



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 16 DECEMBER 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 meeting held on 15 October 2014.	5 - 12
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 27 October 2014	13 - 26
4 Planning Committee - 1 December 2014	27 - 38
5 Scrutiny Committee - Community - 11 November 2014	39 - 44
6 Scrutiny Committee - Economy - 13 November 2014	45 - 48
7 Scrutiny Committee - Resources - 19 November 2014	49 - 52
8 Audit and Governance Committee - 3 December 2014 - To follow	
9 Executive - 18 November 2014	53 - 56
10 Executive - 9 December 2014 - To Follow	
Notice of Motion	
	Pages
11 Notice of Motion by Councillor Holland under Standing Order No. 6	

This motion seeks to explore the viability of allowing members of the public to ask questions of this Council at its commencement of Full Council Meetings. This may or may not include questions written in advance. In addition to consider that the same facility to be afforded at Executive Meetings which may only be restricted to "agenda items".

Office of Corporate Manager Democratic & Civic Support

Civic Centre, Paris Street, Exeter, EX1 1JN

Tel: 01392 277888

Fax: 01392 265593

www.exeter.gov.uk

12 Notice of Motion by Councillor Bull under Standing Order No. 6

This Council notes:

1. that the Transatlantic Trade and Investment Partnership (TTIP) is currently being negotiated between the US and the EU supposedly to pursue the interest of free trade.
2. TTIP negotiations are being conducted behind closed doors between representatives of the EU and US without transparency or democratic accountability.
3. TTIP would open up access to government procurement markets and eliminate preferential treatment to local suppliers and introduce investment protection provisions that include investor state dispute settlement (ISDS) mechanisms which allow investors to challenge state actions which they perceive as threatening to their investment.
4. The potential implications of TTIP with respect to the City of Exeter, regarding social and environmental affects, and across the spectrum of public services
5. ISDS mechanisms allow for disputes between investors and governments to be heard by tribunals of “experts” rather than resolved by the host state’s courts. The United Nations Conference on Trade and Development (UNCTAD) recently explained that “foreign investors have recently used ISDS claims to challenge measures adopted by states in the public interest (for example, policies to promote social equity, foster environmental protection or protect public health).

This Council believes that:

1. the TTIP negotiations are potentially catastrophic for public services as the EU/US representatives are negotiating to hand over the right to regulate in the public interest without transparency or accountability to their electorates.
2. ISDS mechanisms would make it hard for any government to reverse liberalisation and privatisation without being sued by foreign investors. So whatever voters actually wanted, the trade treaty would place major barriers in the way of government giving expression to their democratic will.

This Council resolves:

1. To call upon the Leader to write to the Prime Minister, Deputy Prime Minister, the Secretary of State for Business Innovation and Skills, the two MPs representing Exeter and all 6 South West MEPs raising our serious concerns about the developing TTIP, the secretiveness of its process and its potential impact on public services, social and environmental protection, financial regulation and basic democratic oversight
2. To call upon the Leader to write to Devon County Council and all the other district councils in Devon to urge them to join us in opposing the potential impact of the TTIP.
3. To call upon the Leader to write the District Councils Network and Local Government Association to urge them lobby on behalf of all Local Authorities on the potential impact of the TTIP.

Office of Corporate Manager Democratic & Civic Support

Civic Centre, Paris Street, Exeter, EX1 1JN

Tel: 01392 277888

Fax: 01392 265593

www.exeter.gov.uk

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

Date: Monday 8 December 2014

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register



Please remember to recycle. If you would prefer not to receive paper copies please let us know. Contact Democratic Services (Committees) on 01392 265197 or email committee.services@exeter.gov.uk

Office of Corporate Manager Democratic & Civic Support

Civic Centre, Paris Street, Exeter, EX1 1JN

Tel: 01392 277888

Fax: 01392 265593

www.exeter.gov.uk

This page is intentionally left blank

THE MEETING OF EXETER CITY COUNCIL

Guildhall
Wednesday 15 October 2014

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

39 **APOLOGIES**

Apologies for absence were received from Councillors Bowkett, Crew, Morris and Robson.

40 **MINUTES**

The minutes of the Meeting held on 29 June 2014 were taken as read and signed as correct.

41 **PLANNING COMMITTEE - 21 JULY 2014**

The minutes of the Planning Committee of 21 July 2014 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Planning Committee held on 21 July 2014 be received.

42 **PLANNING COMMITTEE - 1 SEPTEMBER 2014**

The minutes of the Planning Committee of 1 September 2014 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Planning Committee held on 1 September 2014 be received.

43 **PLANNING COMMITTEE - 29 SEPTEMBER 2014**

The minutes of the Planning Committee of 29 September 2014 were presented by the Chair, Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Planning Committee held on 29 September 2014 be received.

44 **LICENSING COMMITTEE - 22 JULY 2014**

The minutes of the Licensing Committee of 22 July 2014 were presented by the Chair, Councillor Dawson and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 22 July 2014 be received.

45

LICENSING COMMITTEE - 23 SEPTEMBER 2014

The minutes of the Licensing Committee of 23 September 2014 were presented by the Chair, Councillor Dawson and taken as read.

RESOLVED that the minutes of the Licensing Committee held on 23 September 2014 be received.

46

SCRUTINY COMMITTEE - COMMUNITY - 9 SEPTEMBER 2014

The minutes of the Scrutiny Committee - Community of 9 September 2014 were presented by the Chair, Councillor Shiel and taken as read.

In respect of Minute 36 (Allotment Service Review) Councillor Shiel advised that Councillor Raybould had declared a Discloseable Pecuniary Interest on this item and left the meeting for consideration of the item.

RESOLVED that the minutes of the Scrutiny Committee - Community held on 9 September 2014 be received.

47

SCRUTINY COMMITTEE - ECONOMY - 11 SEPTEMBER 2014

The minutes of the Scrutiny Committee - Economy of 11 September 2014 were presented by the Chair, Councillor Henson and taken as read.

In respect of Minute 46 (Business Improvement Presentation) and in response to a Member's question, Councillor Henson confirmed he would clarify the point in relation to the Christmas lights.

In respect of Minute 49 (City Centre Night-Time Economy) Councillor Newby commented that the 'Help Zone' had eased the pressure on the Police and the Ambulance Service and thanked all those involved.

RESOLVED that the minutes of the Scrutiny Committee - Economy held on 11 September 2014 be received.

48

SCRUTINY COMMITTEE - RESOURCES - 17 OCTOBER 2014

The minutes of the Scrutiny Committee - Resources of 17 October 2014 were presented by the Chair, Councillor Baldwin and taken as read.

RESOLVED that the minutes of the Scrutiny Committee - Resources held on 17 October 2014 be received.

49

SCRUTINY COMMITTEE - RESOURCES - SPECIAL - 2 OCTOBER 2014

The minutes of the Scrutiny Committee - Resources of 2 October 2014 were presented by the Chair, Councillor Baldwin and taken as read.

RESOLVED that the minutes of the Scrutiny Committee - Resources held on 2 October 2014 be received.

50

AUDIT AND GOVERNANCE COMMITTEE - 24 SEPTEMBER 2014

The minutes of the Audit and Governance Committee of 24 September 2014 were presented by the Chair, Councillor Sheldon and taken as read.

The Lord Mayor thanked officers and Members for the effort and hard work on the production of an excellent set of Accounts.

RESOLVED that the minutes of the Audit and Governance Committee held on 24 September 2014 be received.

51

EXECUTIVE - 16 SEPTEMBER 2014

The minutes of the Executive of 16 September 2014 were presented by the Leader, Councillor Edwards and taken as read.

In respect of Minute 85 (Allotment Service Review) and in response a Member, the Portfolio Holder for Environment, Health and Wellbeing stated that officers were liaising with Allotment Associations and individual allotment holders to take forward a Partnership approach to the future management of the allotments. It was anticipated that the Allotment Holders Forum would be established by March 2015.

In respect of Minute 88 (Corporate Plan Update 2014), the Leader stated that the Corporate Plan set out the future direction for the Council. Exeter was now one of the top ten places to live in the country and that there were currently surplus job vacancies in the city.

RESOLVED that the minutes of the Executive held on 16 September 2014 be received and, where appropriate, adopted.

52

EXECUTIVE - 7 OCTOBER 2014

The minutes of the Executive of 7 October 2014 were presented by the Leader, Councillor Edwards and taken as read.

In respect of Minute 98 (Overview of Revenue Budget) and in response to a Member, the Leader commented that whilst he did not dispute the Member's financial summary of the position over the past few years this Council was investing in the future of the city. The New Homes Bonus monies are being used to fund the development of a new fit for purpose swimming complex to serve the residents of Exeter. The Council borrowed to invest and to provide savings in the medium to long term, part of this was the installation of LED lighting in the Civic Centre and solar panels on council owned buildings which would help the Council to achieve the status of an Energy Neutral Council.

In respect of Minute 101 (Arrangements for the Provision for the Joint Management of Strata) and in response to a Member, the Leader stated that the Council would have equal shares with East Devon District Council and Teignbridge District Council in Strata and the employees would have the same benefits as council employees. The Strata report was considered by Teignbridge District Council on Monday and an amendment was proposed to some make minor changes to the Joint Scrutiny Committee's Terms of Reference and Rules of Procedure. To ensure that all Councils agree the same way forward it is proposed to resolve to delegate this function to the Chief Executive.

RESOLVED to:

- (1) delegate to the Chief Executive authority to finalise the Joint Scrutiny Committee's Terms of Reference and Rules of Procedure; and
- (2) delegate authority to appoint a Director to the Strata Management Board to the Chief Executive (so that the Council has in place a formal mechanism for appointing the Director to the Strata Board).

RESOLVED that the minutes of the Executive held on 7 October 2014 be received, and, where appropriate, adopted.

53 **QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 8**

In accordance with Standing Order No. 8, the following questions were put by Councillor Leadbetter to the Leader.

Question - Ref Lengthy Delays carrying out Property Searches

Cllr Edwards is aware of this problem - it is seriously affecting property sales and harming the City's Property Market and therefore propriety! Some weeks ago he stated that the problem was sorted however the Chairman of the Exeter Estate Agents Association wrote to the City Council last week to say the matter was getting worse. I raised this with Cllr Edwards by way of an email on Thursday 9th October, to which I am still awaiting a reply!

Please would Cllr Edwards detail what he is doing to alleviate the problem, the timescale and how is he communicating this to the Business Community and Councillors?

The Leader stated that the Portfolio Holder for City Development would respond to this question.

The Portfolio Holder for City Development responded that the Council was aware of the situation and would like to apologise to anyone who has been inconvenienced by the delays, which are unacceptable. This matter had been raised by the local estate agents and a meeting had been arranged with local agents and solicitors to discuss their concerns. To put the issues into context the Council is carrying out more land searches now than in recent years, there were 1,990 in 2012/13 compared to 2,660 in 2013/14 and because of this, extra resources have been deployed to cope with the workload. This is a specialist area of work, and it takes time for those extra resources to acquire the necessary local knowledge and expertise. Council employees were working long hours and the Council has also seconded a member of staff from Teignbridge District Council to help deal with the workload.

