



Exeter City Council

A meeting of **EXETER CITY COUNCIL** will be held at the **GUILDHALL, HIGH STREET, EXETER** on **TUESDAY 15 DECEMBER 2015**, at 6.00 pm, at which you are hereby summoned to attend. The following business is proposed to be transacted:-

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1 Minutes	
To sign the minutes of the meeting held on 20 October 2015	3 - 10
2 Official Communications	
To receive minutes of the following Committees and to determine thereon:-	
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14 Executive - Special - 8 December 2015 - To follow	

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

Date: Monday 7 December 2015

Karime Hassan
Chief Executive &
Growth Director

NOTE: Members are asked to sign the Attendance Register



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THE MEETING OF EXETER CITY COUNCIL

Guildhall
Tuesday 20 October 2015

The Right Worshipful the Lord Mayor (Cllr Foggin)
The Deputy Lord Mayor (Cllr Robson)
Councillors Baldwin, Bialyk, Branston, Brimble, Brock, Bull, Buswell, Denham, Edwards, George, Hannaford, Hannan, Harvey, Holland, Leadbetter, Lyons, Morris, Morse, Mottram, Newby, Owen, Packham, Pearson, Prowse, Raybould, Sheldon, Shiel, Spackman, Sutton, Thompson, Vizard, Wardle and Williams

45

MINUTES

The minutes of the Ordinary meeting held on 28 July 2015 and the Extraordinary Meetings held on 4 June, 28 July and 12 August 2015 were taken as read and signed as correct.

In respect of the Extraordinary Council minutes of 12 August 2015 Minute 16 (Proposals for Additional Enhancement of the Leisure Complex and Swimming Pool) the Leader made reference to an article by the Managing Director of John Lewis, Mr Street, welcoming the redevelopment of the Bus and Coach Station with its mixed use as a retail, restaurant and leisure facilities destination.

Some Members stated that they did not support the proposals for a Leisure Complex on the bus and coach station site.

46

OFFICIAL COMMUNICATIONS

The Lord Mayor read out an email from a Joyce Boles from Portland, Oregon USA which congratulated Exeter on being the first city in the world to announce action to support the refugees of Syria.

47

PLANNING COMMITTEE - 27 JULY 2015

The minutes of the Planning Committee of 27 July 2015 were presented by the Chair, Councillor Bialyk, and taken as read.

In respect of Minute 57 (Park and Ride, Matford Park Road, Marsh Barton Trading Estate, Exeter) and in response to a Member, the Chair commented, that at this present time, there was no update with regards to the early morning bus movements to and from this site.

RESOLVED that the minutes of the Planning Committee held on 27 July 2015 be received.

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PLANNING COMMITTEE - 7 SEPTEMBER 2015

The minutes of the Planning Committee of 7 September 2015 were presented by the Chair, Councillor Bialyk, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 7 September 2015 be received.

49

PLANNING COMMITTEE - 5 OCTOBER 2015

The minutes of the Planning Committee of 5 October 2015 were presented by the Chair, Councillor Bialyk, and taken as read.

RESOLVED that the minutes of the Planning Committee held on 5 October 2015 be received.

50

LICENSING COMMITTEE - 22 SEPTEMBER 2015

The minutes of the Licensing Committee of 22 September 2015 were presented by the Chair, Councillor Sheldon, and taken as read.

In respect of Minute 20 (Eden Lounge, 162-163 Fore Street, Exeter) and in response to a Member, the Chair stated that the application to proceed with the Judicial Review had been refused with costs awarded in favour of the Council.

In respect of Minute 21 (Exeter Fanzone – Rugby World Cup 2015) and in response to Members, the Portfolio Holder for Economy and Culture stated that the Council had not received any funding for hosting the Rugby World Cup. Any works to be undertaken, in the short and long term, to Northernhay Gardens would be assessed once the Rugby World Cup had finished and the gardens would be put back to a reasonable condition in time for Remembrance Sunday. Hosting the Rugby World Club and the Fanzone had been a huge success for the City. She stated that visitor numbers and the economic benefit to the city would be available in due course.

RESOLVED that the minutes of the Licensing Committee held on 22 September 2015 be received.

51

SCRUTINY COMMITTEE - COMMUNITY - 8 SEPTEMBER 2015

The minutes of the Scrutiny Committee - Community of 8 September 2015 were presented by the Chair, Councillor Morse, and taken as read.

In respect of Minute 43 (Portfolio Holders' Report) and in response to a Member, the Portfolio Holder for Health and Place commented that there had been some issues which had delayed the restructure in Public Realm.

RESOLVED that the minutes of the Scrutiny Committee - Community held on 8 September 2015 be received.

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SCRUTINY COMMITTEE - ECONOMY - 10 SEPTEMBER 2015

The minutes of the Scrutiny Committee - Economy of 10 September 2015 were presented by the Chair, Councillor Brimble, and taken as read.

In respect of Minute 52 (Exeter Business Improvement District Update) and in response to a Member, the Portfolio Holder for Economy and Culture stated that the Business Improvement District (BID) had agreed to put in £30,000 toward the Christmas lights this year and they would be going out to tender to ensure that the City Centre had Christmas lights in future years. The Portfolio Holder for Health and Place stated that the Council was looking into additional resources to address cleaning in the city.

In respect of Minute 53 (Rugby World Cup Update 2015) and in response to a Member, the Portfolio Holder for Economy and Culture stated that after the Rugby World Cup (RWC) the uprights, as with all the RWC street dressing would be used

for the benefit of local communities, schools and clubs. Funding from the Arts Council had been received to deliver the pyrotechnics for the final in the Fanzone.

Members thanked all the staff that had been involved with the Rugby World Cup events in the city for their hard work.

RESOLVED that the minutes of the Scrutiny Committee – Economy held on 10 September 2015 be received.

53 **SCRUTINY COMMITTEE - RESOURCES - 16 SEPTEMBER 2015**

The minutes of the Scrutiny Committee - Resources of 16 September 2015 were presented by the Chair, Councillor Bull, and, subject to noting the amendment to Minute 46 (Portfolio Holder Statements 2015/16) to read the Portfolio Holder for Customer Access commented that “as well as exploring a Credit Union” and “be able to work towards tackling rough sleeping”, were taken as read.

RESOLVED that the minutes of the Scrutiny Committee - Resources held 16 September 2015 be received.

54 **AUDIT AND GOVERNANCE COMMITTEE - 23 SEPTEMBER 2015**

The minutes of the Audit and Governance Committee of 23 September 2015 were presented by the Chair, Councillor Vizard, and taken as read.

RESOLVED that the minutes of the Audit and Governance Committee held on 23 September 2015 be received.

55 **STRATA JOINT EXECUTIVE COMMITTEE - 1 SEPTEMBER 2015**

The minutes of the Strata Joint Executive Committee of 1 September 2015 were presented by the Chair, Councillor Edwards, and taken as read.

RESOLVED that the minutes of the Strata Joint Executive Committee held on 1 September 2015 be received.

56 **STRATA JOINT SCRUTINY COMMITTEE - 23 JULY 2015**

The minutes of the Strata Joint Scrutiny Committee of 23 July 2015 were presented by Councillor Bialyk and taken as read.

RESOLVED that the minutes of the Strata Joint Scrutiny Committee held on 23 July 2015 be received.

57 **EXECUTIVE - 15 SEPTEMBER 2015**

The minutes of the Executive of 15 September 2015 were presented by the Leader, Councillor Edwards and taken as read.

In respect of Minute 92 (Presentation of Petition ‘Refugees Welcome in Exeter’) and in response to a Member, the Leader stated that he had written to both the Prime Minister and the Leader of the Opposition and, to date, had received holding replies. It was noted however that the city would be taking eight refugee families (totalling 32 people), these families to be housed in the private sector with funding coming from central government.

In response to a Member, the Portfolio Holder for Customer Access commented that the Council was working with military based charities to support veterans and ex- service personnel.

In respect of Minute 94 (Proposals for the Implementation of a Public Spaces Protection Order) and in response to a Member, the Leader stated the order was out for consultation. The Portfolio Holder for Health and Place clarified that evidence was needed to justify introducing this Order.

RESOLVED that the minutes of the Executive held on 15 September 2015 be received.

58

EXECUTIVE - 6 OCTOBER 2015

The minutes of the Executive of 6 October 2015 were presented by the Leader, Councillor Edwards and taken as read.

Minute 99 (Corporate Plan Update 2015) was moved by the Leader and seconded by Councillor Sutton.

A Member stated that, whilst there was good work that the Council had carried out, he questioned the stated number of houses built within the city to those recorded by the Department for Communities and Local Government. He commented that the Plan had little detail and did not address issues such as the night time economy, the employees in Exeter still receiving below the living wage, the redevelopment of Fore Street and South Street, and the poor recycling rates.

The Portfolio Holder for Health and Place clarified that the City Council had set a target to increase recycling rates by 1% and the Devon Authorities were planning a more strategic approach to recycling across the whole of Devon.

The Leader stated that Exeter was one of the fastest growing cities in the country, employment had increased, houses were being built, the Council was building its own council houses and the bus and coach station was being developed.

Some Members spoke in support of the Corporate Plan and welcomed the vision of the Council, in particular the inclusion of a Leisure Complex within the development of the bus and coach station site.

Other Members stated that they could not support the Corporate Plan and objected to the siting of the Leisure Complex.

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

Voting for:

Councillors Bialyk, Branston, Brimble, Bull, Buswell, Denham, Edwards, George, Hannaford, Hannan, Lyons, Morse, Owen, Packham, Pearson, Raybould, the Deputy Lord Mayor, Sheldon, Spackman, Sutton, Vizard, Wardle and Williams.

(23 Members)

Abstain:

Councillors Baldwin, Brock, the Lord Mayor, Harvey, Holland, Leadbetter, Mottram, Newby, Prowse, Thompson and Shiel,

(11 Members)

Absent:

Councillors Choules, Crew, Donovan, Henson and Morris.

(5 Members)

Minute100 (Overview of the General Fund Budget 2015/16) was moved by the Leader and seconded by Councillor Sutton.

Minute101 (Capital Monitoring Statement to 30 June 2015) was moved by the Leader and seconded by Councillor Sutton.

Minute102 (Partnership Delivery Officer) was moved by the Leader and seconded by Councillor Sutton.

RESOLVED that the minutes of the Executive held on 6 October 2015 be received.

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**QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER
NO. 8**

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

Question – The Rugby World Cup

'Given the level of investment by this Council for this prestigious event, can the Leader sum up his overall impression of how it went and at the same time explain how the circumstances arose whereby a music group/band performed at the Fanzone venue with what appears to be little or no involvement by the Council, in so far as the Environmental impact of the noise that was made to the detriment of the City's residents?'

The Leader responded that Councillor Prowse claims that a band performed in the Fanzone with little or no involvement by the Council insofar as the environmental impact of the noise that was made to the detriment of the City's residents – I think he is referring to Saturday 19 September when there was a performance by Basement Jaxx.

Councillor Prowse's assumption is wrong – the Council was involved in the planning of the event and in approving the final plans in terms of safety and environmental impact. This matter was previously raised by Councillor Holland at Licensing Committee on 22 September. At that meeting, the Assistant Director Environment reported that the event had been organised and promoted by a local events' company that was not part of the Council's RWC 2015 Fan Zone programme. The organiser had properly submitted an Event Management Plan to the Exeter Safety Advisory Group (ESGA). This included a Noise Management Plan that had been approved by ESAG, and involved the engagement of a Noise Consultant to monitor the event on the night. Prior to the event the organiser circulated letters to 2,500 addresses within 250 metres of the venue, explaining the times of the event and a contact number should problems arise.

The Event organiser responded to a number of the complaints received and noise levels were monitored from five different addresses – none of these were significantly above the background noise level in these localities and none were considered a statutory noise nuisance. However, the Noise Consultant asked for the volume of noise to be reduced from 11pm, and the event finished at 11.30pm. It was likely that noise levels were affected by topography and wind direction; the noise having been directed largely northwards and upwards towards the Stoke Hill, Pennsylvania and adjoining areas of the City. Although the band itself would not have been to everyone's taste and therefore annoying to some, there had been no evidence to suggest a statutory nuisance. It was considered that a key issue was to ensure that the finish time for remaining events did not exceed 11pm which was the generally accepted threshold for such events and that satisfactory control measures were in place for the remainder of the Rugby World Cup. The opening night itself, on 18 September, had been a great success with the 3,000 in attendance creating a good atmosphere. The Basement Jaxx event attracted over 4,000 customers who greatly enjoyed the event.

The Leader responded to Councillor Prowse supplementary question that the Fanzone events finished at 11pm when the Rugby World Cup matches were screened.

Question – Disciplinary action and enforcement, Hackney Carriage drivers and Licensing

'Can the Leader or his Portfolio Holder explain and comment on the following: Delegation to Officers policy document was amended in June 2015. Prior to this, the relevant document was 2012. The Licensing Department relies on Section 5 of its policies for dealing with breaches, which include suspensions and revocations. During the Christmas period 2014, a Duryard resident and holder of a current Hackney Licence was stopped by the Police and a number of allegations were made against him in respect of the vehicle, manner of driving and his ability to drive. This included when arrested and subsequent provision of a blood sample. By delegated powers, he received a letter revoking his licence. Over a period of months the Police dropped ALL charges and allegations.

Paragraph 5.7 of Section 5 of the Licensing policy states:
A licensing sub-committee may exercise its discretion to revoke a driver's licence because he/she has been convicted of a serious criminal offence, or other serious matter referred to them by the Assistant Director Environment. Such action shall only be taken after a hearing before a Licensing Sub-Committee. (A Licensing Sub-committee comprises of at least two Councillors).

Given the content of the revised delegated powers, which probably mirrors the old one, can the Leader or his Portfolio Holder explain how given the outcome of this case, the delegated powers of Officer(s) has totally bypassed the provisions of the current Licensing policy. Does the Leader or his Portfolio Holder agree that the Licensing policy should be reviewed and, at the same time, also explain, given the outcome of the case, what part elected Councillors should take.'

The Leader responded that he understood that Councillor Prowse had been given a response to this question by the appropriate officer and it would be inappropriate to go into specifics regarding this case, as it is a matter for a Licensing Sub-Committee to determine at a later date.

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

Councillor Hannaford, seconded by Councillor Lyons, moved the following Notice of Motion:-

‘That Exeter City Council celebrates the recent centenary of the Women’s Institute. We celebrate and recognise the wide ranging and important contribution that this great British institution has made directly to local communities, public life in general through its many campaigns and individuals with its offer of fellowship.

We acknowledge that these have included promoting equal pay and treatment , better access for women to education and healthcare, universal suffrage, a broad range of activities and crafts encouraging members to acquire new skills and nurturing unique talents, family life in all its broadest and most inclusive forms, and a huge amount of charity fund raising. Over the past hundred years the Women’s Institute has continued to stay relevant and forward-thinking.

As the Women’s Institute continues to grow and develop we welcome the recent revival that has occurred with many new branches being established to provide the same positive sisterhood that previous generations enjoyed, yet moving with the times to pick up contemporary issues that need addressing, such as saving the honey bee, supporting food banks, and resisting cuts to midwifery services. We are confident that in 2015 it continues to demonstrate that it can make a real difference to the lives of women of all ages and cultural backgrounds, in a spirit of friendship, cooperation and support.

Exeter City Council resolved to:-

To assess the possibility of a centenary exhibition at the Guildhall in tandem with some craft activities , and that the Lord Mayor of Exeter hosts a special thank you reception and high tea at the Guildhall , on behalf of the City Council for Women’s Institute representatives from across the city to mark this significant anniversary.’

Members supported the valuable contribution that the Women’s Institute had made to the city over the years and supported an exhibition and reception to be hosted in the Lord Mayor of Exeter in its honour.’

The Notice of Motion was put to the vote and carried.

(The meeting commenced at 6.00 pm and closed at 7.35 pm)

Chair

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PLANNING COMMITTEE

Monday 2 November 2015

Present:

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

Apologies:

Councillors Buswell, Mottram and Prowse

Also Present:

Chief Executive & Growth Director, Assistant Director City Development, Principal Project Manager (Development) (MH) and Democratic Services Officer (Committees) (HB)

73

MINUTES

The minutes of the meetings held on 27 July, 7 September and 5 October were taken as read and signed by the Chair as correct.

74

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

75

PLANNING APPLICATION NO. 15/0704/01 - LAND WEST OF FITZROY ROAD AND NORTH OF HONITON ROAD, EXETER

The Assistant Director City Development presented the application for the mixed use development of district centre comprising uses within some or all of Classes A1 (Retail) with associated Garden Centre, A2 (Financial & Professional Services), A3 (Restaurants and Cafes), A5 (Hot Food Take-Away), D1 (Non-residential institutions), D2 (Leisure), associated means of access, access road, car parks, infrastructure works, public realm and landscaping.

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

The recommendation was for refusal for the reasons set out on the update sheet.

