



## Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 28 JULY 2015**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

	Pages
1 Minutes	
To sign the minutes of the Ordinary and Extraordinary meetings held on 21 April 2015.	3 - 8
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
3 Planning Committee - 27 April 2015	9 - 12
4 Planning Committee - 1 June 2015	13 - 16
5 Planning Committee - 29 June 2015	17 - 36
6 Licensing Committee - 2 June 2015	37 - 38
7 Scrutiny Committee - Community - 16 June 2015	39 - 50
8 Scrutiny Committee - Economy - 18 June 2015	51 - 58
9 Scrutiny Committee - Resources - 1 July 2015	59 - 66
10 Audit and Governance - 24 June 2015	67 - 70
11 Strata Joint Executive Committee - 10 June 2015	71 - 74
12 Strata Joint Scrutiny Committee - 28 May 2015	75 - 78
13 Executive - 23 June 2015	79 - 86

## 15 Questions from Members of the Council Under Sanding Order No 8

Councillor Prowse has submitted the following question to the Leader of the Council:-

“This City is able to boast having the oldest Municipal Park in the entire Country. Last year, it proudly won the best park in the Southwest when it entered after a ten year absence, the South West Britain in Bloom contest. Sadly, the bandstand has been neglected and is no longer serviceable. Would the Leader comment on any future plans and is it possible that any funds could be secured to put this feature back into community use? (CIL, 106 or even the new homes bonus are suggested sources).”

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

Date: Monday 20 July 2015

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](mailto:committee.services@exeter.gov.uk)

## **THE MEETING OF EXETER CITY COUNCIL**

Guildhall  
Tuesday 21 April 2015

The Right Worshipful the Lord Mayor (Cllr Prowse)

The Deputy Lord Mayor (Cllr Newby)

Councillors Baldwin, Bialyk, Branston, Brimble, Brock, Bull, Clark, Crew, Dawson, Denham, Edwards, Foggin, Fullam, George, Hannaford, Holland, Laws, Leadbetter, Lyons, Mitchell, Morris, Owen, Pearson, Raybould, Robson, Sheldon, Shiel, Spackman, Sutton, Wardle, Williams and Winterbottom

13 **APOLOGIES**

Apologies for absence were received from Councillors Bowkett, Choules, Donovan, Henson, Mottram and Tippins.

14 **MINUTES**

The minutes of the Extraordinary Meeting held on 20 January 2015, the Ordinary Meeting held on 24 February 2015 and the Special Meetings held on 24 February and 25 March 2015 were taken as read and signed as correct.

15 **PLANNING COMMITTEE - 2 MARCH 2015**

The minutes of the Planning Committee of 2 March 2015 were presented by the Chair, Councillor Bialyk and taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 2 March 2015 be received.

16 **PLANNING COMMITTEE - 30 MARCH 2015**

The minutes of the Planning Committee of 30 March 2015 were presented by the Chair, Councillor Bialyk and taken as read.

**RESOLVED** that the minutes of the Planning Committee held on 30 March 2015 be received.

17 **LICENSING COMMITTEE - SPECIAL - 16 MARCH 2015**

The minutes of the Licensing Committee – Special of 16 March 2015 were presented by the Chair, Councillor Dawson and taken as read.

**RESOLVED** that the minutes of the Licensing Committee – Special held on 16 March 2015 be received.

18 **SCRUTINY COMMITTEE - COMMUNITY - 3 MARCH 2015**

The minutes of the Scrutiny Committee - Community of 3 March 2015 were presented by the Chair, Councillor Shiel and taken as read.

**RESOLVED** that the minutes of the Scrutiny Committee - Community held on 3 March 2015 be received.

19 **SCRUTINY COMMITTEE - ECONOMY - 5 MARCH 2015**

The minutes of the Scrutiny Committee – Economy of 5 March 2015 were presented by the Deputy Chair, Councillor Brock and taken as read.

**RESOLVED** that the minutes of the Scrutiny Committee - Economy held on 5 March 2015 be received.

20                    **SCRUTINY COMMITTEE - RESOURCES - 18 MARCH 2015**

The minutes of the Scrutiny Committee - Resources of 18 March 2015 were presented by the Chair, Councillor Baldwin and taken as read.

**RESOLVED** that the minutes of the Scrutiny Committee - Resources held on 18 March 2015 be received.

21                    **AUDIT AND GOVERNANCE COMMITTEE - 11 MARCH 2015**

The minutes of the Audit and Governance Committee of 11 March 2015 were presented by the Chair, Councillor Sheldon and taken as read.

**RESOLVED** that the minutes of the Audit and Governance Committee held on 11 March 2015 be received.

22                    **STRATA JOINT EXECUTIVE COMMITTEE - 3 FEBRUARY 2015**

The minutes of the Strata Joint Executive Committee of 3 February 2015 were presented by the Chair, Councillor Edwards and taken as read.

**RESOLVED** that the minutes of the Strata Joint Executive Committee held on 3 February 2015 be received.

23                    **STRATA JOINT SCRUTINY COMMITTEE - 12 MARCH 2015**

The minutes of the Strata Joint Scrutiny Committee of 12 March 2015 were presented by Councillor Baldwin and taken as read.

**RESOLVED** that the minutes of the Strata Joint Scrutiny Committee held on 12 March 2015 be received.

24                    **EXECUTIVE - 17 MARCH 2015**

The minutes of the Executive of 17 March 2015 were presented by the Leader, Councillor Edwards and taken as read.

**RESOLVED** that with the exception of minute number 36 (Electoral Review of Exeter) which was considered at the Special Council Meeting on 25 March 2015, the minutes of the Executive held on 17 March 2015 be received and, where appropriate, adopted.

25                    **EXECUTIVE - 14 APRIL 2015**

The minutes of the Executive of 14 April 2015 were presented by the Leader, Councillor Edwards and taken as read.

**RESOLVED** that the minutes of the Executive held on 14 April 2015 be received and, where appropriate, adopted.

**OFFICIAL COMMUNICATIONS**

On behalf of the Council, the Lord Mayor recorded his appreciation for the invaluable contribution of Councillors Clark, Dawson, Tippins and Winterbottom who were standing down and retiring at the May elections.

The Lord Mayor congratulated Camilla Hampshire the Museums Manager at the Royal Albert Memorial Museum (RAMM) who received a Lifetime Achievement Award at the recent Express and Echo Business Awards for her contribution towards the success of the Museum. He also congratulated Councillor Lyons on receiving the Freedom of the City of London.

(The meeting commenced at 6.00 pm and closed at 6.19 pm)

Chair

**This page is intentionally left blank**

## **THE EXTRAORDINARY MEETING OF EXETER CITY COUNCIL**

Guildhall  
Tuesday 21 April 2015

The Right Worshipful the Lord Mayor (Cllr Prowse)

The Deputy Lord Mayor (Cllr Newby)

Councillors Baldwin, Bialyk, Branston, Brimble, Brock, Bull, Clark, Crew, Dawson, Denham, Edwards, Foggin, Fullam, George, Hannaford, Holland, Laws, Leadbetter, Lyons, Mitchell, Morris, Owen, Pearson, Raybould, Robson, Sheldon, Shiel, Spackman, Sutton, Wardle, Williams and Winterbottom

3

### **APOLOGIES**

Apologies for absence were received from Councillors Bowkett, Choules, Donovan, Henson, Mottram and Tippins.

4

### **FREEDOM OF THE CITY**

The Leader moved the recommendation that Mr Tony Rowe be awarded the honour of Freedom of the City in recognition of his achievements in raising the profile of Exeter Rugby Club nationally and internationally.

Councillor Winterbottom seconded the recommendation.

**RESOLVED** that, in pursuance of its powers under Section 249 of the Local Government Act 1972, the Council do confer on Mr Tony Rowe Freedom of the City Status in recognition of his outstanding services to the field of sport (particularly Rugby Union) which had led to Exeter's name being known around the world as one which supported sport.

[Section 249 of the Local Government Act 1972 provides that the foregoing honour may be conferred by resolution of the Council passed by not less than two thirds of the Members voting thereon, at a meeting specially convened for the purpose.]

[The foregoing resolution was passed unanimously]

(The meeting commenced at 6.19 pm and closed at 6.23 pm)

Chair

**This page is intentionally left blank**



## PLANNING COMMITTEE

Monday 27 April 2015

### Present:

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

### Apologies:

Councillors Mitchell and Mottram

### Also Present:

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

29

### DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

30

### PLANNING APPLICATION NO. 15/0185/03 - LAND TO THE REAR OF CRAWFORD HOTEL, ALPHINGTON ROAD, EXETER

The Assistant Director City Development reported that the application for proposed development of four dwellings (three terrace units and one detached) had been deferred for discussions with the City Council regarding the possibility of access from Retail Park Close.

31

### PLANNING APPLICATION NO. 14/2083/03 - LAND SOUTH OF EXETER ROAD, TOPSHAM

The Assistant Director City Development reported in respect of the application for the erection of Class A1 foodstore (1,635 sq m gross) with associated access, car parking and landscaping, and other associated works that the Council had engaged GVA to advice on the retail implications of the proposal. In light of developing proposals for retail provision at Seabrook Gardens, GVA had subsequently stated that further information was now required on the proposal for this local centre and the timing of its delivery in order to further assess the short and long term impact on retail provision in the area with regard to both the above application and planning permissions granted for a local centre at the Newcourt development.

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

**RESOLVED** that planning permission for the erection of Class A1 foodstore (1,635 sq m gross) with associated access, car parking and landscaping, and other associated works be **DEFERRED** for further information.

**PLANNING APPLICATION NO. 15/0125/03 - CATHERINE SQUARE, CATHERINE STREET, EXETER**

The Assistant Director City Development presented the application for redevelopment of Catherine Square with a glass pavilion cafe bar and external seating area.

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

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

- an independent businessman from Exeter seeking to build on Exeter's recent economic success and further develop this business in the heart of the City to bring additional life to the area;
- have successfully traded on site over the last three years during which time there have been no complaints and no noise problems. The philosophy of the business is to maintain and enhance this reputation and to contribute to improving the square, continue good relations with neighbours and further build the business; and
- application is backed by 27 letters of support and over 500 customer signatures to a petition in support of the expansion.

In response to Members queries, he advised that a further seven staff will be taken on and hours increased for existing staff and that food would be prepared on site and served within the glassed area.

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

**RESOLVED** that planning permission for the re-development of Catherine Square with a glass pavilion cafe bar and external seating area be **APPROVED** subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 3 February 2015 (*dwg. no's: SK02; 03; 04; 05; 06; 07; 08; 09*), 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 details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
  1. full details of external metal cladding including colour, finish and fixing.
  2. full details of folding glazed panels including manifestations for visibility
  3. full details of the internal flooring, including colour and finish
  4. full details of plant including types, purpose, design, material and finish.
  5. full details of the glazed roof lights**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 4) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason:** In the interests of amenity of the neighbourhood.

- 5) The cafe/bar hereby approved shall comply with the following opening hours. Monday to Wednesday 0800-1600, Thursday to Saturday 0800-2300, Sunday 1000-1500. The external seating shall not be used by customers or staff between the hours of 2300 and 0800. The premises shall not operate between the hours of 0000 and 0800.  
Reason: In the interests of neighbourhood amenity

The applicant be advised to contact the Commercial Section of Environmental Health Services (01392 265148) in order to ensure that the following items will comply with all relevant British Standards, Regulations and guidance:-

- Food safety issues - design and layout of the kitchens including fixtures, fittings, storage and ventilation.
- Adequate provision of WCs.

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

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

34 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

35 **SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 19 May at 9.30 a.m. The Councillors attending will be advised prior to the visit.

36 **COUNCILLOR JOHN WINTERBOTTOM**

The Chair reported that this would be the last Planning Committee meeting for Councillor Winterbottom who was standing down at the May elections. He and Committee Members paid tribute to Councillor Winterbottom for his hard work for the Council as well as his service as a Member of this Committee.

(The meeting commenced at 5.30 pm and closed at 6.01 pm)

Chair

**This page is intentionally left blank**

## **PLANNING COMMITTEE**

Monday 1 June 2015

### **Present:**

Councillor Bialyk (Chair)  
Councillors Spackman, Denham, Edwards, Sutton and Williams

### **Apologies:**

Councillors Buswell, Choules, Lyons, Mottram, Newby, Prowse and Raybould

### **Also Present:**

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

37

### **MINUTES**

The minutes of the meetings held on 2 and 30 March were taken as read and signed by the Chair as correct.

38

### **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

39

### **PLANNING APPLICATION NO. 14/0963/03 - LAND TO WEST OF PILTON LANE, EXETER**

The Assistant City Development Manager (Planning) presented the application for a three storey building containing 41 retirement apartments including communal facilities and associated car parking and landscaping.

The outstanding issue was the amount of a contribution towards affordable housing provision but an agreement had not been reached with the applicant. The Council's external valuer had concluded that a financial contribution of £1,250,000 to the provision of off-site affordable housing would be appropriate. The offer from the applicant was £656,000 together with a CIL contribution of £444,000.

The recommendation was therefore for refusal.

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

- following refusal of the previous application, which had been upheld by the Inspector at Appeal, and further negotiations, McCarthy and Stone had offered as an off-site contribution of £656,000 towards affordable housing. When added to CIL (£444,000) the total contribution would be £1.1 million by way of infrastructure/affordable housing related contributions;
- the offer made by McCarthy and Stone was against the opinion of its own valuers but was made to help bring forward this desirable scheme;

- the key difference between the parties was that of the sales value of the individual flats; and
- after two years of negotiations the applicant had put forward a final offer and would abandon the proposal if their suggested terms were not acceptable.

He responded as follows to Members queries:-

- the position at appeal on the sales value had been £200,000 for a one bed flat and £290,000 for a two bed flat and values had since increased;
- initial land value assessment by the applicant had been at benchmark valuation and if the applicant was required to pay any additional contribution financial appraisal would come out negative; and
- at Appeal there had been discrepancies over build costs but now the disagreement was in respect of an uplift in the value of the properties.

Andrew Burrows of Burrows Hutchinson Ltd. had been engaged by the City Council as an external valuer to assist with assessing the viability of the development. Mr Burrows explained that, in reaching the above figure sought by the Council, although a case for a higher figure could have been made he had been mindful of the guidance on “flexibility” in the Planning Policy Guidance and also Government advice for planning authorities to adopt a consistent approach in plan-making and decision-taking. As such, a concession would be appropriate to reach an early settlement. A significant aspect of a final decision would be for the Council to provide a consistent and robust message in respect of market values for developments. Accepting a figure not considered to be a good value would set a precedent which other developers would look to benefit from.

**RESOLVED** that planning permission for a three storey building containing 41 retirement apartments including communal facilities and associated car parking and landscaping be refused as, in absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which makes provision for a contribution towards affordable housing, the proposal is contrary to Exeter Local Development Framework Core Strategy 2012 policy CP7, Exeter Local Plan First Review 1995-2011 Saved Policy H6 and Exeter City Council Affordable Housing Supplementary Planning Document 2014.

#### 40 **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

#### 41 **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

#### 42 **SITE INSPECTIONS - ROTA FOR VISITS**

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

**RESOLVED** that the circulated rota of site inspections be approved subject to any changes during the course of the year.

**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 16 June at 9.30 a.m. The Councillors attending will be Bialyk, Denham and Mottram.

(The meeting commenced at 5.30 pm and closed at 6.11 pm)

Chair

**This page is intentionally left blank**



## **PLANNING COMMITTEE**

Monday 29 June 2015

### **Present:**

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

### **Apologies:**

Councillor Edwards

### **Also Present:**

Assistant Director City Development, Principal Project Manager (Development) (HS),  
Principal Project Manager (Development) (MH) and Democratic Services Officer  
(Committees) (HB)

44

### **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

45

### **PLANNING APPLICATION NO. 15/0172/03 AND LISTED BUILDING APPLICATION NO. 15/0173/07 - EXETER FLOOD DEFENCE SCHEME**

The Principal Project Manager Development (HS) presented the application for the construction of flood defence improvements, comprising raising of existing defences and new flood defence walls, embankments and demountable defences.

A total of 47 representations had been received and he explained the details of the scheme broken down into the following zones:-

Zone 1: Cowley Bridge to St. David's Station.  
Zone 2: Station Road to Exwick Playing Fields.  
Zone 3: Central Exeter.  
Zone 4: The Quay.  
Zone 5: Exeter Canal between Trews Weir and Bridge Road.  
Zone 6: St. James Mill Leat and Countess Wear.

Because of the large area covered by the application and as requests to speak had come from members of the public living in the different zones, the Chair agreed on this occasion to accept more than one member of the public to speak. This was done on the basis of one speaker only from each of the identified zones.

Mr Runciman (Zone 3) spoke on the application. He raised the following points:-

- lived in area for 55 years and not opposed to the principle of development;
- opposed to the destruction of the natural habitat through the covering of a large area with concrete;
- there will be an adverse impact on the area with environmental damage to the leat area including the island in the middle, loss of trees and impact on wildlife;
- suggest the introduction of similar features proposed for the Quay area; and

- urge Members to visit the site, an unique area of Exeter, before reaching a decision.

He responded as follows to Members' queries:-

- representing the majority of residents in the area; and
- house insurance covers flooding.

Mr Coffin (Zone 6) spoke on the application. He raised the following points:-

- lived in area for 43 years and speaking on behalf of 30 households;
- oppose sluice bridge which is 46 metres long and 11 feet wide and is for heavy lorries for maintenance only and will divide and destroy a beauty spot in the centre of the community. It is felt that a light foot bridge/sluice would suffice;
- proposal to replace marshland by a "lunar landscape", which is claimed is environmentally unimportant, is wrong. Mammals, fish and insects abound and 60 bird varieties have been observed in the past two years;
- under "no net loss" wetlands will be catered elsewhere but these, desirable as they are, are on private land and out of sight and out of mind;
- an alternative proposal would enable the saving of most of the marshes and could be further improved by the inclusion of a lagoon/wetlands similar to Matford – there would be far less loss of flood plain over that proposed by the Environment Agency. A restrictive viewing platform could be included for residents, cyclists, pedestrians and school children enjoying the Exe trail;
- a temporary Bailey Bridge has been offered by 24 Commando Regiment to transport soil across the Exe and save £200,000; and
- request deferral of the issues of the sluice and landscaping until a better solution is found.