The Council has received an unprecedented demand, for example on one day 52 requests were received compared to an average of 12 to 15 per day and the recent transfer of Princesshay to Henderson Estates generated a series of time-consuming searches. Progress was starting to be made and it was expected that turnaround times would come down, the overall turnaround was now 36 days down from 45 days at its peak. Local agents and solicitors were kept up-to-date with progress via a weekly e-mail and in response to your e-mail dated 9 October, the Leader has instructed officers to convene a meeting with the Chair of the Exeter Estate Agents Association to which you will be invited.

In response to a supplementary question the Portfolio Holder for City Development confirmed that the turnaround was 36 working days.

Question - In view of the recent changes to Youth Club provision in the City - what can Cllr Edwards and the City Council do in order to help to continue to provide services and/or alternate provision (especially bearing in mind two of the City's premises belong to the City Council)?

The Leader stated that the Portfolio Holder for Enabling Services would respond to this question.

The Portfolio Holder for Enabling Services responded that the Council is working with county colleagues, members and potential new providers of youth/community services via the Exeter Board to identify any sources of possible funding either from within the city, such as Exeter Board or external funding. Whilst the provision of youth services were not a City Council responsibility council officers are supporting potential new providers to look at networking opportunities within communities directly affected by Devon County Council youth club closures.

Two of the youth centres at Phoenix and Westside are city council buildings on long leases to Devon County Council and the Council would be happy to discuss the future of these facilities with Devon County Council or any other potential service providers. The City Council continues to support the nine community centres in the city that are leased to community groups to deliver community provision.

Question - I am sure Cllr Edwards would agree that, in the words of a famous wartime Leader, it is better to Jaw Jaw than War War?

What would he suggest he can do to foster better working relationships between the County and City Councils as after all we should all be working for the benefits of the residents of Exeter.

The Leader responded that he could not agree more that the County Council should work together with the City Council for the greater good of the city. The City Council have instigated meetings with opposition Leaders and the Leader of Devon County Council on issues such as its budget consultation exercise and proposed leisure complex. However, Devon County Council had initiated cuts within its services such as warden control housing, day care services for the elderly, youth facilities in the city and weed spraying which affected Exeter residents, without any previous discussions with the City Council. The City Council was still waiting to hear about signage for Topsham car parks.

As Leader I am happy to instigate another meeting should you wish to discuss the matters I have raised.

Councillor Leadbetter raised a supplementary comment that Devon County Council had provided the city with a new Library and excellent new secondary schools. He stated he would meet with the Leader and the Chief Executive to discuss the way forward for the city.

EXETER BOARD MEMBERSHIP

RESOLVED to agree that Councillors Edwards and Owen replace Councillors Branston and Robson on the Exeter Board.

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

Councillor Shiel, seconded by Councillor Baldwin, moved the following Notice of Motion:-

'While fully accepting the role of any trades union to negotiate over pay for its Members and support them through any grievance procedure, this Council utterly condemns the use of strike action'.

In presenting the Notice of Motion, Councillor Shiel stated that he had been in the past a Member of Trade Union and whilst Trade Unions had a place in dealing with grievances, pay and conditions he did not believe in strike action. Strike action was a way of Trade Unions making demands in a menacing way and was the first step towards anarchy. He had no problem with employees wanting better pay but he had an issue with the use of strike action being used as a weapon. Councillors should look back at the winter of discontent and ask what Trade Unions were striking for and what had been achieved. He asked Councillors to support this motion.

In opposing the motion the majority of Councillors felt that whilst strike action was a last resort it was the democratic right of employees to strike. In recent years council employees had only received a pay rise of 1% whilst pensioners had received a rise of 2.5%. The Trade Union needed to stand up to the Government. It was a fundamental human right to belong to a Trade Union and take strike action. This was a democratic country and low paid workers such as nurses and care workers should have the right to strike for better pay. This Council had introduced the living wage and this had helped lower paid council employees to reduce their reliance on benefits.

A Member questioned the introduction of the living wage and how much better off these employees are, as an increase in wage means a cut in benefits therefore these employees have no additional monies. Tax cuts would better help the low paid.

In response Councillor Shiel was glad that the notice of motion had sparked such an interesting debate although he felt the point of the motion had not been addressed.

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

Voting for:

Councillors Baldwin, Henson, Holland, Leadbetter and Shiel

(5 Members)

Voting against:

Councillors Bialyk, Branston, Brimble, Brock, Bull, Choules, Clark, Dawson, Denham, Edwards, Foggin, Fullam, George, Hannaford, Laws, Lyons, Mitchell, Owen, Pearson, Raybould, Sheldon, Spackman, Sutton, Tippins, Wardle, Williams and Winterbottom.

(27 Members)

Abstain:

Councillors Donovan, the Deputy Lord Mayor, Mottram and the Lord Mayor.

(4 Members)

The Notice of Motion was defeated.

(The meeting commenced at 6.00 pm and closed at 7.30 pm)

Chair

This page is intentionally left blank

PLANNING COMMITTEE

Monday 27 October 2014

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Choules, Denham, Edwards, Lyons, Mitchell, Mottram, Newby,
Raybould, Sutton and Williams

Apologies:

Councillor Winterbottom

Also Present:

Assistant Director City Development, City Development Manager and Democratic Services
Officer (Committees) (HB)

96

MINUTES

The minutes of the meetings held on 21 July, 1 September and 29 September were taken as read and signed by the Chair as correct.

97

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

98

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

The Assistant Director City Development reported that there had been little further progress between the Golf Club and Persimmon.

99

PLANNING APPLICATION NO. 14/1451/01 - LAND EAST OF EXMOUTH BRANCH LINE, NEWCOURT, OLD RYDON LANE, EXETER

The City Development Manager presented the application for outline Planning Application (all matters reserved except for access) for up to 392 residential dwellings with associated infrastructure on land forming part of the Newcourt Urban Extension

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

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

- accept application will be approved as it forms part of the Newcourt masterplan;
- a 1.5 metre footpath proposed for part of Old Rydon Lane will help slow the traffic down but the road but will only be 4.32 metres wide in places, which is not wide enough for two vehicles to pass and the only passing points are in private drives leading to damage to the drives. Safety of pedestrians, cyclists will be compromised by construction traffic;

- during the IKEA construction the footpath will be closed and pedestrians and cyclists will be forced to use Old Rydon Lane and the Sandy Park link to access Digby/Clyst Heath;
- the Transport Safety Audit was completed on a Saturday and only recorded vehicle journeys. At peak time, Old Rydon Lane has at least 150 road users including cyclists and pedestrians per hour. Safety of all road users will not be addressed by a footpath;
- a link road should be constructed prior to work commencing as per Newcourt Way. Otherwise Old Rydon Lane should be 20mph from the development to Newcourt Way and made a “No Through Road” to lorries;
- access from the development to the railway land and halt should be via a caged step-free bridge not an underpass;
- existing residents request the three storey buildings to be minimised and positioned at the lowest point on the site so that existing line of view is not obstructed; and
- SWW identified the foul sewer to be at probable capacity. Newcourt residents are aware of sewer smells in the area and sludge bowsers are in constant attendance pumping out sewers. Improvements to the system will cost money and cause major disruption on Old Rydon Lane.

Responding to a Member he stated that he objected to an underpass because of the potential for anti-social behaviour.

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

- the development is fully compliant with policy, with the land allocated in Newcourt Masterplan for housing. It is compliant with Core Strategy and Local Plan, Newcourt Masterplan, Green Infrastructure Strategy, and Residential Design SPD;
- the proposal provides the key elements as set out in the Newcourt Masterplan. The Exeter Core Strategy proposes around 3,500 dwellings and 16 hectares of employment land, and the site is considered to be suitable for housing development;
- no residential development has yet been granted planning permission to the east of the Exmouth branch line but a planning application for 50 dwellings was recently refused on land adjoining this application site at Bricknells Bungalow for reasons of insufficient transport information; failure to accord with residential design policies; and failure to achieve the highest appropriate density compatible with the proposed development site and adjoining land;
- the proposal meets the Council’s affordable housing requirements;
- the application is for 392 dwellings, with 35% affordable dwellings, and a mix that complies with local housing market assessment. The layout also demonstrates how a further 63 dwellings could be achieved through a co-ordinated development with the adjacent site at Bricknell’s Bungalow;
- the proposal provides the key elements as set out in the Newcourt Masterplan, the layout demonstrating how the proposed development can be successfully achieved and is underpinned by a robust site analysis that includes full consideration of relationship to motorway, access and transport, ecology, arboriculture, archaeology, flood risk and surface water drainage and air quality. The proposed housing design, amenity space and parking provision meets the requirements of the Residential Design SPD;
- the proofing layout also illustrates strategic proposals for public open space, particularly in the form of an east/west belt across the centre of the site that would prospectively link with existing development west of the railway and the existing open space via the underpass provided as part of the new Newcourt Station;

- it is a sustainable development in terms of location, linkages to public transport and walking/cycling. It has a dedicated combined footpath/cycleway through the site providing good linkages to the pedestrian/cycle link which runs up Old Rydon Close to Clyst Heath and destinations to the north and to Newcourt Station to the south west where there is a link via the proposed underpass to Liberty Way and River Plate Road, and by train to Exeter City Centre on the Exmouth line;
- the proposed vehicular access is considered to be acceptable by Devon County Council, and is provided from Old Rydon Lane at the north-eastern corner of the site, via a T junction initially, followed by a new roundabout junction that will also serve land to the north of Old Rydon Lane;
- the development proposes over 10% of the site as open space, with high quality public spaces, enhanced biodiversity and a strong landscape structure.
- the proposals are fully compliant with the Council's Residential Design Guide;
- some representations have expressed concern regarding the relationship with existing properties - the minimum distance between existing properties and those shown on the applicant's Proofing Layout is approximately 50 metres. This level of separation would entirely accord with the Council's Residential Design Guide and would not result in overlooking, unacceptable levels of amenity or unacceptable loss of light; and
- the development will deliver significant CIL receipt for addressing wider infrastructure needs.

Responding to a Member, the City Development Manager advised that the CIL contributions were considered to be sustainable in terms of the whole Newcourt Masterplan area. Members noted that no decisions had been made on the use of CIL receipts. A Member was re-assured that the three storey buildings would be located around open spaces and also towards the entrances and therefore would not be visible from neighbouring residential areas. Members raised concerns regarding highway issues including use of residential driveways and speed of traffic along Old Rydon Lane. Traffic issues would be monitored following development to determine if any management measures on Old Rydon Lane would be needed in the future. It was noted that noise attenuation measures to ameliorate the impact of the nearby M5 were included in the proposal. The suggestion of solar panels along the site border with the motorway was not considered feasible because of possible distraction to drivers.

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

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 to secure:-

- affordable housing;
- proportionate costs of pedestrian and cyclist rail line crossing;
- proportionate costs of the link to the A379;
- costs of match day traffic orders on site; and
- Travel planning and travel plan implementation costs

delegated authority be given to the Assistant Director City Development, subject to prior consultation with the Chair of the Planning Committee, to **APPROVE** the application for outline planning permission for up to 392 residential dwellings with associated infrastructure on land forming part of the Newcourt Urban extension,

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

- 1) Approval of the details of the layout, scale, appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 2) C07 - Time Limit - Outline
- 3) Unless otherwise agreed with the Local Planning Authority, 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 25 September 2014 (dwg. no 14038 L01-03 revision D) as modified by other conditions of this consent.
Reason: In order to achieve the following outcomes from the development hereby permitted and on adjoining land within the Newcourt strategic allocation:
 - safe and convenient access to public transport;
 - the highest appropriate density of development;
 - well located public open space that is of sufficient size and quality
- 4) 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.
- 5) 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 reserved matters; such scheme shall specify types and species, and any earth works required, together with a programme of planting and the timing of implementation of the scheme.