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

- benefits will include a £45 million investment, at least 400 permanent jobs and up to 150 construction jobs, a £1.85 million CIL receipt, it will deliver an essential “hub” of facilities for many thousands of residents and employees as required by the Core Strategy and it will enhance the east side of Exeter as a business location;
- it is not just a shopping development as it will provide a hub of everyday community facilities including gym, childcare, healthcare, optician, financial and a pharmacy. Just as the residential and business communities on the west side of Exeter need the St Thomas District Centre, which causes no harm to the City Centre despite its closer proximity, the east side needs Moor Exchange, which will provide a similar “hub” of facilities;

- if rejected there will be no hub of facilities to serve the existing and new communities on the east side of Exeter that the Core Strategy requires, contrary to the Development Plan strategy to deliver sustainable communities;
- there is no adverse impact on any existing centre or the Bus and Coach Station proposals as confirmed by the two impact assessments the applicant had prepared and no evidence to the contrary;
- as a matter of common sense there cannot be competition with the Bus Station proposals which are leisure led and of completely different complexion;
- despite the problem of the supermarket operators, a positive response has been made to recent suggestions to change the scheme to include less non-food floor-space to provide for a discount food operator to sit alongside M&S Simply Food. This has been rejected but the offer remains, to be secured through conditions;
- the Chair of the Exeter Science Park states that the facilities are vital to business and essential they should proceed;
- the commercial view of the Chamber of Commerce is that the proposals will not harm the city centre - they represent the overall, balanced commercial view of the City's traders and investors, not "vested interests" who are simply seeking to protect against "competitors"; and
- overwhelming support from those living and working on the east side of Exeter.

Responding to Members' queries, he reiterated his statement that there was no evidence to refute the applicant's assertion that there would be no impact on City Centre retail patterns and advised that the aim was for a 2019 opening of the site.

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

- 1) The application site forms a significant part of the Monkerton and Hill Barton strategic allocation area. The scale and function of the proposed development would not accord with, and would be prejudicial to the achievement of, the strategic objectives for 'around 2,500 dwellings, and around 5 hectares of employment land and all associated infrastructure' at the Monkerton and Hill Barton area as set out in Policy CP19 of the Core Strategy.
- 2) The application conflicts with the proposed employment allocation in Policy DD2 of the Publication Development Delivery Development Plan Document, Policy DD3, that seeks to resist loss of employment allocations and Policy DD4 that limits local services within employment areas to those designed to serve the workforce need only.
- 3) The proposed development would not accord with the retail strategy focussed on mixed use development at the Bus and Coach Station in Exeter city centre and would therefore be contrary to Policy CP8 of the Exeter Core Strategy.
- 4) The application has failed to satisfy the sequential test and has not demonstrated that the Exeter Bus and Coach Station site would not be

suitable for the proposed town centre uses in accordance with Policy CP8 of the Core Strategy and paragraphs 24 and 27 of the National Planning Policy Framework.

- 5) The application has failed to demonstrate that the proposed development would not result in a significant adverse impact on committed and planned public and private investment in centres in the catchment area of the proposal; and on town centre vitality and viability in accordance with Policy CP8 of the Core Strategy and paragraphs 26 and 27 of the National Planning Policy Framework.
- 6) The application conflicts with Core Strategy policies CP8 and CP19. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, section 70(2) of the Town and Country Planning Act 1990, and Paragraph 12 of the National Planning Policy Framework it should therefore be refused as other material considerations do not indicate otherwise.

76

**PLANNING APPLICATION NOS. 15/0907/03 AND 15/0909/03 LAND OFF
EXETER ROAD, TOPSHAM, EXETER**

The Assistant Director City Development presented the application for six residential flats, car parking and associated facilities 15/0907/03); and Reserved Matters Application (Pursuant to Outline Planning Permission granted on 27th July 2015, ref 14/1605/01) for the approval of the appearance, landscaping, layout and scale of 22 dwellings on part of outline site (15/0909/02).

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.

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

- loss of Topsham Gap is a key issue. This is an environmentally sensitive area and has always been a distinct boundary between the unique areas of Topsham and Exeter. The Gap is being slowly eroded and will be eliminated with this development;
- calling this development a “gateway” is unacceptable as, not only does it lead to the loss of the Gap, but a two/three storey block on the corner is visually inappropriate as a gateway element;
- Retreat Drive is a rural lane and its character will change with the development as, not only will there be pedestrian access onto the Lane from the houses, but car parking on the verge will be inevitable;
- with the absence of play area provision, it has been suggested that the Ferry Road recreational area can be enhanced but, as it is some distance from this development, it is unlikely that children and families will seek to use it;
- higher density provision is out of keeping with neighbouring residential areas; and
- the Police have also expressed concerns regarding the density,

Mr Burley spoke against the application. He made the following points:-

- the site is an open field at the edge of 1930's/50's 2 storey ribbon development and forms a green edge on entry into Topsham. At the western end, where it adjoins Retreat Drive and leads to the listed Retreat, it has a distinctly rural appearance. The site was, until recently, part of the Topsham Gap, protected by landscape setting designation, which still applies to land to the north of Exeter Road;
- whilst residents opposed the previous outline applications, there is general acceptance that development will now occur, but a strong feeling that it should be compatible with the surrounding context. However, residents are dismayed that having granted the outline approval for a maximum of 23 units, City Council planners have been willing to recommend approval for a significant further intensification for the current combined scheme of 28 units;
- these proposals are nearly double the density of surrounding buildings well in excess of the original SHLAA units yield assessment (20 units) and highly urban in form and design. One block proposed is to be sited immediately against the footpath of Retreat Drive and will be three storeys high. Proposals generally, but this element in particular, are completely out of character with context, destroy the approach/setting of the listed Retreat and will create a hard, building dominated edge to the town;
- approval of a scheme of this type/design will both be an overdevelopment of this edge of small town site and it's intensity will be used by future applicants of adjoining areas to undermine the City Council's policy position to maintain the remaining Topsham Gap; and
- in addition to the architectural-design issues, residents are concerned:
 - that the proposal will adversely impact backdrop trees at the rear of the site, acknowledged by the applicant at outline stage as being critical;
 - that parts of the development will front and access onto Retreat Drive, which is an unadopted road, the owners of which have not been included in the consultation process;
 - that this frontage will encourage parking on Retreat Drive, intensifying traffic flows in the road and increasing the number of pedestrians crossing Exeter Road, creating a safety hazard. Members may be aware that a fatal accident occurred at the junction 2 years ago;
 - that whilst support to the initial outline application was obtained by offering discounted market housing, now that outline approval has been granted, this has been dropped. This appears a particularly cynical misuse of the public consultation process; and
 - that provisions for on-site play space have been omitted which might free up land for a future application for further development;
- with the City Council under housing number pressure, approval would be contrary to it's written policy and abdicate it's responsibility to administer good planning for the city;
- the applicant will dismiss residents views as NIMBYism, but the neighbourhood does not seek to prevent development, only ensure that it does not unnecessarily decimate the character of our community in pursuit of housing numbers and profit;
- the applicant has reconstructed the basis of their proposals since outline stage and there is justification in declining to accept this intensification and insisting the applicant reverts to the basis originally approved at outline stage; and

- resident's would urge Members to at least defer this application pending redesign to a form compatible with the immediate vicinity (i.e. two storey detached housing), avoiding access/use of Retreat Drive and providing a suitable level of separation and a landscaped buffer between the Drive and new development. The resultant impact of such a decision on housing numbers will be minimal within the overall Citywide context. The impact on the community would be significant.

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

- Heritage had a reputation for building high quality, cutting edge homes with a lot of attention paid to extensive landscaping and planting and this development will be the same. There will be a line of new semi mature trees along the entire road frontage providing a green screen to the development;
- a contemporary scheme has been designed to provide a distinctive gateway development and will not be a pastiche of historic architecture but offer the best in contemporary design, drawing on distinctive architectural features and materials as seen around Topsham but in a contemporary way;
- the use of traditional natural materials and colours, such as natural terracotta clay tiles and white render, will ensure that these buildings will weather well and look good for decades rather than just the first few years of their life;
- the linear pattern of existing housing has been continued but in looser form allowing the introduction of three courts around which other dwellings have been arranged. This enables them to be concealed from the main road and allows efficient use of the site;
- the mass and footprint of the applications follow closely the indicative plan that is already approved in outline. The additional numbers of units have been achieved by simply including some smaller one and two bed apartments within the proposed blocks without significantly increasing the footprint;
- just three of the buildings are three stories high. However the shallow 20 degree pitch roofs of the three story buildings mean their ridge heights are actually no more than a two story building with a traditional 45 degree pitch roof and the second floors are lower than the motorway bridge;
- the buildings are in proportion to their setting, in particular, they are not overpowered by the mass of the Motorway embankment;
- the scheme provides a distinct gateway feature and a clear end to the development rather than simply allowing the linear line of houses to extend with an inappropriate juxtaposition adjacent to the motorway;
- these will be zero carbon homes with careful attention paid to sound attenuation both inside and out. Mechanical heat recovery and ventilation, triple glazing, and exceptional sound insulation will ensure these homes are not only ecofriendly, but pleasant and quiet to live in. Careful orientation of the buildings, acoustic fences and boundary walls will shelter the external gardens; and
- these are ground breaking twenty first century homes, in a modern City, that will stand the test of time.

He responded as follows to a Member query:-

- the City Council housing officers had requested the transfer of six units to the City Council as affordable homes and two further properties are available as shared equity purchases at 75%.

RESOLVED that planning permission for Reserved Matters Application (Pursuant to Outline Planning Permission granted on 27th July 2015, ref 14/1605/01) for the approval of the appearance, landscaping, layout and scale of 22 dwellings on part of outline site (15/0909/02) be **DEFERRED** for further negotiations with the applicant on density and the approach to open space. The Council's view on affordable houses should be clarified and residents' views sought on the approach to open space.

RESOLVED that planning permission for six residential flats, car parking and associated facilities (15/0907/03) be **DEFERRED** for further discussions with the applicant.

RESOLVED that the Chair of this Committee and Ward Councillors be kept informed on the progress of any negotiations.

77 **PLANNING APPLICATION NO. 14/1579/03 - LAND TO WEST OF PILTON LANE, EXETER**

The Principal Project Manager (Development) presented the application for residential development of the site to accommodate 53 dwellings and associated works (revised plans reducing number of dwellings from 73 to 53).

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

The Principal Project Manager (Development) advised that a Flood Risk assessment had been submitted and that the Environment Agency had accordingly withdrawn their objection, South West Water had no comments in respect of the drainage strategy and County Highways regarded the access off Bakers Way as acceptable. A reptile survey had been received prior to the meeting and would be assessed.

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

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

- given the potential adverse impact on the proposed Exhibition Way link road as a result of the Inspector's decision on the Town Green application, the high level of traffic flow will not be alleviated at present and this will be exacerbated by traffic emerging from this development - right turns out of the site in peak periods will be very difficult;
- the recommendation to delegate to the Assistant Director refusal of the application if the Section 106 Agreement is not signed within six months should be removed; and
- the word "viable" in condition 8 weakens the City Council position and should be removed.

The Principal Project Manager (Development) stated that the issue of right turn access from the site had not been highlighted to County Highways and he undertook to clarify that they had considered this. He assured Members that no work could commence until the Section 106 Agreement had been signed and that it was therefore appropriate for both this recommendation and condition 8 to remain.

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

- speaking on behalf of the owners of the three properties located in the south-east corner of the proposed development site - Pilton Cottage, Stable Cottage and Belmoor Lodge;
- reject the report's contention that the development would not be inconsistent with the Monkerton and Hill Barton Master Plan. The building of a pub does not achieve the mix of uses originally proposed for this site. There are no retail outlets complimentary to Sainsburys, no office/employment opportunities and none of the much needed community facilities proposed and accepted in the Master Plan;
- concerns about the mix of dwellings, the lack of on-street parking and the failure to meet the 10% open space requirement, but main concerns are related to the residential amenity of our properties;
- if approved, local residents should be included in any discussion of further details set out in Condition 18;
- Mr Scarborough asked for the following six requirements to be met as part of condition 18 and the response of the Principal Project Manager for each is set out in italics:-

- ball games will not be permitted in the public open space;

this was not a matter that could be controlled through the planning process;

- plots 33 and 34 are built not less than the required 22 metres from the rear windows of our properties;

this would not be the case. The separation distance was circa 17 metres which was considered acceptable in this context;

- plot 35 is not built with less than the required 22 metres distance from the windows of Pilton Cottage;

this would not be the case. The relationship was an oblique one and in those circumstances the 22 metres distance would be applicable;

- the proposed boundary hedge will be not less than 2 metres from all our walls, including the wall on the eastern boundary where currently only 1 metre distance is proposed, making maintenance of the property difficult if not impossible;

the difference was due to the presence of windows on one boundary but not the other and was considered reasonable;

- the boundary hedge will be closed off at each end. Otherwise, there will be no security for our properties rather than the already seriously reduced security;

this would be explored as part of the discharge of the landscaping condition;

- the boundary hedge will be extended at its western end to include existing access from Pilton Cottage. Otherwise, we will have no access to the “service strip”.

not desirable due to the creation of unusable space lacking surveillance and thereby potentially a security issue;

RESOLVED that, subject to the reptile survey being satisfactory, the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 covering:-

- affordable housing;
- district heating;
- open space - public access and maintenance arrangements; and
- travel plan - financial contribution £500/dwelling and any necessary changes to access arrangements pending the comments of the Highways Engineer being agreed with the Chair;

the Assistant Director City Development be granted delegated authority to issue approval, subject to the conditions as set out in the main report and update sheet.

It was also noted that when details of the landscaping and boundary treatments of the open space were submitted pursuant to condition 18, the case officer would liaise with adjoining residents and the Chair prior to agreeing that.

planning permission for residential development of the site to accommodate 53 dwellings and associated works (Revised plans reducing number of dwellings from 73 to 53) be **APPROVED**, subject also to the following conditions:-

- 1) C05 - Time Limit – Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 18th June 2014 and 7th August, 23rd September, 6th and 13th October 2015 (*dwg. nos. 435 102 Rev A, 435 011 Rev S, 435 012 Rev F, 435 015 Rev B, 435 017 Rev A, 435 016 Rev A, 435 121 Rev C, 435 201, 435 202, 435 203, 435 103 Rev C, 435 109, 435 110 Rev B, 435 111 Rev C, 435 112, 435 120 Rev C, 435 121 Rev B, 435 122 Rev B, 435 123 Rev C, 435 124 Rev C, 435 125 Rev C, 435 126 Rev C, 435 130 Rev B, 435 131 Rev B, 435 140 Rev B, 435 141 Rev C, 435 160 Rev C, 435 161 Rev C, 435 162 Rev C, 435 1635 Rev B, 435 180 Rev B, 435 181 Rev B, 435 200 Rev B and 931/PA/02*) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Samples of the materials it is intended to use 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.
- 4) The development shall not begin until full details of the proposed drainage scheme (including details of the on-going maintenance arrangements for any communal un-adopted elements of the drainage scheme) have been submitted to and approved by the Local Planning Authority in writing (in consultation with Devon County Council as the Lead Local Flood Authority). The drainage details submitted pursuant to this condition shall accord with the submitted Flood Risk Assessments by Jubb

Consulting Engineers Ltd report no. P8825/G201/B dated July 2006 and Fairhurst Consulting Engineers (Job No. 200206) received on 27th October 2015. In respect of surface water the drainage works shall comprise a Sustainable Urban Drainage Scheme (SUDS) unless it is clearly demonstrated in writing that it is unviable or unfeasible to do so on this site. Thereafter the development shall be implemented in accordance with the approved details. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the satisfactory drainage of the development.

- 5) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.

- 6) 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 the details specified on drawing no 931/PA/02. 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.

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

- a) There shall be no burning on site during demolition, construction or site preparation works;
- b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;
- c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.

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

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

- 8) 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 in accordance with the CIBSE Heat Networks Code of Practice 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.

- 9) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes (CSH) Level 4 in respect of Energy and CO₂ Emissions including a 44% CO₂ emissions rate reduction from Building Regulations Part L 2006 as a minimum, 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.
- 10) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority an assessment to show how the requirements of condition 9 above will be met. The measures set out in that assessment shall subsequently be implemented on site in relation to each individual dwelling prior to the first occupation of that dwelling.
Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.
- 11) 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.
- 12) No part of the development hereby approved shall be occupied until the pedestrian crossing facilities at the junction of the main access road and Bakers Way have been provided and maintained in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and retained for that purpose at all times.
Reason: To ensure a safe and suitable access is provided for pedestrians to the site.
- 13) No more than 50% of the development hereby approved shall be occupied until the pedestrian/cycle connections of 2.0 metres width from the development to Pinhoe Road and of 3.5 metres width to Pilton Lane, as indicated on Drawing 012 Revision F, have been provided. Thereafter they shall be retained for this purpose at all times.
Reason: To provide safe and suitable access and adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.
- 14) 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.

