of three years.

In response to a Member's question, the Portfolio Holder for Economy and Culture clarified that these funds would be used to fund extra programme of works that would otherwise not have taken place.

Members congratulated the staff involved in putting this successful bid together.

Scrutiny Committee – Economy considered the report at its meeting on 26 June 2014 and the comments of the Members were noted.

**RESOLVED** that the RAMM's bid to the Arts Council for a Major Partner Museum Grants Programme covering the period of 2015/16, 2016/17 and 2017/18 be endorsed.

72      **EXETER ECONOMIC DEVELOPMENT STRATEGY**

The report of the Assistant Director Economy was submitted to seeking approval and comment on the new Economic Development Strategy for Exeter, based on the draft Knowledge Economy Strategy, which had been adopted by Scrutiny Committee - Economy on 14 November 2013. The strategy had also taken into account the contribution and impact other adopted city strategies have on the economy of Exeter.

The Portfolio Holder for Economy and Culture commented that there was a need to further develop and establish the 'knowledge economy' by attracting and growing existing science and technology organisations. There was also a need to work with the neighbouring authorities to continue to promote the adoption of the living wage as a minimum level of pay and to work across the city and the wider economy.

The Portfolio Holder for Economy and Culture proposed an additional recommendation:-

'That the City Council work with neighbouring public authorities to adopt the Living Wage as the standard for their lowest paid employees and to promote this principle and the benefit of paying the Living Wage to employers in general across Exeter and its wider economy'.

This was agreed.

Members welcomed the way forward to continue to attract new organisations and develop and support existing organisations, and to look to address the issue of low wages within the city and the adjoining authorities.

Scrutiny Committee – Economy considered the report at its meeting on 26 June 2014 and the comments of the Members were noted.

**RESOLVED** that the:-

- (1) Exeter Economic Development Strategy be approved; and
- (2) City Council work with neighbouring public authorities to adopt the Living Wage as the standard for their lowest paid employees and to promote this principle and the benefit of paying the Living Wage to employers in general across Exeter and its wider economy.

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**CAPITAL MONITORING 2014/15 AND REVISED CAPITAL PROGRAMME FOR 2014/15 AND FUTURE YEARS**

The report of the Assistant Director Finance was submitted, reporting on the current position of the overall financial performance of the Council for the 2013/14 financial year, in respect of the annual capital programme and to seek approval of the 2014/15 revised capital programme, including commitments carried forward from 2013/14.

Members were advised that Capital expenditure in the year amounted to £11,829,575, a reduction of £2,998,845 on the planned figure of £14,828,420. The actual expenditure during 2013/14 represented 79.8% of the total approved for the revised Capital Programme, which meant £2.5 million would be carried forward to be spent in future years.

Members were advised of the expenditure with regards to the replacement of the Fire Walls which was required to ensure data security.

Scrutiny Committee – Resources considered the report at its meeting on 2 July 2014 and the comments of the Members were noted.

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

- (1) overall position in respect of the 2013/14 annual capital programme; and
- (2) amendments and further funding request to the Council's annual capital programme for 2014/15.



## **OVERVIEW OF THE REVENUE BUDGET 2014/15**

The report of the Assistant Director Finance was submitted, advising Members of the overall financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2013/14 financial year and to seek approval for the General Fund working balance, HRA working balance, a number of supplementary budgets and the creation of new earmarked reserves.

Scrutiny Committee – Resources considered the report at its meeting on 2 July 2014 and the comments of the Members were noted.

**RECOMMENDED** that Council:-

- (1) approves the net transfer of £3,419,871 to Earmarked Reserves as detailed in paragraph 8.3.6;
- (2) approves the supplementary budget of £267,310 as details in paragraph 8.3.8;
- (3) notes Earmarked Reserves at 31 March 2014;
- (4) notes the Council Tax account and collection rate;
- (5) notes the outstanding sundry debt, aged debt analysis and debt write-off figures;
- (6) notes the creditor payments performance;
- (7) by taking into account the overall financial position of the Council, approves the General Fund working balance at 31 March 2014 at £3,364,637; and
- (8) approves the Housing Revenue Account working balance at 31 March 2014 at £5,963,219 and approves the Council Own Build working balance at £103,512.