The submitted landscaping scheme will be expected to accord with drawing no 14038 L01-03 revision D and the details received by the Local Planning Authority on 4 September 2014 (Addendum to Ecology Mitigation and Enhancement Plan Updated Mitigation and Enhancement plans to show minor masterplan revisions).

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity

- 6) No development shall take place until a Wildlife Plan which demonstrates how the proposed development has been designed to enhance the ecological interest of the site, and how it will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out and managed strictly in accordance with the approved measures and provisions of the Wildlife Plan.
Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- 7) No materials shall be brought onto the site or any development commenced, until the developer has erected protective fencing 2 metres from all hedges to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.
Reason: To ensure the protection of the hedges during the carrying out of the development.
- 8) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 9) C57 - Archaeological Recording
- 10) No individual dwelling hereby approved shall be brought into its intended use until secure cycle parking facilities for residents have been provided in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the said cycle parking facilities shall be retained for that purpose at all times
Reason: To ensure that cycle parking is provided, in accordance with Exeter Local Plan Policy T3
- 11) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes (CSH) 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 1st 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.

- 12) Future reserved matters applications that relate to this consent must prepare as part of that application a waste audit statement relating to the development proposed therein. This statement should identify:
- (a) sustainable procurement measures to minimise the generation of waste during the construction process, including avoidance of over-ordering and reduced use of hazardous materials;
 - (b) the types and quantities of waste that will be generated during the demolition and construction phases and the measures to ensure that the waste is managed in accordance with the waste hierarchy including:
 - the segregation of waste materials to enable their separate reuse, recycling or recovery;
 - the recycling of construction, demolition and excavation waste for use on site or at the nearest suitable facility; and
 - for any waste materials that are unsuitable for reuse, recycling or recovery, confirmation of the location for their disposal;
 - (c) the types and quantities of waste that will be generated during the operational phase of the development and measures to ensure that the waste is managed in accordance with the waste hierarchy including:
 - methods for limiting the generation of waste;
 - the provision of sufficient storage facilities to enable the segregation of reusable and recyclable waste from waste requiring disposal; and any other steps that are necessary to secure the maximum diversion of waste from disposal.
- Reason:** To comply with Devon County Council Waste Local Plan Policy WPC4 and emerging Devon Waste Plan policy W4 and to ensure that the waste hierarchy is followed”.
- 13) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority a Design Stage Code for Sustainable Homes (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.
- 14) The Local Planning Authority shall be notified in writing of the identity of all dwellings for which construction has commenced before 1 January 2016, within 10 days following that date.
- Reason:** In the interests of monitoring compliance with sustainable development requirements.
- 15) Prior to the occupation of each dwelling hereby approved, ducting or equivalent service routes should be installed capable of accommodating at least 6 separate fibre-optic cables that enable electronic communications services network suppliers to freely connect between the boundary of the site and the inside of each dwelling for the purposes electronic communications.

Reason: To contribute to the development of high speed broadband communication networks and to ensure that adequate provision is made to meet the needs of future occupants of the dwellings for high speed internet access in line with paragraph 42 of the NPPF.

- 16) Prior to occupation of the development hereby permitted, full details of the public open space and play equipment to be provided in the areas of public open space including timing of implementation and installation shall be submitted to and approved in writing by the Local Planning Authority and shall be maintained thereafter.

Reason: In the interests of residential amenity

- 17) The dwellings hereby approved shall be designed and built to meet Lifetime Homes Standards

Reason: To increase choice, independence and longevity of tenure in accordance with Policy CP5 point three of the Exeter Core Strategy

- 18) The development hereby approved should be constructed to incorporate a Sustainable Urban Drainage (SUDS) scheme that should be approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To reduce overall flood risk in accordance with Policy CP12 of the Exeter Core Strategy

- 19) Prior to occupation of the first dwelling details of a fence spanning the to the west of the site and bounding the railway line should be submitted to the Council for approval in consultation with Network Rail and constructed in accordance with the approved scheme.

Reason: For reasons of public safety.

- 20) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:

a) There shall be no burning on site during demolition, construction or site preparation works;

b) Unless otherwise agreed in writing, no construction works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;

c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.

The approved CEMP shall be adhered to throughout the construction period.

Reason: In the interests of the amenity of occupants of nearby buildings.

- 21) 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 building(s) hereby approved.

- 22) A scheme for protecting the proposed development from noise shall be submitted to the Local Planning Authority as part of the submission of reserved matters. The scheme shall include the phasing of works, so that no property is occupied until full noise mitigation measures for that property have been completed. The agreed scheme shall be implemented in full thereafter.

Reason: In the interests of the residential amenity of the future occupants of the dwellings, especially as detailed design of the development has not yet been fixed.

- 23) 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.

- 24) The following shall be achieved within 3 years of the commencement of development or prior to occupation of the 50th dwelling hereby approved:

a) the specification of a pedestrian and cyclist link to the pedestrian and cycling crossing at Point C approved through Devon County Council planning permission reference DCC/3513/2013 shall be agreed in writing with the Local Planning Authority and the link shall be made available for free and unrestricted public pedestrian and cyclist access to all occupied dwellings. Free and uninterrupted public pedestrian and cyclist access between the link and all dwellings occupied thereafter shall be provided prior to their occupation.

b) the specification of the following pedestrian and cyclist links shall be agreed in writing with the Local Planning Authority and the links shall be made available for free and unrestricted public pedestrian and cyclist access at all times:

(i) between points A and B and the connection with the pedestrian and cyclist crossing at Point C (shown on drawing number 14038 L01_04 rev D);

(ii) between points D and E and the connection with Old Rydon Lane at Point F (shown on drawing number 14038 L01_04 rev D).

The connections at Points A, B, D and E shall be provided up to and contiguous with the boundary of Bricknells Bungalow that is shown on drawing number 161/2013/102 dated January 2014 in support of the planning application with reference number 14/2007/01. The course of the routes shall not be altered unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of permeability and safe and suitable access to high quality public transport and other facilities.

- 25) Prior to commencement of the 150th dwelling hereby approved the specification of a direct highway link between points D and E and the access to the public highway hereby approved at point F (shown on drawing number 14038 L01_04 rev D) shall be agreed in writing with the Local Planning Authority and the link shall be made available for free and unrestricted public

access at all times. Both highway connections at points D and E shall be provided up to and contiguous with the eastern boundary of Bricknells Bungalow that is shown on drawing number 161/2013/102 dated January 2014 in support of the planning application with reference number 14/2007/01.

Reason: In the interests of permeability and safe and suitable access to all new development in the area.

- 26) No part of the development hereby approved shall be brought into its intended use until the proposed vehicle access onto Old Rydon Lane, including visibility splays (as indicated on drawing 14401/SKT01 Rev C, received on 14.10.2014), has been provided in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that a safe and suitable access is achieved, in accordance with paragraph 32 of the National Planning Policy Framework.
- 27) No part of the development hereby approved shall be occupied until the improvements to pedestrian facilities on Old Rydon Lane (as indicated in drawing 14401/SKT07 RevB) and associated pedestrian/cycle access from the site to Old Rydon Lane (as indicated in drawing 14401/SKT06 RevB) has been provided in accordance with details that shall have been submitted to, and approved in writing, to the local planning authority and maintained for those purposes at all times.
Reason: To provide a safe and suitable access for pedestrians, in accordance with paragraph 32 of the National Planning Policy Framework.
- 28) The proposed mini roundabout providing future access to the application site and the land to the north of Old Rydon Lane shall be provided in accordance with details to be submitted to, and approved in writing, by the local Planning Authority and maintained for those purposes.
Reason: To provide a safe and suitable access for all users, pedestrians, in accordance with paragraph 32 of the National Planning Policy Framework.
- 29) Development of the site shall be limited to the occupation of 150 dwellings until a new vehicular link connecting the site to a new all movement junctions on the A379 has been provided to a standard agreed in writing by the Local Planning Authority opened for public use and maintained for those purposes at all times.
Reason: To ensure suitable access for the full development and mitigate the impact of development traffic on the operation of the Clyst Road/ A376 junction and Old Rydon Lane.
- 30) 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, heavy vehicle routing, 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
- 31) 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

- 32) 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.

100 **PLANNING APPLICATION NO. 14/1714/02 - LAND AT SANDROCK, PINN LANE, EXETER**

The Assistant Director City Development reported that the application for the erection of 57 dwellings, vehicular access from Pinn Lane, associated roads, parking and provision of public open space had been deferred pending receipt of Devon County Council comments on highway matters.

101 **PLANNING APPLICATION NO.14/1993/03 - THE OLD CITY LIBRARY, CASTLE STREET, EXETER**

The Assistant Director City Development presented the application for the refurbishment and extension to provide 34 student apartments and two Class A3 units.

Members were circulated with an update sheet - attached to minutes. It was noted that no objections had been received other than from English Heritage. Members were advised that lighting to the front of the property would be dependent on the requirements of the restaurants.

With regard to CIL contributions in the future, a Member asked that regard be had to measures that could ameliorate the impact of the concentration of students on local communities.

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

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 requiring an agreed unilateral undertaking securing a Student Management Plan and continued use as student accommodation, delegated authority be given to the Assistant Director City Development in consultation with the Chair of Planning Committee to **APPROVE** planning permission for 34 student apartments and two Class A3 units, subject also 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 18 August (*dwg. no's: AS14 01 L.01.11 revP1*), and on 7th October (*dwg. no's: AS14 01 L.02.10 rev P4, AS14 01 L.02.11 rev P4, AS14 01 L.02.12 rev P4, AS14*

01 L.03.10 rev P2, AS14 01 L.04.10 rev P2, AS14 01 L.04.11 rev P2) as modified by other conditions of this consent.

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

- 3) Notwithstanding condition no (2), no work shall commence on site under this permission until full details of the secondary glazing to principal windows has been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details.
Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.
- 4) 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 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.
- 5) 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: To ensure the amenity of the area is protected.
- 6) The developer shall submit full details of kitchen extraction odour control at the A3 uses for approval in writing prior to occupation of the A3 uses. The agreed systems shall be installed in full and operated as agreed thereafter. (For further guidance, the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems', particularly Annex B)
Reason: To ensure the details are agreed prior to occupation.
- 7) The developer shall undertake testing of the existing building glazing, and based on the results shall submit a scheme for protecting the development from noise and providing additional mechanical ventilation. This scheme shall be submitted to and approved by the Local Planning Authority before development commences. 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 standards for internal and external noise levels specified in BS8233:2014 Sound Insulation and Noise Reduction for Buildings.
Reason: To ensure the amenity of the residents.
- 8) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
 - a) There shall be no burning on site during demolition, construction or site preparation works;
 - b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800hrs to 1800hrs Monday to Friday, 0800hrs to 1300hrs on Saturdays, and not at all on Sundays and Public Holidays;
 - c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.