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

- the Environment Agency, the City and County Councils have formed a Partnership to develop and deliver improved flood defences for Exeter. In February 2013, £6 million was secured for additional funding from central government in recognition of the importance of the scheme to the future economic growth of the City;
- two major floods in 1960 devastated parts of the City and defences built along the Exe since then have successfully contained flood water, but the system ran at full capacity in 1999, 2000, 2002 and 2012;
- 3,270 properties are at risk as is critical infrastructure such as St David's Station and the mainline, key arterial roads, four schools and seven health centres/surgeries. The current flood risk varies between 2.5% (risk of occurring in any one year) and 10% along the river corridor and is seen as an inhibitor to continued economic growth;
- two public exhibitions have been held and numerous meetings with affected landowners, residents, Council officers and other stakeholders with widespread community support for the solution;
- the scheme caters for pedestrian and cycle access alongside and across the river, the heritage value of such places as the Quay and Piazza Terracina and enhancements to the river for wildlife;
- wishes of individual landowners have been accommodated as far as possible;
- construction will start in early summer 2016 and take two years;
- traffic disruption will be kept to a minimum by close liaison with the County and City Councils, local residents and businesses;

- adequate flood defences are essential for the safety and prosperity of the City's residents; and
- account has been taken of the need for strong glass parapets to withstand trees etc. during floods.

He responded as follows to Members' queries:-

- have undertaken extensive consultation with local residents and also with the military in respect of their offer of a Bailey Bridge; and
- have transport management plan for works in affected 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.

### **Planning Application No. 15/0172/03**

**RESOLVED** that, subject to the Assistant Director City Development being granted delegated authority and to prior consultation with the Chair of this Committee and the Portfolio Holder for City Development and the opportunity for Members to visit the sites, in respect of condition 16, planning permission for the construction of flood defence improvements, comprising raising of existing defences and new flood defence walls, embankments and demountable defences be approved, subject to the following conditions which may be varied as appropriate:-

- 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 9 March 2015 as superseded by revised drawing received on 17 May 2015 and 17 June 2015, and as modified by other conditions of this consent.

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

- 3) No development shall commence until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.

- 4) No part of the approved development shall take place until a Construction and Environment Management Plan (CEMP) relating to that part of the approved development, and including any preparatory and enabling works, has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:
  - a) The construction access points from the highway;
  - b) Restrictions to burning on site;
  - c) Hours of working, which unless otherwise agreed, shall be not 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;
  - d) Dust suppression measures that shall be employed as required during

- construction in order to prevent off-site dust nuisance.
- e) Noise, vibration and dust control measures and practices shall be employed as required during construction in order to prevent off-site nuisance.
  - f) The recording and handling of complaints relating to construction activity.

**Reason:** To protect the amenities of existing and future residents.

- 5) No part of the approved development shall take place until a full investigation relating to that part of the approved development, and including any preparatory and enabling works, 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. [Access](#) shall not be allowed into any of the completed areas of works until any approved remedial works relating to that area that are required 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 public safety.

- 6) The pre-construction surveys and mitigation plans for any works affecting European Protected Species shall be submitted to and approved in writing by the Local Planning Authority and works detailed therein shall be carried out in accordance with the approved plans.

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

- 7) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and soils shall be submitted to the Local Planning Authority and no development shall take place on any part of the site until the Local Planning Authority have approved a scheme for that part of the site; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, the details of soils and seed mixes and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

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

- 8) No materials shall be brought onto any part of the site or any development commenced in that part of the site, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2005 - 'Trees in Relation to Construction'. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development in that part of the site the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

**Reason:** To ensure the protection of the trees during the carrying out of the development.

- 9) 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.

- 10) Before works commence on any part of the development hereby approved a plan for the management of site waste, including soils, relating to that part of the development shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved plan.

**Reason:** In the interested of sustainable development and the interests of human health.

- 11) Before works commence on any part of the development hereby approved, a manual for the management of and maintenance of the ecological, biodiversity enhancements and landscaping, relating to that part of the development shall be submitted to and approved in writing by the Local Planning Authority.

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

- 12) Unless otherwise agreed in writing samples of the materials (and including the mortar, coursing and bonding of any block or brickwork), it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter 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.

- 13) A scheme for the management, maintenance and operation of the flood defences (including all flow control structures and pumps) shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of sustainable development and to ensure that provision is made for the ongoing operation of the scheme of defences.

- 14) A scheme for the advance warning of the closure of flood gates across Station Road and the management of traffic during any closure shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. This scheme shall be implemented before these gates are first brought into use.

**Reason:** In the interests of sustainable development and highway safety.

- 15) Unless otherwise agreed in writing by the Local Planning Authority those parts of the development listed below shall not be commenced until the details specified have been submitted to and approved in writing by The Local Planning Authority.

- a) The detailed design of the flood defence gates at Station Road.
- b) The detailed design of the storage benches, bollards (including coverings), flood gate, wall, and the supporting structures and foundations thereof, and works of surfacing and ground re-profiling at the Quay.
- c) The detailed design and construction of the Individual Property Protection measures to The Antiques Centre, Kings Wharf and Quay Cellars.
- d) The detailed design of the flood defence gate at Piazza Terracina.
- e) The detailed design of all flap valve closures to be provided to existing pipe outfalls.
- f) Details of the works to Quay Bridge.
- g) The detailed arrangement of the junction of the propose ramps with the footpath and cycle path at Exe Bridges North.
- h) The detailed design of the flood defence gates at Mill Road.
- i) Details of the root protection measures implemented at the London Plane Tree in design and during construction.

**Reason:** Insufficient detail has been submitted in respect of these matters to ensure a satisfactory appearance and implementation of the development.

- 16) Unless otherwise agreed in writing by the Local Planning Authority those parts of the development listed below shall not be commenced until the details specified have been submitted to, and approved in writing by, the Local Planning Authority.

- a) detailed design of landscaping and the Flow Control Structure on St James Mill Leat at Waring Bowen Court; and
- b) detailed design of the flood defence structures at Mill House and Eagle Cottages, Bonhay Road

**Reason:** It is considered that insufficient detail has been submitted in respect of these matters to ensure a satisfactory appearance and implementation of the development and to enable further involvement of local residents in their detailed design.

- 17) Before works commence on any part of the development hereby approved a Traffic Management Plan relating to that part of the development shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved plan.

**Reason:** In the interests of minimising the impact of construction traffic on the highway, protecting residential amenity and public safety.

The Principal Project Manager Development (HS) presented the application for Listed Building Consent in respect of the following affected properties/listed buildings: The Malt House and Custom House, Transit Shed, Quay House, Wharfinger's Office, 4 The Quay, Prospect PH, Rose Cottage, King's Wharf, The Vaults and Cannon Bollard at the Quayside and the Lime Kilns at Countess Wear.

#### **Listed Building Application No. 15/0173/07**

**RESOLVED** that the Assistant Director City Development be granted delegated authority to **APPROVE** the application for Listed Building Consent for the construction of flood defence improvements, comprising raising of existing defences and new flood defence walls, embankments and demountable defences

affecting the buildings and their settings, subject to the following conditions (which may be varied or supplemented as appropriate):

- 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 9 March 2015 as superseded by revised drawing received on 17 May 2015 and 17 June 2015, and as modified by other conditions of this consent.

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

- 2) C08 - Time Limit - L.B. and Conservation Area
- 3) Unless otherwise agreed in writing samples of the materials (and including the mortar, coursing and bonding of any block or brickwork), it is intended to use externally in the construction of the development in shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter 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 to ensure a satisfactory appearance and implementation of the development in the interests of protecting the character appearance and setting of Listed Buildings and the character and appearance of the Riverside Conservation Area.

- 4) Unless otherwise agreed in writing by the Local Planning Authority those parts of the development listed below shall not be commenced until the details specified have been submitted to and approved in writing by The Local Planning Authority.
  - a) The detailed design of the storage benches, bollards (including coverings), flood gate, wall, and the supporting structures and foundations thereof, and works of surfacing and ground re-profiling at the Quay.
  - b) The detailed design and construction of the Individual Property Protection measures to The Antiques Centre, Kings Wharf and Quay Cellars.
  - c) Details of the works to Quay Bridge.
  - d) The detailed design of the flood defence gates at Mill Road.

**Reason:** Insufficient detail has been submitted in respect of these matters to ensure a satisfactory appearance and implementation of the development in the interests of protecting the character appearance and setting of Listed Buildings and the character and appearance of the Riverside Conservation Area.

46

**PLANNING APPLICATION NO. 14/2093/03 - ALDI STORE, EXETER ROAD, TOPSHAM**

The Assistant Director City Development presented the application for the erection of Class A1 foodstore (1,635 sq m gross) with associated access, car parking and landscaping, and other associated works.

He reported six additional letters of support and a petition of 323 signatures in support. An on line petition objecting to the proposal had also been received with 67 signatories raising no new issues.

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

- the longstanding Local Plan Strategy is to establish a new residential community with a community hub in the form of a local centre at Seabrook Orchards, comprising a local store, community hall, primary school, doctor's surgery/pharmacy, cafe, crèche and other facilities;
- the hub will deliver facilities which are not being provided elsewhere in the Newcourt development area. The local centre is required as a key part of the development, binding its delivery into the Section 106 agreement;
- the first phase of 200 houses at Seabrook Orchards, including significant areas of open space, pitches, community allotments, open space and other essential infrastructure, is currently under consideration;
- Bloor Homes are contracted to deliver "Phase 1" including its infrastructure. The new Church of England primary school has detailed approval and construction is about to commence in July;
- the planned local centre is a fundamental part of the sustainability of the Seabrook Orchards community and the Newcourt Urban Extension and will not be viable if the proposed Aldi proposal is granted planning permission;
- the retail element of the local centre is essential to its success and, without it, the doctor's surgery/health centre, community hall, crèche and cafe will not proceed;
- the Council's retail consultant, GVA have advised that Seabrook Orchards Local Centre is a sequentially preferable alternative site for the Aldi proposal. This is a fundamental reason for refusal of the Aldi application;
- in terms of impact, GVA have advised that there is a significant adverse impact on planned investment in the Seabrook Orchards Local Centre in planning policy terms. GVA have also confirmed that there will be a significant adverse impact on Topsham if the Aldi proposal and the Seabrook Orchards Local Centre both proceed; and
- providing the Aldi does not proceed, there are viable plans for a foodstore to be delivered at Seabrook Orchards.

He responded as follows to Members' queries:-

- a sustainable local community shop is proposed which can be accessed by foot or cycle and it will be located in the centre of the development;
- more jobs will be created than by the Aldi scheme because of the mix of community shop, doctors surgery, cafe and school and the Centre is part of the Local Plan;
- although the Aldi store would fit they did not wish to locate on this site. The community shop will be a good size and provide basic foodstuffs; and
- although food-stores exist in a very competitive market believe that the nature of the store proposed will be a success.

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

- the application is the product of extensive public consultation and careful consideration of the proposals in the context of the site, Topsham district centre and the wider area;
- ALDI has considered carefully the options for the site's development which has received significant public support including a local petition of over 300 signatures;
- the retail policy aspects of the development have also been considered in detail and the impact of the proposal on Topsham has been assessed and therefore extremely disappointed that the recommendation has been changed to refusal;



- the objectors are seeking to retrospectively alter the nature of the proposed local store, or local centre, at Seabrook Orchards to attempt to demonstrate that an alternative site exists;
- the comments from the objector are not consistent with the plans for Seabrook Square that were put forward back in 2011 and supported by adopted policy. At no point has there ever been any suggestion that a discount foodstore should be accommodated in the Seabrook development. It is only now that those proposals are being massaged to try to present an alternative option. This alternative would be different from that 'vision' presented in the Dart's masterplan and different from that envisaged by the Core Strategy;
- it is wrong to suggest that a store could be accommodated in the planned local centre. The implications of this amendment in terms of the development that the Council has already granted permission for are significant. The local store or local centre envisaged for the Seabrook Orchards site was to provide facilities of purely a local nature, as shown on the approved masterplan and what has been delivered in similar developments elsewhere;
- there are no other alternative sites that are suitable and available to ALDI. Instead the proposed ALDI site represents an opportunity to deliver a new form of retailing to the Topsham area, providing value for money, competition to the other main foodstores, and choice to existing and future local residents; and
- the application site is one that can be delivered now and could be providing benefits to local residents and employment for around 40 people by early 2016.

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

Members felt that the Aldi store would have limited impact on both the Topsham centre and the small local store in the Countess Wear estate. It would provide greater choice to local residents and also to those who live further afield and visited the larger superstores. Local residents would also have far less distance to travel, particularly as many of these fell within the older age brackets.

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

**RESOLVED** that planning permission for the erection of Class A1 foodstore (1,635 sq m gross) with associated access, car parking and landscaping, and other associated works be **APPROVED**, subject to the following conditions:-

- 1) C05 - Time Limit – Commencement.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 16th September 2014, 7th October 2014 and 27th March 2015 (*dwg. nos. 130447 P(1)01, 130447 P(1)02, 130447 P(1)03 Rev A, 130447 P(0)05, 130447 P(1)06, 130447 P(1)08, and 130447 P(1)09*), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials.
- 4) C35 - Landscape Scheme.
- 5) C37 - Replacement Planting.

- 6) C38 - Trees - Temporary Fencing
- 7) No part of the development hereby approved shall be brought into its intended use until footways on the south side of Exeter Road connecting the site vehicular access to the nearest bus stops to the west and east of the site, as indicated on Drawing No. 130447 P(1)03 Rev A, have been provided in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.  
**Reason:** To provide a safe and suitable access for pedestrian and cyclists, in accordance with Paragraph 32 of the NPPF.
- 8) No part of the development hereby approved shall be brought into its intended use until the vehicular access, including provision of a feature to provide pedestrian/cycle priority across the access, and internal footpath along the eastern boundary to the store entrance have been provided, surfaced and marked out in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes at all times.  
**Reason:** To provide a safe and suitable access to the site, in accordance with Paragraph 32 of the NPPF.
- 9) No part of the development hereby approved shall be occupied until the onsite cycle parking facilities, car parking facilities, footways and car park layout shall be provided in accordance Drawing No. 130447 P(1)03 Rev A and retained for those purposes at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 10) C57 - Archaeological Recording..
- 11) A detailed site Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority in advance of occupation of the development and a review of travel patterns for the site shall be undertaken within 6 months of occupation of the development and on an annual basis thereafter, unless otherwise agreed with the Local Planning Authority.  
**Reason:** To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF.
- 12) Prior to the commencement of the development a Sustainable Urban Drainage Scheme (SUDS) to deal with surface water associated with the development shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Devon County Council as the Lead Local Flood Authority). The said scheme shall include details of the on-going maintenance arrangements associated with any drainage system to be installed. The development shall be implemented strictly in accordance with the approved scheme.  
**Reason:** To ensure the satisfactory drainage of the development.
- 13) Air conditioning plant associated with the development shall only run between the hours of 07.00hrs to 23.00hrs and noise from refrigeration and air conditioning plant shall not exceed a rating noise level (measured in accordance with BS4142:2014) of 29 dB (23.00hrs to 07.00hrs) and 41 dB (07.00hrs to 23.00hrs) when measured at any noise sensitive receptor.  
**Reason:** In the interests of the residential amenity of the occupants of nearby properties.

- 14) Deliveries associated with the development hereby approved shall only take place between 07.00hrs - 23.00hrs Monday to Saturday, and 09.00hrs - 18.00hrs on Sundays and bank holidays. The movement of empty roll cages outside the store building shall take place during the opening hours of the store.  
**Reason:** In the interests of the residential amenity of the occupants of properties in the local vicinity.
- 15) C70 - Contaminated Land.
- 16) A Construction Environmental Management Plans (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic, the effects of piling, and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.  
**Reason:** In the interest of the environment of the site and surrounding areas.
- 17) Unless it is demonstrated in writing prior to the commencement of the development, to the satisfaction of the Local Planning Authority, that it is unviable or impracticable to do so the buildings hereby approved shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if commenced on or after 1st January 2019. Prior to commencement of such a building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved and which standard this relates to. Where this does not meet the minimum required standard the developer must provide details of what changes will be made to the development to achieve the minimum standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of any such building hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.  
**Reason:** To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.
- 18) Prior to the commencement of the development hereby approved 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.
- 19) Limitation on comparison goods floor space (20%).
- 20) Prior to the commencement of the development hereby approved a detailed scheme of mitigation in relation to the slow worm population identified as present on the site shall be submitted to, and be approved in writing by the Local Planning Authority. Thereafter the development shall be carried out strictly in accordance with the approved scheme of mitigation.  
**Reason:** To ensure that the impact of the development on the protected species present on the site is appropriately mitigated.

- 21) Unless otherwise agreed in writing by the Local Planning Authority, the store hereby approved shall be operated in accordance with the provisions and recommendations set out in the submitted Noise Impact Assessment prepared by KR Associates (UK) Ltd dated December 2014.

**Reason:** In the interests of the residential amenity of the occupants of properties in the local vicinity.

47

**PLANNING APPLICATION NO. 15/0185/03 - LAND TO REAR OF FORMER CRAWFORD HOTEL, ALPHINGTON ROAD, EXETER**

The Assistant Director City Development presented the application for the development of four dwellings (three terrace units and one detached).

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

- speaking on behalf of local residents;
- cars park both sides of Percy Road; which makes manoeuvring through the road and also in and out of the proposed development site very difficult. Either the development proceeds which will be of great inconvenience to all living in the road or the car parking along the street is reduced - both options are not acceptable;
- an experienced lorry driver helping with delivering furniture remarked that construction and delivery vehicles will experience great difficulties in accessing the site; and
- road condition is already poor and will result in further deterioration if the development proceeds.

Members referred to ownership of adjoining land by the City Council and the feasibility of an alternative scheme using additional land suggesting that construction could be achieved through Retail Park Close. It was noted that the County Council Highways Engineer had not objected to the scheme and had confirmed that a permanent access to serve the residential units from Percy Road was preferable and access for construction vehicles during the construction period from the same access was satisfactory.

Ms Boobier, spoke in support of the application. She raised the following points:-

- the development will contribute to the Council's ability to meet its housing land supply requirements;
- the development meets the requirements of the residential design SPD, respects the urban grain of the immediate area, can accommodate all highway and emergency requirements and will not have a detrimental impact on neighbouring residential amenity;
- the application was deferred at a previous Planning Committee for consideration to be given to an alternative means of vehicular access off Retail Park Close due to concern with regard to loss of on-street parking on Percy Road. This has been discussed with highway consultants, the County Council and City Council. The applicant does not own the land required for a vehicular access off Retail Park Close and it would be unreasonable for the applicant to be put in a ransom position when a suitable and an appropriate access off Percy Road can be provided which is to a standard that satisfies the Highway Authority and is capable of being delivered. Percy Road is the appropriate access point for a residential access as it serves existing residential development and Retail Park Close is not a suitable residential access point to serve the development; and

- the proposed Percy Road access had been reworked in order to reduce the on-street parking spaces that would be lost by the provision of the access road from the equivalent of 3 spaces to the equivalent of 1 on-street parking space to seek to address the concerns raised.