- 15) Prior to occupation of any dwelling 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.
- 16) Prior to the commencement of the development hereby approved the further reptile survey work identified on page 11, Section 4.2 of the Extended Phase 1 Habitat Report by First Ecology dated May 2013 shall be carried out, and the results and any mitigation measures (including timeframe) arising from the findings shall be submitted to, and be agreed in writing by, the Local Planning Authority. Thereafter the development shall proceed strictly in accordance with the agreed details.
Reason: To ensure that appropriate measures are in place to identify and mitigate any impact on resident reptile populations occupying the site.
- 17) The landscaping scheme detailed on drawing no 931/PA/02 shall be implemented in accordance with a timeframe that shall be agreed in writing by the Local Planning Authority prior to the occupation of the first dwelling on the site.
Reason: In the interests of the visual amenity of the area.
- 18) Notwithstanding the details shown on drawing no 931/PA/02 further details of the proposed landscaping and boundary treatments in relation to the public open space at the southern end of the site, and the timeframe for implementation of those works, shall be submitted to, and be approved in writing by the Local Planning Authority prior to the occupation of the first dwelling hereby approved.
Reason: To ensure that the landscaping and boundary treatment of the public open space is properly considered and designed in terms of both the visual amenity of the area and the residential amenity of the occupants of surrounding properties.
- 19) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re-enacting that Order, no extension, garages or other development shall be carried out within the curtilage of the dwellings without the formal consent of the Local Planning Authority.
Reason: In order to protect the visual and residential amenities of the surrounding area and to prevent overdevelopment.
- 20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted above ground floor level in the east elevation of plot 34 without the prior written approval of the Local Planning Authority.
Reason: To protect the residential amenities of the occupants of the adjoining property.
- 21) Prior to the commencement of the construction of Plots 8, 9, 10 and 11 fronting Pinhoe Road Air Quality and Noise Impact Assessments shall be undertaken and the results, together with any necessary mitigation measures, shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the development shall proceed strictly in accordance with the approved details.
Reason: In the interests of the residential amenities of the future occupants of these properties.

In the event that the Section 106 agreement is not completed within six months of the date of this committee meeting, authority be delegated to the Assistant Director City Development to **REFUSE** permission for the reason that inadequate provision has been made for matters which were intended to be dealt with in the Section 106 agreement.

78

PLANNING APPLICATION NO 15/1049/03 - PILTON HOUSE, PILTON LANE, PINHOE

The Assistant Director City Development presented the application for reserved matters for two dwellings.

The recommendation was for approval subject to the conditions set out on the update sheet.

RESOLVED that planning permission for reserved matters for two dwellings be **APPROVED**, subject to the following conditions:-

- 1) The development hereby approved must be begun within five years from the date of the grant of outline planning permission, or two years from the final approval of the reserved matters, whichever is the longer.
Reason: To ensure compliance with section 91 - 92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 29th September 2015 (*Dwgs. Named: Site Plan/House Type 1 & 2 elevations/House Type 1 & 2 Floor Plans/Cross Sections/Schedule of Accommodation*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Samples of the materials it is intended to use 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 the 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.
- 4) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority prior to the occupation of the dwellings; the scheme shall specify types and species, and any earthworks required, together with a programme of planting and the timing of implementation of the scheme.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 5) C36 - No Trees to be Felled
- 6) C37 - Replacement Planting

- 7) C38 - Trees - Temporary Fencing
- 8) No part of the development hereby approved shall be occupied until the on-site parking facilities together with any means of access have been provided in accordance with details hereby approved and shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 9) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operative's vehicles, construction plant and materials 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 during the construction period.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site during the construction period having regard to the limited width of access to the site, in the interest of public safety.
- 10) 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.
- 11) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes (CSH) Level 4 in respect of Energy and CO2 Emissions including a 44% CO2 emissions rate reduction from Building Regulations Part L 2006 as a minimum, 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.
- 12) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority an assessment to show how the requirements of condition 11 above will be met. The measures set out in that assessment shall subsequently be implemented on site in relation to each individual dwelling prior to the first occupation of that dwelling.
Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.
- 13) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of local amenity.

- 14) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained thereafter.

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

79

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

80

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

81

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 17 November 2015 at 9.30 a.m. The Councillors attending will be Denham, Lyons and Prowse.

(The meeting commenced at 5.30 pm and closed at 7.55 pm)

Chair

PLANNING COMMITTEE

Monday 30 November 2015

Present:

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

Also Present:

City Development Manager, Principal Project Manager (Development) (PJ), Project Officer
Planning (AL) and Democratic Services Officer (Committees) (HB)

82 DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

83 BUS AND COACH STATION SITE

In view of the significance of the planning application below and the multitude of issues which need to be taken into account, the application would be considered at an Extraordinary Meeting of the Council in the Guildhall on 14 December 2015 starting at 6.00pm.

APPLICATION NO: 15/0791/01

LOCATION: Exeter Bus & Coach Station Redevelopment Area, Paris Street, Exeter, EX1

PROPOSAL: Demolition of existing buildings at Exeter Bus & Coach Station, no. 188 Sidwell Street & nos 1-29 (odds) Paris Street for a comprehensive retail-leisure led mixed use development comprising Use Classes A1, A2, A3, A4, A5 [retail including food & drink uses], D1 & D2 [assembly & leisure] & including a new Leisure Centre & new Bus Station, with associated access landscaping and public realm works.

84 PLANNING APPLICATION NO. 15/0645/03 - 30-32 LONGBROOK STREET, EXETER

The Principal Project Manager (Development) (PJ) presented the application for construction of a six storey building comprising ground floor retail use and student accommodation for 25 studio units.

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.

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

- live in Longbrook Street and viewed original plans, elements of which have been changed during the planning process, including removal of timber cladding;
- only four bicycle parking spaces have been provided which will be insufficient for the 25 student flats proposed;

- some flats are to be for use by the disabled but, as all have fold down beds, there would appear to be insufficient room for this cohort;
- the retail space on the ground floor is unnecessary especially as space reserved for retail in Portland House opposite, also a student block, is yet to be occupied;
- the height remains a concern as the building will be twice as high as the adjacent property and it is considered that it will be out of character with the area. Although Portland House opposite possesses six storeys, the building is set back further from the pavement edge and the top floor is also set back on the building itself. The Portland House has a larger footprint and the height is therefore proportionate. This proposal will be closer to the pavement edge than Portland House; and
- this development will not improve the gateway to Longbrook Street.

Members, referring to the small size of the rooms suggested that the development would benefit from a community or amenity room and that a launderette would also be beneficial. It was noted that the proposal was not at the high end of student accommodation, as was the case with some other student provision in the City, and that some students would opt for cheaper accommodation. They might also be attracted to a city centre location. It was reported that there was no provision for disabled students and that such provision was not a requirement but that 25 cycle parking spaces were to be provided. There would not be 24/7 warden coverage but a student management plan would ensure suitable arrangements in respect of student welfare, security and with appropriate communication channels for local residents.

It was also noted that the University Guild was not a statutory consultee but that it did receive the weekly list. Members felt that the issue of consultation, as well as accommodation for disabled students and Guild views on student accommodation in general, could be beneficially raised at the University Task and Finish Group.

RESOLVED that subject, to the completion of a Section 106 Agreement under the Town and Country planning Act 1990 securing a Student Management Plan, planning permission for construction of a six storey building comprising ground floor retail use and student accommodation for 25 studio units 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 November 2015 (dwg no. GA-01 rev A; GA-02 rev A; GA-10 rev E; EL-01 rev C; EL-02 rev C) and 24 November 2015 (dwg nos; EL-03 rev D & EL04 rev D) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) 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; availability of areas to accommodate operatives' vehicles, construction plant and material; emissions of noise and dust and hours of demolition/construction work.
Reason: In the interest of the environment of the site and surrounding areas.

- 5) The contamination remediation must be carried out in accordance with the John Grimes Partnership Environmental Report dated January 2015, unless otherwise agreed in writing by the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site then no further development, unless otherwise agreed in writing with the Local Planning Authority, shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
Reason: In the interests of the amenity of the occupants of the buildings hereby approved.
- 6) C57 - Archaeological Recording
- 7) The building hereby approved shall not be brought into its intended use until secure cycle parking facilities for residents have been provided in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the said cycle parking facilities shall be retained for that purpose at all times
Reason: To ensure that cycle parking is provided, in accordance with Exeter Local Plan Policy T3.
- 8) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
a) windows to include means of opening, reveals, cills and headers;
b) layout of roof area and roof mounted plant equipment;
c) shop front external window and door display;
d) rainwater goods; and
e) refuse storage building.
Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.
- 9) Before the first occupation of the building hereby permitted the window in the southern elevation as shown on dwg no. EL-02 shall be fitted with obscure glazing to be agreed in writing with the Local Planning Authority and shall be permanently retained in that condition thereafter.
Reason: To prevent overlooking of the neighbouring residential flat

85

**PLANNING APPLICATION NO. 15/0907/03 AND 15/0909/03 - LAND OFF
EXETER ROAD, TOPSHAM, EXETER**

The City Development Manager presented the application for six residential flats, car parking and associated facilities 15/0907/03); and Reserved Matters Application (Pursuant to Outline Planning Permission granted on 27 July 2015, ref 14/1605/01) for the approval of the appearance, landscaping, layout and scale of 22 dwellings on part of outline site (15/0909/02).

The Section 106 Agreement was proposed to be revised to take account of the variation to the open space requirement and to the affordable housing. It was

proposed to deliver the latter on land to the rear of this site which the applicant was to acquire also for housing. The open space, which would exceed the minimum requirement of 10%, would then serve both developments. In addition, a commuted sum of £42,000 would be provided for improvements to the Recreation Ground playing area. This money could also be used to facilitate access from these developments to the park.

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

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

- at the outline stage it was understood that some of the homes would be for Topsham residents but this now appears to have been a “backdoor” approach to achieve approval for a development in an environmentally sensitive area and that this undertaking will not be kept;
- there has been no change since the Committee meeting on 2 November in respect of the height of the buildings and the provision of the play area. The provision of the latter on either the land to the rear of the site which the applicant is looking to acquire or the land to the side of the development close to the motorway are only suggestions;
- the Topsham Gap is an important landscape setting which will be further eroded with this development. The importance of the Gap is recognised through the opposition to the development adjacent to the rugby club by both the planning authority and the local community. The Motorway acts as a distinct boundary;
- the outline application indicated a lower density and the site was screened by trees to reduce visual impact. Further, the flyer circulated in Topsham suggested that low price homes would be available for Topsham residents;
- the buildings were also lower in height at the outline stage. Now two blocks of two stories and one three storey block are proposed. The latter, in particular, is similar in height to the motorway embankment and will be unacceptably dominant in the approach into Topsham beyond the motorway bridge;
- the “21st Century design for a 21st Century urban area” is out of keeping with the character of Topsham;
- the development will destroy the landscape setting; and
- request the Committee to reject the application and preserve the Topsham Gap.

Mr Burley spoke against the application. He made the following points:-

- nominated by local residents in Retreat Drive/Wessex Close to make further representations in respect of the two applications;
- on 2 November, the Chair concluded that the concerns of local residents were “persuasive” and the Committee voted unanimously to defer this application for the following issues to be reconsidered:-
 - reincorporation of a open/play space, consulting with the community as to the preferred type of provision, that is, on site or at the Rec;
 - rejection of “incremental planning” and a reduction in density back to the original outline approval 23, including the omission of the three storey elements;
 - omission of the pedestrian access to Retreat Drive; and

- incorporation of a separation gap and landscape between the new scheme and Retreat Drive, mitigating the current highly urban design on this small town fringe site;
- the applicant has ignored every point. The consultation on recreation space was a sham, and the proposal is a fudge, leaving provision open to post approval negotiation. As neither site options are on land within the applicant's ownership or, critically within the application red line, it is probable that neither will be enforceable and this site will end up with no on-site provision, contrary to what was requested by the Committee;
- the refusal to consider any modification to the scheme highlights the desire to maximise development profit;
- the residents of Wessex Close and Retreat Drive accept development will take place but feel strongly that, as previously cast and currently presented, proposals are unsatisfactory. Furthermore, it might undermine the City Council's carefully constructed position on the upcoming Topsham Gap Public Inquiry; and
- the Committee is urged to stand by the reservations felt when considering this application previously and reject the identical proposals being represented again. The scheme should be withdrawn and re-submitted when all the issues, including that for the adjoining Wessex Close site, if this is to be incorporated and used for open space, have been properly scrutinised.

He responded as follows to Members' queries:-

- real concern that the site adjacent to Wessex Close will not be developed as indicated by the applicant and that, accordingly, an open space area will not be provide;
- the suburban type of small town adjacent to the site will be lost through the creation of a continuous, ribbon style development; and
- the three storey element for the block close to the motorway suggests a continuation in the height of the motorway.

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

- application deferred to review density and the location of the open space;
- keen to ensure that any development on this site and the site to the rear, adjacent to Wessex Close, works together as open comprehensive scheme. This will ensure that the roads, pedestrian access and site layouts work better and as effectively as possible, making best use of the available space and amenity areas;
- confirm that whilst both pieces of land have been in separate ownerships, Heritage have now also secured control of the area of land to the rear adjoining Wessex Close. Can therefore ensure that there will be suitable open space throughout the scheme and safer areas of amenity space, including an attractive open green to the rear section of land, which will be available for children to play on away from the busy main road;
- more than 10% of open space will be provided on site throughout the scheme but, in addition, prepared to continue to offer £42,000 to enhance the Playing Fields in Ferry Road which will be of benefit to all existing residents in the area;
- Ferry Road Playing Field is just 0.5 miles from this site and just 0.7 mile from the furthest point on the site not over a mile. It is just nine minutes walk away and therefore must be considered to be conveniently located to serve the development in accordance with policy;

- regarding density, Heritage are not trying to cram more density on to the site. The site coverage of the applications is 65sq metres less than the indicative outline scheme and the total floor area of the application, including the three storey elements, on just three dwellings is only 83 square metres more than the approved outline scheme; and
- the additional number of dwellings have been contained within the same mass of construction as was approved by the outline application and this has been achieved by reducing the average size of the dwellings so as to provide a more affordable mix of homes to cater for a wider range of buyers and broader price range.

He responded as follows to Members' queries:-

- the Flyer distributed to local residents referred to the availability of shared equity homes and he confirmed that he was happy for these to be made available for Topsham residents. Other homes were to be purchased by the City Council for rent but on a City wide basis rather than specifically reserved for local people; and
- the three storey element for the block close to the motorway provided a stepped approach in height which was considered preferable to a lower building which would not fit as well next to the motorway.

RESOLVED that planning permission for Reserved Matters Application (Pursuant to Outline Planning Permission granted on 27 July 2015, ref 14/1605/01) for the approval of the appearance, landscaping, layout and scale of 22 dwellings on part of outline site (15/0909/02) be **APPROVED**, subject to the following revision in respect of open space provision to the Section 106 Agreement under the Town and Country Planning Act 1990

"Before Occupation of any Dwelling the Owner shall submit to the city Council for approval:

- a) A plan showing the area or areas within the current application sites to be used as Open Space together with a financial contribution of £42,000, unless otherwise agreed in writing with the Local Planning Authority;
- b) A proposed specification for the laying out and subsequent maintenance of the Open Space; and
- c) Proposed arrangements for the transfer of the Open Space to a Management Company and for the recovery by that Management Company of service charge contributions from the owners of the Dwellings towards the upkeep and maintenance of the Open Space".

and subject also to the following conditions:-

- 1) C06 - Time Limit - Approval of Reserved Matter
- 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 17th August 2015 (*Dwg. Nos. EXRD-PL1,3,7 & 9/ EXRD-PL2,8 & 10/ EXRD-PL18 & 19/ EXRD-PL20-22*) and 20th October 2015 *Dwg. Nos. EXRD-001-SITE PLAN/EXRD-002-HARD LANDSCAPING LAYOUT 1 of 2/ EXRD-002-HARD LANDSCAPING LAYOUT 2 of 2/EXRD-004-SITE PLAN WITH OPEN SPACE/ EXRD-PL4/ EXRD-PL5 & 6/ EXRD-PL11 & 12/ EXRD-PL13/ EXRD-PL14-17*), as modified by other conditions of this consent.

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

- 3) The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals
- 4) No part of the development hereby approved shall be occupied until cycle parking facilities have been provided in accordance with details (including access arrangements) that shall previously have been submitted to agreed and approved in writing by the Local Planning Authority and maintained for that purpose at all times.
Reason: To encourage travel by sustainable modes
- 5) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.
Reason: In the interest of public safety.
- 6) No more than 14 dwellings in the development hereby approved shall be occupied until a pedestrian/cycle connection of at least 3.0 metres width between the site access and Retreat Drive, as indicated on the October 2015 site plan, has been provided and made available for public use. Such a link shall be maintained for this purpose at all times.
Reason: To provide adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.
- 7) Samples of the materials 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.
- 8) Any trees, shrubs and/or hedges on or around the site shall not be felled, lopped or removed without the prior written consent of the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 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) 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 a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2005 - 'Trees in Relation to Construction'. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.
Reason: To ensure the protection of the trees during the carrying out of the development.
- 11) All trees shall be a minimum of 10-12cm girth and shall be container grown, the trees shall not be planted until written approval has been provided by the Council's Arboricultural Officer that he/she is satisfied with the condition and form of the proposed trees. Any trees delivered to site or planted must comply with *Trees: from nursery to independence in the landscape – Recommendations BS 8545:2014*. The Council reserves the right to reject, and require the replacement of any trees that do not comply with the above British Standard either prior to or following the planting of the trees. Owing to the above, and prior to the trees being delivered to site or planted, the applicant is advised to seek approval from the Planning Department that the form and quality of the trees is acceptable.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
All trees planted within or adjacent to hard surfaces should be planted into tree pits utilising an underground crating system.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 12) All trees planted within or adjacent to hard surfaces should be planted into tree pits utilising an underground crating system.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 13) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes (CSH) Level 4 in respect of Energy and CO2 Emissions including a 44% CO2 emissions rate reduction from Building Regulations Part L 2006 as a minimum, 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.