The approved CEMP shall be adhered to throughout the construction period.

Reason: To ensure that the construction of the development does not impact on the amenity of the neighbourhood.

- 9) Further details of the bin (residential and commercial) storage areas, including details of type, number and size of bins, routes and locations for bin collection shall be submitted to and approved in writing by the LPA prior to occupation of the development.

Reason: To ensure that the bin storage areas are of sufficient size and located in a convenient position to allow for easy access.

- 10) Further details of the bike storage areas, including any proposed covers for those located outside the building, shall be submitted to and approved in writing prior to the occupation of the development.

Reason: Insufficient information submitted with the application.

- 11) No part of the development hereby approved shall be occupied until cycle parking facilities have been provided in accordance with details that shall previously have been submitted and approved in writing by the Local Planning Authority and maintained for that purpose at all times

Reason: To encourage travel by sustainable modes in accordance with Paragraph 32 of the NPPF and Local Plan Policy T3.

- 12) Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

- (a) the timetable of the works;
- (b) any road closure;
- (c) hours during which delivery and construction traffic will travel to and from the site;
- (d) the number and sizes of vehicles visiting the site;
- (e) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored;
- (f) confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (g) the proposed route of all construction traffic exceeding 7.5 tonnes;
- (h) 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 if necessary meets with, the 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.

- 13) Travel Plan measures including the provision of sustainable transport welcome packs, shall be provided in accordance with details agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of development.

Reason: To promote the use of sustainable transport modes, in accordance with paragraph 32 and 36 of the NPPF.

RESOLVED that the report be noted.

103

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

104

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 18 November 2014 at 9.30 a.m. The Councillors attending will be Choules, Denham and Mitchell.

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

Chair

This page is intentionally left blank

PLANNING COMMITTEE

Monday 1 December 2014

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Denham, Edwards, Lyons, Mitchell, Raybould, Sutton, Williams and Winterbottom

Apologies:

Councillors Choules, Mottram and Newby

Also Present:

Assistant Director City Development, Forward Planning Officer (FP) and Democratic Services Officer (Committees) (HB)

105

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

106

PLANNING APPLICATION NO. 14/1714/02 - LAND AT SANDROCK, PINN LANE, EXETER

The Chair reported that the objector who would be speaking against the application had requested permission to record the debate on this item. Permission had been granted and a separate recording would also be undertaken on behalf of the City Council.

The Assistant Director City Development presented the application for the erection of 57 dwellings, vehicular access from Pinn Lane, associated roads, parking and provision of public open space.

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

The Assistant Director City Development advised that the issue of closing Pinn Lane was not part of the application. It was to be used for access purposes in the short term and, in the long term, access could be off the Tithebarn Link Road as part of the Monkerton Farm development, enabling a further closure of Pinn Lane to the south.

He further advised that representations had been received regarding a restrictive covenant on land adjoining the application site which prevented a pedestrian, cycle or vehicular link from the Link Road to Sandrock Nursery.

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

Ms Carleton spoke against the application. She presented a petition of 156 signatures opposing the closure of Pinn Lane together with the following documents:-

- statement;
- objection from the hotel;

- document outlining grievances against Exeter City Council and Devon County Council;
- minute annexe – Devon County Council comments at Planning Committee meeting of 24 February 2014;
- photograph of delivery vehicle on Gypsy Hill Lane;
- page 24 of the officer's report regarding access for Sandrock site;
- access re Monkerton Farm Application;
- eight page document showing conflicts of the application with local and NPPF plans; and
- plan of Pinn Lane showing diversion route.

In summarising and in response to Members questions she referred to the following points:-

- closure of Pinn Lane would severely affect the business of the Gypsy Hill Hotel;
- the impact on the hotel was referred to in the application covering the Tithebarn Link Road but not referred to in this application;
- the closure of Pinn Lane from the south conflicts with the Local Transport Plan - extra vehicles will use the road and take away the only bus service on Pinn Lane and hotel visitors will be required to travel extra miles;
- closure of Pinn Lane will affect the material amenities of the community;
- officers have been inconsistent in the various planning applications, recommending approval to close access to Pinn Lane from the south in one application and then recommending access onto Pinn Lane on the same stretch of road in the current application;
- the Pinn Lane crossing point with the Gypsy Hill Lane/Hollow Lane route forms a strategic cycle corridor and a safe route to school and this junction should be as free of traffic as possible on safety and sustainability grounds;
- the proposed closure of the passing place on Gypsy Hill Lane will be detrimental to road safety and cause difficulties for Hotel visitors and guests;
- the closure of Pinn Lane from the south conflicts with policies in the Strategic Core Strategy;
- closure of Pinn Lane does not meet the criteria of sustainable development and the City Council has not taken into account the many conflicts with the NPPF, Government legislation and other local policies that the closure of Pinn Lane will produce. This is contrary to the NPPF which says that these policies must be taken into account.

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

- the applicant has responded positively to local authority officers, statutory consultees and neighbours, working with the former to ensure the proactive response to technical issues including infrastructure layout relating to the Tithebarn Green Link Road;
- there had been no objections to proposal from statutory consultees and there is no conflict with existing policies;
- an area of open space had been provided to create a Ridgeline Park;
- passing space has been retained along Gypsy Hill Lane; and
- 25% affordable housing has been integrated throughout the site in accordance with the recommendation of housing officers.

He responded as follows to Members' queries:-

- linkage with the District Heating System is provided for within the Section 106 Agreement and negotiations are continuing between Linden Homes and Eon regarding availability and timing;

- footway to the boundary will enable a potential link to the neighbouring development at some point and this has been confirmed by the County Council as the link is desirable although not essential; and
- provision for solar panels and photo voltaic panels is provided for to meet planning conditions.

The Highway Development Management Officer confirmed that the potential closure of Pinn Lane was not part of the application. A public transport route was proposed from the city centre, through the Masterplan area out to Cranbrook and other proposed growth areas to the east of the city. A number of interchanges/stops were proposed within the Masterplan area to allow quick and easy public transport links into the city and other key destinations and the bridge over the Motorway was to facilitate this linkage from Monkerton and Cranbrook into the City. Long term, the aim was to move traffic off Gypsy Hill Lane. This could not be achieved immediately and would require the following:-

- closure of the northern part of Pinn Lane at the Tithebarn Green Link Road;
- access from the west into Pinn Lane and on to the Link Road; and
- closure of Pinn Lane to create a traffic free area for most of the lane through to the Gypsy Hill Hotel, access then to be from Grenadier Road and Cumberland Way. It would then not be possible to drive north to Pinhoe.

The Chair reported the following statement handed to him by Grace Carleton:-

“Gypsy Hill Lane can not be closed because there would be no vehicular access therefore Exeter City Council are giving wrong information. Monkerton Farm decision is not decided and could be subject to Judicial Review”

RESOLVED that planning permission for the erection of 57 dwellings, vehicular access from Pinn Lane, associated roads, parking and provision of public open space be **APPROVED** subject to the following conditions:-

- 1) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 10th October 2014 as modified by other conditions of this consent.
- 2) All conditions imposed on notice of outline approval (ref no. 12/0854/01) are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 3) Prior to occupation of any dwelling hereby permitted, secure cycle parking shall be provided for that dwelling in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained at all times thereafter.
Reason: To ensure that cycle parking is provided, in accordance with Local Plan Policy T3, to encourage travel by sustainable means.
- 4) No more than 50% of the dwellings hereby approved shall be occupied until the shared use pedestrian/cycle connections in the south east corner to Gypsy Hill Lane and south onto Gipsy Hill Lane (as indicated on the Planning Site Layout (Drawing Number AL(0)03 Revision K) have been provided and made available for public use in accordance with details to be approved 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 Section 4 of the NPPF.

- 5) No dwellings in the development hereby approved shall be occupied until the vehicular access and footway onto Pinn Lane have been provided in accordance with Drawing 1105-Rev R1 and retained for that purpose at all times.

Reason: To ensure a safe and suitable access to the site for vehicles, in accordance with Paragraph 32 of the NPPF

107

PLANNING APPLICATION NO. 14/2007/01 - BRICKNELLS BUNGALOW, OLD RYDON LANE, EXETER

The Principal Project Manager (Strategic Infrastructure) presented the application for outline planning permission for the construction of up to 63 dwellings (including affordable) on land to the rear of Bricknells Bungalow.

He reported an email received from Councillor Newby stating that previous reasons for refusing 50 dwellings on the site had not subsided.

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

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

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

- residents are not against the 63 homes, solely the safety issues surrounding the access. The report discards access route safety objections by many parties;
- the traffic assessment was based on 50 homes not 63. The Bricknells junction onto Old Rydon Lane does not consider increased through traffic from the Pratt Development and the potential for 455 homes to access Old Rydon Lane via Bricknells. The lane is, at most 4.5 metres wide here, and is less than 100 metres from a blind bend with a designated foot and cycle path crossing from Old Rydon Close on the blind side of the road. This junction does not have the same design safety criteria as the approved junction 200 metres down the Lane;
- Old Rydon Lane will cease to be a quiet country lane and become a rat run for a large development. Do not want another child being hit as happened on Newcourt Way on 28 November;
- no recommendations made to enforce a lower speed or any other safety improvements;
- a Traffic Management Plan is not workable;
- the proposed access road and junction can not be delivered by the applicant due to third party ownership of part of the land; and
- the original Master Plan should be adhered to with access via the Pratt spine road and the proposed access route should be refused.

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

- the application is a modest but important part of the Newcourt Strategic Allocation and the applicant has responded to the previous refusal by increasing the number of dwellings intended and responding positively on design issues and highway and access detail;

- the applicant has confirmed that there are no land ownership issues concerning the proposed junction and the highway works to the east and west are all within the confines of the adopted highway. Nevertheless, if adjoining neighbours would prefer the indicated access road footway to the eastern side then this can be done within the confines of the site;
- there will be a flexible approach to the Section 106 planning obligation requirements and planning conditions and there have been positive discussion with officers. These discussion have included infrastructure triggers and the potential connection of the body of the site to the Pratt group land to the east and west. While the access proposed is acceptable, this alternative access may be supported by the applicant. This would be consistent with the approach to delivery of the Strategic allocation adopted by the Council; and
- the application is a key component in the delivery of the strategic allocation and contributions to infrastructure and housing.

Members noted the highway concerns raised by the objector and the potential for an alternative (already approved) access to that being put forward by the applicant. As the alternative access required negotiations with the adjoining landowner who was also seeking to bring forward housing development. It was considered that the application be deferred both for a site inspection and to allow further opportunity for developers to seek a common solution to access issues.

RESOLVED that the application be deferred for a site inspection and for further discussions between landowners.

108

PLANNING APPLICATION NO. 14/1482/03 - 62 HAVEN ROAD, EXETER

The Assistant Director City Development presented the application for a new building to provide boat and equipment storage space and club facilities including changing rooms, gym, classroom, office and social areas.

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

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

Mr Miller tabled photographs of the area showing parked vehicles and spoke against the application. He raised the following points:-

- residents do not object to the regeneration of the site and the provision of the new centre for the Exe Water Sports Association but feel that the scale and impact is excessive;
- responses from statutory consultees are incomplete;
- parking problems on this narrow road will increase and, as the centre grows, it will attract further vehicles including minibuses from a wider area;
- the comments of the highway authority not backed by a survey;
- English Heritage believe that the elevations are too high and will impact adversely on the character and appearance of the conservation area;
- departs from supplementary planning guidance; and
- although a public exhibition was held there was no consultation.