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

Members felt that it was unfortunate that further progress had not been made with utilising additional land adjacent to the site which was in Council ownership and which could have provided additional housing. They also remarked that the area suffered from parking and traffic problems in narrow streets which were likely to be exacerbated by this proposal.

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

**RESOLVED** that planning permission for the development of four dwellings (three terrace units and one detached) be **REFUSED** as the proposal is contrary to Core Planning Principle 4 and Section 7 of the National Planning Policy Framework, Objective 3 and Policy CP17 of the Exeter Local Development Framework Core Strategy, Policies H2 and DG1 (a and h) of the Exeter Local Plan First Review 1995-2011 and the Council's Supplementary Planning Document 'Residential Design' because:-

(a) by virtue of the creation of an access on to Percy Road it will have detrimental impact on the amenity of neighbouring residents, the character and quality of the local environment and the safety of local roads; and

(b) by virtue of the design the proposal does not promote local distinctiveness or contribute positively to the visual richness and amenity of the townscape.

48

#### **PLANNING APPLICATION NO. 14/2062/02 - PHASE 1, HILL BARTON ROAD, EXETER**

The Principal Project Manager (Development) (MH) presented the application for reserved matters for construction of 148 dwellings and associated works. (Phase 1 development area).

Mr Vanstone spoke on the application. He raised the following points:-

- not objecting to the proposal, but requesting further consultation with the developer regarding the access to 129 Hill Barton Road;
- a new drive with landscaping and boundary fencing for privacy was included in the outline planning details in 2012 but the developer had not been in contact for two and a half years and therefore request that the developer speak to me;
- wish to relocate the access to 129 Hill Barton Road slightly to the east and away from the junction onto Hill Barton Road. This access will be safer than access on to two lanes; and
- Devon County Council have indicated that there is no objection to the access subject to a satisfactory gradient.

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

- outline consent for residential development had been granted on 29 November 2013 allowing for the construction of up to 750 dwellings, a mixed use centre, public open space, highway access and associated infrastructure works;

- the applications are for 148 dwellings against the outline and a small full application for 18 dwellings on land acquired by the applicant after outline consent was granted and collectively form its Phase I area of development within the Monkerton & Hill Barton Masterplan Study Area;
- since September 2014 Persimmon Homes has worked closely and constructively with officers to produce an acceptable scheme. A number of significant changes have been made to the proposal throughout the life of the application and the scheme accords with adopted policy and guidance;
- through extensive dialogue, improvements have been made to the layout; the design of the house types; the form and quantum of residential parking; and overall densities and the scheme is better suited to its context;
- a key consideration of all residential development is highway safety. The principle access point off Hill Barton Road was agreed at outline stage and the applicant has engaged positively with Highway Engineers with Technical Approval for off-site works being granted at the beginning of the month;
- regarding on-site highway considerations the applicant has worked closely with Devon County Council Highways. The proposed visibility splays, carriageway widths, and the quantum and form of parking are considered acceptable by all parties;
- an agreement has been reached on affordable housing; and
- the design, use of quality materials together with a sympathetic layout and the retention of existing landscape features ensure an effective use of land that will be a positive addition to the city and an attractive proposition for future residents.

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.

**RESOLVED** that, subject to the completion of a deed of variation of the existing Section 106 Agreement under the Town and Country Planning Act 1990 in respect of affordable housing provision, planning permission for the construction of 160 dwellings and associated works (Phase 1 development) be approved, subject also to the following conditions:-

- 1) All conditions imposed on application number 14/0832/03 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.
- 2) C15 - Compliance with Drawings.
- 3) No development works comprising either a temporary construction crossing or permanent highway crossing of the existing cycle/footpath running through the site shall be carried out until detailed drawings and arrangements to secure unrestricted use of the route by pedestrians and cyclists throughout the course of the development, including any necessary temporary diversion measures, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.  
**Reason:** In the interests of permeability and maximisation of opportunities for the adoption of sustainable transport choices in connection with both travel to work and recreation.

- 4) Notwithstanding the details shown on the drawings hereby approved the road junction adjacent plot 45 shall be constructed in accordance with further detailed design drawings that shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority) prior to the final construction of that junction being commenced.  
**Reason:** To ensure that safe and suitable access for all users of the road network is provided in accordance with paragraph 32 of the National Planning Policy Framework.
- 5) Notwithstanding the detail shown on drawing no 120 Rev P5 details of the position, gradient and timeframe for construction of the proposed access into no 129 Hill Barton Road from the new estate road shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the first dwelling.

**Reason:-** To ensure that the details of the proposed access are acceptable in terms of providing safe and suitable access to the property without any adverse impact of the operation of the wider highway network.

In the event that the deed of variation is not completed within six months of the date of this committee meeting, the Assistant Director City Development be authorised to **REFUSE** permission for the reason that inadequate provision has been made for matters which were intended to be dealt with in the deed of variation.

49

**PLANNING APPLICATION NO. 15/0457/03 - HILL BARTON HOUSE, 133 HILL BARTON ROAD, EXETER**

The Principal Project Manager (Development) (MH) presented the application for the development of 18 dwellings and associated works.

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.

**RESOLVED** that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990, relating to District Heating and affordable housing, planning permission for the development of 18 dwellings and associated works be **APPROVED**, subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) Submission of Materials 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 no development above damp-proof course level shall take place before their approval is obtained in writing. The materials used in the construction of the development shall correspond with the approved samples in all respects.  
**Reason:** In the interests of character and appearance of the development and the visual amenity of the area.
- 4) Unless otherwise agreed in writing by the Local Planning Authority none of the dwellings shall be occupied until the works for the disposal of sewage have been provided on the site to serve the development hereby permitted in accordance with details indicated on drawing nos. 1005 Rev P02, 2502 Rev P03, 2503 Rev P03, 2504 Rev P03, 2202 Rev P02 and 2203 Rev P02.  
**Reason:** To ensure the satisfactory drainage of the development.

- 5) 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.
- 6) The approved remediation scheme comprised in the submitted Phase 2 Geo-Environmental Site Investigation Report dated August 2014 and Supplementary Trial Pit Investigation dated January 2015 (Both by TUV SUD PMSS) must be carried out in accordance with its terms prior to the commencement of development on any parts of the site affected by the remediation works required, unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority prior to occupation of the development.
- In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary an (amended) remediation scheme must be prepared in accordance with the requirements of condition 2. The investigation, risk assessment and remediation scheme shall be subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved (amended) remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to occupation of the development.  
**Reason:** In the interests of the amenity of the occupants of the buildings hereby approved.
- 7) C57 - Archaeological Recording
- 8) Unless otherwise agreed in writing by the Local Planning Authority, prior to commencement of development or site preparation, an Ecological Method Statement and an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. They shall include (but not be limited to) a lighting plan to ensure a dark corridor for commuting bats, a reptile mitigation plan and opportunities for enhancement.  
**Reason:** In accordance with the terms of the submitted Environmental Statement and to protect and enhance biodiversity.
- 9) No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with JP Associates Arboricultural Constraints Report dated June 2014 and plans reference nos. D11 55 P4 (x2). The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.



**Reason:** To ensure the protection of the trees during the carrying out of the development.

- 10) The development hereby approved shall be carried out strictly in accordance with the submitted Construction Environmental Management Plan (Condition 16 - CEMP) dated June 2015.

**Reason:** In the interest of the environment of the site and surrounding areas.

- 11) Construction work shall not take place outside the following times: 8am to 6pm (Monday to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.

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

- 12) No development above damp-proof course level shall take place until a Sustainable Urban Drainage Scheme (SUDS) to deal with surface water associated with the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with Devon County Council as the Lead Local Flood Authority). The said scheme shall include details of the on-going maintenance arrangements associated with any drainage system to be installed. The development shall be implemented strictly in accordance with the approved scheme.

**Reason:** - To ensure the satisfactory drainage of the development.

- 13) Unless it is demonstrated in writing prior to commencement that it is not viable or feasible to do so, the buildings comprised in the development hereby approved shall be constructed so that their internal systems for space and water heating are capable of being connected to the proposed decentralised energy (district heating) network. Prior to occupation of the development the necessary on site infrastructure shall be put in place for connection of those systems to the network at points at the application site boundary agreed in writing by the LPA.

**Reason:** To ensure that the proposal complies with Policy CP13 of Council's Adopted Core Strategy and paragraph 96 of the NPPF and in the interests of delivering sustainable development.

- 14) 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 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, the Code for Sustainable Homes Technical Guide November 2010 and the Code Addendum May 2014 (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.

- 15) 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.

- 16) 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.

- 17) 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 prior to occupation of any dwelling hereby permitted, 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.

- 18) No part of the development hereby approved comprising plots 1-4 shall be commenced until amendments to the access onto Hill Barton Road to provide 3.0 kerb radii, as indicated in the Site Layout and Housing Mix drawing number SK130 Rev P2, have been completed. Thereafter the access shall be maintained as amended unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To provide a safe and suitable access for all users, in accordance with Paragraph 32 of the National Planning Policy Framework.

50

**PLANNING APPLICATION NO. 15/0247/03 - LAND TO REAR OF 16A WEST AVENUE, EXETER**

The Assistant Director City Development presented the application for the demolition of existing double garage and shed and the erection of new two storey dwelling

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

- the proposal will greatly increase the likelihood of break-ins and burglaries with easy access over the boundary;
- it would reduce the sense of light and space along Hooper Lane and will lead to further anti social behaviour and could become a magnet for undesirable activity;
- the proposal is against the Local Plan as there will be no space for family vehicles or vehicles for the disabled;
- no provision for delivery or emergency vehicles, skips, construction and utility vehicles;
- the area is an arts and crafts setting with brick render whereas the proposal; would see the use of corrugated sheet and is against the residential design guide;
- the proposal will lead to the loss of open space and garden area and such “garden grabbing” will set an unacceptable precedent with a 12 metre wall out of place in this area of trees and low profile garages;
- the late submission of revised plans showed a high mezzanine floor which will overlook the garden of neighbour; and
- the property likely to be occupied by students.

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

- the two key planning issues are whether there will be a detrimental impact on the amenity of neighbouring properties would harm to the streetscape and conservation area and if the proposal fails to meet the design guidance. Believe that the answer is no in both cases;
- understand the concern that the proposal would not comply with planning policy and guidance but the amenity will be preserved with the dwellings being 30 metres apart and screened by additional planting. The ground floor will not be overlooked and security will be enhanced;
- both Hooper Lane and the Conservation area will be preserved and enhanced and there will not be a detrimental impact on the street scene and Conservation Area. The proposal adds security to this residential area;
- the proposal will be of a high quality and will provide a high quality precedent to any future development that may occur;
- the dwelling will comply with the neighbourhood plan and will be occupied by the applicant; and
- the amenity area left for the flat will be 30 square metres and the plans for a mezzanine area were for illustration purposes only and is outside the application area and does not require consent.

Members felt that the proposal would result in over-development and possibly set a precedent for further “mews style” developments and would therefore be detrimental to the existing residential area. They were concerned about the lack of amenity space for the immediate neighbour and believed that the garden provided insufficient space. Hooper Lane was narrow and not a highway and additional traffic could be generated by this proposal.

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

**RESOLVED** that planning permission for the demolition of existing double garage and shed for the erection of new two storey dwelling be **REFUSED** as the proposal is contrary to Core Planning Principles 4 and 10 and Sections 7 and 12 of the National Planning Policy Framework, Objectives 8 and 9 and Policy CP17 of the Exeter Local Development Framework Core Strategy, Policies H2, DG1 (b, d, f, g, h, and i) and DG4(b) of the Exeter Local Plan First Review 1995-2011, Exeter St James Neighbourhood Plan Policies EN4, D1 and H1 and the Council's Supplementary Planning Document 'Residential Design' because:-

(a) by virtue of its position to the rear of the main building, its height and design and its proximity to the boundaries with 14 and 18 West Avenue, the proposed dwelling would be detrimental to the residential amenity of neighbouring properties and their ability to feel at ease in their gardens;

(b) by virtue of the greater intensity in use (the construction of a dwelling on the site of a garage), the scale, massing and materials would introduce a change to the character of the existing urban grain and character of the conservation area that would not preserve or enhance it.

51

**PLANNING APPLICATION NO. 15/0354/03 - WAT TYLER HOUSE, 3 KING  
WILLIAM STREET, EXETER**

The Assistant Director City Development presented the application for the change of use from B1 to D1 – Non residential institutions.

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

**RESOLVED** that planning permission for the change of use from B1 to D1- Non residential institutions be **APPROVED** subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 26 March 2015, as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.

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

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

53                    **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

54                    **SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party be held on Tuesday 14 July 2015 at 9.30 a.m. The Councillors attending will be Lyons, Prowse and Edwards.

(The meeting commenced at 5.30 pm and closed at 9.35 pm)

Chair

## LICENSING COMMITTEE

2 June 2015

### Present:

Councillor Greg Sheldon (Chair)

Councillors Laws, Brimble, Choules, George, Hannan, Harvey, Henson, Pearson, Shiel and Spackman

### Apologies:

Councillors Branston, Crew and Holland

### Also present:

Senior Licensing Officer and Democratic Services Officer (Committees) (HB)

## 7 **Minutes**

The minutes of the meetings held on 3 February and 16 March 2015 were taken as read and signed by the Chair as correct records.

## 8 **Declarations of Interest**

No declarations of interest were made by Members.

## 9 **Street Trading Policy - New Psychoactive Substances**

The Senior Licensing Officer presented the report seeing to introduce an additional condition to prevent the sale of New Psychoactive Substances (commonly referred to as “legal highs”) by those issued with street trading consents and Licenses and to amend an existing condition relating to food safety compliance.

### **RESOLVED** that:-

- (1) the following sentence be added to Appendix A of the Street Trading Policy and to all street trading licenses and consents:

*The consent holder or any assistant shall not sell New Psychoactive Substances; and*

- (2) the following addendum be added to condition 8 Appendix A of the Street Trading Policy and to all street trading licenses and consents:

*Compliance with food safety legislation will be indicated by a food hygiene rating of 3, 4 or 5 under the national Food Hygiene Rating System, as issued by Environmental Health, Exeter City Council.*

## 10 **Sex Establishment Licensing Policy - New Psychoactive Substances**

The Senior Licensing Officer presented the report seeking to introduce an additional condition to Appendix C of the policy to prevent the sale of New Psychoactive Substances at premises holding Sex Establishment Licences.

**RESOLVED** that the following sentence be added to the standard conditions contained within Appendix 3 (13) of the Sex Establishment Licensing Policy, to come into effect from 1 August 2015:

1. The premises shall not sell New Psychoactive Substances.

## 11 **Hackney Carriage Vehicle Licences - Change in Policy**

The Senior Licensing Officer presented the report seeking to introduce an amendment to the current policy relating to hackney carriage wheelchair accessible vehicles being issued a plate on the first occasion by the Licensing Authority.

The Licensing Committee on 16 March 2015 resolved that the Council ends its current policy of restricting the number of hackney carriage vehicles with effect from 17 June 2015, and to couple this with the introduction of an enhanced set of quality controls in order to prevent any negative impact (if any) which may arise as a result of any potential growth in the number of Hackney carriage licences, and to improve standards of the Hackney taxi fleet further.

One of the key quality objectives was to lower emissions from vehicles in order to improve air quality which would be achieved through the condition for attaining either Euro 6 standard or above. However, due to the absence of any Euro 6 side accessible Wheelchair Accessible Vehicles (WAV's) until Autumn 2015, it was necessary to accept the use of Euro 5 side accessible WAVs in the interim. In order to close a potential loophole it was necessary to discourage any prospective applications taking advantage of this interim period to introduce older Euro 5 side accessible WAVs of up to four years old and which would not be required to be upgraded to Euro 6 until 2020 (by which time they would be nine years old).

**RESOLVED** that, from 17 June 2015, the following provisional conditions be adopted:-

- Any Euro 5 wheelchair accessible vehicle (WAV) presented for licensing to the Council on the first occasion as either a new application or as a transfer, shall have no more than 3,000 miles recorded upon the vehicle's milometer; and
- This requirement does not apply to any ultra low emission vehicle (ULEV).

The meeting commenced at 5.30 pm and closed at 5.52 pm

Chair

## SCRUTINY COMMITTEE - COMMUNITY

16 June 2015

### Present:

Councillors Morse (Chair), Brimble, Buswell, George, Hannan, Holland, Morse, Newby, Packham, Raybould, Robson, Shiel and Vizard

### Apologies:

Councillor Bull

### Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Environment, Scrutiny Programme Officer, Community Involvement and Inclusion Officer, Principal Project Manager (Infrastructure Management & Delivery), Environmental Health and Licensing Manager, Environmental Health Manager, Service Lead Housing (Assets), Technical Accounting Manager, Principal Accountant Corporate and Democratic Services Officer (Committees) (HB)

### In attendance:

Councillor Keith Owen	- Exeter City Council (as Portfolio Holder for Health and Place)
Councillor Rob Hannaford	- Exeter City Council (as Portfolio Holder for the Housing Revenue Account)
Councillor Heather Morris	- Exeter City Council (as Portfolio Holder for Customer Access)
Councillor John Harvey	- Exeter City Council (Under Standing Order No. 44)

### **23 Councillor Shiel**

The Chair thanked Councillor Shiel for his work during his Chairmanship of this Committee.

### **24 Minutes**

The minutes of the meeting held on 3 March 2015 were taken as read and signed by the Chair as correct.

### **25 Declaration of Interests**

No declarations of interest were declared.

### **26 Questions from the Public under Standing Order 19**

In accordance with Standing Order No. 19, a question in respect of transport from Trevor Preist and a question in respect of damp in Council flats from John Murphy were put to the Committee. Copies of the questions had been previously circulated to Members. Both questions, with the replies (in italics) to the latter, are appended to the minutes. With regard to Mr Preist's question, the response is covered within Min.

No. 27 below - Transport Strategy for Exeter. The Chair remarked that future reports on transport would be considered by the Scrutiny Committee - Economy which, unlike this Committee, was the relevant forum.

The Chair thanked Trevor Preist and John Murphy for attending the meeting and putting their questions.