- 14) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority an assessment to show how the requirements of condition 13 above will be met. The measures set out in that assessment shall subsequently be implemented on site in relation to each individual dwelling prior to the first occupation of that dwelling.
Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.
- 15) No part of the development hereby approved shall be brought into its intended use until a visibility splay at the site access to Exeter Road has been provided, where the visibility splay provides inter-visibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distance along the nearer edge of the carriageway of the public highway (identified as Y) shall be 55 metres in both directions, and retained for that purpose.
Reason: To provide adequate visibility from and of emerging vehicles required to provide a safe and suitable access to the site.
- 16) No development related works shall take place within the site 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.
- 17) Prior to the occupation of the dwellings hereby approved, a wildlife plan indicating how the design and layout of the site and buildings will maximise wildlife opportunities and habitat within the site, shall be submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that wildlife opportunities and habitat are maximised in the development of the site in the interests of biodiversity.
- 18) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP, the following restrictions shall be adhered to:
a) There shall be no burning on site during demolition, construction or site preparation works;
b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday 0800 to 1300 on Saturdays and not at all on Sundays and Public Holidays;
c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.
The approved CEMP shall be adhered to throughout the construction period.
Reason: To protect neighbouring residential amenity.
- 19) No development shall take place until a scheme for protecting the proposed development from noise has been submitted to the Local Planning Authority and approved in writing. All works that form part of the scheme shall be completed before any of the permitted development is occupied. *The*

applicant should aim to achieve at least the standards for internal and external noise levels specified in BS8233:2014 Sound Insulation and Noise Reduction for Buildings.

Reason: To protect future residential amenity.

- 20) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.

- 21) 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.

- 22) Notwithstanding the provisions of the Town and Country Planning General Development Order 19995 or any Order revoking and re-enacting that Order, no extension, garages or other development shall be carried out within the cartilage of the dwellings without the formal consent of the Local Planning Authority.

Reason: In order to protect the visual and residential amenities of the surrounding area and to prevent overdevelopment.

- 23) All gates to private gardens shall only be recessed by a maximum of 500mm.

Reason: To ensure the community is designed in a safe and secure way and in compliance with Policy DG7 of the Exeter Local Plan.

RESOLVED that six no. residential flats, car parking and associated facilities 15/0907/03) be **APPROVED**, subject to a revised Section 106 agreement under the Town and Country Planning Act 1990 to secure the provision of 2 no. one bedroom flats as intermediate rental housing and 6 no. two bedroom flats to be socially rented together with an additional commuted sum payable because of the increase in provision of houses from 27 to 28, the sum to be finalised with the developer and also form part of the varied Section 106 Agreement and subject also to the following conditions:-

- 1) C05 – Time Limit – Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 17th August 2015 (*Dwg. No. EXRD-PL23-28*) and 20th October 2015 (*Dwg. Nos. EXRD-001-SITE PLAN/EXRD-002-HARD LANDSCAPING LAYOUT/EXRD-004-SITE PLAN WITH OPEN SPACE*), as modified by other conditions of this consent

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

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

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

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

Reason: To encourage travel by sustainable modes.

- 5) No part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.

Reason: In the interest of public safety.

- 6) No part of the development hereby approved shall be occupied until a pedestrian/cycle connection of at least 3.0 metres width between the site access and Retreat Drive, as indicated on the October 2015 site plan, has been provided and made available for public use. Such a link shall be maintained for this purpose at all times.

Reason: To provide adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.

- 7) Samples of the materials 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.

- 8) Any trees, shrubs and/or hedges on or around the site shall not be felled, lopped or removed without the prior written consent of the Local Planning Authority.

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

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

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

- 11) All trees shall be a minimum of 10-12cm girth and shall be container grown, the trees shall not be planted until written approval has been provided by the Council's Arboricultural Officer that he/she is satisfied with the condition and form of the proposed trees. Any trees delivered to site or planted must comply with *Trees: from nursery to independence in the landscape – Recommendations BS 8545:2014*. The Council reserves the right to reject, and require the replacement of any trees that do not comply with the above British Standard either prior to or following the planting of the trees. Owing to the above, and prior to the trees being delivered to site or planted, the applicant is advised to seek approval from the Planning Department that the form and quality of the trees is acceptable.

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

- 12) All trees planted within or adjacent to hard surfaces should be planted into tree pits utilising an underground crating system.

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

- 13) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes (CSH) Level 4 in respect of Energy and CO2 Emissions including a 44% CO2 emissions rate reduction from Building Regulations Part L 2006 as a minimum, 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.

- 14) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority an assessment to show how the requirements of condition 13 above will be met. The measures set out in that assessment shall subsequently be implemented on site in relation to each individual dwelling prior to the first occupation of that dwelling.

Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.

- 15) No part of the development hereby approved shall be brought into its intended use until a visibility splay at the site access to Exeter Road has been provided, where the visibility splay provides intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distance along the nearer edge of the carriageway of the public highway (identified as Y) shall be 55 metres in both directions, and retained for that purpose.

Reason: To provide adequate visibility from and of emerging vehicles required to provide a safe and suitable access to the site.

- 16) No development related works shall take place within the site 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.

- 17) Prior to the occupation of the dwellings hereby approved, a wildlife plan indicating how the design and layout of the site and buildings will maximise wildlife opportunities and habitat within the site, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that wildlife opportunities and habitat are maximised in the development of the site in the interests of biodiversity.

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

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

b) Unless otherwise agreed in writing, no construction or demolition works shall

be carried out, or deliveries received, outside of the following hours:

0800 to

1800 hours Monday to Friday, 0800 to 1300 on Saturdays and not at

all on

Sundays and Public Holidays;

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

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

Reason: To protect neighbouring residential amenity.

- 19) No development shall take place until a scheme for protecting the proposed development from noise has been submitted to the Local Planning Authority and approved in writing. All works that form part of the scheme shall be completed before any of the permitted development is occupied. *The applicant should aim to achieve at least the standards for internal and*

external noise levels specified in BS8233:2014 Sound Insulation and Noise Reduction for Buildings.

Reason: To protect future residential amenity.

20) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.

21) 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.

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**PLANNING APPLICATION NO. 15/0895/03 - BROADWALK HOUSE,
SOUTHERNHAY WEST, EXETER**

The Project Officer (Planning) (AL) presented the application for refurbishment and change of use of ground floor to provide 2 no. Class A3 restaurants, including erection of conservatories and laying out of external seating areas; remodelling of public realm including hard and soft landscaping and associated works (Departure from Local Development Plan)

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

It was noted that Historic England had responded to the second consultation on revised drawings and, following on from their initial comments, the revised proposals were deemed to be acceptable.

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

Mrs Forster spoke against the application. She made the following points:-

- had moved to Trinity House after ill health to benefit from the close proximity of city centre shops in this quiet area overlooking the Roman Walk, the block also including disabled residents and veterans who also valued this quiet location;
- the presence of restaurants would therefore disturb this quiet, especially during the evenings. Both would possess outside seating areas in the form of conservatories extending out of the restaurants and these would be overlooked by the balconies to the flats which were often used by residents;
- opening hours for the restaurants of 08.00 hours to 12 midnight Friday and Saturday and 08.00 hours to 23.00 hours the rest of the week would disturb

residents particularly at close of business with clearing up, removal of chairs and departure of diners; and

- there are already a number of restaurants in the city centre with more to be provided at both the Guildhall and the proposed Bus and Coach station re-development.

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

- Senior Asset Manager at The Crown Estate with responsibility for Princesshay including Broadwalk House and previously employed by Land Securities and am familiar with Princesshay, Broadwalk House and the City Centre generally;
- the City Centre is the most appropriate location for restaurants and issues covered are perceived loss of offices, residential amenity and heritage;
- the application properties have not been in office use for some time the last uses being an Estate Agent and medical consulting room. The argument that the proposals will result in the loss of office floor space and in some way be contrary to policy is misleading. Nevertheless, the units comprise less than 5% of Broadwalk House as a whole and both units are vacant and providing no employment opportunities. Currently, and not including these units, about 40% of Broadwalk House is vacant. The proposals will secure the re-occupation of the space by two restaurants and deliver approximately 40 new jobs;
- the proposals do not physically affect the continued use of the upper floors for Class B1 offices and there will be no changes in their access arrangements or total floor space currently in Class B1 use;
- it is common in town centres in the UK for restaurants to be part of mixed use sustainable development and many new purpose built schemes include restaurants at ground floor so as to add to the vitality and viability of the centres. Generally they are considered to be complementary facilities that provide convenient services for office occupiers and residents as well as shoppers and visitors. This is already the case in parts of the City Centre, including elsewhere in Princesshay;
- the application is supported by specialist reports that confirm the proposals and will not give rise to unacceptable impacts in terms of noise and smells and this is agreed with the City Council's Environmental Health Officer. There will be conditions relating to the proposed hours of use and emissions;
- the proposed restaurants will be managed as part of the wider Princesshay Centre which includes CCTV monitoring and security foot patrols 24/7, 365 days a year;
- extensive consultation has taken place with Historic England and the Council's Heritage Officer and the proposals fully address all of their issues and will improve the setting of the Roman Wall and deliver an improved public realm; and
- request that planning permission be granted with view to proceeding with the development in spring 2016 to facilitate a planned opening of the restaurants in late summer 2016, solicitors having been instructed with two lettings for the proposed units.

She confirmed that conditions regarding suitable opening hours and controls on the outside seating area were acceptable. It was noted that the blitz memorial was outside the restaurant areas but that this re-development was likely to increase public familiarity with this feature.

RESOLVED that planning permission for refurbishment and change of use of ground floor to provide two no. Class A3 restaurants, including erection of conservatories and laying out of external seating areas; remodelling of public realm including hard and soft landscaping and associated works (Departure from Local Development Plan) 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, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement should include details of access arrangements and timings and management of arrivals and departures of vehicles. Prior to commencement it is recommended that the developer consults, and if necessary meets with, the Local Highway Authority to establish a safe means of progress. The approved Statement shall be adhered to throughout the construction period.
Reason: In the interests of highway safety and public amenity.
- 4) C57 - Archaeological Recording
- 5) Before the use hereby permitted begins, a scheme for the installation of equipment to control the emission of smoke, fumes and smell from the premises shall be submitted to, and approved in writing by, the local planning authority and the approved scheme shall be implemented. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions thereafter.
The applicant should be advised that further guidance on the required information is available in annex B of the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.
Reason: To protect neighbouring amenity.
- 6) The uses hereby permitted shall not operate other than between the hours of 8am to 11pm (Sunday to Thursday) and 8am to 12 midnight (Friday and Saturday).
Reason: To protect neighbouring amenity.
- 7) A detailed scheme for hard and soft landscaping, including the planting of trees and/or shrubs, and the use of reclaimed architectural stone from the Princesshay archaeological excavations, shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved such a scheme. The scheme for hard landscaping shall specify materials, location and method for the use of the reclaimed stone and further details of the paving materials, any proposed street furniture and lighting and any other matters related to hard landscaping. The scheme for soft landscaping shall detail all species, tree and plant sizes, together with the timing of the implementation of the scheme and future management arrangements for the soft landscaping. The landscaping shall thereafter be implemented in accordance with the approved scheme unless otherwise agreed in writing with the local planning authority.
Reason: Because insufficient detail on these aspects has been submitted with the application and to safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 8) No amplified or acoustic music shall be played at any time within any of the external areas of the application site as outlined in red on the Proposed General Arrangement Plan 15-BHPL-SD 02.1
Reason: In the interests of amenity.
- 9) The external seating areas shall not be used after 11pm on any night, and all furniture that is removed for storage over night shall have been moved before 11pm.
Reason: In the interests of amenity.
- 10) Total noise levels from all building services plant shall not exceed a rating noise level (measured in accordance with BS4142:2014) of 30 dB at the facade of the Trinity and Princesshay Garden apartments. The noise level can be measured at a surrogate point, and the level at the facade predicted by calculation to demonstrate compliance with this condition. The use hereby approved shall not begin until information has been supplied demonstrating compliance with this condition and given in writing by the local planning authority
Reason: In the interests of amenity.

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

88

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

89

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 15 December 2015 at 9.30 a.m. The Councillors attending will be Bialyk, Edwards and Lyons.

(The meeting commenced at 5.30 pm and closed at 7.23 pm)

Chair

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LICENSING COMMITTEE

3 November 2015

Present:

Councillor Greg Sheldon (Chair)

Councillors Laws, Branston, Brimble, George, Hannan, Harvey, Holland, Pearson and Shiel

Apologies:

Councillors Choules, Crew, Henson and Spackman

Also present:

Environmental Health and Licensing Manager, Senior Licensing Officer and Democratic Services Officer (Committees) (HB).

22 **Chair**

In the absence of the Chair, the meeting was chaired by the Deputy Chair, Councillor Laws for Min. Nos. 23 to 24 and 27.

23 **Minutes**

The minutes of the meeting held on 22 September 2015 were taken as read and signed by the Chair as a correct record.

24 **Declarations of Interest**

No declarations of interest were made by Members.

GAMBLING ACT 2005

25 **Adoption of a new Gambling Act 2005 Statement of Licensing Policy**

The Environmental Health and Licensing Manager presented the report setting out the City Council's proposed Gambling Act 2005 Statement of Licensing Policy.

Local Authorities were required to develop and adopt a Gambling Policy in consultation with the trade and local community and to set out the authority's general approach to gambling licence applications. It was necessary to review the policy every three years and the City Council was required to review its Gambling Act 2005 Statement of Licensing Policy by 31 January 2016.

The statement appended to the report has been updated to reflect updates and rewordings in the Gambling Commission's Guidance to Licensing Authority.

It was noted that the only respondees had been the Devon and Cornwall Constabulary and Coral and that Section 2 of the policy had been changed to reflect areas of deprivation in the city, of which there were six that fell within the top 20% of deprived areas within England, with two falling into the top 10%.

The revised policy made reference to Local Area Profiles which build up a picture of localities and, in particular, elements that could be impacted by gambling premises and the National Centre for Social Research British Gambling Prevalence Survey 2010 stated that high-time/high-spend gamblers, like high-time only gamblers, displayed the most adverse socio-economic profile. They were more likely to live in areas of greatest deprivation, live in low income households and be unemployed.

RECOMMENDED that:-

- (1) the Gambling Act 2005 Statement of Licensing Policy be supported in order that it can be progressed through to Council for adoption on 15 December 2015 in order for implementation to take place on 31 January 2016; and
- (2) Executive be requested to support, and recommend that Council formally adopt, the revised Gambling Act 2005 Statement of Licensing Policy.

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

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

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

27 **Application for consent to Street Trade**

In the absence of the Chair, the meeting was chaired by the Deputy Chair, Councillor Laws.

The Senior Licensing Officer presented an application for consent to street trade for a period of twelve months on Magdalen Road (from the grassy area of land), which was a designated Consent Street under the provisions of the Local Government Act 1982.

Mr T was seeking to trade from Monday to Saturday between 09.00hrs until 18.00hrs and proposed to sell fruit and vegetables from this area of land owned by the City Council. Mr T had not previously held consent to street trade in any part of the City.

Mr T attended and spoke in support of his application. He advised that the stall, which was currently being assembled, would be flat pack in nature and would be folded away at the end of the day and stored off site. He anticipated that he would commence trading on 23 November 2015.

The Committee retired to make its decision in the presence of the Democratic Services Officer only.

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

28 **Application for consent to Street Trade**

The Senior Licensing Officer presented an application for consent to street trade for a period of twelve months on Bonhay Road (from Speedway's customer car park) which was a designated a Consent Street under the provisions of the Local Government Act 1982.

Ms H was seeking to trade from Monday to Sunday between 11.00hrs until 04/00 hrs. and proposed to sell fast food from Speedway's customer car park, having obtained permission from Speedway to use this land. She held a late night refreshment licence to serve hot food after 23.00hrs and had bought the catering unit from another trader who had held a consent for this location for many years. No complaints had been received regarding this catering unit in the past. Ms H had not previously held consent to street trade in any part of the City.

Ms H was not in attendance.

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

29 **Application for consent to Street Trade**

The Senior Licensing Officer presented an application for consent to street trade for a period of twelve months on Bridge Road (from the Swing Bridge Car Park), which was a designated Consent Street under the provisions of the Local Government Act 1982.

Mr T was seeking to trade from Monday to Sunday between 07.00hrs until 19.00 hrs. and proposed to sell fast food. He had bought the catering unit from another trader who had held a consent for this location until the end of October 2015. Mr T had a contract with South West Water to use this land. No complaints had been received regarding this catering unit in the past. Mr T had not previously held consent to street trade in any part of the City.

The Licensing Team had received two complaints earlier this year from the public about the previous consent holder displaying advertising boards on the roadside and nearby path hindering access. On those occasions, an officer attended and asked for the boards to be removed

Mr T was not in attendance.