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

- the existing Club facilities are inadequate to meet current demand, and future growth. The proposed building is simple and sensitive to its location and will enhance the Conservation Area and the waterfront;

- the location has supported water sports activity and is both close to the City and readily accessible. It is the best location for a much needed local, City wide and regional amenity;
- proposed buildings are purposeful and unique, designed to adapt to changing patterns of boat storage and use. The building form clearly reflects its purpose, as the historic industrial buildings that surround the Basin did when they were built;
- will enhance the Conservation Area and the waterfront;
- the design has been reviewed in light of the consultation responses;
- the design has been amended to incorporate brick walls and granite paving. The brick proposed for the walls, will closely match a number of nearby historic buildings with brick facades. Areas of perforated brickwork and additional windows on the Haven Road façade further articulate the building and break up its mass;
- English Heritage advised that the scale of the building is appropriate in its setting but requested a review of Building A's mono-pitched roof and consider a more traditional duo-pitch. After careful consideration, it was concluded that it should remain as designed;
- English Heritage also suggested that the bridge links between the two buildings are removed. They are considered necessary for operational, safety, security and access reasons and also add interest and activity to the alley between the buildings, without blocking views of the Basin and the River beyond;
- detailed responses have been given to a wide range of operational, traffic and parking concerns. Following discussion with Devon County Highways, the amended proposals include a controlled zone for vehicle loading and unloading along the Haven Road frontage. There are also a number of coordinated strategies to minimize car use;
- as this site cannot accommodate parking it is reasonable to expect Club members requiring parking to use the existing, well-placed public car parks;
- It is understandable that some local residents will try to protect the views they currently enjoy. Building on the opposite side of the street will inevitably create change. The Canal Basin Master Plan proposes redevelopment of this site for water sports use; and
- the Clubs serve and support a diverse population of all ages in active sport and leisure.

He responded as follows to Members' queries:-

- the reason for retaining the mono pitch roof was that, if changed, flats opposite would have unattractive views through roof windows into utility areas. Changing the roof would also result in a weaker building form that would not sit comfortably opposite the five-storey block of flats and the road junction;
- seven different organisations also use area and therefore contribute to parking in the area;
- with a larger facility, more club members will leave canoes, kit etc. on site which will reduce the need to travel to the clubs by car as well as brining trailers. There will also be bike storage facilities on site;

Members supported the bridge linkage between the buildings but felt that the alternative to the mono pitch for the roof was preferable.

RESOLVED that, subject to the design incorporating a dual pitch roof and the receipt of amended elevation plans in respect of this roof design, further information regarding a traffic management strategy and a financial contribution of £5,000 towards traffic regulation orders in the vicinity of the site, to be secured by an

appropriate agreement, planning permission for a new building to provide boat and equipment storage space and club facilities including changing rooms, gym, classroom, office and social areas be **APPROVED** subject to delegated authority being given to the Assistant Director City Development, subject to prior consultation with the Chair of the Planning Committee, to agree a condition setting out the hours of use of the terrace, and subject also to the following conditions:-

- 1) C05 – Time Limit - Commencement
- 2) C15 – Compliance with Drawings
- 3) C17 – Submission of Materials
- 4) No part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, materials and construction plant in accordance with details that shall previously have been submitted to, agreed and approved in writing by, the Local Planning Authority.
Reason: To minimise obstruction of and damage to the adjacent highway, in the interest of public safety.
- 5) No part of the development shall commence until a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority. 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. Prior to commencement it is recommended that the developer consults and if necessary meets with the Local Highway Authority to establish a safe means of progress.
Reason: To minimise impacts from construction related traffic on the environment, the amenity of local residents/businesses and safety on the public highway.
- 6) 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.
- 7) C70 - Contaminated Land
- 8) C57 - Archaeological Recording
- 9) Notwithstanding condition no. 2, no work shall commence on this site under this permission until full details have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - (a) windows to include materials, means of opening, reveals, cills and headers;
 - (b) external doors;
 - (c) rainwater goods;
 - (d) external lighting and
 - (e) refuse storage.**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.

- 10) The development shall not be used until the works to be carried out in association with the adopted Canal Basin Public Realm Plan have been submitted to and approved by the Local Planning Authority and implemented in accordance with the approved details.
Reason: To accord with the requirements of the Public Realm Plan and in the interests of visual amenity.
- 11) No amplified music, voice or tannoy system shall become operational unless routed through a suitable noise limiter that has been installed, operated and maintained to the satisfaction of the Local Planning Authority in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of residential amenity.
- 12) No development shall take place unless and until details of bat and swift boxes have been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.
Reason: To ensure that the wildlife opportunities associated with the site are maximised in the interests of biodiversity.
- 13) No buildings, plant or machinery shall be erected on the roof of the building hereby approved unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visual amenity.
- 14) No development shall commence until details of the windows fronting Haven Road, which shall be obscurely glazed and non-opening, have been submitted to and approved in writing by the Local Planning Authority and maintain in accordance with the agreed details thereafter unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of residential amenity.
- 15) No development shall commence until a noise impact assessment has been submitted to and approved in writing by the Local Planning Authority to consider the impact of noise from the building's plant and equipment. Any recommendations of this report for noise mitigation measures shall be implemented prior to and throughout the occupation of the development unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of residential amenity.
- 16) No development shall commence until full details of the kitchen extraction system including siting size and design of any external extraction/ventilation flue, a noise assessment and odour control measures have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.
Reason: In the interests of visual and residential amenity and to comply with the guidance contained within annex B DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems.
- 17) The buildings shall only be available for the unloading and unloading of boats between the hours of 0730hrs and 2200hrs and at no other times unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of residential amenity.

- 18) The bar/clubhouse area of the building hereby approved shall not be used other than between the hours of 0800 hrs and 2400 hrs.

Reason: So as not to detract from the amenities of the nearby residential property.

109

PLANNING APPLICATION NO. 14/1615/01 - LAND WEST OF FITZROY ROAD AND NORTH OF HONITON ROAD, EXETER

The Principal Project Manger (Strategic Infrastructure) presented the application for a mixed use development to provide a District Centre comprising uses within some or all of Classes (A1) with associated Garden Centre, A2 (Financial and Professional Services), A3 (Restaurants and Cafes), A5 (Hot Food Takeaway), D1 (Non-residential institutions), D2 (Leisure), associated means of access, access road, car parking, infrastructure works, public realm and landscaping.

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

The recommendation was for refusal for the reasons as set out in the report.

It was reported that further correspondence relating to the application had been received including a letter in support of the application that was subsequently withdrawn because of a conflict of interest, interest in further retail development in the area and an objection from John Lewis. Information had been provided by the applicant including an assessment that the scheme would not overlap with the Bus and Coach Station proposals. It was not considered that other comments raised new issues.

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

- asset manager of the Guildhall Centre on behalf of Aviva who are making a significant investment in the re-development of the Centre which is likely to be undermined by a retail and restaurant development on the outskirts of the City;
- the Honiton Road development is contrary to existing planning policies which only supports local centres;
- there is no policy allocation for this floor space at Honiton Road and it fails both the sequential and impact tests. Sequentially, the applicant has not provided a test to assess the suitability of City Centre sites and, because of the complexity and size of the site, the applicant has also failed to properly complete an impact assessment on all centres, especially the City Centre which is exacerbated by the absence of any clear indication of likely occupiers. There is therefore no scope to confirm future impact; and
- remodelling of the Guildhall commences in January 2015 with, hopefully, a finish by Christmas 2015.

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

- the scheme will strengthen the position of Exeter as a retail and leisure destination and provide much needed, high quality facilities for the local residential and business communities on the east side of Exeter;
- the benefits of the proposals include £45 million investment, at least 345 permanent jobs, up to 150 construction jobs, a £1.4 million CIL receipt, provision of essential facilities for residents and employees whose support for the proposals has been expressed through the representations of their Residents' Association and business leaders;
- the few dissenting voices are from those who neither live nor work in the East Exeter Community, and who are seeking to protect their commercial interests;

- perceived by the local community to be a significant benefit. The level of support, and absence of legitimate objection, for retail proposals of this nature is unprecedented;
- the retail strategy of the development plan supports the delivery of a new town centre as part of the Monkerton and Hill Barton urban extension and is supported by the local community;
- the Bus Station site is neither 'suitable' nor 'available'. It is unsuitable since it is in the wrong location to provide accessible local facilities for those who live and work in the Monkerton and Hill Barton/Sowton areas. The site is not 'available' to develop a retail scheme of the nature proposed;
- the negligible level of impact projected in the Retail Impact Assessment accompanying the application does not amount to 'significant adverse' harm. There is no evidence of any alternative, more severe impact and therefore no case against the proposals on retail impact grounds. The Council's own consultants have been unable to identify any higher impact figure;
- further monitoring of existing traffic conditions on the local network indicate that highway solutions can overcome initial objections;
- the 'balance' of considerations is in favour of approval. The proposals are in accordance with the retail strategy of the Development Plan, and supported by local residential and business communities alike. They are also essential to support the future residential community at Monkerton and Hill Barton;
- there is no evidence to outweigh the benefits of the proposals; and
- the evidence is therefore overwhelmingly that planning permission should be granted.

He responded as follows to Members' queries:-

- the applicant undertook a campaign to raise awareness of their proposal and it is likely that local businesses liaised with each other and undertook lobbying. There was no "pattern letter" circulated. Consensus was achieved amongst residents and businesses of the benefits of the scheme; and
- an encouraging meeting had been held with Devon County Council highway officers who consider that there are potential solutions to any highway difficulties at the Fitzroy Road/ Honiton Road junction.

Although recognising the need for additional services in this area, Members believed that this demand would be appropriately served by a Local Centre. They felt that insufficient evidence had been provided to support a departure from existing policies in the Core Strategy, particularly the existing strategic allocation. Much of the site was already permitted for employment development. This land was likely to be of interest to high-tec industries seeking to relocate to be close to the Met Office and the Science Park. It was also considered that the proposal would impact adversely on the City Centre. Members confirmed that it would be possible to apply planning conditions limiting such issues as floor space, the unit sizes and the types of goods available but the applicant was unwilling to negotiate conditions that would alter the character of the proposal.