## 27 **Transport Strategy for Exeter**

The Principal Project Manager (Infrastructure Management and Delivery) presented the report which was a follow up to the question and answer session relating to transport strategy held at the meeting of this Committee on 3 March 2015. The report included reference to a suite of policy documents on transport prepared by the local authorities and set out progress in implementing transport strategies in and around Exeter. Both authorities were limited to a degree by financial constraints, competing interests and national Government policies, but he confirmed that City and County Council officers were in regular close contact. As there was a significant interest in this issue from a number of parties, he felt that a Working Group reporting regularly to both the Scrutiny Committee - Economy and Exeter HATOC (Highways and Traffic Orders Committee) , together with an annual forum, was the best way forward and there would be no hard and fast rules regarding composition of the Group.

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

He shared the concerns expressed regarding the future of the City's transport network and for the need for joined up thinking between the City and County Councils on this issue. He welcomed the establishment of the Working Group and update reports being submitted to the City Council's Scrutiny Committee - Economy and Exeter HATOC and asked for early meetings of the Group and the involvement of interested local groups such as CWest (the Campaign for South West Exeter Smarter Travel).

He stated that he was totally opposed to a new Park and Ride scheme on Oaklands Riding School as he did not think that it would be any better than one located elsewhere and also felt that a Park and Ride service using at least some of the Alphington Road corridor would not work, especially during peak congestion along that corridor. He also raised the following issues:-

- cycling - need to improve cycle routes from Alphington to the City Centre and increase pressure on the Local Economic Partnership to help fund the routes;
- timetable for the Bridge Road works; and
- timetabling for the delivery of the Marsh Barton station.

The County Council Transportation Planning and Road Safety Officer responded to the issues raised:-

- with the need for a new Park and Ride in the vicinity of the A30 junction confirmed, further consideration was being given to sites alternative to Oaklands to serve both the A30 and A38/380 - 60% of traffic on Alphington Road originated from the Teignbridge area;
- the £11 million Bridge Road widening scheme was out to tender, tenders to be returned by July with work on site to start in early 2016 to last for about 12 months;



- work on the Marsh Barton station would commence next winter and open in 2017; and
- a footway/cycle way crossing the A379 would facilitate access from Alphington to a new secondary school in the Teignbridge area. An Exeter Cycle Package Bid had been submitted to the LEP (Local Economic Partnership) as part of a Growth Deal Funding Programme for 2018 to include cycle links from Monkerton to the City Centre, Newcourt to the City Centre and the SW Exeter Bridge over the A379.

Scrutiny Committee - Community supported the report and agreed to:-

- (1) the creation of a Transport Strategy Working Group, as set out in the report, comprising an officer representing Exeter City Council (Principal Project Manager (Infrastructure Management and Delivery), Devon County Council (Transformation Planning and Road Safety Manager), representatives from Stagecoach South West and First Great Western and others, with particular specialisms to be invited to the Group on an ad hoc basis; and
- (2) the Working Group, following its first meeting, and annually thereafter, holding a forum to engage with Members and local groups interested in transport, with the minutes circulated to the City Council's Scrutiny Committee - Economy and Exeter HATOC.

## 28 **Questions from Members of the Council Under Standing Order 20**

In accordance with Standing Order 20, a question from Councillor Harvey was put to the Portfolio Holder for Health and Place. Councillor Harvey asked for an update on any work being undertaken with regards to safeguarding issues and young and vulnerable people, specifically in relation to safeguarding policies as they affect the private hire trade and Hackney Carriages. A copy of the question had previously been circulated to Members. The question, and the reply from the Portfolio Holder (in italics), are appended to the minutes.

### **PORTFOLIO HOLDERS' STATEMENTS**

## 29 **Portfolio Holders' Statements**

The Portfolio Holders for Health and Place (Councillor Owen), Customer Access (Councillor Morris) and Housing (Councillor Hannaford), presented progress updates against their priorities for 2014/15. The reports set out targets and milestones showing the aims of the Council during the year and what had been achieved by December 2014 and May 2015.

Portfolio Holders would work closely with officers to develop their priorities for 2015/16 which, when finalised, would be published in the Council's Corporate Plan 2015/16.

The Portfolio Holder for Customer Access highlighted the following areas which she felt would be appropriate for consideration by Task and Finish Groups:-

- local welfare support funding; and
- homelessness, to include the involvement of outside agencies and Teignbridge District Council.

The Chair advised that these would be raised at the meeting of the Scrutiny Review Working Group on 17 June 2015.

The following responses were given to Members' questions in respect of the Housing Portfolio:-

- further updates would be provided to Ward Councillors in respect of ongoing maintenance to properties in Prince Charles Road and Lancelot Road;
- damp problems in flats, as reported in Min. No. 26 above, had been largely the consequence of a succession of very wet winters, with Mincinglake properties, because of their geographic position, the worst hit;
- there would be an increased emphasis for inspecting rendered properties to identify any need for re-rendering and inspection of properties with face brickwork to identify any need for re-pointing; and
- the consultation process on garage use was ongoing following a review of garage sites and recommendations for estate rationalisation. A number of options were being considered including re-development, disposal, investment to ensure existing garages are fit for purpose, demolition and use for storage. Following further consultation with new Members, a further report would be presented later in the year.

### 30 **Investing in Communities**

The Community Involvement and Inclusion Officer spoke on supporting communities in Exeter. She explained her role as Community Involvement Officer and main areas of work including community engagement, neighbourhood planning, voluntary sector support and contact for Major Grants/New Homes Bonus and City and Ward Grants. In respect of the latter, she detailed the funding opportunities and gave examples of projects assisted. Her presentation also covered the work undertaken by community organisers and that of the Exeter Green Partnership as well as the creation of the Exeter Community Forum which comprised representatives from existing Community Associations, the St James Forum, Isca Church etc. and which would be developing a community strategy for the City. Recent months had witnessed the following local communities forming community hubs and taking on the work of youth centres.

- Phoenix Centre – transfer to Wonford Community Learning Centre;
- Westside Centre – transfer to Exeter YMCA; and
- Knight Club – transfer to Isca Community Enterprises.

The following responses were given to queries raised by Members:-

- although the Community Forum was largely comprised of existing groups, the key issue was to ensure that a geographical area was represented and that any further groups looking to join should do so on the basis of enthusiasm for developing a specific and easily identifiable area;
- the continuation of the service provided by the Knight Club was on the basis of the whole community being served and this was included within the terms and conditions of the transfer to ISCA, who were operating the centre on an inclusive and community orientated basis; and
- although work to railings in Beacon Heath had ultimately been undertaken by the Council following an offer by the local community to assist, all offers from volunteer groups were welcome and considered on their merits. Care would be taken to ensure that volunteer work did not conflict with work opportunities.

The Portfolio Holders for the Housing Revenue Account and Health and Place referred to opportunities for community participation in Wonford and parks and opens spaces generally.

The Chair advised that the Community Involvement Officer would report every six months to this Committee and that this would focus on new schemes rather than review the whole service. The Chair encouraged Members to liaise with the Officer on potential schemes.

### **ITEMS FOR DISCUSSIONS**

#### **31 Council's Role in the Community and Tackling Isolation Task and Finish Group**

The Scrutiny Programme Officer presented the report setting out the findings and recommendations of the Council's Role in the Community and Tackling Isolation Task and Finish Group.

Scrutiny Committee - Community supported the report and agreed that:-

- (1) the Community Involvement and Inclusion Officer provide an update to the Scrutiny Committee - Community twice a year detailing work in progress, results and any areas of concern;
- (2) the proposal that the Task and Finish Group hear from the two new Community Organisers in six months' time to find out what progress they are making and what issues they may identify as needing attention be supported, the Group to then report back to the Scrutiny Committee - Community; and
- (3) the proposal that the Community Involvement and Inclusion Officer, at any point in time, can ask for this Task and Finish Group to reconvene and consider any areas which she would suggest merit further investigation be supported, with a direct reporting line between the Group and the Scrutiny Committee - Community.

#### **32 Annual Scrutiny Report - 2014/15**

The Scrutiny Programme Officer presented the report providing an annual update as to the Scrutiny work achieved during the Municipal Year 2014/15. She advised that, with regard to the issue of improving transport links between the Quay and City Centre, the possible use of a ring and ride service had been suggested by the Future of Exeter Quay Task and Finish Group whose report was due to be considered by the Scrutiny Committee - Economy on 18 June 2015.

Scrutiny Committee - Community noted and approved the Annual Scrutiny report.

#### **33 Housing Revenue Account - Final Accounts - 2014/15**

The Technical Accounting Manager advised Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2015 in respect of the Housing Revenue Account and the Council's new build schemes. An outturn update in respect of the HRA Capital Programme was also incorporated in the report in order to help provide a comprehensive financial update in respect of the Housing Revenue Account.

The 2014/15 financial year had resulted in a surplus of £1,809,184. This represented an increase of £3,183,734 compared to the revised budgeted deficit of £1,374,550, of which a projected underspend of £2,629,576 had previously been reported to this Committee as part of the quarterly budget monitoring updates.

The total amount of HRA capital expenditure for 2014/15 was £9,173,770, which equated to 94% of the revised approved capital programme.

In response to a question from a Councillor, the Technical Accounting Manager advised that the total expenditure in 2014/15 on scaffolding to enable works to Council houses was £313,000. A detailed explanation of the costs of scaffolding in respect of reactive repairs and planned works would be circulated after the meeting.

The key reasons for the reported surplus were:-

- significant savings had been achieved in respect of routine service and maintenance budgets including savings in general maintenance costs which reflected a reduction in the number of reported faults;
- lower repairs to voids due to the formation of a dedicated voids team, referral of kitchen and bathroom replacements to the capital programme and pre-void inspections, coupled with lower numbers of void properties;
- service contracts - significant savings had been achieved following the commencement of a new gas service and maintenance contract in July 2014; and
- postponement of external painting of properties affected by damp ingress and delay on other planned works.

Scrutiny Committee - Community noted the report.

#### **34 Community Services Final Accounts - 2014/15**

The Principal Accountant advised Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2015 in respect of Community Services. An outturn update in respect of the Community Capital Programme was also incorporated in the report in order to help provide a comprehensive financial update in respect of the Scrutiny Committee - Community budgets.

The total variance for the year showed a surplus of £300,262 after transfers from reserves and revenue contributions to capital, as set out in the report. This represented a variation of 3.08% from the revised budget.

The Community Capital Programme showed a total spend of £1,093,345 in 2014/15 with £388,054 of the programme deferred until 2015-16.

The Assistant Director Environment explained that the overspend relating to Domestic Refuse Collection was largely attributable to the engagement of agency staff for refuse collection.

The Scrutiny Committee - Community noted the report.

### **ITEMS FOR EXECUTIVE**

#### **35 Environmental Health and Licensing Statutory Service Plan**

The Environmental Health and Licensing Manager presented the report seeking approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2015/16. The Plan set out the Council's regulatory function in respect of food safety, health and safety, licensing, Environmental Permitting and other statutory functions over the forthcoming year.

The Chair reported that a Spotlight review had been undertaken in respect of anti-social behaviour.

Scrutiny Committee - Community supported the work being conducted by the service in co-ordinating Anti Social Behaviour and also the Statutory Service Plan and asked Executive to support the Statutory Service Plan 2015/16 and to request Council to:-

- (1) approve the Statutory Service Plan 2015/16;
- (2) support the work being conducted by the service in co-ordinating Anti Social Behaviour;
- (3) authorise the Assistant Director Environment to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs; and
- (4) note that a Spotlight Review had been undertaken on anti social behaviour during the year and that this report also acts as the update on the position as requested and approved by this Committee previously.

**36 Amendments to the Mandatory Licensing Scheme for certain types of Houses in Multiple Occupation (HMO's) throughout Exeter**

The Private Sector Housing Manager presented the report seeking authority to introduce a £125 discount on the licence fee charged for Houses in Multiple Occupation (HMOs) covered by mandatory HMO licensing where the landlord of the HMO is accredited under a nationally recognised accreditation scheme, and the property has been subject to an inspection by an inspector employed by the accrediting organisation. Such a discount was already offered to the landlords of HMOs licensed under the recently introduced additional HMO licensing scheme, and the proposal in this report would remove the inconsistency between the two schemes.

Scrutiny Committee - Community supported the report and requested Executive to introduce a £125 discount on mandatory HMO licensing fee where landlords are accredited under a nationally recognised accreditation scheme and the property has been subject to an inspection by an inspector employed by the accrediting organisation.

**ITEM FOR INFORMATION ONLY**

**37 Private Sector Home Energy Conservation Strategy**

The Private Sector Housing Manager presented the report informing Members of the Home Energy Conservation Act (HECA) 1985 further report submitted to the Department of Energy and Climate Change (DECC) at the end of March 2015.

Scrutiny Committee - Community noted the content of the HECA further report.

The meeting commenced at 5.30 pm and closed at 7.22 pm

Chair

**This page is intentionally left blank**

**QUESTION FROM A MEMBER OF PUBLIC**

**UNDERSTANDING ORDER NO.19**

**SCRUTINY COMMITTEE - COMMUNITY – 16 JUNE 2015**

**QUESTION FROM JOHN MURPHY**

**Exeter City Council's repair project for damp council flats**

1. Did the council meet its target of awarding a contract to repair the damp homes by 6 April? If not why not?

*The letters of intent were sent on 25 March 2015, with a contract start date of 1 April 2015.*

2. How has the council prioritised the work? Did you consult the tenants? How long will the work take to complete? Will it be done by 6 October? Can you guarantee tenants affected by damp for the past three winters will be spared the problem this coming winter?

*All works are planned to be completed within a 6 months period and before the coming winter. The council is prioritising the works based on;*

- Health & Safety Issues regarding the Tenants or property (Doctors supporting letter)*
- Follow on works from any emergency repairs*
- Degree of water Ingress damage to the property*
- Tenant Profile/ Age / Children/ Vulnerability*
- Exeter City Council Surveyors Report*

3. How many council homes are being repaired under this contract? *304 properties*

What proportion of all damp council homes in Exeter will be covered? *All properties that have been reported to us as having damp are included in this contract.*

Are all council homes in Exeter being repaired this summer? *Yes*

Will any damp council homes need to be repaired in summer 2016? *No*

4. How many families with young children are living in damp homes? *We do not have this information to hand.*

Are all these being repaired in summer 2015? *Yes*

Have you consulted medical advice about allowing young families to remain in damp accommodation? *We have received a few medical letters from tenants that are concerned about their health, these properties have been prioritised and/or had emergency works carried out.*

5. How many vulnerable people live in damp council homes in Exeter? *We do not have this information to hand.*

Are all of these being repaired in summer 2015? *Yes*

6. What is the longest wait for repairs to be carried out by families or individuals in damp council housing? *The first properties were reported to us in late Jan 2014.*

How many complaints have you received from families waiting for repairs? *As far as we are aware we have had no formal complaints.*

Will you publish these complaints on the council website? *n/a*

7. How many families are being reimbursed for extra costs incurred because they live in damp homes, including running electrical equipment such as dehumidifiers and electric fires? *To date we have not had any requests for reimbursement. However, an enquiry for reimbursement would be investigated and based on the individuals circumstances.*

8. How much has the council spent under emergency arrangements to remedy unreasonable conditions and how many families were affected? *£167k to 49 properties*

9. What steps have you taken to communicate with council tenants who live in damp flats to tell them of your plans and advise them when they will be helped? *The latest letter was sent to all properties on the list on 30 March 2015, providing the following information; the name and contact details of the consultancy firm supervising the works and their nominated contractor with the overall timescale for all works to be completed.*

10. Will the city council convene a review into the slow progress dealing with the damp problem in the city, compared with other areas around the country? Will it call evidence from residents and public? Will it publish the results immediately the review is completed?

**‘No. The Council does not accept there has been slow progress. This is a major piece of work, with significant budgetary implications, that has had to be properly planned and procured in accordance with the law.’**



**QUESTION FROM A MEMBER OF PUBLIC**

**UNDERSTANDING ORDER NO.19**

**SCRUTINY COMMITTEE - COMMUNITY – 16 JUNE 2015**

**QUESTION FROM TREVOR PREIST**

The population of the Exeter conurbation, (the City and its neighbouring parishes), was 30% smaller 50 years ago than it is today; in 15 years it will be 35% bigger. This current rate of growth for the city is unprecedented.

The current transport plans focus on the period to 2030 encouraging the use of modes of transport other than the car and this was the topic of discussion at the recent Scrutiny Committee Meeting on 3<sup>rd</sup> March. However beyond 2030 the Exeter region will continue to grow in both population and employment resulting in a continuing serious challenge for its transport needs.

Noting that car use currently represents over 50% of all modes of transport and that the public transport component is only 12%, can the City start to explore how its region might more effectively cope with its future transport needs on a time-scale of 20-40 years creating a transport system that has the capacity to provide a service for a much greater percentage of the population?

In this context the 20/20 Vision group which initiated the substantial growth in employment seen over the last 15 years is a valuable paradigm.

**This page is intentionally left blank**

## SCRUTINY COMMITTEE - ECONOMY

18 June 2015

### Present:

Councillor Brimble (Chair)

Councillors Lyons, Branston, Brock, Harvey, Henson, Prowse, Robson, Vizard, Wardle and Williams

### Apologies:

Councillors Bull, Crew and Sutton

### Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Finance, Economy and Tourism Manager, Scrutiny Programme Officer and Democratic Services Officer (Committees) (SLS)

### In attendance:

Councillor Denham - Portfolio Holder for Economy and Culture

### 31 **Minutes**

To receive the minutes of the meeting held on 5 March 2015.

### 32 **Declarations of Interest**

No declarations of discloseable pecuniary interest were made.

### 33 **Portfolio Holders' Statements**

The Portfolio Holder for Economy and Culture, Councillor Denham presented an update on the work programme and broad priorities relevant to her portfolio for 2014/15. Portfolio Holders would be working closely with officers to refine and develop these priorities over the coming months. The refined list of priorities for 2015/16, which would also include outcomes and targets, would be published in the Council's Corporate Plan.

Councillor Sutton, the Portfolio Holder for City Development, had made her apologies for the meeting, but, any questions on the City Development portfolio would be directed to her.

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

- she would contact Councillor Hannaford, Portfolio Holder for the Housing Revenue Account, seeking the total number of new Council houses being built. She was aware that in addition to the 20 houses which had recently been built, 26 houses were due to be started on site, subject to planning. The Authority continued to engage with other partners, particularly Devon County Council to identify suitable sites;
- the City Council was currently awaiting the recommendations and advice from County Highway officers with regard to the flow of traffic in Paris Street and

when received would consider the need for any alternative routes, but until then it was difficult to speculate the outcome.