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

The meeting commenced at 5.30 pm and closed at 6.05 pm

Chair

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SCRUTINY COMMITTEE - COMMUNITY

10 November 2015

Present:

Councillor Emma Morse (Chair)

Councillors Brimble, Bull, George, Hannan, Holland, Packham and Raybould

Apologies:

Councillors Buswell, Newby, Shiel and Vizard

Councillor Hannaford - Portfolio Holder Housing Revenue Account

Also Present

Deputy Chief Executive, Assistant Director Environment, Assistant Director Housing, Cleansing & Fleet Manager, Technical Accounting Manager, Principal Accountant Corporate and Democratic Services Officer (Committees) (HB)

In attendance:

Councillor Owen - Portfolio Holder for Health and Place

Councillor Morris - Portfolio Holder for Customer Access

Councillor Harvey - As Chair of the Homelessness Task and Finish Group

48 **Minutes**

The minutes of the meeting held on 8 September 2015 were taken as read and signed by the Chair as correct.

49 **Declaration of Interests**

No declarations of interest were made by Members.

50 **Questions from the Public under Standing Order 19**

In accordance with Standing Order No. 19, a question in respect of the Public Spaces Protection Order from John Brownbridge was put to the Committee. A copy of the question had been previously circulated to Members. The question, with the reply (in italics), is appended to the minutes. Mr Brownbridge was not present.

51 **Questions from Members of the Council under Standing Order 20**

In accordance with Standing Order No. 20, questions in respect of dog bins and a new protocol for not collecting additional black bags left on the lids of overflowing wheeled bins from Councillor Bull were put to the Committee. A copy of the questions had been previously circulated to Members. The questions, with the replies (in italics), are appended to the minutes.

In response to a supplementary question from Councillor Bull, the Portfolio Holder advised that a recent change in the legislation permitted the use of ordinary bins for the disposal of dog waste. To facilitate this, the City Council would first identify the appropriate bins in suitable locations and then appropriately publicise their availability for this purpose.

The Portfolio Holder also provided an update on the recent strengthening of policy on extra domestic waste presented by households. Although less than 1% of bins were overfilled, those that had been left and had been stickered last week had generated about 40 calls a day and became difficult for staff to handle alongside normal demand. The approach was being changed from next week, with a phased approach over a number of weeks, for example, in the first week, Crew 1 would leave any excess bags, putting them in the bins and sticker the bin to encourage the residents to contact the Council to discuss re-cycling and to avoid over-filling their bin in future; the remaining crews would empty overfilled bins but sticker them to alert the resident that this needed to change. Week two would see Crew 2 follow Crew 1's lead and this pattern would then be stepped up across all crews in the following weeks over a four week period or so.

52 **Exeter Citizens Advice Bureau**

The Chair welcomed Steve Barriball and Robin Mulholland of CAB. As well as providing statistics relating to welfare benefit, debt, employment and housing, Steve reported:-

- the main causes of a threat of homelessness were around significant life events including relationship breakdown, bereavement, illness and disability and job loss;
- although the cost of living was decreasing this was not always evident from clients;
- a court repossession desk run on each Tuesday in the County Court with almost 90% of actions avoided;
- 30% more people helped in 2015 so far; and
- trends showed a decrease in money and debt problem enquiries but increases in welfare benefits, housing and employment problem enquiries;

Impact of welfare changes:

- a number of cases where the sanctions policy had caused homelessness;
- the 'bedroom tax' had led to homelessness/threatened homelessness;
- the migration process from Disability Living Allowance to Personal Independent Payments and the stringent medicals for PIP and Employment and Support Allowance had caused many cases of financial hardship and an increase in debt and potential/actual homelessness; and
- high number of wrong decisions made by the Department for Work and Pensions with no apparent sanctions.

Other concerns:

- cost of rented property compared to average wages;
- difficulty in obtaining affordable specialist legal advice;
- the Department for Communities and Local Government estimate that the cost of homelessness per person is £24,000 to £30,000 - a cost borne by local councils, Clinical Commissioning Groups, the Department for Work and Pensions and the criminal justice system; and

- impact of the next round of welfare reforms.

Ideas and opportunities

- the Exeter Money Advice Partnership service based in the Civic Centre links debtors to the Council to provide advice and co-location has also made the process one of joint working to achieve sustainable solutions for clients; and
- EMAP funding from Local Welfare Support ends on 31st March 2016 and alternative funding would be required.

He responded as follows to Members' queries:-

- the main financial support to CAB came from the City and County Councils. With increasing financial pressures, other bodies were approached to assist and a significant proportion of income came from charities and consideration was being given to appealing for donations to individuals helped by CAB in the past. Mark Parkinson added that tender documents were being prepared for invites to be issued to Credit Unions to bid for work;
- the demographic of clients was largely that of working age with approximately one third being disabled or with long term ill health. Some 12% were non white British and the majority were female;
- to obtain a better picture of the City's economic well being CAB, in partnership with the City Council, the Chamber of Commerce, the Express and Echo and Exe Radio, had ran a survey of local people with 120 respondents. Approximately a third had seen their income reduce with a third reporting an increase with a similar percentage witnessing no change. A further survey would be undertaken in the new year; and
- the CAB was considering the merits of an ethical letting agency. Details of schemes from elsewhere were available on line. The CAB was involved in lobbying for improved standards in the private rented sector.

The Chair thanked Mr Barriball for the presentation.

ITEMS FOR DISCUSSION

53 Homelessness Task and Finish Group

Councillor Harvey presented the interim findings of the Homelessness Task and Finish Group in relation to the proposed Strategy and Action Plan.

Responding to queries presented prior to the meeting by a Committee Member, he advised that:-

- the draft Strategy and Action Plan document would address the topic of diversity;
- education and training would be reflected in the Action Plan;
- with respect to the reference made to ex-servicemen and women, the Task and Finish Group recognised that this group required specific support and that the British Legion would be consulted in this respect;
- different packages of assisting the homeless would be incorporated to recognize different needs; and
- he emphasised that the document was an active strategy and would be regularly monitored and updated.

Other issues covered included:-

- the strategy to be in place by 1 April 2016, prior consultation to include both specific consultative events as well as the regular pattern of meetings with established partners in this field. The first draft document would be available by the end of November following consultation and would be reported to this Committee in January;
- joint working with Teignbridge District Council reflected both the cross boundary nature of the problem and the need to maximise use of scarce resources. The nature of the housing problems and the potential solutions were common to both authorities and agencies such as Public Health and the County Council which functioned on a wider Devon basis; and
- some 1,500 homeless people were seen annually, of which less than 5% were rough sleepers and the major proportion of the homelessness budget was spent on temporary accommodation.

Scrutiny Committee - Community supported the following interim recommendations to this Committee, together with the additions reported above:-

(a) the proposed structure of the new Homelessness Strategy and Action Plan:-

- (i) to agree that the Homelessness Strategy should be developed across the Exeter and Teignbridge area to increase opportunities for local residents and reduce administrative burden on the services of developing two separate strategies for a combined service;
- (ii) to agree that the Homelessness Strategy should primarily adopt the four key common themes of:-
 - Health and Protection;
 - Money Matters and Money and Employment;
 - Access to Services; and
 - Accommodation Options and Private Rented Accommodation; and
- (iii) that the Strategy should consider, amongst other responsibilities, how the Council should address homelessness in respect of ex-servicemen and women.

(b) Proposed Action Plan:-

- regular review of the Action Plan and review meetings with agencies for the purposes of monitoring the Plan and altering where necessary to reflect any new challenges;
- a cross boundary list of available resources including properties spanning both Exeter and Teignbridge areas should be prepared and circulated;
- access to information on cross boundary areas to be made available by each Authority;
- identifying larger empty properties and working towards bringing these properties back into use in the context of tackling homelessness;
- better signposting when enquiries are received - one information registration form to be used by both Exeter and Teignbridge so

that the individual only has to give details once and they are passed to the relevant Authority for action immediately;

- mapping of services and agencies on an ongoing basis to avoid duplication of work and avoid wasting resources;
- mapping out different pathways to help people with different needs so that they are assisted quickly and effectively;
- staff training with particular emphasis on “soft assessment” skills. For example, specialist training in how best to speak with and to obtain relevant information from ex-servicemen and women generally and to evaluate what type of properties would or would not be suitable;
- monitor the impact of welfare reform on homelessness to allow for schemes to be developed to prevent homelessness or respond quickly when households have been impacted;
- create a credit card size contact information card which can be placed with various agencies (letting agents and hospitals for instance) which individuals can easily keep and refer to; and
- better website information which is easily accessible for individuals in relation to where and how they can access help.

Scrutiny Committee - Community supported the above interim recommendations and noted that a further report would be submitted to the January meeting of this Committee.

54 **Housing Revenue Account - Budget Monitoring to September 2015**

The report of the Assistant Director Finance was submitted on major differences by management unit to the outturn forecast for the first six months of the financial year up to 30 September 2015.

During this period the total budget variances indicated that there would be a net deficit of £1,783,936 in 2015-16. This represented a decrease of £1,175,246 compared to the revised budgeted deficit of £2,959,182 for 2015-16. It was estimated that the available working balance would stand at £2,952,596 at 31 March 2016. The HRA Capital Programme showed a total forecast spend of £9,241,961 compared to the £10,706,689 approved programme, a decrease of £1,418,728.

The following responses were given to Members’ queries:-

- appropriate re-profiling of the budget would prevent any longer term risk of prejudicing the on-going boiler replacement programme;
- the underspend of £450,000, coupled with £589,612 already reported to Scrutiny Committee - Community in September, from the £2.6 million allocated for damp ingress work had resulted from a cautious estimate, subsequent tenders being lower than expected and drying out of properties negating the need for work to some of these homes;
- the figures presented showed the cumulative effect of a 1% annual rent reduction over the next four years. This would impact on Council own build, planned refurbishments, repairs etc. It would require further management adjustments including improved efficiencies, a reduction in the capital programme etc. Continuation of Council Own Build would then need to be through other means such as the General Fund or a Housing Development Company rather than the HRA. The HRA priority was likely to be focussed on maintaining, as far as possible, investment in existing assets in order to provide good homes; and

- the Government proposals to assess local authority high value properties and to impose levies on Councils on these, on the basis of a national formula, was likely to increase the financial pressure on the HRA.

Scrutiny Committee - Community noted the report.

55 **Community - Budget Monitoring to September 2015**

The report of the Assistant Director Finance was submitted advising Members of any major differences by management unit to the revised budget. The current forecast suggested that net expenditure for this Committee would decrease from the approved budget by a total of £25,690 after transfers from reserves and revenue contributions to capital, representing a variation of 0.28% from the revised budget. This included supplementary budgets of £116,500 already approved by Council.

The current capital programme showed a forecast spend of £2,067,700 in 2015/16, compared to the £2,064,350 approved programme, an increase of £3,350.

The following responses were given to Members' queries:-

- the Play Area Refurbishment capital budget was funded by Section 106 monies from developers earmarked for specific sites;
- the 4-5% reduction in re-cycling income from an annual total of around £1.2 million could be attributed to a number of national and international factors affecting processor prices for recyclates, for example a major national paper processor had gone out of business in early 2015, causing a glut in the market and a resultant drop in prices from the remaining UK processor. The City Council was within the top 10% of district authorities for minimising waste, which should be recognised. There were a number of initiatives going on seeking to improve re-cycling such as working with the University and the Guild to improve re-cycling in student households, but the City Council's capacity to carry out large education campaigns was limited by the size of the Re-cycling Team that had been reduced in size over recent years due to budget pressures. Further initiatives that assisted in waste minimisation and increased re-cycling such as described in Min. No. 51 above would help improve the situation. Re-cycling was skewed by the non-collection of food waste which, in any case, could not be re-cycled to generate income. Moreover, disposal by the public at the County Council two re-cycling centres would represent a further 8% to add to the City Council's current 34% rate;
- the final destination of re-cycled computers and other electrical equipment would be clarified;
- work was on-going with the University to address the significant problems caused by students failing to re-cycle, Duryard and Pennsylvania returning the poorest figures in this respect. The Portfolio Holder for Health and Place assured Members that this issue would be a major topic in the forthcoming meetings of the University Task and Finish Group; and
- discussions were being held with City Centre businesses with view to the introduction of an evening refuse collection which could both increase income and improve city centre cleanliness to help benefit the night time economy.

Scrutiny Committee - Community noted the report.

ITEM FOR EXECUTIVE

56 Local Air Quality Action Plan

The Assistant Director Environment presented the report advising Members about the renewal of the Air Quality Strategy and asking the Committee to recommend the adoption of the strategy. The previous Air Quality Strategy had covered the period from 2009 to 2014 and an updated Strategy was therefore required.

It drew together the existing air quality work undertaken by Environmental Health and Licensing at the City Council and work driven by statutory obligations - the strategy providing a means of organising and co-ordinating it to best effect.

He responded as follows to Members' queries:-

- whilst there had been no recent enforcement cases in terms of prosecutions, there was strict regulation and monitoring to ensure compliance;
- the energy from waste incinerator was not a major contributor to poor air quality in the City - traffic pollution being the greatest problem;
- the main means of checking excess emissions from vehicles was the MOT test, although emissions could also be tested at road-side spot checks;
- in terms of the City Council's Fleet, a gradual transition was being made to low emission vehicles on replacement, although this would take slightly longer with regard to larger vehicles such as refuse collection lorries;
- Stagecoach used lower emission buses and Members were advised that issues could be raised with Stagecoach senior management who attended Exeter HATOC meetings, at which any City Councillor could attend;
- other mechanisms, such as congestion charges and work place levies, were being trialled and implemented by some authorities and reference was made to larger scale initiatives in major European cities such as Helsinki for car-less communities. It was mentioned that Cambridge was seeking significant investment of £500 million to constrain traffic/pollution levels to raise at current levels over medium to longer term; and
- the Portfolio Holder for Health and Place referred to a pilot conducted in June and July 2015 under the auspices of the Exeter Health and Wellbeing Board involving three volunteers equipped with personal PM_{2.5} monitors and GPS loggers for 24 hours while they conducted their normal work-day commute and activities and the positive change achieved when switching to other modes of transport such as cycling or driving alternative routes that avoided congestion. This project was to be extended in the New Year with Public Health funding.

Members noted the issues raised and suggested that the planning process could offer a further means of combating the growing problems of poor air quality. This could be undertaken either through the planning process for new developments or at a wider strategic level when future City wide transport and planning matters were being brought forward. They asked that this should be highlighted to Executive.

Scrutiny Committee - Community supported the Air Quality Strategy 2015-2020 and asked that Executive be requested to:-

- (1) support, and recommend that Council formally adopt, the Air Quality Strategy 2015-2020; and

- (2) consider further the significant impact of air pollution on public health, and that greater weight is given to the matter of air quality and lower emissions when developing strategic and infrastructure planning policy and when carrying out development control.

The meeting commenced at 5.30 pm and closed at 7.15 pm

Chair

QUESTION FROM A MEMBER OF PUBLIC

UNDER STANDING ORDER NO.19

SCRUTINY COMMITTEE - COMMUNITY – 10 NOVEMBER 2015

QUESTION FROM MR BROWNBRIDGE

Whilst the ASB during the start of term was much reduced, certainly along New North Rd., I believe the next step is to better manage the incidents of consuming alcohol on the public highway.

During the early weeks of this term I have photographed a number of empty alcohol container which have been discarded. I believe this is a result on the street drinking by University Students walking along New North Rd.

SO my question to the Committee is:-

Will the committee amend the suggested coverage of the PSPO to include all of the public highways between the City Centre and units of University Residents?

In particular New North Rd, Pennsylvania Rd, St Davids Hill and Bonhay Rd.

In addition I urge the Committee to make it clear in any publicity about the proposed PSPO, that it will cover all street drinking & ASB irrespective of who is responsible.

ANSWER

The proposed PSPO is subject to a consultation exercise that ends on 22 January 2016, and any views about the extent and application of the PSPO from members of the public are very welcome. These views will be considered when the PSPO is considered by Council in February.

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QUESTION FROM A MEMBER

UNDERSTANDING ORDER NO.20

SCRUTINY COMMITTEE - COMMUNITY – 10 NOVEMBER 2015

QUESTION FROM COUNCILLOR BULL

Q1 Dog bins

Just over a week ago, there were many instances of overflowing dog bins. I understand the cause was temporary staff shortages due to sickness

Can the Portfolio Holder for Health and Place confirm that this was due to unforeseen circumstances rather than an unacceptable reduction in staff numbers?

Answer – The agency staff member who was covering this particular area left without prior notice, and our back-up, partially trained-up agency staff member was on holiday. With other staff sickness at present this left us very low on in-house knowledge. Although the site listing of dog bins is relatively comprehensive, it helps to know how and where to get to the bins, especially when they are in large sites such as playing fields. The situation was recovered last week.

The four year moratorium on staff recruitment, along with the need to have due consideration to future budget restrictions, has left the operational team carrying a significant proportion of agency staff. Now, with a degree of certainty in the short to medium term, recruitment for replacing the agency staff with permanent staff has commenced.'