RESOLVED that outline planning permission for a mixed use development to provide a District Centre comprising uses within some or all of Classes (A1) with associated Garden Centre, A2 (Financial and Professional Services), A3 (Restaurants and Cafes), A5 (Hot Food Takeaway), D1 (Non-residential institutions), D2 (Leisure), associated means of access, access road, car parking, infrastructure works, public realm and landscaping be **REFUSED** for the following reasons:-

- 1) the application site forms a significant part of the Monkerton and Hill Barton strategic allocation area. The scale and function of the proposed development would not accord with, and would be prejudicial to the achievement of, the strategic objectives for 'around 2,500 dwellings, and around 5 hectares of employment land and all associated infrastructure' at the Monkerton and Hill Barton area as set out in Policy CP19 of the Core Strategy.
- 2) the proposed development would not accord with the retail strategy focussed on mixed use development at the Bus and Coach Station in Exeter city centre and would therefore be contrary to Policy CP8 of the Exeter Core Strategy;
- 3) the application has failed to satisfy the sequential test and has not demonstrated that the Exeter Bus and Coach Station site would not be suitable for the proposed town centre uses in accordance with Policy CP8 of the Core Strategy and paragraphs 24 and 27 of the National Planning Policy Framework;
- 4) the application has failed to demonstrate that the proposed development would not result in a significant adverse impact on committed and planned public and private investment in centres in the catchment area of the proposal; and on town centre vitality and viability in accordance with Policy CP8 of the Core Strategy and paragraphs 26 and 27 of the National Planning Policy Framework;
- 5) the application conflicts with Core Strategy policies CP8 and CP19. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, section 70(2) of the Town and Country Planning Act 1990, and Paragraph 12 of the National Planning Policy Framework it should therefore be refused as other material considerations do not indicate otherwise
- 6) contrary to paragraph 32 of the National Planning Policy Framework, adequate information has not been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of access and impact on the highway network

110

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

111

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 16 December at 9.00 a.m. The Councillors attending will be Bialyk, Edwards and Lyons. The visits will include a visit to the Bricknells Bungalow site (Min. No. 107 above refers) (arriving at approximately 9.10 am) to which all Committee Members are invited.

(The meeting commenced at 5.30 pm and closed at 8.45 pm)

Chair

SCRUTINY COMMITTEE - COMMUNITY

11 November 2014

Present:

Councillor Norman Shiel (Chair)

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

Also present:

Deputy Chief Executive, Assistant Director Housing, Assistant Director Public Realm, Technical Accounting Manager, Environmental Health Manager and Democratic Services Officer (Committees) (HB)

In attendance:

Janice Kay - Provost, University of Exeter
Geoff Pringle - Chief Operating Officer, University of Exeter

45 **Minutes**

Subject to the inclusion of an expression of interest from Councillor Raybould in respect of Min. No. 36, the minutes of the meeting held on 9 September 2014 were taken as read and signed by the Chair as correct.

46 **Declaration of Interests**

No declarations of disclosable pecuniary interest were made.

47 **To Welcome Janice Kay, Provost and Geoff Pringle, Chief Operating Officer of the University of Exeter**

The Chair welcomed Janice Kay, Provost of the University of Exeter and Geoff Pringle, Chief Operating Officer of the University. The presentation covered the following areas:-

- growth and development of the campus;
- the University of Exeter's ranking and reputation;
- economic contribution;
- students in the City including residences;
- students as residents in the City, their impact and involvement in the community;
- the University in the City including sport and art and culture;
- involvement of the University with Exeter College and local schools;
- capital projects;
- impact on the environment; and
- partnerships.

They responded as follows to Members' queries:-

- anti social behaviour by students was taken very seriously by the University and, although preparations had been made for the recent freshers week and influx of new students at the beginning of term, there had been surprise at the level of

problems experienced this October. Michele Shoebridge, deputy to Geoff Pringle, was leading a working group to look into this year's difficulties and to prepare better for 2016. Phil Atwell, the new Director of Campus Services, had been tasked with improving liaison with the Police and Licensed Premises to identify solutions. The University could also resort to severe disciplinary measures if necessary;

- the University was very keen to keep students in the South West following graduation, with two thirds of medical students remaining in the region. It was grateful for the City Council's contribution in pump priming internships for students with City employers - students made a positive contribution, particularly in IT and organisational development;
- the University was ranked 7th in the Russell Group for research and second in the South West for the training of medical students. The Peninsula Medical School was relatively small and there was a commitment to significant future investment on the St Lukes Campus;
- Phil Atwell was setting up a Community Forum for third party providers of student accommodation to address problems of anti social behaviour at some of these premises. They had a responsibility to the City and traded on the back of the University and were required to operate to codes of conduct. In general, they had responded positively when reminded of their responsibilities;
- the new ResLife team comprising University staff and students worked in conjunction with the estate patrollers, whose time was freed up through the teams handling of minor issues such as false fire alarms, minor disputes etc. Their ratio would increase in line with increased student numbers;
- recognising the Council's preferred accommodation solution of on campus provision, Phil Atwell was to report to the University's Executive on the latest development plan; and
- with a reduction in funding per student head, the University had an obligation to reveal any additional course charges.

The Chair thanked Ms Kay and Mr Pringle for the presentation.

Members thanked the University for their presentation and praised the work and contribution made by the University to the life of the City, recognising that its enhanced prestige reflected well on Exeter, as well as its ongoing work to address certain issues of concern to Members and residents.

ITEMS FOR DISCUSSION

48 Housing Revenue Account - Budget Monitoring to September 2014

The report of the Assistant Director Finance was submitted on major differences by management unit to the outturn forecast for the first six months of the financial year up to 30 September 2014. During this period, the total of the variances indicated that there would be a net deficit of £292,096. This represented a decrease of £1,082,454 compared to the revised budgeted deficit of £1,374,550 for 2014/15. It was estimated that the working balance would stand at £5,671,123 at 31 March 2015.

The Technical Accounting Manager responded as follows to Members' queries:-

- work on the competing options for garage sites had stalled due to the landlord services restructure. However, there had been some further consultation with Ward Members to ensure that the issues concerning them are fully picked up and would be progressed in the New Year;

- the need to move telecoms equipment at Rennes House had resulted in a six month delay in major works starting on site, as it has been necessary to give six months notice to O2 to move their equipment from the car park development site. As a result, £400,000 of the development budget would slip into 2015/16;
- the main contractor had returned to Knights Place to resolve outstanding issues and was bearing the costs directly. Any additional costs that the Council incurred would be charged to the retention sum still held by the Council and any excess over this would be claimed back from the contractor;
- the forecast drop in the working balance predominately related to three large schemes – Extra Care, COB Wave II and £2.7 million required to resolve damp ingress. Extra Care had also secured funding of £1.4 million from the Department of Health;
- the small % of budget spend to date on the HRA was because the revenue contribution to capital works would not be added until the end of the financial year as part of closing the accounts and when the extent of capital expenditure is known. Capital charges of £2.4 million were still to be processed;
- the on-going pressure on the HRA balance reflected a commitment to continuous investment in the stock to maintain quality which limited the amount available for any new housing options; and
- the three LAINGS properties that were currently vacant and pending a full options appraisal of the extent of works to be undertaken were each located in the Cowick Ward.

Scrutiny Committee - Community noted the report.

49 **Community - Budget Monitoring to September 2014**

The report of the Assistant Director Finance was submitted advising Members of any major differences by management unit to the revised budget. The current forecast suggested that net expenditure for this Committee will increase from the approved budget by a total of £238,930 which represents a variation of 2.44% from the approved budget. This included supplementary budgets of £10,130.

The current capital programme showed a forecast spend of £2,058,710 in 2014/15.

The Technical Accounting Manager responded as follows to Members' queries:-

- the University contract loss of income related to the agreement the Council had with the University to carry out enforcement patrols on the campus to deter dog fouling. The University had ended the arrangement from October 2014;
- housing benefit receivable in respect of bed and breakfast and serviced temporary accommodation had reduced. Budgeted income was based on expected occupancy levels and different types of accommodation used attracted a different level of Local Housing Allowance. If the actual accommodation used attracted a lower level of housing benefits, then this management unit would see a reduced level of income;
- if leasehold landlords did not carry out repairs and these were considered to be an emergency, then the lease made provision for the Council to carry out the repairs and recharge the landlord;
- to relieve pressure on the general fund as part of savings efficiencies necessary to help address severe future budget reductions, both street

cleansing and public convenience provision were under review. For the latter, only necessary health and safety works would be undertaken; and

- vacancy pay savings in respect of Advisory Services was due to vacant posts pending the restructure of Housing Services.

Scrutiny Committee - Community noted the report.

ITEM FOR EXECUTIVE

50 Additional Licensing for Certain Types of Houses in Multiple Occupation (HMOS) throughout Exeter

The Assistant Director Housing presented the report providing feedback on the outcome of the 10 week consultation exercise undertaken on the proposal to extend the principles of Mandatory HMO Licensing through the introduction of an Additional Licensing Scheme covering specific types of HMO's throughout Exeter. It also sought approval for the Designation of an Additional Licensing Scheme.

Responding to Members queries, he advised that the purpose of the scheme was to both improve standards of those properties deemed sub standard and to relieve the pressure on the general fund as part of the on-going savings drive to help address the severe financial pressures faced by the Council. It reflected a move from a reactive to a proactive delivery of the service and to the need for the Council to look at more efficient and cost effective ways of delivering services.

It was explained that the timeframe for the new methods of operation was governed by regulations and that February 2015 was the earliest the scheme could come into operation, thereby generating income in this financial year.

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

- 1) make a Designation for an Additional Licensing Scheme, covering the whole of the Exeter City Council administrative area, for the types of HMOs specified in Appendix 1, annex B of the circulated report;
- 2) agree the fee structure set out in Appendix 2 and the licence conditions detailed in Appendix 3 of the circulated report;
- 3) agree 23 February 2015 as the start date for the implementation of the Scheme; and
- 4) authorize the Assistant Director Housing, in consultation with the relevant Portfolio Holder, to periodically review the Scheme, its implementation and resourcing to ensure that the principles of the Scheme are achieved.

ITEM FOR INFORMATION ONLY

51 Spotlight Review on Anti Social Behaviour/Noise Nuisance and how the Council currently deals with these issues

The Scrutiny Programme Officer presented the report updating Members on progress with the Spotlight Review in respect of the way in which the Council deals with anti social behaviour and noise nuisance which had been highlighted as a high priority topic for scrutiny investigation, particularly as Community Patrol had ceased to exist and had been replaced by a new team with a different approach.

Members welcomed the report and progress being made in tackling anti social behaviour, in particular the recent action taken in South Street following the introduction of new anti social legislation.

Scrutiny Committee - Community noted the report.

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

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

ITEM FOR EXECUTIVE

53 **Community Asset Transfer**

The Assistant Director Public Realm presented the report advising Members of the potential to divest the Council's assets into community use and ownership.

The proposals were being brought forward because of the need to introduce new ways of working necessitated by the ongoing pressures on the Council budget and the need for significant budget cuts over the next three years.

Further details were provided on the progress of discussions with Exeter College on the Exwick Sports Hub at Flowerpot Playing Fields and with community groups using Heavitree Park. It was noted that Devon Wildlife Trust had, for many years, worked in partnership with the City Council.

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

- 1) endorse the principle of asset transfer to community organisations;
- 2) progress the expressions of interest in asset transfer already received from Devon Wildlife Trust, Exeter College and Exeter Saracens;
- 3) agree the principle of granting a lease or licence on the tennis facilities at Heavitree Park to Tennis for Free on terms to be negotiated by the Corporate Manager - Property, with further consideration about the long term transfer of this asset to Park Life once the Community Hub and Café re-development are completed;
- 4) support the commencement of discussions with the clubs associated with the Council-owned bowling and croquet greens and facilities with a view to supporting them to take on responsibility for these assets over the next two years; and
- 5) highlight to the Government the barriers that high costs of insurance can create for community groups.