- she would speak to Councillor Owen, the Portfolio Holder for Health and Place, who would be able to provide the most up to date position on recycling rates at the University. She advised that a Task and Finish Group was being set up and the remit was to consider the city's relationship with all aspects of the University including the handling of waste management. The Chair confirmed that this topic would be considered at Scrutiny Committee - Community.
- a planning application for the swimming pool complex and bus station site was anticipated in the autumn. Councillor Sutton as Portfolio Holder Economy and Culture would be able to provide a more detailed reply. The Deputy Chief Executive added that the date was dependent on the procurement and design activity. The new bus station would meet the requirements of Stagecoach and only the bus laying up area to be sited at Matford. He added that there were currently no proposals in respect of the future of the Pyramids Leisure Centre site, nor would they be pursued until the new facility was built and fully operating.
- there was a great deal of work required to develop the knowledge economy but officers were working with the Exeter and Heart of Devon Employment and Skills Board. They were also offering careers advice in schools to counterbalance the loss of the careers function. Business involvement would be sought to develop mentoring opportunities in schools and colleges.

#### **34 Annual Scrutiny Review Report 2014/15**

The Scrutiny Programme Officer provided an update on the progress and work of scrutiny within the City Council's political framework for the period 2014/15. The report included a synopsis of the Task and Finish Group investigations, a review of the proposals for the Scrutiny system and timetabling/plans for 2015/16.

It was noted that the Parking Review Task and Finish Group were due to meet again on 15 July. An invitation would be extended to all Scrutiny Committee - Economy Members to attend and participate. It was anticipated that the Task and Finish Group report would be made to the September meeting of this Committee, alongside the final Parking Review report.

Scrutiny Committee – Economy noted the report and were content with the progress and direction of Scrutiny over the past year, together with the proposals on direction for the forthcoming year, and approved the Annual Scrutiny report for publishing on the Council's web site.

#### **35 Rugby World Cup 2015 Update**

The Economy and Tourism Manager presented a report which updated Members on the preparation for Exeter being a 'Host City' for Rugby World Cup 2015 tournament taking place between 18 September and 31 October 2015, including the work being undertaken to ensure that there was a longer lasting legacy from the city's involvement.

Councillor Denham, following an invitation by the Chair to speak, congratulated the officer team on the impressive work to date, whilst working within a relatively small budget. The legacy element was a clear goal of the RWC 2015 event as this would

be the most effective communication of a successful aftermath. The Chief Executive & Growth Director also referred to his participation as a member of the national Rugby World Cup Legacy Board promoting legacy schemes through a national fund.

The Economy and Tourism Manager referred to a Member who had congratulated the whole team who had worked hard and also responded to his comment on specific legacy activities. The Member welcomed initiatives such as the Rugby Empowering Employment Programme (REEP) where the City Council had taken an active leadership role.

The Economy and Tourism Manager responded as follows to Members' queries :-

- the release of £50,000 from the Unexpected Festival budget, which had also levered in additional funding from the Arts Council and England 2015, would help fund events and a spectacular within the Fanzone. The Unexpected Festival would still take place, and would tie in with Fanzone activity, and the combining of the two to be closely monitored to ensure transparency;
- although a budget had not been specifically allocated for city dressing, Devon County Council and England 2015 had offered support and both the Exeter business sector and wider community were heavily involved in city dressing including the creation of handmade bunting and knitted 'yarn bombing', (street art creating colourful displays of knitted or crocheted yarn) for installation at the same time as the official RWC2015 dressing. Care would be taken to protect the handmade dressing from vandalism;
- a further allocation of match tickets for Sandy Park had been announced last week and this included 500 tickets released for the City Council's use for specific community and educational activities, nominations had been sought for the ticket allocation. Five VIP tickets for each match at Sandy Park had been offered to key organisations within Exeter. There would also be a final tranche of 40 tickets to be used over the three matches, for economic development and investment purposes;
- the distribution of the 'My First Rugby Ball' book, an initiative to introduce rugby into primary schools had been very successful. The next stage would be to take the process one step further and develop that relationship with more hands on activities introducing greater local participation by Exeter Chiefs and students from the University of Exeter and Exeter College. It was anticipated that the scheme would be rolled out nationally, funded by England Rugby, with the aim of increasing school participation in rugby in a more structured way. Efforts would be made to ensure that the interest likely to follow would be sustainable and ensure that the necessary resources, which may not be financial, were in place. She added that there were also additional legacy schemes funded through England Rugby for young women and girls to play rugby and for young people not in employment funded through the Rugby Premiership League. Assurances were given that a structure and more coaches were in place to deal with the additional numbers likely to be attracted to rugby.

The Deputy Chief Executive responded to Members' comments on ensuring the city was looking its best, including the city's green infrastructure. He was aware that both Exeter City Council and Devon County Council leaders had made a firm commitment to ensure that the city was fit for purpose through the duration of the RWC2015 events. He would also enquire about the state of the pathway in the lead up to Digby Station and the awning on the frontage of Central Station.

Scrutiny Committee - Economy supported the report and recommended Executive endorse the programme of legacy projects, the preparations for the Fanzone and activities to promote the city leading up to the Tournament.

**36 Scrutiny Committee - Economy - Final Accounts 2014/15**

The Assistant Director Finance advised Members of the overall financial performance for the Economy and Development Directorate for the 2014/15 financial year ended 31 March 2015. The report highlighted any major differences, by management unit, from the approved annual budget after adjusting for supplementary budgets and excluding the variance on capital charges. The total variance for the financial year 2014/15 showed a surplus of £743,912, after transfers from reserves and revenue contributions to capital as set out in the report. The main variations by management units were detailed and highlighted with Parking showing a significant increase in the income budget achieved. The capital programme detailed a total spend of £5,119,893, with £515,861 of the programme deferred until 2015/16. The report also identified a number of areas of budgetary risk within the Economy revenue and capital budgets.

Councillor Denham responded to a Member's enquiry and provided an explanation that change was not given by the City Council's car parking machines, but that additional parking time was credited in such cases. Efforts were being made to reduce the number of cash transactions to reduce the costs associated with processing, in favour of promoting the pay by phone option. An element of promotion to encourage greater card use to pay for parking would be carried out over the coming months. She also responded to a comment on the decision to resurface the running track at Exeter Arena to create a regional quality venue.

The Assistant Director Finance advised that he would obtain the detail relating to the 2<sup>nd</sup> Exeter Scouts and Park Life hut, but he understood the allocation was part of funding from the New Homes Bonus. The Deputy Chief Executive confirmed that he would make enquiries about the current position of the proposed swift tower, but he anticipated that work would commence shortly.

Scrutiny Committee - Economy noted the report.

**37 The Future of Exeter Quay Task and Finish Group Report**

Councillor Denham, as Chair of the Future of the Exeter Quay Task and Finish Group reported the findings and recommendations of the Group to the Scrutiny Committee – Economy.

A Member referred to the suitability of Cathedral and Quay car park which was seen as the suggested car park when using the Quay area, the lack of public transport to the Quay particularly in the evenings and on Sundays. He also commented on the poor surface of the pathway from Duckes Marsh Bridge back into the city, and if there was any possibility of securing any funding for improvements. The Member was pleased to see that the City Council was tackling graffiti throughout the city, and was making every effort to keep on top of the cleanup operation. Councillor Denham responded confirming that contact had been made with Devon County Council to include the path from Duckes Marsh Bridge as part of the cycling infrastructure. The recent opening of the Custom House as the new visitor centre, as well as working with local traders and, hopefully, improved signage and access to the Quay and Cathedral and Quay Car Park were all contributing to a welcome increase in activities and use of the Quay area. Dialogue with Stagecoach to improve the service to the area would also continue.

A Member felt that the canal and basin were an underused resource compared with other cities. It would be good to encourage more boats, but it was acknowledged that there were a number of issues with free passage for boats through the canal and into the estuary, or being able to offer appropriate services including overnight berthing facilities. There was still a great deal of work to do to promote the uniqueness of the offer, which would fall under a separate piece of work on the future of the waterways and a report would be made to this Committee in September.

A Member was impressed how active and vibrant the Quay felt. Councillor Denham confirmed that Members had met with Quay traders and were in the process of compiling a detailed response to them, which would be circulated to this Committee.

Scrutiny Committee - Economy supported the recommendations to:-

- (1) encourage the formation of a Quay Traders Association;
- (2) ensure that promotional material covers the wider Quay area and the Basin.
- (3) support a meeting of Councillor Denham (Portfolio Holder for Economy and Culture), Councillor Owen (Portfolio Holder for Health and Place) and the Assistant Director, Public Realm to discuss the different areas of the Quay and the feedback obtained from Quay Traders;
- (4) liaise further with Stagecoach and Devon County Council to ensure that the new promotional branding for the Quay, once available, is featured and advertised through the local public transport system and promotional literature;
- (5) approach Ring and Ride providers to enquire whether they could provide a circular transport route linking the City and the Quay during the weekends/school holidays;
- (6) obtain a costing, subject to the recommendations of the Parking Review, as to fundamental improvements to the Cathedral and Quay Car Park;
- (7) explore the opportunity to establish a formal partnership for management of the Quay involving stakeholders and traders, bearing in mind wider ongoing discussions around the future management of the waterways;
- (8) support a formal partnership for management of the Quay involving stakeholders and traders;
- (9) investigate opportunities, in the long term, for externally funded improvements to the Quay area;
- (10) request that the Planning Members' Working Group review the Master Plan for the Quay area to establish whether it requires updating and whether it meets with the Council's current aims and priorities, and
- (11) monitor the progress of these recommendations with an update to be provided to this Committee in 12 months' time.

**38 Exeter Cultural Action Plan 2015 - 2018**

Councillor Denham, as Portfolio Holder for Economy and Culture and a Member of the Exeter Cultural Partnership (ECP), presented the report on behalf of the Museum Manager and provided a progress update on the Exeter Cultural Action Plan. Interviews had been held for the position of Director of the ECP, but an appointment had not been made. The position would be reviewed and readvertised imminently.

Scrutiny Committee – Economy supported the progress made in taking forward the Cultural Action Plan and endorse the approach adopted by Exeter Cultural Partnership.

**39 Unemployment in Exeter**

The Economy and Tourism Manager presented a report, updating Members on the levels of unemployment in Exeter, comparing the city with its neighbours and against regional and national trends. The report also provided an update on the support available to people who were currently unemployed in Exeter.

A Member referred to regular events at the Sidwell Street Community Centre where participants could attend courses as part of the returning to work process, but there was an issue in terms of future funding by the Job Centre. The Chief Executive & Growth Director advised that he would invite representatives from the Job Centre to attend a future meeting to discuss their support for the unemployed in Exeter. The Economy and Tourism Manager referred to the Partnership and Projects Manager and her work on addressing the shortage of skills in some sectors within Exeter. The Chair referred to the importance of raising the level of skills in Exeter to secure more skilled jobs for which employees would be appropriately remunerated.

Scrutiny Committee - Economy supported the following that:-

- (1) Members endorse a watching brief be made through an annual update on unemployment within the city, unless trends change;
- (2) going forward, data would be collected and reported on for the wider area of Exeter, East Devon, Mid Devon and Teignbridge;
- (3) a report be brought back to Scrutiny Committee - Economy detailing trends in employment, salary levels, skills and qualifications for Exeter and the wider area, with comparisons nationally, and
- (4) representatives from the Job Centre be invited to attend a forthcoming meeting of this Scrutiny Committee to explore the support provided for the unemployed in Exeter.

**40 Invest in Exeter Marketing Activity**

The Economy and Tourism Manager presented a report, informing Members on marketing activity, promoting Exeter for inward investment and business relocations under the name of 'Invest in Exeter'. Exeter, in this context, was not just the local authority area, but included approximately a 5-6 mile radius of the city, which incorporated Exeter Science Park, Skypark Exeter and the main industrial sites surrounding the city.

A Member referred to the promotional work encouraging more businesses to relocate to Exeter, but suggested that there was an issue over higher levels of traffic and



congestion making locating on the outskirts of the city more attractive. The Economy and Tourism Manager responded that maintaining a positive message was important and that overall, Exeter had a great deal to offer, including the Science Park, Skypark, Marsh Barton and Sowton Estates as well as promoting those public sector opportunities, new public transport links, park and ride and cycling. The Chair confirmed that public transport matters would be considered at a future Scrutiny Committee - Economy meeting and this would provide a better platform for discussion.

The Economy and Tourism Manager also responded to a Member's comment on the availability of promotional literature for musical events and advised that the Exeter and the Heart of Devon Tourism Partnership and Visit Exeter listed all such events on their respective websites which were regularly updated. This helped to promote city events and was part of the cultural offer and would help services or businesses consider relocating to Exeter.

Scrutiny Committee – Economy noted the activity undertaken to promote Exeter for inward investment and business relocations and recognised the activity undertaken to promote the city.

**41 Legacy Leisure Working Group Minutes and Nominations**

The minutes of the most recent meeting of Parkwood Leisure Working Group (now known as Legacy Leisure) Working Group were circulated, to enable any issues of interest or concern to be raised.

Scrutiny Committee - Economy noted the minutes of the meeting held on 10 February and the membership of the Legacy Leisure Working Group of Councillors Morris, Brimble, Denham, Henson, and Robson.

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

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

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

The minutes of the Exeter and Heart of Devon Growth Board meetings held, on 23 February and 21 May 2015 were circulated for Members' information, and referred to a number of issues that the City Council may need to consider and take forward as appropriate. The Chief Executive & Growth Director referred to the importance of investment in public transport and upgrading of the infrastructure. He highlighted recent successful strategic improvements including investment in rail, cycle and walking projects in the city. It was important to continue the dialogue with Devon County Council and the Heart of Devon Local Enterprise Partnership to ensure that the need for public transport growth in Exeter was acknowledged. Every effort was being made to take any opportunity to link the ambition for improvement across the county, working with other district councils, to develop the travel to work corridor to enable greater access to Exeter jobs.

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

The meeting commenced at 5.30 pm and closed at 7.45 pm

Chair

## SCRUTINY COMMITTEE - RESOURCES

1 July 2015

### Present:

Councillor Bull (Chair)

Councillors Buswell, Baldwin, Bialyk, Brock, George, Harvey, Lyons, Sheldon and Wardle

### Apologies:

Councillors Mottram, Robson and Edwards

### Also present:

Deputy Chief Executive, Assistant Director Finance, Corporate Manager Democratic and Civic Support, Corporate Manager Property, HR Transactional Services Manager, Scrutiny Programme Officer and Democratic Services Officer (Committees) (SLS)

### In attendance:

Councillor Pearson	- Portfolio Holder Enabling Services
Councillor Hannaford	- Portfolio Housing Revenue Account (Customer Access)

## **22 Hazel Ball**

The Chair wished to pay tribute to Hazel Ball, a former City Council Strategic Director, who sadly passed away after a brief illness. He referred to over 35 years of dedicated service, her working life and after her early retirement, the ways in which she continued to influence life in Exeter, including as a staunch supporter of Exeter Citizens Advice. Members observed a minute silence as a mark of respect.

## **23 Minutes**

The minutes of the meeting held on 18 March 2015 were taken as read and signed by the Chair as correct.

## **24 Declarations of Interest**

No declarations of disclosable pecuniary interest were made.

## **25 Portfolio Holder's Statements**

The Portfolio Holder for Enabling Services, Councillor Pearson and Councillor Hannaford, in his previous role as Portfolio Holder for Customer Access presented an update on the work programme and broad priorities relevant to their portfolios for 2014/15. All Portfolio Holders would be working closely with officers to refine and develop these priorities over the coming months. The refined list of priorities for 2015/16, which would also include outcomes and targets, would be published in the Council's Corporate Plan.

Councillor Edwards, the Leader had made his apologies for the meeting, but, any questions would be forwarded to him.

The following responses were given to Members' questions by Councillor Hannaford in respect of the Customer Access portfolio:-

- referring to a response given to a public question at the last meeting of Scrutiny Committee - Community in relation to the City Council's repair programme in respect of damp ingress, he was able to confirm that a tender had now been signed off to ensure that the necessary repairs would be made as a priority to those tenants, who were particularly vulnerable in terms of their age or health. He invited Members to contact him or the responsible team regularly in respect of any other affected properties in their wards.
- use of the 15% neighbourhood proportion of the Community Infrastructure Levy (CIL) would ensure the mapping of community assets continued.

Councillor Pearson referred to the approach by the City Council to develop a significant energy saving strategy by 2030, and this was well under way with the replacement boiler at the Civic Centre, solar panels in the Council's car parks and at the Museum. In addition, significant revenue savings had been made. He wished to thank the sterling efforts of the Corporate Energy Manager and her team who had been working to take this project forward. This project now came under the City Development portfolio of as part of the Green Infrastructure.

## 26 **Annual Scrutiny Report 2014/15**

The Scrutiny Programme Officer provided an update on the progress and work of scrutiny within the City Council's political framework for the period 2014/15. The report included a synopsis of the Task and Finish Group investigations, a review of the proposals for the Scrutiny system and timetabling/plans for 2015/16.

Scrutiny Committee – Resources noted the report and were content with the progress and direction of Scrutiny over the past year, together with the proposals on direction for the forthcoming year, and approved the Annual Scrutiny report for publishing on the Council's web site.

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

The Assistant Director Finance presented the report which updated Members of the overall financial performance of the Council's capital programme for the 2014/15 financial year. The capital expenditure amounted to £16,502,192, a reduction of £2,772,658 on the planned figure of £19,274,850. The actual expenditure during 2014/15 represented 85.62% of the revised capital programme, and £2.283 million would need to be carried forward to be spent in future years. The report sought approval of the 2015/16 revised capital programme, including a number of further funding requests, and commitments carried forward to be spent in future years, as detailed in an appendix circulated with the report. Further background to a request to replace the existing roof of the Livestock Centre was circulated.

The Assistant Director Finance responded to a number of questions from Members –

- replacement of the roof sheets with solar PV tiles was not financially viable or practical, with the product being double the cost, and with 20% less efficiency in terms of generating capacity than standard Solar PV panels. They were also difficult to use for retrofit and significantly more susceptible to failure. However, technology for this product range was constantly improving, allowing renewable solutions in otherwise sensitive areas.