(In accordance with Standing Order no.43, Councillor Fullam requested that his vote against this recommendation be recorded)

## **TREASURY MANAGEMENT 2013/14**

The report of the Assistant Director Finance was submitted reporting on the overall performance for the 2013/14 financial year and the position regarding investments and borrowings at 31 March 2014.

The Assistant Director Finance confirmed that the Council had successfully completed the sale, at auction, of its outstanding monies held in Landsbanki. Glitnir had also repaid in full the funds invested during 2011/12, although the proportion repaid in Icelandic Krona remained invested in Iceland due to restrictive currency movements, but he anticipated that the restrictions would be lifted in the future and the funds returned.

In response to a Member's question, the Assistant Director Finance advised that the position with regards to interest rates and any possible rises were continually monitored.

Scrutiny Committee – Resources considered the report at its meeting on 2 July 2014 and the comments of the Members were noted.

**RECOMMENDED** that Council approve the Treasury Management report for the 2013/14 financial year.

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### **LOCAL GOVERNMENT PENSION SCHEME DISCRETIONS**

The report of the Human Resources Business Manager was submitted, which sets out to agree the Local Government Pension Scheme (LGPS) employer discretions which the Council was required to publish. It dealt with the inclusion of new discretions in respect of changes to the LGPS which, had come into effect on 1 April 2014, and provided for a review of existing discretions.

The Human Resources Business Manager reported that, in light of comments made at Scrutiny Committee - Resources on 2 July 2014 access to deferred LGPS members aged 55 to 59 to their actuarially reduced pension benefits should not be restricted as a result of dismissal from employment. Members were also advised that the template provided by Peninsula Pensions had omitted one of the required employer discretions. As a result, there was a proposed amendment to the recommendation to Council to reflect these proposed changes. Members were circulated with details of the amendments.

The Leader commented that to improve accountability any decision taken when discretion would apply should be made in consultation with the Leader of the Council.

A Member raised concerns that that any decision relating to discretion should be carefully considered.

The Leader requested that Devon County Council should be asked to attend a Members Briefing to advise Councillors on the position with regards to pensions and any consequences of discretionary payments.

**RECOMMENDED** to Council:-

- (1) to approve and publish the Employer Discretions Policies contained in Appendices A and B attached to this report in accordance with the requirements of the LGPS Regulations and subject to the following changes:-
  - changing Appendix B discretion B30(2) to read as follows: "This discretion will be used where there is no cost to the Council (or the application is made under and meets the grounds for waiving the actuarial reduction - see discretion B30(5))"; and
  - inclusion of the discretions in relation to Shared Cost Additional Voluntary Contribution Arrangement (Regulation R17(1) & TP15(1)(d) & A25(3)) in Appendix A in line with the principles outlined in the report, with the discretion being "The Council does not apply these discretions."
- (2) that any decision to be taken when discretion would apply should be made in consultation with the Leader of the Council and the Constitution be amended accordingly.

**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 items on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1, Schedule 12A of the Act.

**SHARED ICT SERVICE**

The report of the Deputy Chief Executive was submitted to seek approval to enable the Council to progress with an ICT shared service with two other local authorities, East Devon and Teignbridge.

The Assistant Director Finance advised Members on the discussion taken place at East Devon District Council Cabinet on 2 July 2014 and the way forward with regards to the permanent appointment of the Chief Operating Officer.

Scrutiny Committee – Resources considered the report at its meeting on 2 July 2014 and the comments of the Members were noted.