The meeting commenced at 5.30 pm and closed at 7.25 pm

Chair

This page is intentionally left blank

SCRUTINY COMMITTEE - ECONOMY

13 November 2014

Present:

Councillor Henson (Chair)

Councillors Brock, Branston, Brimble, Bull, Foggin, Lyons, Robson, Wardle and Williams

Apologies:

Councillors Crew and Holland

Also present:

Chief Executive & Growth Director, Principal Accountant Service (PM), Economy and Tourism Manager, Scrutiny Programme Officer and Democratic Services Officer (Committees) (SLS)

In attendance:

Councillor Rosie Denham
Councillor Rachel Sutton

Portfolio Holder for Economy and Culture
Portfolio Holder City Development

55 Minutes

The minutes of the meeting held on 11 September 2014 were taken as read and signed by the Chair as correct.

56 Declarations of Interest

Councillor Branston declared a discloseable pecuniary interest and withdrew from the meeting whilst Minute 59 was discussed.

57 Parking Places Enforcement

Members were advised that this report was withdrawn and a further revised report would be made to the next meeting on 22 January 2015.

58 Budget Monitoring (2nd Quarter)

The Principal Accountant presented the report, which advised Members of the revised budget in respect of the Economy Services revenue and capital budgets. The current forecast suggested that net expenditure for this Committee would decrease from the approved budget by a total of £182,120, which represented a variation of 74.24% from the revised budget. This included supplementary budgets of £219,560. The capital programme for the Economy Services showed a spend of £912,972 as at 30 September 2014, schemes to the value of £49,850 have been deferred until 2015/16.

The Principal Accountant also provided an update on the main capital variances from the budget which related to the improvement of the athletics track and sports facilities at Exeter Arena, the Canal Basin and Quayside, and the Exeter City Football in the Community project. He replied to a question received from a Member seeking a breakdown of the budget for the renewal of the track at Exeter Arena. The £40,000 overspend was for further work including the installation of new drainage

and additional levelling work which needed to be carried out. He also responded to a request for information and confirmed that there were three fewer members of staff on street cleaning duties than five years ago. The posts had already been removed from the establishment and the impact on the schedule had been negligible. The improved efficiency as a result of the redesign work for Keeping Exeter Looking Good would be in place from April 2015 and would allow for a reduction of staff and provide a more flexible workforce across the city.

Scrutiny Committee – Economy noted the report.

59 **Exeter and Heart of Devon Visitor Research 2014**

Councillor Branston declared a discloseable pecuniary interest and withdrew from the meeting whilst Minute 59 was discussed.

The Economy and Tourism Manager presented a report which detailed the results of the Exeter & the Heart of Devon online visitor survey which was conducted between March and June 2014, with the results informing future marketing activity. She also referred to the annual volume and value of tourism data for Exeter & the Heart of Devon, through the Cambridge Economic Activity Model and the results of the Visit England visitor satisfaction tracker for Devon. The report included details of the reasons why visitors choose to visit Exeter & the Heart of Devon area and Devon compared with other UK destinations. Every effort was needed to encourage day visits to be converted into overnight stays. A full report was available on request. She responded to a Member's comment and their surprise at the relatively low level of overseas visitors to Exeter, which was not her experience. It was noted that overseas visitors made up 2.2% of the 2.2 million visitors to Exeter.

A Member referred to the results of the online visitor survey for Exeter & the Heart of Devon area and suggested that it would have been helpful to include a breakdown of the visitor numbers to the most popular destinations.

Scrutiny Committee – Economy noted the report which contained the results of the Exeter & the Heart of Devon visitor survey, volume and value data and the Visit England brand tracker research.

60 **Exeter and Heart of Devon Employment and Skills Board**

The Partnership and Projects Manager for the Exeter and Heart of Devon Employment and Skills Board presented an update on the activities and progress of the Skills Board in promoting the value of skills development, supporting business growth and getting local people into work. She also referred to the report which explored some of the skill issues affecting the local economy, set out the Employment and Skills Board's priorities and plans, and provided examples of where the Board had made a difference since her appointment in May 2014. The Skills Board had been working with Exeter Council for Voluntary Service and the support for the long term unemployed to look at offering better careers guidance for young people, as well as maximising the support for employment opportunities in construction locally, and encouraging apprentice schemes.

A Member enquired if local contractors could be encouraged to employ young local apprentices as they often found it hard to find suitable opportunities. The Partnership and Projects Manager referred to recent efforts to develop a shared service apprentice scheme involving sub-contractors and smaller firms who may not need an apprentice for the duration of a course, to try and match apprentices with work. Members agreed that this mismatch of apprentices with available work needed to be

addressed. She also responded to a Member's enquiry about engaging NEET individuals (Not in Education or Employment) from Exeter in the forthcoming Rugby World Cup, stating that young people from more outlying areas had been targeted to ensure they were engaged. There were a number of such legacy projects to encourage team working and self-esteem and sport was an ideal way to tackle the broader issues.

Scrutiny Committee - Economy noted the report and the progress made and priorities set by the Employment and Skills Board in prioritising, planning and implementing interventions designed to better skill a more productive workforce in support of a sustainable and thriving economy.

61 **Cost of Living Interim Report**

The Chair of the Cost of Living Forum, Councillor Denham, updated Members on the progress of the Forum's work in relation to Exeter University's Research report, the issues identified by the Forum for further investigation and the timetabling of the remaining work. The interim research was originally desk top based, but following on from a survey drawn together by Exeter University, the report now included a more local picture. Following this research, the Forum would explore strategies and possible solutions to a range of identified problems in partnership with a broad range of stakeholders. The report highlighted a number of areas and the affordability of paying staff the living wage was something many employers agreed with in principle, but nevertheless the ability to do so was a consideration in practice.

It was thought appropriate to focus on larger organisations, and not neglect support for smaller businesses. There may be opportunities to work with the Heart of the South West Local Enterprise Partnership to access funding and an initial dialogue had commenced with it. The report also highlighted a number of areas that could reap benefits including working with young people in schools to provide better careers advice, greater availability of obtaining sound financial advice as well as access to more affordable ethical credit. The Employment and Skills Board was already working with local employers and employees to drive up the skills agenda.

A Member referred to the financial hardship faced by many residents including those who were in work as well as legitimately claiming benefits. He commented on the survey and an issue relating to the undue stress placed on families during the school holidays, who relied on free school meals in term time. He was aware that other authorities were working with Free Schools and Academies to run holiday meal schemes and would appreciate any influence that could be brought to bear on Devon County Council. Councillor Denham stated that the report did recognise the cooperation of Devon County Council and a forthcoming briefing meeting would be discussing a range of such issues.

Scrutiny Committee - Economy welcomed the report and the progress made to date by the Cost of Living Forum and were content with the eight areas identified by the Forum for focused investigation.

62 **Parkwood Leisure Working Group Minutes**

The minutes of the meeting held on 9 September 2014 were noted.

The meeting commenced at 5.30 pm and closed at 6.25 pm

Chair

This page is intentionally left blank

SCRUTINY COMMITTEE - RESOURCES

19 November 2014

Present:

Councillor Baldwin (Chair)

Councillors Bialyk, Bull, George, Lyons, Robson, Sheldon, Spackman, Tippins and Winterbottom

Apologies:

Councillors Mottram, Brock and Morris

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Finance, Assistant Director Customer Access, Customer Access Development Officer, Museums Manager and Democratic Services Officer (Committees) (SLS)

45 **Minutes**

The minutes of the meeting held on 17 September and special meeting on 2 October 2014 were taken as read and signed by the Chair as correct.

46 **Declarations of Interest**

No declarations of discloseable pecuniary interest were made.

47 **Business Case for the Council's Channel Shift Programme**

The Assistant Director Customer Access presented a report which summarised the Council's Channel Shift Approach, which included a request for the approval of funding on an invest-to-save basis, to improve the Council's services to customers whether they approached the Council face to face, by telephone or through an internet-enabled provision. The Customer Access Development Officer gave a short overview of the Business Case and identified the cost benefit to the Council over a six year period. The programme would provide high quality telephone and on-line services to enable staff to have more time to deal face to face with those customers with more complex needs. The on-line self service portal would offer a simple but secure point of access allowing the customer to view every aspect of their transaction with the Council. Customers would still be able to come into the Civic Centre to speak face to face or over the phone to a member of staff to progress their transaction.

The Assistant Director Customer Access responded to a number of Members' concerns about the ability of various client groups and particularly older citizens to respond to this change. She referred to the extensive research conducted, including organisations who had used voice activated phone systems successfully and also the experience of customers who had access to the web. She also thanked a Member who had queried the accuracy of the figures from the Office for National Statistics relating to web access and reassured him that they would carry out further local studies to identify those who had access, but chose not to use it. They would also continue to work with front line staff and service users as well as organisations, including the voluntary sector and carry out a robust equality impact assessment. They would ensure that the Council's reputation remained intact through the

customer's positive experience, and were confident that the support of the supplier and Strata would meet any challenge. They would ensure that good customer feedback including from a Customer Forum Group had been evaluated before the system went live. In addition, all transactions would be monitored to ensure they had been completed successfully. Any concerns over a lack of access to services through inaccessibility to the web would be addressed as the service changed over the six year roll out of the project.

Scrutiny Committee - Resources supported the report and recommended Executive and Council approve the Council's Channel Shift Programme; and identified Capital and Revenue funding for the Programme, noting the predicted savings to be subsequently accrued.

48 Proposed Passenger Lift at RAMM Queen Street Entrance

The Museums Manager presented a report relating to the Royal Albert Memorial Museum's (RAMM) existing Disability Platform Access Lift situated at the Queen Street entrance and sought approval for its replacement. She stated that the lift now needed updating to facilitate the increased footfall and regular use by young families with prams and larger mobility scooters. The lift was not included as part of the redevelopment of the Museum, and was now in use beyond its designed purpose and capacity. Members offered their support for this project and wished to ensure that all visitors to the Museum had the opportunity to visit without any incident.

Scrutiny Committee - Resources noted the report and recommended Executive and Council approve the installation of an enclosed passenger lift at RAMM's Queen Street entrance and associated works with a budget of £45,000.

49 Overview of Revenue Budget 2014/15

The Assistant Director Finance presented a report which advised Members of the overall projected financial position of the HRA & General Fund Revenue Budgets for the 2014/15 financial year after six months. He referred to the overall position in respect of the General Fund and the working balance which was projected to rise from £3,364,640 to £3,469,275. He referred to the supplementary budgets and highlighted two further requests for funding including a sum of £80,000 for the appointment of a Quantity Surveyor and a Construction Design and Management Consultant in respect of the Leisure Complex Project. An additional £11,500 was also required to develop the Business Case for the Channel Shift Programme to include the creation of a temporary post.

A Member sought a breakdown of an overspend of £111,570 in relation to the budgeted repair and hand back costs in respect of the General Fund Housing Property, which was made up of £99,680 for repair and hand back costs, and £27,390 as part of a reduction in rental income. This was partially offset by £15,500 savings from vacant posts pending a restructure of Housing Services.

The Assistant Director Finance replied to Members' questions which referred to a summary of savings of £25,000 under the democratic representation budget, which related to the budget being set prior to the recommendation for approval of the Members' Allowances. This had not progressed to the final savings stage, but the budget had remained in place. A saving was also attributed to a change in the outgoing mail delivery service, which had, in part, offset the overspend. He also responded to a Member's comment on the improved state of the Council's cash flow, which was in part a result of a change in the Business Rate Relief Scheme which had helped to generate additional funds as well as savings from the New Homes Bonus.