- space age technology working with Bartec Auto ID, was being used to help pin-point trees in Exeter as part of a ground-breaking pilot scheme. Currently tree officers had to use traditional mapping to pinpoint a tree and the information was fed into an iPad and then transferred to a database once back in the office. The City Council had secured funding from the UK Space Agency to help develop a tree management system that would allow officers to report the exact location and details of fallen or damaged trees in the city.
- the Museum shop would provide additional income generation opportunities and the project was still in its early stages after having been approved in April 2015. Work was currently being undertaken in conjunction with Benbow on preliminary designs in order to come up with a package to enable quotes to be obtained. It was hoped that the shop would open in late November.
- it was now possible to obtain a greater level of information including the length of stay from the new pay and display car parking machines, including the pay on foot machines, although it was acknowledged that they were not able to accept debit card payments.
- every effort had been made to ensure that the snagging works at Exeter Arena were pursued quickly to avoid the peak season for clubs and users. Officers had been working with Legacy Leisure and the contractor to avoid any cancellations.
- as part of the energy saving projects, every effort had been made to coordinate the installation of LED lighting in the Civic Centre with a number of office moves. The first stage of the car park canopy installation was about to commence and the canopy would follow shortly. A further report on the progress being made, would be presented in September.
- Wessex Home Loans included a committed figure that was actually far higher than the value of loans eventually paid out. Wessex repayment loans were lent at a rate of 4%, and were available to individuals with a good credit rating and income, but who would not normally be offered a loan elsewhere. A 'loan pot' associated with each member local authority includes a risk of default payments, but every effort was taken to minimise that risk. The funds were in effect recycled and there were currently no bad debts associated with this scheme.
- work required on Turf Locks would be carried out in the winter months. Officers were trying to resolve how to position an 80 tonne crane to be able to carry out the required work and were considering a number of options, including making good an adjacent track. It was anticipated that the work would be completed by April.
- funding for the provision of large TV screens in the city centre for the promotion of activities and events also included maintenance as part of an ongoing service contract which will be negotiated with the company providing the screen.
- the necessary internal access doors within Phase 1 to ensure staff accommodation remained secure, would be installed in the next few weeks.

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

- (1) overall financial position for the 2014/15 annual capital programme; and
- (2) amendments and further funding requests to the Council's annual capital programme for 2015/16.

## 28 **Overview of Revenue Budget 2014/15**

The Assistant Director Finance presented the report which advised Members of the overall financial position of the Housing Revenue Account and General Fund Revenue Budgets for the 2014/15 financial year. The report sought approval for the General Fund working balance, and the HRA working balance, and paid tribute to all those involved who had worked to turn around a challenging position in respect of the Housing Revenue Account. He also provided the background to a number of supplementary budgets totalling £1,320,610, which had been included in the report.

The following responses were given to Members' questions:-

- Payment at pay and display machines through credit cards had achieved £142,000 of unexpected income;
- an assurance that the routine maintenance of the essential network of CCTV cameras and replacement of faulty hardware would continue;
- the level of write-offs in respect of council tax was under constant scrutiny, but cases of debt involving debt relief orders or bankruptcy were growing year on year.

A Member commented on the Markets and Halls team and their contribution to the Council's income stream through the delivery of an attractive programme of events, and he hoped, that at some point, issues such as the limited capacity could be addressed. The Corporate Manager Property stated that, as part of an Asset Management programme, a number of projects would be taken forward in the future. The emphasis was currently on the Bus and Coach Station site, but after this project, the area around the Fore Street, North and South Street interchange would be addressed, and this should rebalance the city centre and also the level of void properties in South Street.

Scrutiny Committee – Resources noted the report and requested that Council note the overview of the Resources Budget for 2014/15 and approve (where applicable):-

- (1) the net transfer of £800,076 from Earmarked Reserves as detailed in paragraph 8.3.6;
- (2) supplementary budgets of £1,458,610 as detailed in paragraph 8.3.6;
- (3) Earmarked Reserves at 31 March 2015;
- (4) the Council Tax account and collection rate;
- (5) the outstanding sundry debt, aged debt analysis and debt write-off figures;
- (6) the creditor payments performance;
- (7) having regard to the General Fund working balance of £3,974,518 as at 31 March 2015, and overall financial position of the Council as set out in paragraph 8.3.7; and
- (8) the Housing Revenue Account working balance as at 31 March 2015 £7,772,403 and the Council Own Build working balance of £127,994.

## 29 **Treasury Management 2014/15**

The Assistant Director Finance presented the report on the overall performance for the 2014/15 financial year, and the position regarding investments and borrowings at 31 March 2015. The report, which was a statutory requirement, set out the detail of investments made and levels of borrowing by the City Council.

Scrutiny Committee – Resources noted the Treasury Management report for the 2014/15 financial year and recommended approval by Executive and Council.

**30 Budget Monitoring - Scrutiny Committee Resources - Final Accounts 2014/15**

The Assistant Director Finance presented the report which advised Members of any major differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2015 in respect of the Scrutiny Committee – Resources. The total variance for the year showed a surplus of £471,523 after transfers from reserves and revenue contributions to capital, as detailed in an appendix incorporated with the report. This represented a variation of 8.42% from the revised budget.

Scrutiny Committee – Resources noted the content of this report.

**31 Annual Workforce and Learning and Development Profile**

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

- a comprehensive profile of the Council's workforce (as at 31 March 2015) benchmarked where appropriate against the Labour Market Statistics for Exeter as captured by the 2011 Census and the workforce profile as at 31 March 2014;
- HR performance data in respect of people resources and sickness absence during 2014/15; and
- information in respect of approach to Learning & Development activity for 2014/15

A Member commented on the inclusion of an individual's marital status as such information need no longer be reported. The Deputy Chief Executive responded to a comment on the current representation of society within the Council's workforce. The suggestion that an Equalities and Diversity Task and Finish Group be formed had already been made, but the Group should consider ways in which potential employees from these groups could be encouraged to work for Exeter City Council. Members welcomed the opportunity to share good practice in this area.

Scrutiny Committee – Resources noted the report.

**32 Members Allowances Paid 2014/15**

The Corporate Manager Democratic and Civic Support presented the report on allowances paid to Elected Members in 2014/15. The Council had a statutory obligation to publish all allowances paid, and expenses claimed by Members each financial year. He responded to a Member's comment on the possibility of claiming a dependents' carers' allowance, whilst a Member was on official business.

Scrutiny Committee - Resources noted the allowances paid and expenses claimed by Members in 2014/15.

**33 Update on Recommendations from Income Generating Measures Task and Finish Group**

Councillor Bialyk, as the Chair of the Income Generating Measures Task and Finish Group, provided an update on the work of the Group. This had been a difficult area to

carry through work with ever diminishing resources, with the aim of speculating to accumulate. He referred to main areas which the Group had considered:-

- Solar Photovoltaic site on Council owned land.  
*(A further update will be made to the September meeting of Scrutiny Committee Resources).*
- A dedicated member of staff to bid for external funding.  
*(The Corporate Manager, Policy/Communications is due to meet the Policy and Marketing Manager of the Big Lottery Fund to explore other options)*
- Use of St Nicholas Priory for weddings and maximising the use of RAMM for corporate events.  
*(An update report is included on this agenda)*
- Selling external advertising on the outside of car parks in a prominent place.  
*(An update report is included on this agenda)*
- Exeter has a number of parks and open spaces which are not utilised to their maximum potential. The Council could look into holding events (eg concerts) in parks; licensed ice cream vendors in parks; open air cinemas; weddings; more car parks; more paid facilities in parks.  
*(It is anticipated a report will be presented to the Scrutiny Committee Resources in January 2016)*
- Museum – voluntary donations for entry.  
*(This is a work in progress with a number of initiatives being considered)*

Councillor Bialyk wished to thank the Scrutiny Programme Officer for her support of such groups.

Scrutiny Committee – Resources noted the report.

#### 34 **St Nicholas Priory (Income Generating Measures Task and Finish Group)**

The Corporate Manager Property presented the report which updated Members on the current situation regarding the structural condition of St Nicholas Priory; its ongoing closure; steps being taken to remedy the problems identified; and potential future uses of the building together with the income generating potential of those uses.

He also responded to a Member's question about the efforts made to obtain grant aid, confirming that grants through Historic England were now very limited, but he was able to confirm that the Heritage Lottery Fund had indicated that St Nicholas Priory may be eligible for a grant from their 'Our Heritage' scheme, which was for projects of between £10,000 and £100,000. A meeting had been scheduled with the Heritage Lottery Fund officer to try to take this forward. A proportion of match funding would be required, but a successful bid would help to restore public access whilst structural investigations, including internal propping work, was carried out. Other funding opportunities would continue to be explored.

Scrutiny Committee Resources noted the following:-

- (1) current position regarding the building;



- (2) the steps taken to address that position be endorsed, subject to the financial implications being fully identified and resourced; and
- (3) the Museums Manager, in consultation where appropriate with the relevant Portfolio Holders and the Corporate Manager Property, develop the future uses of the building with these being presented to a future meeting of Scrutiny Committee - Resources ready for implementation in good time for a potential re-opening.

**35 Car Park Estates Advertising Potential (Income Generating Measures Task and Finish Group)**

The Corporate Manager Property presented the report and referred to the Income Generating Measures Task & Finish Group, who had requested that the Car Parks and Corporate Property units explore the income generating potential of advertising on the car park estate. This report updated the Scrutiny Committee on the progress made on this proposal, which could include taking a broader, more holistic approach to this matter in respect of the Council's real estate.

It was noted that a meeting with an advertising media consultant had been arranged to provide the opportunity to work up a number of recommendations in an effort to generate new income streams in respect of these sites. A package of sites could be offered coordinating a number of free-standing perimeter or board mounted poster sites; possible digital advertising sites as well as smaller internal board advertising within multi-storey and surface car parks. He responded to Members' enquiries and confirmed that they would adhere to advertising guidelines and meet planning conditions.

Scrutiny Committee – Resources noted the report and that a further proposal to consider the way forward would be reported to the September meeting of this Scrutiny Committee.

**36 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.

**37 Waste Operations Staff Levels**

The Assistant Director Environment presented an update on current Waste Operation staffing levels and referred to this unique service, which had to complete the task of visiting over 11,000 households every day. The staff worked hours set to an industry standard, but the very nature of the work included a difficult environment, heavy lifting, negotiation of Exeter's streets, and visiting an ever increasing number of houses. The work was demanding and sickness levels were above those working in a more sedentary employment. An optimum number of staff was required for the actual rounds and, particularly, at the Materials Recycling Facility (MRF), to maximise the recycling revenue opportunities. Agency staff were used, as appropriate, to supplement employed operational staff.

A Member congratulated the staff as well as the team at the MRF for the professional and efficient way they dealt with their job.

Scrutiny Committee - Resources noted the following:-

- 1) explanation for spending on waste operations and Materials Reclamation Facility staff, and the actions being taken to mitigate the situation; and
- 2) supported the further investigation into the optimum balance of agency and employed operational staff required for the service, with a detailed report to follow at a future meeting.

The meeting commenced at 5.30 pm and closed at 7.20 pm

Chair

## **AUDIT AND GOVERNANCE COMMITTEE**

Wednesday 24 June 2015

### **Present:-**

Councillor Vizard (Chair)

Councillors Baldwin, Bowkett, Buswell, Harvey, Lyons, Sheldon and Williams

### **Apologies:-**

Councillors Henson, Laws and Robson

### **Also Present:-**

Deputy Chief Executive, Assistant Director Finance, Audit Manager (HP) and Democratic Services Officer (Committees) (SLS)

David Bray – Senior Manager Assurance, Grant Thornton

Geraldine Daly – Engagement Lead Grant Thornton

15

### **MINUTES**

The minutes of the meeting held on 18 March 2015 were taken as read and signed by the Chair as correct.

16

### **DECLARATION OF INTERESTS**

No declarations of disclosable pecuniary interest were made.

17

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

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

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

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

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

Members of the Committee thanked the Audit Manager and colleagues from Grant Thornton for their informative presentation.

**ANNUAL SCRUTINY REPORT 2014/15**

An update was presented by the Scrutiny Programme Officer on the progress and work of scrutiny and the Task and Finish Groups within the City Council's political framework for the period 2014/15. The report included a synopsis of the Task and Finish Group investigations, a review of the proposals for the Scrutiny system and timetabling/plans for 2015/16.

A Member commented on the strides made within scrutiny, referring to best practice but felt that this had been compromised by the latest changes in the chairing of the three Scrutiny Committees. Another Member recalled the discussion at the recent meeting of Scrutiny Committee – Economy, and felt that the level of scrutiny remained robust with every effort made to ensure that scrutiny was observed.

The Audit and Governance Committee approved the Annual Scrutiny Report for inclusion on the Council's web site.

**AUDIT PLAN 2014/15 GRANT THORNTON**

An update was presented by the Scrutiny Programme Officer on the progress and work of scrutiny and the Task and Finish Groups within the City Council's political framework for the period 2014/15. The report included a synopsis of the Task and Finish Group investigations, a review of the proposals for the Scrutiny system and timetabling/plans for 2015/16.

A Member commented on the strides made within scrutiny, referring to best practice felt that this had been compromised by the latest changes in the chairing of the three Scrutiny Committees. Another Member recalled the discussion at the recent meeting of Scrutiny Committee – Economy, and felt that the level of scrutiny remained robust with every effort made to ensure that scrutiny was observed.

The Audit and Governance Committee approved the Annual Scrutiny Report for inclusion on the Council's web site.

**AUDIT AND GOVERNANCE COMMITTEE UPDATE**

David Bray presented the Audit and Governance Committee Update report, which included the latest position and progress made for the period until June 2015. The report covered the financial picture, local accountability and further detail on Local Government Governance. He also provided an update on the 2014/15 Audit fee and indicative certification fee of £10,890 for 2014/15.

One issue that would require careful consideration was the earlier closedown of the Council's accounts. A number of changes would be implemented from 2017/18, and the deadline for the production of Local Government financial statements and subsequent audit had been brought forward. The Assistant Director Finance advised that the earlier closedown of the Council's accounts would be a challenge, but his staff had already started the necessary preparations.

The Audit and Governance Committee noted the Audit Committee Update and progress as at June 2015.

**ANNUAL AUDIT FEE LETTER 2015/16**

The Assistant Director Finance presented the Audit Commission's proposed work programme and scale of fees for 2015/16, to be charged by the external auditors for the auditing of the Council's services and accounts. Following an open tendering

session, KPMG had been appointed as the Council's external auditors with effect April 2015. It was noted that the fee for 2015/16 had been set by the Audit Commission at £57,887.

The Audit and Governance Committee noted the Fee Letter set for 2015/16.

22

#### **RESPONSE TO GRANT THORNTON 2014/15**

The Assistant Director Finance presented a report which set out the responses of the Chair of Audit and Governance Committee and the Council's Management Team to a set of questions from Grant Thornton, as part of the External Audit arrangements of the Council which had been reported to this Committee on 11 March 2015.

The Audit and Governance Committee endorsed the responses made.

23

#### **ANNUAL GOVERNANCE STATEMENT 2014/15**

The Assistant Director Finance presented the report which set out the proposed updated Annual Governance Statement that would accompany the Council's Statement of Accounts for 2014/15. The Statement reviewed the Council's performance against its Code of Governance, which was published on the Council's web site. He commented on the review of effectiveness and confirmed that the City Council had received 213 customer complaints, which had been actioned by the relevant Assistant Director or Corporate Manager.

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

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

24

#### **ANNUAL INTERNAL AUDIT REPORT FOR THE YEAR ENDED 31 MARCH 2015**

The Audit Manager (HP) presented the annual Internal Audit Report, having met the Public Sector Internal Audit Standards which informed the Council's Annual Governance Statement, including the quarterly update on the progress of Internal Audit work. The report also included an opinion on the overall adequacy and effectiveness of the Council's control environment, and a summary of the work undertaken in the year.

The Audit Manager provided an update on the recommendations made in their internal audit summary of work completed for the period January to March 2015. The summary of work included two recommendations not accepted by management, the introduction of a Service Operational Risk Coordinator and also in respect of risk financing, which was currently not part of the Council's risk management strategy.

A summary of investigations was included.

A Member referred to the capacity of the City Council to manage all areas of risk. The Deputy Chief Executive agreed it was important to have a robust Risk Register in place, and he confirmed that there was a greater cultural awareness of risk within the City Council. A Member referred to the business continuity work and hoped that a greater emphasis on partnership and community work would be included in the future. The Audit Manager responded to a Member's enquiry on the inclusion of

safeguarding as part of the Enabling Service, and would circulate the full report to Audit and Governance Committee Members.

The Audit and Governance Committee noted the report and supported approval of the Audit report recommendations not accepted by management, as detailed in Section 2 Appendix B, which were deemed as an acceptable risk to the Council.

25

### **REVIEW OF CORPORATE GOVERNANCE RISK REGISTER**

The report of the Corporate Manager Policy, Communications and Community Engagement included an updated Corporate Risk Register. The Deputy Chief Executive presented the quarterly report which advised the Committee of the Council's proposed, revised risk management arrangements. Risk management was a part of the Corporate Governance arrangements, and the process was embedded throughout the Council.

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

26

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

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

27

### **REVIEW OF CORPORATE GOVERNANCE RISK REGISTER (APPENDIX A)**

The Deputy Chief Executive presented the report of the Corporate Manager Policy, Communications and Community Engagement, which advised the Committee of the changes introduced to the Council's Risk Management policy and procedures. This included an appendix to the report (Appendix A).

The Deputy Chief Executive responded to a number of Members' comments on the Risk Register:-

- updates would be made in the Citizen in consultation with the Environment Agency to ensure local residents were kept informed in respect of the flood relief measures.
- a presentation would be made to Scrutiny Committee - Community on the opportunities for recycling and additional income generation.
- work would continue with the Highways Authority and other stakeholders to progress the Bus and Coach Station site.
- issues relating to the Rugby World Cup 2015 legacy.
- the reduction in rental income from void retail units in the city and the development of an Asset Management Plan for the community estate.
- the equality impact assessments were fully embedded within the organisation.
- to meet the demands of future funding requirements following changes to the housing benefit welfare reforms.
- ensuring the District Heating initiative was progressed.

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

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

Chair

## **STRATA - JOINT EXECUTIVE COMMITTEE**

Wednesday 10 June 2015

### **Present:-**

Councillors Christophers, Diviani and Edwards (Chair)

Non-Voting Members – S Aggett, K Hassan and M Williams

### **Also Present**

The Chief Operating Officer, Director (DH), Director (SD) and Democratic Services Officer.

6

### **APOLOGIES**

Apologies were received from Ms N Bulbeck.