Q2 overflowing bins

On 01 November 2015, Exeter City Council launched a new protocol on NOT emptying overfilled wheeled bins. The new policy make clear that the lid must be closed when presenting rubbish.

I thank the Portfolio Holder for Health and Place for the press briefings he has copied to members following the adverse media reports

One of the causes of concern seems to be the £19 charge to return to empty the bin.

Can the Portfolio Holder for Health and Place tell me if this charge approved by members, and if so, when?

Answer - There is not a specific charge for an uncollected bin (for example, if someone forgot to put their bin out and wanted a special collection, we don't have a specific charge for that). However, the nearest thing we do have is a 'bulky-waste' charge designed for large items, but including sacks of rubbish (eg. if someone has cleared out an attic). Here the price is based on what can be collected by two operatives in one visit – this could be a sofa, or alternatively 4 bags of rubbish (two bags per operative being the maximum they are allowed to carry). A wheelie bin can take 4 bags of rubbish in capacity, so that has been the charge quoted to people if they wanted to book a special collection.

In terms of dealing with waste left uncollected when the bin has been over-filled, we have been encouraging people to contact us so that we can have a meaningful conversation about why they fall outside the 99%+ of citizens that don't have a problem fitting their waste in their bin – we want to understand why they are struggling to contain their residual waste, which may be down to them having the wrong-size bin for their size of household, too small a recycling bin, or a lack of knowledge about what they can recycle. Through that conversation, we aim to resolve future issues with their rubbish, and have latterly arranged one-off 'mop-up' collections with them at the end of that conversation.

We have paused our bin-stickering this week, in order to change our approach slightly by treating 'top-up' waste like side waste, and introducing a stronger stance in a phased approach across the rounds.

SCRUTINY COMMITTEE - ECONOMY

12 November 2015

Present:

Councillor Brimble (Chair)

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

Also present:

Deputy Chief Executive, Assistant Director Public Realm, Service Manager Business and Commercial Operations, Service Manager Community Safety & Enforcement, Museums Manager, Economy and Tourism Manager, Economy Partnerships and Project Manager and Democratic Services Officer (Committees) (SLS)

In attendance:

Councillor Rachel Sutton - Portfolio Holder City Development
Councillor Rosie Denham - Portfolio Holder for Economy and Culture

58 Minutes

The minutes of the meeting held on 10 September 2015 were taken as read and signed by the Chair as correct.

A Member referred to the Council's governance arrangements relating to the presentation of minutes to the following meeting of the Committee. The Democratic Services Officer explained the current arrangement which included the minutes of all Council meetings being presented to Council to afford the opportunity for all Members to comment.

59 Declarations of Interest

No declarations of discloseable pecuniary interest were made.

60 Questions from Members of the Council Under Standing Order 20

In accordance with Standing Order No. 20, a number of questions were put by Councillor Newby on the outcome of the Rugby World Cup celebrations in Exeter. A copy of the questions had previously been circulated to Members, and these, together with the reply, were appended to the minutes.

61 Donations Campaign and Temporary Exhibition Admission Charges at the RAMM

The Museums Manager presented a report which focused on two new initiatives at the Royal Albert Memorial Museum (RAMM) designed to generate income to support the museum's 'core' costs and service delivery. These proposals were made in the context of the financial challenges faced by the local authority and the service review this had driven. The first initiative related to the introduction of admission charges for some temporary exhibitions, and in particular the International Garden Photographer of the year which would be taking place from 23 April to 28 August 2016. The

Museums Manager acknowledged that paying to view selected exhibitions would be a significant step change for the public, and the outcome of the trial would be reported to Members. The second initiative provided to Members for information, related to a new donations campaign to encourage increased levels of individual giving, and would be launched in late 2015.

In response to a Member's question, the Museums Manager confirmed that the Council's Communications team would ensure that the presentation of the proposal was handled with the appropriate sensitivity. The report included a 'Frequently Asked Questions' guidance to assist in any subsequent enquiries about this service change. A Member suggested that the trial should include the possibility of the introduction of a season ticket or even an 'a pay what you can afford' on selected days or even an occasional free day. The Museums Manager responded to a number of Members' concern on the attention paid to visitor surveys and studies, explaining that staff and volunteers would be collecting data, and gathering information relating to the visitors' experience of the exhibition; there would be no charge for children and young people less than 19 years, and that every effort would be made to ensure that any exhibition at the RAMM was not near neighbouring areas.

The Museums Manager also outlined the efforts that would be made to increase the opportunities to encourage voluntary donations. She welcomed a Member's comment that the donation boxes were too discreet and they should have more prominence which might increase the act of giving.

Scrutiny Committee - Economy requested Executive approve the following:-

- (1) introduction of a visitor admission charge in relation to a temporary exhibition at the RAMM with the first ticketed temporary exhibition of the International Garden Photographer of the Year which will take place 23 April – 28 August 2016;
- (2) that a follow up report be produced for Members to present the results and findings around charging for International Garden Photographer of the Year. Based on the findings of this first exercise, a stepped approach to charging for some exhibitions may be developed. At this stage it was considered likely that charges would be attached to selected and not all temporary exhibitions as detailed in paragraph 8.2 of the circulated report;
- (3) that subject to the outcome of this trial and a further report to committee, delegated authority to be given to the Museums Manager, in consultation with the relevant Portfolio Holder, to decide when an admission charge should be applied to any of the temporary exhibitions at RAMM; and
- (4) the approach to be taken for the related donations campaign, which also invites visitor's financial contribution.

62 **Topsham Flood Alleviation Measures**

Councillor Baldwin attended the meeting and spoke Under Standing Order 44 on this matter.

The Assistant Director Public Realm presented a report which sought Members' consideration for funding towards the cost of flood alleviation and protection measures for two schemes in Topsham. The first scheme related to 120 properties in Ferry Road Topsham, north of St Margaret's Church, which was at particular risk from tidal flooding. Despite contributions having been identified, there remained a shortfall of up to £100,000 and one option would be the possibility to secure

contributions from householders who would directly benefit from the scheme. If funding for the shortfall could not be secured, then the scheme would not proceed. The report also included details of a second scheme and a request for the Council to underwrite the provision of enhanced protection to around 50 further properties to the south of the scheme above, at the lower end of Ferry Road and The Strand. Members were reminded that whilst the City Council had no statutory obligation to fund the flood scheme, nor, was there an available budget, staff resources would be absorbed to undertake the administration and co-ordination of the funding of the schemes. The Assistant Director Public Realm added that the two schemes were not dependent on the other.

Councillor Baldwin attended the meeting as she was concerned over the proposals in relation to Scheme 1, as just over 3,500 individuals would collectively have to find £80,000 to protect their homes. She felt that there was a moral obligation and commented on the City Council's recent contribution towards the £3 million flood alleviation scheme which would protect the homes of citizens in St Thomas from flooding. She thanked the City Council for their support in the past, which had included providing sandbags and assisting with the clear up operations and she hoped that would continue. Councillor Baldwin was also concerned about the detail of Scheme 1 to create an 'earth bund' or earth wall that would abut the River Exe. The scheme had recently been discussed by the Topsham Community Association which had expressed some concern over the maintenance of the scheme and questioned how the water would be reabsorbed into the river if there were exceptionally high winds and a tidal overflow. She suggested it would be more beneficial to place the flood barrier on the Ferry Road side of the recreation ground, which was a much shorter distance and would protect the houses rather than the recreation field, and that work could easily be covered by the £20,000. She asked for further work to be carried out to consider other engineering solutions.

A Member concurred with Councillor Baldwin and considered that there was every possibility that the earth bund would wash away and that at the very least a more permanent structure should be created to protect the houses. A Member referred to one of the recommendations to contact Hugo Squires MP to establish whether there was any available funding, and felt that was likely to be happening anyway.

Councillor Vizard proposed that recommendations 1 – 3 of the circulated report be deferred to allow further investigative work to establish the most appropriate solution. Councillor Bull seconded the motion, which was carried.

Scrutiny Committee - Economy requested Council to endorse and Council approve the underwriting of up to £15,000 by the City Council, of the cost of Scheme 2: Ferry Road South, Topsham described in paragraph 8.4 of the circulated report to enable the works to be commenced during the current financial year. This amount would be conditional upon suitable guarantees from the Topsham Emergency Group being in place for the repayment of the money.

63 **Marine CoastGuard Agency Audit 2015**

The Assistant Director Public Realm presented a report which advised Members of the outcome of the recent Maritime Coastguard Agency audit of the Port of Exeter. The Port Marine Safety Code (PMSC) supported the legislation governing the operation of the Port of Exeter. Compliance was not a statutory requirement, however failure to comply would be taken into consideration should the Council be found responsible for an incident including loss, damage or personal injury sustained within the Port.

The Service Manager Business and Commercial Operations responded to a Member's enquiry and confirmed that the City Council's area of jurisdiction extended to approximately 1.4km off Exmouth to the Bridge on the River Clyst just below Darts Farm and then up to the River Exe weir at Countess Wear.

Scrutiny Committee - Economy noted the outcome of the Audit and requested Executive to endorse compliance with the Port Marine Safety Code.

64 Interim Report on Parking Review

The Assistant Director Public Realm presented an interim report on the findings of the work undertaken by WSP UK Ltd and their initial recommendations for a Parking Strategy for Exeter. The final report had been delayed but it was anticipated that the emerging strategic approach for the City Council's off-street parking offer and the development of an Action Plan to deliver it, would be presented to the January meeting of the Scrutiny Committee – Economy. The work to date had included a strategic approach for working with key partners, and the support by the Member Spotlight Review Group who have been fully engaged in the process.

A Member referred to the performance of the appointed consultants. The Assistant Director Public Realm acknowledged that there had been delays, but assured the Member that the detail relating to the contractual arrangement had not been finalised. The Member also referred to a number of car parks which should be a priority for refurbishment, and wished to make a plea for the Cathedral and Quay car park. The Assistant Director Public Realm referred to a survey of further work on all of the car parks which still had to be progressed, but she acknowledged the constraints of the Cathedral and Quay car park, and of work being considered to look at encouraging greater use.

A Member referred to the report and appreciated the proposed consultation with city centre residents over their parking requirements. The Portfolio Holder for Economy and Tourism also welcomed this inclusion and it would be useful to have Members' feedback, as there have been a number of changes in the city centre since the original scheme commenced. The Service Manager Community Safety and Enforcement acknowledged that information on resident's parking habits would help to inform their future work. A Member also made a request for consideration of a smarter approach to the tariff charged, with more innovative pricing as well as consideration of the dwell time in the city. The Portfolio Holder Economy and Culture agreed that this would be considered when they had assimilated all of the information.

Scrutiny Committee – Economy endorsed the following emerging strategic approach to parking, working with key partners:-

- (1) the demand for parking in the City Centre be managed in order to reduce congestion by encouraging drivers into other forms of transport and to change their parking behaviour in peak periods;
- (2) the Council implements policies that discourage parking in central car parks which are at or near capacity and encourage drivers to use the less popular car parks outside the central retail area where capacity exists;
- (3) a programme of works is identified so that the Council can invest in maintaining car parks, influencing parking demand and improving the customer experience; and

- (4) the Parking Review Spotlight Group remain involved in considering policy options around the final strategy and action plan

65 **Budget Monitoring - Quarter 2**

The Principal Accountant presented a report which advised Members of any material differences to the revised budget in respect of the Economy Services revenue and capital budgets. The current forecast suggested that net expenditure for the Scrutiny Committee - Economy would decrease from the revised budget by a total of £278,160, with a 28% variance after transfers and reserves and revenue contributions to capital as detailed in Appendix 1. This already included a supplementary budget of £837,460 already agreed by Council. The potential areas of budgetary risk were also highlighted in this report, so that Members would be aware that certain budgets had been identified as being vulnerable to factors beyond the control of the Council, which may result in potential deviations from budget, and were therefore subject to close monitoring.

A Member referred to the Estates Service's budget and what steps were being taken in the long term to address the declining income from South Street tenancies. The Deputy Chief Executive referred to the short term solutions, and confirmed he would speak to the Member to provide a brief update on the longer term solutions that could be considered. The Principal Accountant responded to a Member's comment on the reasons for the income achieved from off-street car parking and the need to study the data more closely. The Assistant Director Public Realm advised that she would obtain the individual breakdown of car parks. The Principal Accountant would provide further information on the anticipated income from the car storage and lettings at the Livestock Centre. The Deputy Chief Executive clarified the contractual arrangements to ensure that the roof of the Livestock Centre was completed on time.

Scrutiny Committee – Economy noted the report.

66 **Exeter Pound Update**

Councillor Brock declared an interest as her business in Magdalen Road had signed up to the Exeter Pound.

Daniel Hillier and Adam Rich attended the meeting and presented an update on the Exeter Pound. They confirmed that the Exeter Pound had been launched on 1 September 2015 with over 100 traders. There had been a good level of positive local as well as national press coverage. They had regular new traders signing up to using the Exeter Pound and had reached a total of 126 active traders. They were keen to ensure that Exeter Pound users were able to make purchases for almost everything they might need, and they continually monitored which businesses used the Exeter Pound, and focused their recruitment on any area not covered. They had worked hard to encourage the independent sector in Exeter, particularly Fore Street, Magdalen Road and the Quay, and were now reaching out to other areas of the city such as Heavitree, Cowick Street and Topsham. They involved stakeholders directly and were due to hold their first Trader Member's Assembly which would give an opportunity to receive direct feedback on the practicalities of the scheme.

Daniel Hillier confirmed the number of Exeter Pounds in circulation in the local economy, with nine exchange points. They were now going forward with a digital launch, to enable the service sector businesses to become more involved. They had also been working with Stagecoach to look at opportunities for a city wide marketing campaign to continue to raise the profile. Adam Rich responded to a Member's comment on the security features on the notes, which included a gold foil strip,

special ink, hologram images and logo. He confirmed that they would continue to feedback on their progress and their aspirations for the long term roll out of the Exeter Pound to encourage local spend that will stay in the local economy. Members welcomed this initiative, and asked if future links could be developed with the Federation of Small Businesses or the Chamber of Commerce and include the main shopping areas as well as Marsh Barton and Sowton.

Members thanked Daniel and Adam for the informative presentation.

67 **Rugby World Cup Update 2015**

The Economy and Tourism Manager presented an update on the Rugby World Cup 2015, which had been a very successful event overall and showcased much of Exeter. The city saw through the tournament from start to the finish, with arrangements including the dressing of the city, a Five Nations Parade, volunteers and the Fanzone which included the matches being shown on a large screen. The Fanzone provided an opportunity to showcase local bands and artists on a large stage. The Fanzone attracted a total of 30,094 people which took place in Northernhay Gardens. The matches at Sandy Park were overseen by England 2015 and performed exceptionally well, with no major issues to report. Each match was classified as a sell out. There had been some minor issues with transporting people from Sandy Park back to Westpoint and the city centre after the matches, but additional park and ride buses were laid on with additional buses from Digby and Sowton to take people back into the city. The media supported Rugby World Cup 2015 with excellent local and national press coverage, as well as social media coverage relating to matches at Sandy Park and Exeter Fanzone. England 2015 surveys indicated that Exeter was one of the best performing host cities, with welcome and transport the highest rankings. A follow-up report to the Ernst and Young Economic impact report would be undertaken. The Economy and Tourism team were working to establish occupancy levels of local hotels during the three match days at Sandy Park.

In terms of the legacy, the Economy and Tourism Manager confirmed that all projects had a minimum three year sustainability criteria, which will be monitored by Active Devon, RFU, and Exeter City Council. The following projects were continuing:-

- Rugby 7's league being worked on, also developing a centre of excellence for Rugby 7s.
- Development of participation of more women in rugby has resulted in the formation of the Exonians ladies team who are now part of a league structure and have a second team.
- Active Exeter Cycling Project launched October half-term and have been working with Wessex RFC to encourage community led cycle rides, identifying locations near rugby clubs and engaging wide participation.
- ParkRun/Junior ParkRun – with events at Exeter Riverside and Heavitree.
- Rugby Fitness – 4 satellite 'mums' clubs now set-up and running with an average of 14 participants weekly.
- REEP, which has now evolved into Business Empowering Employment Programme or BEEP, with 14 of the 15 participants who took part now have a pathway, either in employment, full-time education or apprenticeship. The Economy and Tourism team will continue to work with the business community to encourage sponsorship of this proven successful programme.
- Exeter Hawks Wheelchair rugby team launched in partnership with St Luke's and Westcountry Hawks. Taster sessions had taken place in October as part

of the Fanzone activity. They hoped to progress to links with Tag/Touch and compete in national league.

- Distributing the locally authored 'My First Rugby Ball' book to all Reception/yr1&2 pupils in Exeter schools. This included a CPD teachers' programme/assemblies package/interactive web development and links with local rugby clubs and schools to run tots programmes. This was now a commercially driven project which looks to roll out across key stage 2 children and has national literacy grant support, delivering to 23 primary schools.
- The RAMM Photographic exhibitions have now ended, Michelle Sank and Kate Green both reporting high numbers of visitors and engagement. The project worked with local rugby clubs and had a strong social media presence during the tournament.
- Cash for Communities: £10,000 launched in January 2015 through the Express & Echo for community groups to bid for grants from the Legacy Fund based on detailed criteria. Ten projects were now in operation and would be reviewed and reported on via the Express & Echo newspaper.