Scrutiny Committee – Resources noted the report and requested that Council approve the following (where applicable):

- (1) General Fund forecast financial position for the 2014/15 financial year;
- (2) Housing Revenue Account forecast financial position for 2014/15 financial year;
- (3) additional Supplementary Budgets listed in Appendix C;
- (4) outstanding Sundry Debt position as at September 2014;
- (5) Creditors' Payments performance; and
- (6) Council Tax and Business Rates collection performance.

50 **Capital Monitoring Statement**

The Assistant Director Finance presented a report which updated the current position in respect of the Council's revised annual capital programme and advised Members of the anticipated level of deferred expenditure into future years. The report also sought approval to amend the annual capital programme in order to reflect the reported variations with some projects taking longer than the current year to complete. A request for additional funding of £50,000 was made to invest in the Municipal Bond Agency created by the Local Government Association, which would allow the Council to become a shareholder. A letter of intent was required by the 4 December. There had also been an additional funding request for £37,500 for new lighting at Exton Road, as part of a health and safety recommendation to bring the lighting to an acceptable standard to enable staff to work safely in the proximity of refuse collections vehicles at all hours.

Scrutiny Committee - Resources noted the current position in respect of the annual Capital Programme, and the additional funding request set out in section 8.8 of the circulated report and recommended its approval by Council.

51 **Treasury Management - Half Yearly Report 2014/15**

The Assistant Director Finance submitted the report, informing Members of the current Treasury Management performance for the 2014/15 financial year and the position regarding investments and borrowings as at 30 September 2014. Members were updated on the interest rate prospects, net interest position and the future position.

Scrutiny Committee - Resources noted the Treasury Management report in respect of the first six months of the 2014/15 financial year.

52 **Budget Monitoring (Second Quarter)**

The Assistant Director Finance presented the report which advised Members of any material differences to the revised budget in respect of Resources revenue budgets for the first six months of the financial year up to 30 September 2014. The forecast suggested that the net expenditure for this Committee would decrease from the revised budget by a total of £169,630 after transfers from reserves and revenue contributions to capital, as detailed in Appendix 1 circulated with the report. This represented a variation of 2.92% for the revised budget and included supplementary budget of £172,620. An update on the approved budget savings had also been included.

The Assistant Director Finance replied to an advance question from a Member which queried an apparent shortfall in the civic ceremonials budget and clarified that the

income was from the shop unit, which sits beside the Guildhall and was currently occupied. This unit had been empty for part of the current year and, historically, had presented a challenge to rent.

Scrutiny Committee – Resources noted the report.

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

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

54 Proposal for Leisure Complex and Swimming Pool

The Deputy Chief Executive presented a report which sought approval for the funding development of the new leisure complex and swimming pool to replace the Pyramids Swimming and Leisure Centre. Members were also made aware of the relationship with the Bus and Coach Station redevelopment and of other facilities in the city.

Members were reassured that the future operation would include the appropriate quality of facility and service and be sensitive to the needs of a diverse range of users taking account of disability, gender and faith.

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

- (1) the allocation of £19.4 million to develop a new leisure complex and swimming pool on part of the bus station site to replace the Pyramids.
- (2) that the Leader nominate and full Council appoint the Leisure Complex Programme Board as a Sub-Committee of the Executive;
- (3) that all future spend decisions in respect of the £19.4 million budget for the development of the new Leisure Complex and Swimming Pool be delegated to the Leisure Complex Programme Board;
- (4) that the Leader nominate, and Full Council appoint, the following Members to the Leisure Complex Programme Board:
 - The Leader of the Council
 - Portfolio Holder- Economy and Culture
 - Portfolio Holder- City Development and
 - Leader of the Opposition
- (5) that the Proceedings of the Leisure Complex Programme Board shall take place in accordance with the Executive Procedure Rules.

The meeting commenced at 5.30 pm and closed at 6.25 pm

Chair

EXECUTIVE

Tuesday 18 November 2014

Present:

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

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Housing, Assistant Director Public Realm and Democratic Services Manager (Committees)

107

MINUTES

The minutes of the meetings held on 16 September and 7 October 2014 were taken as read and signed by the Chair as correct.

108

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

109

PROPOSED INTRODUCTION OF A DISCRETIONARY LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION

The report of the Assistant Director Housing was submitted to provide Members with feedback on the outcome of the 10 week consultation exercise undertaken on the proposal to extend the principles of Mandatory Houses in Multiple Occupation (HMOs) Licensing through the introduction of an Additional Licensing Scheme covering specific types of HMOs throughout Exeter. The report also sought approval for the Designation of an Additional Licensing Scheme.

Members were advised that the purpose of the scheme was to improve standards of those properties deemed sub standard and it would also relieve pressure on the general fund by some £450,000 over the next five years which would help address the severe financial pressures faced by the Council. The new methods of operation were governed by regulations and the scheme would come into force on 23 February 2015.

The Portfolio Holder for Housing and Customer Access stated that this proposal was the start of a process over the coming year to work with Landlords to improve tenanted properties.

Members welcomed this way forward to improve the standards of HMOs in the city.

Scrutiny Committee – Community considered the report at its meeting on 11 November 2014 and the comments of the Members were noted.

RESOLVED that:-

- (1) a Designation for an Additional Licensing Scheme, covering the whole of the Exeter City Council administrative area, for the types of HMOs specified in Appendix 1, annex B, be made;
- (2) the fee structure detailed in Appendix 2 and the licence conditions detailed in Appendix 3, be agreed;
- (3) the implementation of the Scheme beginning on 23 February 2015, be agreed; and
- (4) the Assistant Director Housing, in consultation with the Portfolio Holder for Housing and Customer Access be authorised to periodically review the Scheme, its implementation and resourcing to ensure that the principles of the Scheme are achieved.

110

DEVON COUNTY COUNCIL - CONSULTATION ON HIGHWAYS SAVINGS

The report of the Assistant Director Public Realm was submitted to consider the City Council's response to Devon County Council's consultation on proposed savings of £3.4 million to the 2015/16 Highways and Traffic Management budget. The consultation referred to reductions in services to Devon towns and villages and it was unclear whether they referred in part or in whole to the City of Exeter. Some of the proposed savings would have a disproportionate impact on the City's economy and its citizens given that there were no Parish Councils to take on these essential services.

A Member commented that these proposals had been poorly developed, Exeter was different to the rest of Devon and that he would be taking forward the City Council's concerns with the County Council.

The Portfolio Holder for Environment, Health and Wellbeing stated that the proposals to reduce the vehicles in the second gritting fleet and to cease re-stocking grit bin were contrary to the aims of the Exeter Health and Wellbeing Board to reduce trips and falls and improve public health and safety. An Exeter City Devon County Councillor would be raising this matter on behalf of the City at the next County Cabinet meeting.

The Portfolio Holder for Housing and Customer Access stated that at the Devon County Council HATOC meeting on 10 November 2014 it had been confirmed that the city would not be losing any Neighbourhood Highway Staff.

Members raised concerns regarding the reduction in the second gritting and snow clearing fleet, the ceasing of stocking the grit bins and the reduction in weed treatment stating that these proposals would have a negative economic and health and safety impact on the City and its residents.

The Leader invited the two opposition group leaders to accompany the Portfolio Holder for Environment, Health and Wellbeing and himself when they meet with the relevant Cabinet Members at the County Council to discuss how the two councils can work together to minimise the impact of these proposals.

RESOLVED that:-

- (1) the City Council's response to the consultation as set out in the body of this report be approved; and
- (2) the Leader of Council seek a meeting with the relevant Cabinet Members at the County Council to begin a dialogue about how the two councils can work together to ensure that the economic and social impacts of these proposals on the City of Exeter are minimised.

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

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

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

112 **COMMUNITY ASSET TRANSFER REPORT**

The report of the Assistant Director Public Realm was submitted to consider the potential to divest the Council's assets into community use and ownership.

The proposals were being brought forward because of the need to introduce new ways of working necessitated by the significant pressures on the Council budget over the next three years. Further details were provided on the progress of discussions with Exeter College on the Exwick Sports Hub at Flowerpot Playing Fields and with community groups using Heavitree Park.

During discussion, Members raised concerns regarding the need to ensure that the Council assets were safeguarded and their community value retained. Each transfer should be assessed on a case by case basis and it would be important to consult with Ward Members on any proposals.

The Portfolio Holder for Environment, Health and Wellbeing proposed an additional recommendation that any decisions to transfer Council assets to community ownership or a long lease be taken in consultation with the Leader and the Portfolio Holder for Environment, Health and Wellbeing. He added that, as the Portfolio Holder he would ensure that Ward Members were consulted as a matter of course during any decision making process.

The Assistant Director Public Realm clarified the delegated powers of the Corporate Manager Property with regards to asset transfer.

Scrutiny Committee – Community considered the report at its meeting on 11 November 2014 and the comments of the Members were noted.

RESOLVED that:-

- (1) the principle of asset transfer to community organisations be endorsed;
- (2) the expressions of interest in asset transfer already received from Devon Wildlife Trust, Exeter College and Exeter Saracens be progressed;
- (3) the principle of granting a lease or licence on the tennis facilities at Heavitree Park to Tennis for Free be agreed on terms to be negotiated by the Corporate Manager – Property, with further consideration about the long term transfer of this asset to Park Life once the Community Hub and Café redevelopment are completed;
- (4) the commencement of discussions with the clubs associated with the Council-owned bowling and croquet greens and facilities with a view to supporting them to take on responsibility for these assets over the next two years, be supported;
- (5) any decision to transfer Council assets to community ownership or grant a long lease be taken in consultation with the Leader and the Portfolio Holder for Environment, Health and Wellbeing; and
- (6) the barriers that high costs of insurance can create for community groups be highlighted to Government.

(The meeting commenced at 5.30 pm and closed at 6.05 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 16 December 2014.

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	
--	--	---	--	---	---	-------------------------------	--

Democratic Services Manager (Committees)				Deputy Chief Executive	Assistant Director Finance	
---	--	--	--	---------------------------	----------------------------------	--

Councillors	Councillors	Councillors		Councillors	Councillors
George (L)	Robson (L)	Edwards (L)		Leadbetter (C)	Fullam (LD)
Crew (L)	Sheldon (L)	Sutton (L)		Baldwin (C)	Mrs Brock (LD)
Williams (L)	Spackman (L)	Hannaforde (L)		Henson (C)	Mitchell (LD)
Laws (L)	Raybould (L)	Pearson (L)	TABLE	Shiel (C)	Donovan (C)
Dawson (L)	Lyons (L)	Owen (L)		Winterbottom (C)	Holland (C)
Clark (L)	Foggin (L)	Denham (L)			Mottram (C)
Bowkett (L)					
Morris (L)					

Cllr Tippins (L)	Cllr Branston (L)	Cllr Brimble (L)	Cllr Bull (L)	Cllr Wardle (L)	Cllr Bialyk (L)	Cllr Choules (L)
------------------------	----------------------	---------------------	------------------	--------------------	--------------------	---------------------

L: Labour : 27
 C: Conservative : 10
 LD: Liberal Democrat : 3

Portfolio Holders

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

This page is intentionally left blank