**RECOMMENDED** that Council:-

- (1) implement a shared ICT service between Exeter, Teignbridge and East Devon Councils, according to the detail set out in the Updated Business Case and Implementation Plan attached to the report;
- (2) support the creation of a stand-alone limited company (“the Company”) to be called Strata Service Solutions Ltd which is wholly owned and controlled equally by the three councils to deliver the ICT shared service;
- (3) grant delegated authority to the Chief Executive, in consultation with the Leader of Exeter City Council, to finalise and sign legal agreements in line with the Updated Business Case and Implementation Plan;
- (4) grant delegated authority to the Section 151 Officer, in consultation with the Deputy Chief Executive, to transfer the remaining ICT budgets for FY 14/15 as at go-live date (expected to be 1<sup>st</sup> November 2014 ) to the shared service (Strata) and to transfer future budgets as per the payment plan in the Updated Business Case;
- (5) approve the budget for this Council’s share of the implementation costs, as set out in the report;
- (6) approve the transfer of ICT staff to the new company (under TUPE) at go-live date;
- (7) approve the transfer of all ICT assets to the company at the go-live date;
- (8) agree the appointment of Chris Powell as the interim Chief Operating Officer (COO) of the company from 1 August 2014, with recruitment to the permanent post to be delegated to the Chief Executive and Leader in negotiation with the other local authority partners;
- (9) approve the transfer of line responsibility for all ICT staff from 1 August 2014 to the Interim COO. However staff will remain employees of the council until formal transfer; and

- (10) approve the creation of a Joint Executive Committee and Joint Scrutiny Committee, the terms of reference for which will be set up following a formal report to Council to agree this constitutional change.

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### **CORPORATE PROPERTY INTERIM STRUCTURE AND ISSUES**

The report of the Corporate Manager Property was submitted outlining issues arising from the establishment of the new Corporate Property Unit and making interim proposals for its efficient management whilst a more robust review of structure and resourcing is carried out. This would ensure a more coordinated approach to ensure the service was also fit for purpose with a focus on more efficiency and effective delivery of the maintenance spend, as well as a more coordinated health and safety overview.

Members welcomed the proposals for a more robust way forward for the Corporate Property Unit.

Scrutiny Committee – Resources considered the report at its meeting on 2 July 2014 and the comments of the Members were noted.

**RECOMMENDED** to Council that:-

- (1) the new post of Corporate Property Assets Manager be approved ;
- (2) the new post of Helpdesk Co-ordinator be approved;
- (3) the Corporate Energy Manager be designated full time;
- (4) the new management structure encompassing the Estates Team and parts of the former Engineering Team be formally approved; and
- (5) the Corporate Manager Property proceeds to acquire an Asset Valuation programme in partnership with neighbouring authorities if possible.

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### **EXETER AND HEART OF DEVON BOARD MINUTES - 17 APRIL 2014**

Scrutiny Committee – Economy considered the report at its meeting on 26 June 2014 and the comments of the Members were noted.

**RESOLVED** that the minutes of the Exeter and Heart of Devon Growth Board of 17 April 2014 be noted.

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### **LOCAL LAND CHARGES**

The joint report of the Assistant Director City Development and Corporate Manager Legal Services was submitted to update Members on the progress of issues with regards to Local Land Charges.

**RECOMMENDED** to Council that:-

- (1) the issues be settled on the terms as outlined in the circulated report, subject to verification if required; and
- (2) the necessary budgetary provision be made.

(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 29 July 2014.**

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# Agenda Annex

## SEATING IN THE GUILDHALL

		Deputy Lord Mayor Councillor Newby (C)	Chief Executive & Growth Director	Lord Mayor Councillor Prowse (C)	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)		Leadbetter (C)	Fullam (LD)
George (L)	Robson (L)	Sutton (L)		Baldwin (C)	Mrs Brock (LD)
Crew (L)	Sheldon (L)	Hannaford (L)		Henson (C)	Mitchell (LD)
Williams (L)	Spackman (L)	Pearson (L)	TABLE	Shiel (C)	Donovan (C)
Laws (L)	Raybould (L)	Owen (L)		Winterbottom (C)	Holland (C)
Dawson (L)	Lyons (L)	Denham (L)			Mottram (C)
Clark (L)	Foggin (L)				

Cllr Morris (L)	Cllr Branston (L)	Cllr Brimble (L)	Cllr Bull (L)	Cllr Wardle (L)	Cllr Bialyk (L)	Cllr Choules (L)
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L: Labour : 27  
 C: Conservative : 10  
 LD: Liberal Democrat : 3

### Portfolio Holders

Edwards: Leader  
 Sutton : Deputy Leader and City Development  
 Hannaford : Housing and Customer Access  
 Denham: Economy and Culture  
 Owen: Environment, Health and Wellbeing  
 Pearson: Enabling Services

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