The Chair thanked the Economy and Tourism Manager and the RWC 2015 team for contributing towards such a successful event.

68 Update on the Exeter and Heart of Devon Employment and Skills Board

The Employment and Skills Board Partnerships and Projects Manager updated Members on the activities and progress of the Exeter and the Heart of Devon Employment and Skills Board (ESB) in promoting the value of skills development, supporting business growth and getting local people into work. The report explored some of the skill issues affecting the local economy, set out the ESB's priorities and plans, and provided examples of where the Board had made a difference over the last 12 months. Some of the work included linking local people to local job creation, growing the number of apprentices, addressing low levels of progression into High Education, graduate retention and higher level and technical skills to support smart specialisation.

The Partnership and Projects Manager referred to the value of the Board and the significant success which had added value to the business case for its existence, including £68,000 of funding achieved to enhance skills within Exeter and the Heart of Devon related to Rugby World Cup 2015. She expanded on the detail of learners who had been offered support and referred to a number of successful case studies. She also responded to a Member's comment on the quality of the University's data on graduate retention, and considered that local business could also commence their recruitment process earlier to encourage local graduates to remain.

Scrutiny Committee - Economy noted the following:-

- (1) progress made and priorities set by ESB in prioritising, planning and implementing interventions designed to better skill a more productive workforce in support of a sustainable and thriving economy; and
- (2) funding for the post of ESB Partnerships and Projects Manager's role to be extended post March 2016 for a further three years.

69 Exeter and the Heart of Devon Visitor Research

The Economy and Tourism Manager presented the report on the annual volume and value of tourism data for the Exeter and the Heart of Devon area, the results of the Visit England visitor satisfaction tracker, research relating to "The Gove Effect" and

general trends within the visitor industry. Members were advised of the number of visitors to the area, visitor spend and trends within the visitor economy.

A Member referred to the methods of capturing data, and suggested that not all of the population used the internet and if that data could be captured. He also made a request for some record to be kept on the tourist coaches coming to the city. The Economy and Tourism Manager would make enquiries, but she also referred to an online survey and a database register which could be used. A Member commented on the need for transport links including public transport to be improved. The Economy and Tourism Manager referred to her role as Vice-Chair of Visit Devon and the opportunity she had to lobby a variety of organisations.

Scrutiny Committee - Economy noted the report.

70 **Legacy Leisure Working Group Minutes**

The minutes of the Legacy Leisure Group meeting held on 13 October 2015 were presented for Members' information.

Scrutiny Committee – Economy noted the minutes.

71 **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.

72 **Exeter and Heart of Devon Growth Board Minutes**

A Member sought clarification as to why consideration of the Exeter & Heart of Devon Board minutes was in the confidential part of the agenda. He had previously raised this with the Chief Executive and Growth Director, as he was keen to ensure there was transparency. Councillor Sutton, Portfolio Holder for City Development spoke as one of the two members of the City Council on the Board. She confirmed that the minutes were a useful source of information for Members of the City Council. The membership was made up of representatives from local authorities including Exeter City and Devon County Council, as well as a wide range of other partners from the private sector, including volume home builders. The Board offered the opportunity for robust and meaningful discussion, which had enabled a number of major infrastructure projects to come forward, and which inevitably had involved the sharing of sensitive information. The Board felt that it remained appropriate for their debate to remain confidential.

The minutes of the Exeter and Heart of Devon Growth Board meetings held, on 8 September 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.

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 8.15 pm

Chair

SCRUTINY COMMITTEE – ECONOMY
12 NOVEMBER 2015

QUESTION FROM COUNCILLOR NEWBY UNDER STANDING ORDER 20 to the
PORTFOLIO HOLDER FOR ECONOMY AND CULTURE

Councillor Newby, who will be attending the meeting Under Standing Order 44, submitted the following questions:-

- 1) How much did this council budget for the whole event?
- 2) How much did this council spend in total including the clean up?
- 3) How much have we as a City taken in revenue? (Just the city and not the Chiefs)?
- 4) Have we covered all our costs?
- 5) What profit if any has the council made?

In accordance with Standing Order No. 20, a number of questions were put by Councillor Newby on the outcome of the Rugby World Cup. A copy of the questions had previously been circulated to Members.

The Portfolio Holder Economy and Culture responded and advised that the costings for the whole event had not been finalised as it had been a very short period of time since the event had finished.

She responded as follows-to the following questions:-

Questions 1 and 2 - she had spoken to the Economy and Tourism Manager and was satisfied that when the information was available, it would be circulated to Members.

Question 3 - it was noted that the economist company, Ernst & Young had anticipated the economic benefits and had quoted a sum quoted of £39 million coming into the local economy. An additional report will be undertaken by Ernst & Young, anticipated to be available spring 2016.

Question 4 - the Economy and Tourism Manager would gather the information for the update. The untimely early exit of England, and later the other home nations, were a factor in reduced visitor numbers to the Fanzone.

Question 5 - awaiting final figures from city businesses, which will be shared with Members. The Economy and Tourism staff are contacting local hoteliers and restaurants seeking further information on an increase in business during Rugby World Cup 2015.

Councillor Newby congratulated those officers and all of those involved in the organisation and presentation which had made such an impact on the city and further afield.

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SCRUTINY COMMITTEE - RESOURCES

18 November 2015

Present:

Councillor Bull (Chair)

Councillors Baldwin, Brock, George, Harvey, Lyons, Packham, Sheldon and Thompson

Apologies:

Councillors Buswell, Bialyk, Mottram and Wardle

Also present:

Assistant Director Finance, Assistant Director Environment, Cleansing & Fleet Manager, Corporate Manager Property, Economy and Tourism Manager, City Arts and Events Manager and Democratic Services Officer (Committees) (SLS)

In attendance:

Councillor Heather Morris - Portfolio Holder Customer Access
Councillor Rachel Sutton - Portfolio Holder City Development

52 Minutes

The minutes of the meeting held on 16 September 2015 were taken as read and signed by the Chair as correct, subject to an amendment to Minute 46 (Portfolio Holder Statements 2015/16) to read the Portfolio Holder for Customer Access commented that "as well as exploring a Credit Union" and "are able to work towards tackling rough sleeping".

53 Declarations of Interest

Councillor Brock made a declaration of discloseable pecuniary interest in relation to the St James Park development and withdrew from the room whilst the matter was discussed.

54 Overview of Revenue Budget 2015/16

The Assistant Director Finance presented a report which advised Members of the overall projected financial position of the Housing Revenue Account and General Fund Revenue Budgets for the 2015/16 financial year after six months. The report set out the key variances for each of the Service Committees, with a projected underspend of £721,680 against a revised budget of £13,492,330. The report also contained a supplementary budget request of £25,000, match funding with Devon County Council for weed control for the city.

A Member enquired if the City Council had in place a sustainable programme to address the impact of the future challenges to maintain the Council's housing stock, irrespective of any new build. The Assistant Director Finance referring to the impact of the anticipated 1% cut over the life cycle of the 30 year Business Plan, assured Members that every effort would be made to address the challenges of maintaining the current stock and any subsequent building. He also responded to a Member's

comment on the Debtors write off and creditor payments performance for the first quarter of 2014/15, and confirmed he would carry out a detailed work analysis and identify any corrective action required.

The Assistant Director Finance responded to a Member's question in relation to the City Council's trade waste collection. He was aware that a survey was due to be conducted inviting BID Members to comment on the current service. The Member asked if all BID Members would be invited to respond to the survey and referred to a number of challenging areas in the city centre. The Assistant Director Environment confirmed that city wide BID Members would be approached, regarding the opportunity for a later trade waste collection.

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

- (1) General Fund forecast financial position for the 2015/16 financial year;
- (2) Housing Revenue Account forecast financial position for 2015/16 financial year;
- (3) additional Supplementary Budgets listed in Appendix C;
- (4) outstanding Sundry Debt position as at September 2015;
- (5) Creditors' Payments performance; and
- (6) Council Tax and Business Rates collection performance.

55 **Capital Monitoring Statement**

The Assistant Director Finance presented a report which updated the current position in respect of the Council's revised annual capital programme to £20,477 million. During the first six months of the year the council spent £4.683 million on the programme, which equated to 22.9% of the revised programme, compared with 16.3% which was spent in the first six months of 2014/15. Members were advised of the anticipated level of deferred expenditure into future years, the detail of which was set out in Appendix 1, circulated with the report. The report also sought approval to amend the annual Capital Programme in order to reflect the reported variations. The report also detailed two requests including the funding of an in-principle agreement to adopt the Idox system, and the purchase of a common solution of planning services for Strata across the three Councils, including East Devon and Teignbridge District Councils, and the continued roll out of the Econospeed Engine Management which was a device to reduce the fleet carbon footprint. The Cleansing and Fleet Manager was able to respond to a Member's enquiry and confirm that this would extend the anticipated life of the refuse collection fleet, by potentially, up to two years.

The Assistant Director Finance responded to a Member's enquiry and confirmed the detail of the current cash collection arrangement from the city's car parking machines with Teignbridge District Council and that he would report back to Members after further consideration of the matter. He also responded to a Member's comment in relation to the reported saving in the Structural Defects capital budget, and would make an enquiry to provide assurance that the budget remained sufficiently robust to address any required works.

The Chair wished to place on record, the recognition of the award made to the Corporate Energy Manager and the team on their recent achievements in winning a public sector National sustainability energy award in respect of the solar panels in two of the city's car parks.

Scrutiny Committee - Resources noted the revision in respect of the annual Capital Programme to reflect the reported variations detailed in paragraphs 8.4 and 8.5 of

the circulated report, and the additional funding requests set out in paragraph 8.7 of the report and recommended its approval by Council.

56 Treasury Management Half Yearly Report 2015/16

The Assistant Director Finance submitted the report, informing Members of the current Treasury Management performance for the 2015/16 financial year and the position regarding investments and borrowings as at 30 September 2015. The report was a statutory requirement and was for information only with no key decisions required. Members were updated on the interest rate prospects, net interest position and the future position. The report also detailed the future position in relation to borrowings, as set out in paragraph 10 of the report, with the City Council continuing to take advantage of the current low interest rate.

Scrutiny Committee - Resources noted the report and requested Executive to approve the Treasury Management report in respect of the first six months of the 2015/16 financial year.

57 Budget Monitoring - Quarter 2

The Assistant Director Finance presented the report which advised Members of any material differences to the revised budget in respect of Resources revenue budgets for the first six months of the financial year up to 30 September 2015. The forecast suggested that the net expenditure for this Committee would decrease from the revised budget by a total of £697,040 after transfers from reserves and revenue contributions to capital, as detailed in Appendix 1 circulated with the report. This represented a variation of 11.26% for the revised budget and included supplementary budget of £145,550. An update on the approved budget savings had also been included.

Scrutiny Committee – Resources noted the report.

58 Annual Health and Safety Report

The Assistant Director Environment provided an update which formed part of the Corporate Health and Safety Management System and was designed to provide Members with an all-round briefing on the 'state of play' in corporate health and safety. A copy of the annual report on the strategic Health and Safety at Work performance of the Council during the financial year 2014 /2015 was circulated with the report to ensure that Members were aware of key health and safety considerations affecting the Council.

A Member enquired about the involvement of trade union representatives. The Assistant Director Environment referred to the monthly meeting of Key Partners, which included a System Lead (Director, Assistant Director or Corporate Manager) as well as an employee of management grade from their area to act as a 'Key Partner' to assist in the review of and implementation of the Health and Safety Management System, aiming to promote the 'Exemplar' health and safety practice status expected of local authorities. The group also included trade union representation, and met on a monthly basis to study incidents and accidents and make any appropriate recommendations to the Senior Management Team. He also responded to a comment on the policies covering lone working where lone officers may be meeting clients at their home or workplace. When there were issues with aggressive or threatening behaviour, officers were trained to use the Council's Step Away Policy, whereby staff were encouraged to walk away or diffuse a situation. These incidents were reported through the accident/incident reporting system, and

where appropriate, an individual of concern was recorded on a corporate system with a relevant instruction to staff on how to approach the individual, the individual of concern is written to advising them of this record and the instruction, with an annual review following.

Scrutiny Committee – Resources noted the Annual Health and Safety Report 2014/2015 attached as an appendix to the report.

59 Social Media Update

Councillor Bull, Chair of the Social Media Task and Finish Group, advised that he had been tasked to report back on the continuing work of the Group. Social media remained an effective tool to enable the Council to engage with communities and individuals. The Group will continue to monitor and, if necessary, report back to Scrutiny Committee – Resources. He thanked the Council's Digital Media Officer for his excellent support of the Council's web site, Facebook and twitter accounts.

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

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

61 Waste Operations Staffing Levels

The Assistant Director Environment and Cleansing and Fleet Manager presented a report which requested an increase of permanent staff to ensure there was the optimum complement of staff to operate Waste Operations and the Materials Reclamation Facility (MRF) effectively and reduce the dependency on agency staff use. The report also outlined other measures that had been taken to increase efficiency and reduce staff costs in these services. The Assistant Director Environment pointed out that there would be a proposed change in relation to the second recommendation outlined in the report, as there was a wish to reduce the dependency on agency staffing at an early stage.

The Cleansing and Fleet Manager responded to comments on the number of sickness absences, which included those members of staff on long term sick. There had been a recent reduction in the level compared with previous years, from 24 days average to 17.5 days, with most symptoms being more physical in nature, due to the rigours of the job. He also referred to the efforts made to encourage and upskill staff through a number of e-learning opportunities and action taken to address members of staff facing long term sickness absence. He would collate additional information and provide a more detailed sickness absence report for Members. He also welcomed any Member who wished to visit the MRF to see the day to day operation, or spend some time with the refuse collection crews in their wards, some Members having already done so.

Scrutiny Committee – Resources noted and requested Executive support for Council approval:-

- (1) the revised Waste Operations and MRF staff establishment as detailed in Appendix 1 circulated with the report;

- (2) for the associated costs of £57,359 to reduce the dependency on agency staffing; and
- (3) the preparation of a business case for the deletion of the (currently vacant) post of Clinical Waste van driver to be submitted to the Executive at a later date.

62 **St James Park Stadium Redevelopment Scheme**

Councillor Brock made a declaration of a discloseable pecuniary interest in relation to the St James Park development and withdrew from the room whilst it was discussed.

The Corporate Manager Property presented a report which advised Members on the proposed partial redevelopment of St James Park Stadium to improve the current playing and spectator facilities at the stadium. The report outlined the proposed mechanism for securing funding for the stadium improvements and sought the views of Members of Scrutiny Committee - Resources on the proposed recommendations to Executive. He responded to a Member's enquiry in relation to the future development and potential lease restructuring.

Scrutiny Committee - Resources noted the report which detailed the current condition of the stadium and supported endorsement and approval by Executive for the following:-

- (1) proposals for an upgrade to improve the current playing and spectator facilities at the stadium;
- (2) opportunity to facilitate the stadium improvements as part of a wider redevelopment of the St James Park stadium site and adjoining land; and
- (3) proposed mechanism for delivering improvements by way of disposing of land and recycling the consideration into stadium improvements.

63 **Additional Events Budget 2016/17**

The Assistant Director Finance presented a report which requested additional funding for 2016/17, and the following two years, to enable the Council to bid for two proposed events to be hosted in Exeter. A short information video was presented in respect of the event detailed in paragraph 8.1. The Arts and Events Manager attended to comment on the wider economic benefits for the city and surrounding areas associated with such events. Every effort would be made to ensure that operational arrangements such as crowd control and traffic management would be discussed with stakeholders and partners.

A Member spoke of his reserved support, commenting on the likely economic benefits and he enquired about the ticketing arrangements. The Arts and Events Manager provided details of the ticketing and distribution arrangements, which included a ballot with one ticket per person, on a first come, first served basis. She suggested that opportunities to attract sponsorship and advertising to decrease the budget would be pursued. A Member welcomed the event, but hoped that every effort would be made to minimise traffic congestion in and around the event site. The Arts and Events Manager advised that use of the Park and Ride buses would be explored.

The Economy and Tourism Manager also attended and provided more information on the event outlined in paragraph 8.4. The organisers were looking to continue to raise the profile for the event and the city. There were significant benefits as well as a

continuation of legacy work which had already commenced. It was noted that with greater commercial sponsorship and ticket sales, that the contribution would be reduced accordingly. A Member referred to the possibility of direct negotiation to ensure that the event was not subsidising the organising group, to which the Assistant Director Finance stated that the detailed arrangements were included in the report and the sum requested was to minimise the risk. The Member was reassured and considered the event would have wide reaching benefits for the city.

Scrutiny Committee - Resources noted the report and requested Executive to support Executive recommending approval by Council for:-

- (1) a budget for 2016/17 of £225,000 to enable the Council to bid for two events more particularly described in paragraph 8.1 of the circulated report to be held in and around the City; and
- (2) a further budget of £100,000 for each year in 2017/18 and 2018/19 to enable one of the events described in paragraph 8.4 of the report to be held in Exeter for a further two years.