7

### **MINUTES**

The minutes of the meeting held on 3 February 2015 were taken as read and signed by the Chair as correct.

8

### **DECLARATIONS OF INTEREST**

No declarations of disclosable pecuniary interest were made.

9

### **STRATA PROGRESS REPORT - JUNE 2015**

The report and presentation of the Chief Operating Officer was submitted to inform Members of the progress of the implementation of Strata.

The Chief Operating Officer gave a presentation to update on the following:

- Exeter Data Centres were fitted out as previously reported - completed four weeks later than planned
- Servers and storage installed in the data centres and being configured
- Latest telephony contracts indicate that savings targets would be met
- Phase two detailed planning had been completed – has resulted in extension of four weeks to this phase of work
- The first business benefits would appear in July with faster internet for all users
- Management redundancy process now almost complete with savings on target
- Three apprentice posts approved to be paid for by vacant posts
- Working on Strata job descriptions to offer all staff within four months
- Identified risks include consideration for the level of change that users would experience, such as new email, Lync and MS office upgrade as well as a new desktop
- Was there a change needed to Joint Executive Committee (JEC) and Joint Scrutiny Committee (JSC) in terms of switching too quarterly meetings and dealing with quorum issues – to be considered at September JEC meeting

- Opportunities were identified where Strata were working with individual councils to take advantage of existing technology solutions
- Changing from Blackberry to iPhone – Teignbridge business case in progress
- Member IT – Teignbridge switching to 0365
- In cab technology for refuse vehicles - Exeter system extended to Teignbridge, project in progress, East Devon District Council (EDDC) are considering the technology
- Mobile working experience from EDDC being shared with Teignbridge and Exeter
- Investigating the use of iDOX system with Exeter - major review planned for 9 July.

A Member raised the issue of recent email system crashes at Exeter City Council the Chief Operating Officer reported that a business case was being made for out of hours support for infrastructure and service desk. A more robust email system will be in place when Strata infrastructure is implemented.

**RESOLVED** that the progress of the implementation of Strata be noted.

10

### **STRATA FINANCE**

The Assistant Director Finance Exeter City Council gave a verbal update on the Strata financial position. He reported that the three Councils provided revenue funding and £1.7m in capital funding. The Government had provided £970k in transformation funding. Strata had broken even on salaries, including redundancy costs. An additional £395k had been spent on supplies and services. In past five months Strata had spent £1.4m on equipment and services.

Members noted that overall the financial position was on target with what had been expected with no additional funding required. The deficit over the Local Government Pension Scheme was noted but this was only in line with other authorities in the scheme.

**RESOLVED** that the financial report be noted.

11

### **SHARED PROJECT PROCESS – OPPORTUNITIES TO LOOK FOR NEW WAYS OF WORKING**

The report of the Chief Operating Officer was submitted which defined a process for investigating and developing opportunities for new ways of working using common IT systems as the trigger.

The meeting discussed the process in detail and asked that changes be made to focus on the IT business case rather than the wider services implications and that each decision would be made in the context of the original Strata business case where councils agreed to drive towards common IT systems.

The five year systems convergence plan that was included in the original Strata business case will be refreshed and presented to the next JEC.

The suggestion is to use HR/payroll systems as the pilot for the shared project process particularly because of Teignbridge's need for a new system. The IT business case for this will be worked up and presented to the board and the next JEC.



**RESOLVED** that the shared project process is revised to focus on the IT business case and will be approved by a future meeting.

12

**PROGRESS REPORT ON POST COMMENCEMENT TASKS**

The report of Duncan Moors, Solicitor to Teignbridge District Council was submitted and the JEC was advised on the progress that Strata had made in relation to the post-commencement tasks that were identified in the Business Plan, the Shareholder Agreement and the Service Contracts.

**RESOLVED** that the report be noted.

13

**STRATA PERFORMANCE INDICATORS REPORT**

The report of the Chief Operating Officer was submitted identifying the initial suite of performance indicators that Strata would use to manage its business and to show stakeholders how Strata was performing. These indicators would be added to as the need arose.

**RESOLVED** that:-

- (1) the report be noted;
- (2) the indicators in the operation be approved; and
- (3) a presentation be given to the next Joint Executive Committee of a full suite of indicators that have also been approved by the Senior Management at the three councils.

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

Chair

**This page is intentionally left blank**

## **STRATA JOINT SCRUTINY COMMITTEE**

Thursday 28 May 2015

### **Present:-**

Councillors Baldwin, Bialyk, Chapman, Dent, Dewhurst, Haines, Jung, Raybould and Prowse

### **Also Present:-**

Chief Operating Officer, Strategic Lead Finance EDDC, Business Lead for Corporate Services & Transformation TDC and STRATA Finance Lead, ECC.

### **8 TO CONFIRM THE APPOINTMENT OF THE CHAIR**

Councillor Prowse of Teignbridge District Council was confirmed as Chair for the next 12 months.

### **9 APOLOGIES**

These were received from Duncan Moors, Solicitor to Teignbridge District Council.

### **10 MINUTES**

Subject to the insertion of the word "Transformation" in place of "Technology" in the third paragraph of Min. No. 5, the minutes of the meeting of 12 March 2015 were taken as read and signed by the Chair as correct.

### **11 DECLARATIONS OF INTEREST**

No declarations of interest were made.

### **12 PROGRESS REPORT ON STRATA IMPLEMENTATION PLAN - APRIL 2015**

The Chief Operating Officer provided an update on the progress with the implementation plan.

- New infrastructure is on target both in terms of time and cost, helped by the government grant. Each authority will see the benefit of faster internet connection from July; Exeter users will see impact from August as new software s to be phased in to use;
- Organisational progress outlined management structure on schedule, with posts filled and 2 apprentices planned, a further apprentice being sought. ;
- Engagement working well with all authorities, talking with users and management levels of each council;
- Risks identified and being managed.
- Opportunities from the project had arisen including consolidating website design. An example of the in-cab technology used by Exeter City Council was given, which following negotiation on price was in progress for roll-out at Teignbridge and being considered by East Devon.
- Public Services Network (PSN) rules had been amended again, allowing more flexibility. The team needed to review the change in rules and reflect how to take advantage of the new flexibility.

He responded as follows to Members' queries:-

- A phased approach to the changes in software was in place to mitigate the risk of overloading users with multiple software changes – some users needed more time and training than others;
- The Lync system was explained to the Committee as a similar system to Skype, but provided by Microsoft. This system would allow users to see who was online and what they were doing eg in a meeting or on a telephone call... The potential of the system was large and could, in the future, enable virtual conferencing. In response to security concerns, he confirmed that it was secure and that training would be given to all to understand how the Lync system should be used.
- The term “channel shift” was explained as shifting the requests of service to the council to the cheapest option for dealing with the query – in most cases by taking the request online. It was acknowledged that not everyone had the capability or facilities to use online services, but many agencies operating to help such people could use the online services on their behalf. It was summed up as enabling everyone who could access online services to do so, freeing up staff resource to help those people who needed a face to face service.
- Some software systems are in common with Devon County Council and contact is maintained with the county;
- Virgin Media Business handles dealing with BT Openreach on issues, but there are no concerns currently on the joining of all the council's networks;
- The resilience level of backup is much higher than other councils and will cover the running of essential services.

Strata Joint Scrutiny Committee noted the progress of the implementation plan.

13

### **SHARED PROJECT PROCESS**

The Chief Operating Officer reported on a process for investigating joint “opportunities for new ways of working”. The intention was to funnel all the likely triggers for starting reviews of potential sharing opportunities, including the Application Convergence plans, into a single transparent and consultative process which can be owned and managed by the JEC and JSC.

As the previously planned JEC meeting had not taken place, the Chief Operating Officer had agreed with the Chief Executives to start on this project. A meeting between the Chief Executives and Human Resources of each council will take place to discuss the use of single IT systems and how that impacts on back offices systems.

In light of this the Chairman recommended that the report be brought back to the Panel after that meeting had taken place, with an update before approving the report listed on the agenda papers.

14

### **PROGRESS REPORT ON POST COMMENCEMENT TASKS**

The Business Lead for Corporate Services & Transformation of Teignbridge District Council presented the report advising of the progress that Strata had made in relation to the post-commencement tasks that are identified in the Business Plan, the Shareholder Agreement and the Service Contracts

He highlighted that the data centre will be established by the end of July, not June as stated in the report but the slippage was still within the overall project. The building designated as the disaster recovery centre had some issues to

resolve including some soundproofing, but this was still within the financial limits of the project.

He also reported that meetings between service managers and Steve Gammon, STRATA Programme Resources Manager, were well received, productive and positive. This work helped identify existing and new projects within services that will form the components of a Service Plan.

Insurance cover was now in place for public liability, employer's liability, professional negligence, directors and fidelity guarantee.

Due to recruitment issues the Information Security Policy was not yet in place, but now that Robin Barlow was appointed as Compliance and Security Manager, consulting with all three authorities, the policy was expected to be before each Council for review in August.

Strata Joint Scrutiny Committee noted the report.

15

### **STRATA PERFORMANCE INDICATORS PROGRESS REPORT**

The Chief Operating Officer presented the initial suite of performance indicators that Strata would be using to manage its business and to show stakeholders how Strata is performing. The indicators would be added to as the need arose.

The committee flagged up the need for clarity on the performance indicators, citing as an example, how an "incident" was defined. The report showed a considerable difference in the incidents logged by ECC as compared to the other authorities. The Chief Operating Officer outlined that the incorrect logging of incidents had been the main cause of the difference, which had now been remedied.

As this report showed a first taste of results, the Committee felt it would be better to compare it to the next report to show trends clearly. An explanation of terms and acronyms would also be needed to accompany the report so that the Committee became familiar with the performance indicator measurements.

Strata Joint Scrutiny Committee approved the report.

Councillor Dent suggested that it would be beneficial for the Committee to receive case examples that would demonstrate the implementation of the STRATA project. Talking with end users and customers would give a clear picture to the Committee of the benefits of the introduction of new software and technology.

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

Chair

**This page is intentionally left blank**

## EXECUTIVE

Tuesday 23 June 2015

### Present:

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

### Apologies:

Councillor Edwards

### Also present:

Chief Executive & Growth Director, Assistant Director Housing, Assistant Director Environment, Assistant Director Economy, Assistant Director City Development, Corporate Manager Democratic and Civic Support, Corporate Manager Property, Senior Housing Development Officer and Democratic Services Manager (Committees)

54

### CHAIR

In the absence of the Leader, the Deputy Leader Councillor Sutton, chaired the meeting.

55

### MINUTES

The minutes of the meetings held on 17 March, 14 April and 3 June 2015 were taken as read and signed by the Chair (Councillor Sutton) as correct.

56

### DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

57

### ENVIRONMENTAL HEALTH AND LICENSING STATUTORY SERVICE PLAN

The report of the Assistant Director Environment was submitted which sought approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2015/16. The Statutory Service Plan sets out the Council's regulatory function in respect of Food Safety, Health and Safety, Licensing, Environmental Permitting and other statutory functions over the forthcoming year.

In response to a Member's question, the Assistant Director Environment advised that the food safety sampling programme was specifically targeted at foods that were more likely to cause issues, and this would account for the relatively high percentage of results that were not deemed satisfactory.

Scrutiny Committee – Community considered the report at its meeting on 16 June 2015 and its comments were reported.

**RECOMMENDED** to Council that:-

- (1) the Statutory Service Plan 2015/16 be approved ; and

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

58

**PROPOSED AMENDMENTS TO THE MANDATORY LICENSING SCHEME FOR CERTAIN TYPES OF HOUSES IN MULTIPLE OCCUPATION (HMO'S).**

The report of the Assistant Director Housing was submitted which sought to introduce a £125 discount on the licence fee charged for Houses in Multiple Occupation (HMOs) covered by mandatory HMO licensing where the landlord of the HMO was credited under a nationally recognised accreditation scheme, and the property had been subject to an inspection by an inspector employed by the accrediting organisation. Such a discount was already offered to the landlords of HMOs licensed under the recently introduced additional HMO licensing scheme, and the proposal would remove the inconsistency between the two schemes.

The Portfolio Holder for Customer Access fully supported the introduction of the scheme to encourage Landlords to take responsibility and drive up the standards of HMOs.

Scrutiny Committee – Community considered the report at its meeting on 16 June 2015 and its comments were reported.

**RESOLVED** that a £125 discount is introduced on mandatory HMO licensing fee where landlords are accredited under a nationally recognised accreditation scheme, and the property has been subject to an inspection by an inspector employed by the accrediting organisation.

59

**RUGBY WORLD CUP UPDATE**

The report of the Assistant Director Economy was submitted to update Members on the preparation for Exeter being a 'Host City' for the Rugby World Cup tournament, including work being undertaken to ensure that there was a legacy from the city's involvement.

The Portfolio Holder for Economy and Tourism commented that a good discussion had taken place at Scrutiny Committee – Economy, with Members supporting the programme of events and the work on the legacy activities.

In response to a Member's question, the Assistant Director Economy confirmed that the budget of £300,000 included £50,000 for the programme of legacy projects.

Scrutiny Committee – Economy considered the report at its meeting on 18 June 2015 and its comments were reported.

**RESOLVED** that the:-

- (1) programme of legacy projects be endorsed; and
- (2) preparations for the Fanzone and activities to promote the city leading up to the Tournament be supported.



**REPAYMENT OF OUTSTANDING CAPITAL GRANT UPON THE TERMINATION OF A PRIVATE RENTAL AGREEMENT WITH AN INDIVIDUAL LANDLORD**

The report of the Assistant Director Housing was submitted requesting that delegated authority to create a landlord repayment plan for properties on the Council's EXtraLet or Private Sector Leasing Scheme. This was for properties where Council no longer considered the property to be successful and wished to end the rental agreement early and there was an outstanding debt owed to the Council. The Constitution would be amended to reflect this delegated authority.

In response to a Member's question, the Senior Housing Development Officer clarified that few properties would be affected and that usually, the repayment period for the loan was for the period of the lease.

The Portfolio Holder for Customer Access stated her support for this landlord repayment plan.

**RECOMMENDED** to Council that:-

- (1) the Assistant Director Housing and the Portfolio Holder for Customer Access, in conjunction with the Assistant Director Finance and the Corporate Manager Legal, be given delegated authority to approve a repayment plan with a landlord where a property is handed back early from the rental agreement with outstanding funds owed to the Council. Approval would only be granted where a legal charge is created and registered in the Council's favour against the property; and
- (2) the Constitution be amended accordingly.

**APPROVAL OF DEVELOPMENT DELIVERY DOCUMENT (DPD) FOR PUBLICATION**

The report of the Assistant Director City Development was submitted to consider the content of the publication version of the Development Delivery Development Plan Document (DPD) and agree its publication for representations prior to submission to the Planning Inspectorate for examination on behalf of the Secretary of State.

Members were advised that, whilst legislation required the consultation should be at least six weeks, as the consultation would take place over the summer the Development Delivery DPD would be published for a period of eight weeks. The final submission of the Development Delivery DPD would be brought back to Executive with approval by Council.

In response to Members' questions, the Assistant Director City Development clarified that the site of the former West of England School for Blind was not included in the 2015 Strategic Housing Land Availability Assessment (SHLAA) and therefore was not in the Development Delivery DPD.

The Portfolio Holder for City Development thanked all the officers involved for their work on the Development Delivery DPD.

**RESOLVED** that:-

- (1) the publication version of the Development Delivery DPD for pre-submission representations as set out in Appendix 1 be agreed; and

- (2) the Assistant Director City Development, in conjunction with the Portfolio Holder for City Development, be given delegated authority to make minor changes to the Development Delivery DPD prior to publication.

62

### **HABITAT MITIGATION - PROPOSED JOINT COMMITTEE WITH TEIGNBRIDGE DISTRICT COUNCIL AND EAST DEVON DISTRICT COUNCIL**

The report of the Assistant Director City Development was submitted to advised Members that it was a statutory requirement for the Council to mitigate the impacts of the new development on European sites and that the Joint Approach had been agreed at Executive in October 2014. Working in partnership with East Devon District Council, Teignbridge District Council and Natural England the Council had gathered evidence of negative impacts from recreation use on the Exe Estuary Special Protection Area (SPA), Dawlish Warren Special Area of Conservation (SAC) and the Pebblebed Heaths SPA/SAC. A Joint Approach had been put together to offset the impacts through a suite of mitigation measures to be delivered by the Councils and its partners. Approval was sought for the formal establishment of the new Joint Committee in accordance with the detail set out in the 'Governance Arrangement for Managing European Site Mitigation'.

In response to a Member's question, the Assistant Director City Development advised that the measures would be funded by developers through the Community Infrastructure Levy and those collected via Section 106 agreements, and would be at no cost to the Council.

**RECOMMENDED** to Council that:-

- (1) a Joint Committee, with Teignbridge and East Devon District Councils be established, to agree on detailed habitat mitigation schemes and the prioritisation and funding of mitigation projects to offset recreational impacts on European wildlife sites resulting from increased housing and tourist accommodation within the three authorities' areas;
- (2) the Joint Committee is set up and operates according to the proposed 'Governance Arrangement for Managing European Site Mitigation' as set out in the report and that the Officer Working Group and Mitigation Delivery Officer also work together and with the Joint Committee according to the proposed 'Governance Arrangement'; and
- (3) the Assistant Director City Development in consultation with the Leader be given delegated authority to make minor amendments to the Governance Arrangement, as a result of the recommendations of East Devon District Council and Teignbridge District Council.

63

### **FREEDOM OF THE CITY**

The report of the Corporate Manager Democratic and Civic Support was submitted setting out a proposal to offer the Freedom of the City to Mr Michael Caines in recognition of his outstanding services to cookery which has led to Exeter's name being known around the world as one which supports the culinary arts.

Members welcomed and supported the offer of Freedom of the City to Mr Michael Caines who was a truly inspirational person who supported the culinary work at Exeter College and promoted Exeter internationally.

**RECOMMENDED** to Council that:-

- (1) the title of Honorary Freeman of the City Status be conferred on Mr Michael Caines; and
- (2) the Right Worshipful the Lord Mayor be requested to convene an Extraordinary Meeting of the Council to be held on the rising of the ordinary meeting on 28 July 2015, for the purpose of passing the appropriate resolution under Section 249 of the Local Government Act 1972.

64

#### **HONORARY ALDERMAN**

The report of the Corporate Manager Democratic and Civic Support was submitted setting out a proposal to offer the position of Honorary Alderman of the City to Mr John Winterbottom in recognition of his outstanding service to the Council over his 15 years of office on the Council, including his time as Lord Mayor in 2009.

Members supported the offer of the position of Honorary Alderman to Mr John Winterbottom.

**RECOMMENDED** to Council that:-

- (1) the position of Honorary Alderman be given to Mr John Winterbottom in recognition of his outstanding service to the Council over his 15 years of office on the Council, including his time as Lord Mayor in 2009; and
- (2) in accordance with Section 249 of the Local Government Act 1972, the Right Worshipful the Lord Mayor be requested to convene an Extraordinary meeting of the Council, on the rising of the Ordinary meeting of the Council on 28 July 2015, to consider granting the position of Honorary Alderman of the City to Mr John Winterbottom.

65

#### **APPOINTMENTS TO OUTSIDE BODIES**

The report of the Corporate Manager Democratic and Civic Support was submitted to appoint Members to serve on outside bodies.

**RESOLVED** that:-

- (1) the following appointments be agreed:-

**Councillor Development Steering Group** – Councillor Packham  
**Exeter International Airport Consultative Committee** – Councillor Vizard  
**SecAnim (J L Thomas) Liaison Group** – Councillor Hannan, Harvey and Vizard  
**St Loyes Foundation** – Councillor Morris to replace Councillor Hannaford  
**St Sidwell's Parish Lands and Other Charities** – Councillor Morris to replace Councillor Hannaford;

- (2) the appointment to other bodies, as agreed under the delegated powers with Group Leaders, and as set out on the schedule, be noted;

- (3) the request from The Exeter Municipal Charity for the Council's number of nominated trustees to be reduced from four to two be not acceded to and that the Council representatives remain as the four current representatives, that is Councillors Branston, Henson and Robson and Alderman Williamson;
- (4) the proposed change in name of The Exeter Municipal Charity to Exeter Homes Trust Ltd. be noted; and

**RECOMMENDED** to Council that:-

- (5) appointments to the following remaining vacant positions to be agreed at Council:-

**Age Concern  
Exeter Business Centre Board  
Exeter Citizen Advice Bureau  
Exeter Fair Trade Steering Group  
Turntable Furniture Re-cycling Project**

66

#### **MEMBER CHAMPIONS**

The list of Member Champions as circulated was noted.

67

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

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

68

#### **PROPOSALS FOR THE REDEVELOPMENT OF THE BUS AND COACH STATION AND BUS DEPOT AND DEPOT RELOCATION**

The report of the Corporate Manager Property was submitted to update Members on the progress on the proposed redevelopment of the Bus & Coach Station site and the relocation of the Exeter Bus Depot. The report outlined the broad heads of terms agreed for the property transactions required to effect this redevelopment and re-provision projects and sought authority to conclude the property transactions.

Members supported the way forward.

**RESOLVED:-**

- (1) to proceed to negotiate a conditional Development Agreement to bring forward the redevelopment of the Bus & Coach Station site on terms to be agreed by the Corporate Manager Property in consultation with the Leader Portfolio Holder for Enabling Services and the Deputy Chief Executive;
- (2) to continue to work with the County Council to fund, procure and deliver a new bus station on the site;

- (3) to agree to the surrender of the existing Bus Depot lease and to the simultaneous grant of a new 150 years development lease on the terms provisionally agreed by the Corporate Manager Property and summarised in this report;
- (4) to enter into an agreement for lease of the new Bus Depot site for the construction of the new depot;
- (5) that the terms provisionally agreed by the Corporate Manager Property for a new 150 year lease of the new bus depot site as set out in this report be approved; and
- (6) the Corporate Manager Property be authorised to carry out negotiations with third parties affected by the proposals in consultation with the Leader; the Portfolio Holder for Enabling Services; and the Deputy Chief Executive.

69

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

Scrutiny Committee – Economy considered the minutes at its meeting on 22 January 2015 and the support and comments of the Members were noted.

**RESOLVED** that the minutes of the Exeter and Heart of Devon Growth Board meetings held on 23 February and 21 May 2015 be noted.

70

#### **URGENT ITEM - SUPPORT FOR EXETER POUND**

The Chair agreed to take this item as urgent business. It related to the Council's support for the "Exeter Pound" and was considered urgent due to the timescales surrounding its public launch. This item was taken in the private part of the meeting as it related to the financial affairs of a third party.

Members were advised of the decision taken under Financial Regulation 21 to support Exeter Pound.

Members supported the decisions taken and the way forward.

**RESOLVED** that the support for Exeter Pound be noted, as presented to Executive.

(The meeting commenced at 5.30 pm and closed at 6.25 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 28 July 2015.**

**This page is intentionally left blank**

## EXECUTIVE

Tuesday 14 July 2015

### Present:

Councillor Edwards (Chair)  
Councillors Denham, Hannaford, Leadbetter and Morris

### Apologies:

Councillors Owen, Pearson and Sutton

### Also present:

Chief Executive & Growth Director, Assistant Director City Development, Assistant Director Finance, Corporate Manager - Legal, Corporate Manager Democratic and Civic Support, Principal Project Manager (Infrastructure Management & Delivery), Litigation Solicitor, Major Projects Officer, Scrutiny Programme Officer and Democratic Services Manager (Committees)

71

### DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

72

### MAJOR GRANTS AND NEW HOMES BONUS PANEL MINUTES - 25 JUNE 2015

The minutes of the meeting of the Major Grants and New Homes Bonus Panel held on 25 June 2015 were submitted.

The Principal Project Manager (Infrastructure Management & Delivery) advised of the position with regards to the replacement of Countess Wear Village Hall.

A Member confirmed that Devon County Council was supporting the Countess Wear Village Hall project.

**RESOLVED** that the minutes of the Major Grants and New Homes Bonus Panel held on 25 June 2015 be received and, where appropriate, adopted.

73

### ANNUAL SCRUTINY WORK PROGRAMME REVIEW

The report of the Scrutiny Programme Officer was submitted which provided an annual update to the respective Scrutiny Committees as to the Scrutiny work achieved during the municipal year 2014/2015.

Scrutiny Committee – Community (16 June 2015), Audit and Governance Committee (24 June 2015), Scrutiny Committee – Economy (18 June 2015), and Scrutiny Committee – Resources (1 July 2015) had all considered this report and comments of the Members were noted.

**RESOLVED** that the Annual Scrutiny Report be noted.

## **CAPITAL MONITORING 2014/15 AND REVISED CAPITAL PROGRAMME FOR 2015/16 AND FUTURE YEARS**

The report of the Assistant Director Finance was submitted reporting on the current position of the Council for the 2014/15 financial year, in respect of the annual capital programme and to seek approval of the 2015/16 revised capital programme, including commitments carried forward from 2014/15. Members were advised that the capital expenditure amounted to £16,502,192, a reduction of £2,772,658 on the planned figure of £19,274,850. The report also included a number of further funding requests including the replacement of the existing roof of the Livestock Centre.

In response to a Member's question, the Corporate Manager Democratic and Civic Support clarified that the internal access doors within Phase 1 were necessary to ensure that the staff accommodation remained secure in light of the first floor being occupied by external organisations.

Scrutiny Committee – Resources considered the report at its meeting on 1 July 2015 and its comments were reported.

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

- (1) overall financial position for the 2014/15 annual capital programme; and
- (2) amendments and further funding requests to the Council's annual capital programme for 2015/16.

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

The report of the Assistant Director Finance was submitted to advise Members of the overall financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2014/15 financial year and to seek approval for the General Fund working balance, HRA working balance, a number of supplementary budgets and the creation of new earmarked reserves.

The Assistant Director Finance advised of supplementary budgets including a £100,000 contribution towards the progression of the Innovation Exeter Project and £85,000 to cover overspend in Finance caused by budget pressures owing to cover for a long term sickness and the vacant Procurement Post. It was further noted that an urgent decision had been taken for expenditure of £8,000 to the Exeter Pound for additional staff with match funding and £5,000 to print the notes in the form of an interest free loan to be repaid within one year of the loan.

In response to Members' questions, the Assistant Director Finance clarified that £3.5m had been set aside to pay off debts and the collection rates for council tax for 2014/5 were on course to be back to the normal level.

The Portfolio Holder for Housing Revenue Account thanked all officers involved in the reduction of the expenditure of the Housing Revenue Account (HRA).

Scrutiny Committee – Resources considered the report at its meeting on 1 July 2015 and its comments were reported.



**RECOMMENDED** that Council:-

- (1) approves the net transfer of £800,076 from Earmarked Reserves as detailed in paragraph 8.3.6;
- (2) approves the supplementary budgets of £1,458,610 as detailed in paragraph 8.3.8;
- (3) notes the Earmarked Reserves at 31 March 2015;
- (4) notes the Council Tax account and collection rate;
- (5) notes the outstanding sundry debt, aged debt analysis and debt write-off figures;
- (6) notes the creditor payments performance;
- (7) by taking into account the overall financial position of the Council, approves the General Fund working balance at 31 March 2015 at £3,974,518; and
- (8) approves the Housing Revenue Account working balance at 31 March 2015 at £7,772,403 and approves the Council Own Build working balance at £127,994.

76

**TREASURY MANAGEMENT 2014/15**

The report of the Assistant Director Finance was submitted reporting on the current Treasury Management Performance for the 2014/15 financial year and the position regarding investments and borrowings at 31 March 2015. The report was a statutory requirement and was for information only with no key decisions required.

Members were advised of the situation with regards to the net interest position and the monies still held in the Glitnir Bank.

Scrutiny Committee – Resources considered the report at its meeting on 1 July 2015 and its comments were reported.

**RECOMMENDED** that Council approve the Treasury Management report for the 2014/15 financial year.

77

**ELECTORAL REVIEW OF EXETER**

The report of the Corporate Manager, Democratic & Civic Support, Electoral Registration and Returning Officer was submitted detailing a suggested response to the Local Government Boundary Commission for England (LGBCE)'s Draft Recommendations on new electoral arrangements for the City.

Councillor Prowse, having given notice under Standing Order no.44, spoke on this item. He commented that the Boundary Commission had briefed Members on 12 January 2015 on the proposals for the review and that Council had agreed it's submission on 25 March 2015. The Local Democracy, Economic Development and Construction Act 2009 stated that the preferred option for Councils with elections by thirds was three Member wards across the city. He stated that if Duryard was a one Member Ward that would mean that one Councillor could be potentially representing over 5,000 of the electorate which would not be in balance with the rest of the city.

A Member stated that he did not support the response as proposed and his party would be putting forward their own response.

Members discussed proposed amendments to the draft response and the Cross Party Working Group remit. It was agreed that, as there had not been a consensus view forthcoming from the Cross Party Working Group on any comments to be raised on the LGBCE's draft recommendations, Members should submit their comments in writing to the Corporate Manager Democratic & Civic Support prior to Council on 28 July 2015 for its consideration.

In response to a Member's question, the Corporate Manager Democratic & Civic Support clarified that a review of the Polling Districts and polling Stations would take place later in the year once the outcome of the LGBCE's was published.

**RECOMMENDED** to Council that Members submit proposed amendments in writing to the Corporate Manager Democratic & Civic Support to enable them to be considered by Council on 28 July 2015.

78      **THE LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) (AMENDMENT) REGULATIONS 2015**

The report of the Corporate Manager Legal Services & Monitoring Officer was submitted detailing the requirement set out in Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 to amend the Council's Standing Orders to incorporate the new arrangement for taking disciplinary action against the most senior council staff namely;

- The Head of Paid Service
- The Section 151 Finance Officer
- The Monitoring Officer

These Regulations came into force on 11 May 2015 and Councils must give effect to their content no later than the first ordinary Council meeting held after the 7 May 2015 elections.

**RECOMMENDED** to Council to amend its Standing Orders and in particular Standing Order 54 to give effect to the provisions of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 that:-

- (1) the Head of Paid Service, Section 151 Officer and Monitoring Officer may only be dismissed by Council; and
- (2) when considering whether to dismiss any of the officers set out in (1) above, Council must have regard to any view expressed by an Independent Persons Panel.

79      **UPDATE TO DELEGATED POWERS**

The report of the Corporate Manager Democratic & Civic Support was submitted which set out proposals to amend the Scheme of Delegation to Officers to match operational arrangements to reflect the secondment of the Assistant Director Economy to the Innovation Exeter Project; and the changes to the Portfolio Holder responsibilities.

Members were advised that page 114 paragraph 14 would be amended to Portfolio Holder for City Development.

Councillor Harvey, having given notice under Standing Order no.44, spoke on this item. He commented that it was important that the range of powers covered by the scheme of delegation were carefully scrutinised and raised the following issues:-

- Page 101 – paragraph 6 under the ‘General’ heading a formal process for reporting back of such decisions was required to Scrutiny Committees, perhaps in terms of a regular brief summary document.
- Page 102 – paragraph 6 under the heading ‘Deputy Chief Executive, Assistant Directors and Corporate Managers’. There was a case for a clear timetable for the Annual Health and Safety report to Scrutiny – Resources to appear at a set time during the year.
- Pages 108, 109, 110 & 112 – heading ‘Assistant Director Environment’. As a wide range of powers were covered, there should be a mechanism for a summary report on how these powers have been used whilst not wanting to over burden officers
- Understand that the Corporate Manager, Democratic & Civic Support has been tasked with leading a review of the Constitution during the current municipal year. This would be an opportunity for the Council to look at the Scheme of Delegation and an opportunity to shift the Licensing Committee agenda towards a more strategic agenda and away from one that often overly focussed on nuts and bolts issues. This would ensure a focus on licensing objectives for the benefit of the City
- Page 115 – paragraph 14 under the heading ‘Assistant Director, Public Realm’ required the detail of objections to the parking places order and any amendments to the order to be reported to the Economy Scrutiny Committee.

The Corporate Manager Corporate & Civic Support responded that the reporting of delegated decisions and the operational function of Licensing Committee would be addressed through the Review of the Constitution currently being undertaken. An Annual Health and Safety report at a set time in the committee cycle would be built into the work programme. The comments regarding reporting on licensing activity for Scrutiny would be raised with the Assistant Director Environment. A reporting mechanism relating to objections to parking places orders and amendments would be discussed with the Assistant Director Public Realm.

**RECOMMENDED** that Council approve the changes to the Scheme of Delegation to Officers as set out in the Appendix to this report.

80

### **STAFF CAPACITY IN CITY DEVELOPMENT**

The report of the Assistant Director City Development was submitted which identified the need for further investment in staff capacity in City Development and identified the proposed additional budget requirements. Members were advised of the context of the change of the redesign process and the income implications to the Council.

Members supported the way forward.

**RECOMMENDED** that Council:-

- (1) approves the creation of an additional post of Principal Project Manager (Planning) (Grade 11) and 1.6 fte additional posts of Project Support Officer (Grade 4), and funding for a series of temporary agency and a consultancy appointments; and

- (2) approves adjustment of the relevant budgets - the total additional expenditure was proposed to be up to £200,000 in 2015/16, it may be less and there will be ongoing revenue costs of about £24,000 in 2016/17, £49,000 in 17/18 and £75,000 pa from 2018/19 as grant funding reduces.

81

### **CREATION OF NEW POST**

The joint report of the Corporate Manager Legal Services and Assistant Director City Development was submitted seeking approval for the deletion of the vacant part time Conveyancer Post and the creation of a new full time Conveyancer/Planning Solicitor post.

**RECOMMENDED** that Council:-

- (1) approve the deletion of post CS05105, Conveyancer, from the establishment and the creation of a new post of Conveyancer and Planning Solicitor with immediate effect; and
- (2) approve an increase in the Legal Services budget by £28,900 per annum.

82

### **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 involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1, Schedule 12A of the Act.

83

### **MONKERTON LOCAL ENERGY NETWORK**

The report and update of the Principal Project Manager Development – City Development was submitted to advise Members of the request made by Developers at Monkerton that Exeter City Council accepts an assignment of Master Agreement setting out the parties' obligations relating to the provision of a District Heating System to be entered into. The Master Agreement was still in draft form. The update to the second part of the recommendation in the report set out a proposal by the developers at Monkerton that a management company be formed by Exeter City Council and the developers to hold the head lease of the heat pipe network and the obligations.

Members were advised of the proposed way forward and the potential areas of budgetary risk.

**RESOLVED** that:-

- (1) the City Council continues to use best endeavours to work with Devon County Council, Teignbridge District Council, East Devon District Council, The University of Exeter, the Royal Devon and Exeter NHS Trust Exeter to establish a public sector Joint Venture Company whose objectives include the continuation of the supply of heat through the various District Heating Systems in the event of operator underperformance. It is anticipated that the Monkerton Master Agreement will be assigned to this body.

- (2) the Leader of the Council, Chief Executive & Growth Director, the Section 151 Officer and the Corporate Manager - Legal Services be authorised to enter into a management company as described in the update sheet (once the relevant agreements have been satisfactorily drafted).
- (3) as a condition of the Growth Point Delivery Team Funding they be requested to discharge the administration of that management company on behalf of the City Council.

(The meeting commenced at 5.30 pm and closed at 6.50 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 28 July 2015.**

**This page is intentionally left blank**

# Agenda Annex

## SEATING IN THE GUILDHALL

		Deputy Lord Mayor Councillor Robson (L)	Chief Executive & Growth Director	Lord Mayor Councillor Foggin (L)	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)	Bull (L)	Edwards (L)		Leadbetter (C)	Mrs Brock (LD)
Crew (L)	Sheldon (L)	Sutton (L)		Mottram (C)	Donovan (C)
Branston (L)	Spackman (L)	Hannaforde (L)		Baldwin (C)	Prowse (C)
Williams (L)	Raybould (L)	Pearson (L)	TABLE	Shiel (C)	Newby (C)
Packham (L)	Lyons (L)	Owen (L)		Henson (C)	Holland (C)
Laws (L)	Choules (L)	Denham (L)		Harvey (C)	

Cllr Vizard (L)	Cllr Buswell (L)	Cllr Hannan (L)	Cllr Morris (L)	Cllr Morse (L)	Cllr Brimble (L)	Cllr Wardle (L)	Cllr Bowkett (L)	Cllr Bialyk (L)
-----------------------	------------------------	--------------------	--------------------	-------------------	---------------------	--------------------	---------------------	--------------------

L: Labour : 29  
 C: Conservative : 10  
 LD: Liberal Democrat : 1

### Portfolio Holders

Edwards: Leader  
 Sutton : Deputy Leader and City Development  
 Denham: Economy and Culture  
 Hannaforde : Housing Revenue Account  
 Owen: Health and Place  
 Pearson: Enabling Services  
 Morris: Customer Access

**This page is intentionally left blank**