The meeting commenced at 5.30 pm and closed at 7.35 pm

Chair

AUDIT AND GOVERNANCE COMMITTEE

Wednesday 2 December 2015

Present:-

Councillor Vizard (Chair)

Councillors Laws, Baldwin, Buswell, Harvey, Henson, Lyons, Sheldon, Thompson and Williams

Apologies:-

Councillor Raybould

Also Present

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

David Bray - Senior Manager, Grant Thornton

Geraldine Daley - Engagement Lead, ECC Grant Thornton

Victoria Redler - Executive Audit, Grant Thornton

Darren Gilbert - Director, KPMG

Tara Westcott - Senior Manager, KPMG

37

MINUTES

The minutes of the meeting held on 23 September 2014 were taken as read and signed by the Chair as correct.

38

DECLARATION OF INTERESTS

No declarations of discloseable pecuniary interest were made.

39

AUDIT AND GOVERNANCE COMMITTEE UPDATE

The Council's external auditors, Grant Thornton, circulated a progress report which provided Members with an updated position of the progress made by them to deliver their responsibility as the City Council's auditor.

The Senior Manager presented the report which confirmed that they had issued an unqualified audit opinion on the Council's financial assessments, for the year ended 31 March 2015, ahead of the national deadline of 30 September 2015. Grant Thornton had also made the necessary submission to the National Audit Office regarding the Whole of the Government Accounts, ahead of the national deadline of 2 October 2015. He assured the Members that there were well established protocols to ensure a seamless transition and handover to KPMG as the City Council's incoming external auditor, and also thanked the City Council's finance team for their professionalism and assistance during their tenure.

The Senior Manager confirmed that he had left a copy of four publications, published by Grant Thornton and aimed at supporting the work of the local authority. The booklets were also available on their web site and would be made available in the Members' Room. It was noted that Exeter had been included in a case study for the 'Making Devolution Work' publication.

The Audit and Governance Committee noted the report.

40

ANNUAL AUDIT LETTER 2014/2015

The Engagement Lead, from Grant Thornton presented the Council's Annual Audit Letter, which was a statutory requirement and provided a summary and judgement of the key findings arising from the work carried out for the City Council in 2014/15. She updated the Committee and confirmed that the Annual Audit Letter included an audit of the financial statements, the value for money conclusion and provided an update in relation to the certification of housing benefit grant claims where the error, estimated to be valued at £85,000 had actually been reduced to £10,812. She was pleased to report that the Management Team had responded positively to the report and would be working closely to ensure there was an improved position in 2015/16.

The certification letter had also been completed and complied with the statutory deadlines. The audit fee for 2014/15 was £77,183, excluding VAT, in line with the planned fee for the year. However, an additional fee was being sought in respect of the extra work for the housing benefit grant certification. The fee had yet to be agreed by the Audit Commission's successor body, Public Sector Audit Appointments Limited. Once agreed, an update on the final fees for the year would be submitted to the Audit and Governance Committee.

The Audit and Governance Committee received the Annual Audit Letter.

41

2014/15 CERTIFICATION REPORT

The Engagement Lead from Grant Thornton presented details of the certification work for 2014/15, which covered their work on the Housing Benefit Subsidy return. The certification fee reflected the amount of work required by the auditor to certify the claims and returns in that year. The indicative fee was set by the former Audit Commission at £10,890, but it was noted that additional testing had been required. A fee variation request would be submitted to Public Sector Audit Appointments Ltd as mentioned above.

The Audit and Governance Committee noted the report.

42

GRANT THORNTON

The Assistant Director Finance wished to place on record the City Council's appreciation of Grant Thornton's dedicated professionalism and detailed work by the team, over the last eight years.

43

INTERNAL AUDIT PROGRESS REPORT

The report of the Audit Managers was submitted which advised of the internal audit work carried out during the period 1 July to 30 September 2015, together with the current status of each area of the annual Audit Plan for review and the outcomes of the review, where completed. It was noted that a summary of the progress made against the annual Audit Plan showed that it was on target. There were also no instances where recommendations were not accepted by management or of management accepting a recommendation which was not subsequently implemented within a reasonable timescale.

The Audit Manager (HK) provided an update on the issues progress report and confirmed that a programme to enable the roll out of information for all staff to complete Counter Fraud training as a mandatory requirement would take place by

December 2015. She also referred to the internal audit work completed in the stated period and confirmed that four out of the five audit categories had achieved the assurance rating of good or excellent. She responded to a Member's question relating to the poor level of compliance with the trade waste transfer note system. The Audit Manager stated this was a process governed by legislation and was a requirement as part of the Waste (England and Wales) Regulation 2011. It was not possible to make a collection without a valid completed waste transfer note, and there had been a poor response to the notes being returned or completed in full, which was being addressed.

The Audit and Governance Committee noted the internal Audit Progress Report for the second quarter of the year 2015/16.

44

PRESENTATION FROM KPMG

The Director of the Council's new external auditors KPMG attended and made a short presentation and outlined the new power for local authorities to appoint their external auditor from the 2018/19 financial year onwards. He discussed the different approach needed, and the elements Exeter City Council should be considering, including quality, experience and organisational fit, as well as compliance with some specific requirements in the procurement process.

45

PROGRESS REPORT AND TECHNICAL UPDATE KPMG

The Director and Senior Manager of the Council's new external auditors KPMG provided Members with details of how they would deliver their responsibility as the City Council's auditor. They had been working closely with Grant Thornton to ensure the transitional period would be seamless and they had already met with the Assistant Director Finance at the City Council and his team. The Senior Manager confirmed that KPMG would present their Audit Plan for 2015/16 at the Audit and Governance Committee meeting in March 2016, and outlined their audit strategy and planned approach which would identify the areas of audit focus. A full timetable of their 2015/16 audit deliverables was included in the report.

The Assistant Director Finance responded to a Member's question on the retention of the business rate, which was subject to a period of consultation in 2016.

The Audit and Governance Committee noted the report.

46

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

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

47

REVIEW OF CORPORATE GOVERNANCE RISK REGISTER

The Deputy Chief Executive presented the report which advised the Committee of the Council's risk management progress, and included details of the updated Corporate Risk Register, as part of the Council's corporate governance arrangements. The report also advised the Committee of the changes introduced to the Council's Risk Management policy and procedures which was included, as an appendix to the report.

The Deputy Chief Executive responded to Members' comments on a number of assessed ratings on the Risk Register. He would pass on a request for an update on the current position of the flood alleviation scheme to be considered at a future meeting of Scrutiny Committee – Community. He also agreed to obtain a written response in response to a Member's enquiry for information in relation to the Bus and Coach site.

The Audit and Governance Committee noted the report.

(The meeting commenced at 5.30 pm and closed at 6.25 pm)

Chair

STRATA - JOINT EXECUTIVE COMMITTEE

Tuesday 24 November 2015

Present:-

Councillors Christophers, Diviani and Edwards (Chair)
Non-Voting Members – N Bulbeck, K Hassan and M Williams

Also Present

The Chief Operating Officer, Director (DH), Director (SD), Strata Lead for Human Resources, Business Systems Manager, Support and Infrastructure Manager and Democratic Services Manager (Committees)

18

MINUTES

The minutes of the meeting held on 1 September 2015 were taken as read and signed by the Chair as correct.

19

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

20

PROGRESS REPORT

The Chief Operating Officer gave a verbal update on the Progress to date.

Members were updated on the following:-

- Exeter new global desktop started two weeks ago – positive feedback from the users on the process
- 70 people currently logged in and using the system
- encountering problems but they were being resolved
- infrastructure work was largely on target, roll out had been extended to ensure good training; a new plan had been proposed for the three councils
- new plan mostly affected Teignbridge District Council with the start date moved from February to July 2016
- all telecom's contracts now being merged onto a single Virgin Media contract ready for move to digital telephony next year – this would result in cost savings

- new Mobile contracts signed with the three major networks - able to offer any network to any user
- iPhones for Teignbridge District Council were being tested and should be able to offer to users shortly
- virgin network in place and working- all councils now seeing some benefit from improved internet speed. Some elements of the network still need testing; and
- new remote access technology in test – would enable simple direct access over the internet to all systems for a council provided device.

RESOLVED that the update be noted.

21

STRATA PERFORMANCE INDICATORS

The report of the Chief Operating Officer was submitted advising Members of the Strata performance reports. The indicators were reported to the Senior Management Teams each month together with a list of work and change requests.

Members were updated on the indicators and the improvements to Teignbridge District Council's IT system to ensure that it was more stable.

RESOLVED that the report be noted.

22

HUMAN RESOURCES REPORT

The report of the Strata Lead for Human Resources was submitted outlining the Human Resource and cost implications provided to the Strata Board in respect of restructuring and offering staff new Strata terms and conditions by adopting a phased strategy based on affordability and business need. The report also provided an update on recent meetings with the Strata Staff Joint Forum and Employee Representatives as well as agreements made with the Board in relation to annual appraisals, learning and development and staff engagement.

Discussion took place with regards to the alignment of salaries and the challenges of retaining staff as demand in the sector increases with the expansion of Exeter and the surrounding area as an Innovation Centre.

The Strata Lead of Human Resources clarified that the Job Evaluation Scheme to be used would be the Greater London Scheme.

The Director (DH) advised that the increase in salaries would not impact on the 10 year business plan.

RESOLVED that:-

- (1) the report be noted and the approach proposed in relation to restructuring teams and offering Strata staff terms and conditions which, subject to costs was scheduled to take place in the first quarter of 2016, be agreed; and
- (2) the agreements made at the Staff Joint Forum with UNISON as set out in point 4, be noted .

ADOPTION OF IDOX UNIFORM IN EXETER

The report of the Chief Operating Officer was submitted seeking approval for funding to deliver Idox Uniform in Exeter City Council, which would replace numerous lines of business systems with a common platform used across all partners.

Members were advised that this was the first real shared project with all three partners involving the installation of a system into Exeter City Council and upgrading and adding functionality to the systems at East Devon and Teignbridge. Anticipated cost savings shared between the three Councils would be approximately £368k revenue and about £432K capital avoidance. This was a three year project and Exeter City Council would also need to improve its data and therefore may need to spend a further £100K to clean old and inaccurate data and ensure correct formatting. The Uniform software provided systems for many areas of the Council and would enable data sharing where appropriate between services.

The Business Development Manager clarified, that whichever system that Exeter City Council transferred to data cleaning would need to take place.

RECOMMENDED that East Devon District Council, Exeter City Council and Teignbridge District Council approve a budget for the implementation of Uniform within Exeter City Council. The budget required is:

		% Contribution		15/16 (£000's)	16/17 (£000's)	17/18 (£000's)
Uniform Implementation	EDDC	36.7	Capital	£34.9	£19	£19
	ECC	35.9	Capital	£34.4	£19	£19
	TDC	27.4	Capital	£30.2	£14	£14
	Total	100		£99.5	£52	£52
Data improvements	ECC	100	Capital	£100	£0	£0

RECOMMENDED that Exeter City Council approve additional funding to improve the quality of data within the system, estimated at £100,000.

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

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Part 1, Schedule 12A of the Act.

ADOPTION OF COMMON HR SYSTEM

The report of the Chief Operating Officer was submitted to provide Members with an update on the Human Resource Business Case with preliminary costs so that a budget could be secured for the financial year 2016/17.

Members were advised that this was the second shared project covering four areas of functionality of HR, payroll, time and attendance (T&A) for flexitime and door entry. The cost savings were anticipated to be £204k over 10 years.

The Director (DH) clarified that the pay back period for this project was anticipated to be five years.

Discussion took place with regards to how the benefits of shared IT systems could help further partnership working in the future.

RESOLVED that the HR business case and the capital funding requirements as follows, be approved:

Council	% Contribution	Capital (£000s)
EDDC	36.7	£68.63
ECC	35.9	£67.13
TDC	27.4	£51.24
Total	100	£187

26

STRATA BUSINESS CASE UPDATE

The report of the Chief Operating Officer was submitted to advise Members of the progress that Strata had made in the Implementation Plan and to seek approval for changes to the Business Case and gain for capital expenditure.

Members were advised that, while new contracts were coming in on or lower than budget, there were timing issues turning off old contract with security products, networks, servers and storage. This delay would cause the first year revenue savings to be lower by around £50K but this would be made up in the following two years and the overall 10 year target would still be realised.

The Chief Operating Officer advised the revised software Convergence Plan had yet to be incorporated into the Business Plan and therefore further work was required to be able to give a definite figure of the additions that the three Councils would need to approve to their capital programme for 2016/17.

Discussion took place with regards to the external factors that that could affect the business plan and the planned savings over the next 10 years. Further details would be useful on how the saving were progressing year on year and the impact on individual authorities. The Joint Executive Committee agreed that, in order for the recommendation to be able to be taken forward to the three Councils, a 10% contingency would be added to the recommendation.

RESOLVED that the Revised Business Case for Strata, be approved; and

RECOMMENDED that the three Councils approve the following additions to their capital programmes subject to a 10% contingency to allow the 2016/17 convergence plan to be delivered:-

	% Contribution	16/17 (£000's)	Inclusive of 10% contingency
EDDC	36.7	£132.85	146.14
ECC	35.9	£129.96	142.96
TDC	27.4	£99.19	109.11
Total	100	£362.00	398.21

27

BUDGET MONITORING REPORT TO 31 OCTOBER 2015

The report of the Director with responsibility for Finance was submitted to advise Members on the financial progress of Strata during the first six months of 2015/16, including a project outturn assessment against the savings set out in the Business Plan. The report also provided a summary of the final Statement of Accounts for 2014/15.

Members were advised that the Auditors were satisfied that the Company was treated as a going concern and had provided an unqualified opinion on the accounts. The startup costs were being managed within budget and there had been no capital spend on existing IT systems as expected. Strata would be short on revenue savings by around £50K but this would be made up over following two years.

RESOLVED that the report be noted.

(The meeting commenced at 6.25 pm and closed at 7.05 pm)

Chair

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STRATA JOINT SCRUTINY COMMITTEE

Thursday 3 December 2015

Present:-

Councillors Bialyk, Raybould, Dewhirst, Haines, Prowse, Dent and Jung

Also Present

Chief Operating Officer, Manager Programmes and Resources, Strategic Lead, Finance, Director with Responsibility for Finance, Director and Democratic Services Officer (Committees) (HB)

34

APOLOGIES

These were received from Councillor Chapman and Councillor Nicholas (substitute for Councillor Chapman).

35

MINUTES

The minutes of the meeting held on 22 October 2015 were taken as read and signed by the Chair as correct.

36

DECLARATIONS OF INTEREST

No declarations of interest were received.

37

QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES

None.

38

QUESTION FROM MEMBERS OF THE COUNCILS UNDER PROCEDURE RULES

None.

39

PROGRESS REPORT

The Chief Operating Officer gave a verbal update on the progress of the Implementation plan.

The overall plan for the infrastructure build was close to the original timetable. The new global desktop roll out had commenced for Exeter and was progressing well with a high level of satisfaction from users, the roll out to continue through January to March. Problems encountered were being resolved. Roll out to East Devon would occur between March and July and from July onwards for Teignbridge.

He explained the benefits that the new system would bring and that there was a supply of spare PC's.

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

STRATA PERFORMANCE INDICATORS

The Chief Operating Officer presented the updated suite of performance indicators that Strata was using to manage its business and to show stakeholders how Strata is performing. The report covered the month of October.

He explained that incidents were individual events which required fixing and that outages covered longer periods when users were unable to use PC's and access systems, the latter being higher for Teignbridge than for the other two Councils.

The customer satisfaction figures were a cross section of all three Councils. There had been 410 positive responses out of a total of 1,349 completed jobs, achieving just over 95% positive feedback. Some of the neutral and negative responses were down to the poor performance of the Teignbridge citrix and the time taken to complete jobs. The Customer Service Manager followed up on the latter.

Strata Joint Scrutiny Committee approved the report.

HUMAN RESOURCES REPORT

Simon Davey presented the report of the Strata Lead for Human Resources outlining the Human Resource and cost implications provided to the Strata Board in respect of restructuring and offering staff new Strata terms and conditions by adopting a phased strategy based on affordability and business need. The report also provided an update on recent meetings with the Strata Staff Joint Forum and Employee Representatives as well as agreements made with the Board in relation to annual appraisals, learning and development and staff engagement.

Some restructuring and new appointments had already been made producing a saving of £200,000, which was on target. Restructuring would create additional ongoing costs and potentially one off costs. These were £108,000 per year in increased salary costs plus some potential one off redundancy costs of up to £58,000.

Normal personnel issues, to be expected from a 70 strong workforce, were occurring and it was noted that a resignation would take effect in 2016 in respect of an individual.

Discussion took place on the transfer of staff to new contracts. Staff were keen for a quick transfer but this had not been implemented yet until the full cost of implementation in relation to the Business Case was clear. The majority of jobs to be transferred were like for like, with a small number potentially involving differences in responsibilities. Regarding redundancy policy, staff terms and conditions from the transferring Council would be honoured but that this would not apply to staff joining from outside.

Redundancy terms for Strata staff who had tupe'd to the new company had been agreed with UNISON and a collective agreement has been drawn up to reflect this. Staff who tupe from a council would be entitled to the redundancy payment terms of that council (including any revisions made) until such time as the collective agreement is further reviewed. UNISON had agreed with the proposal that new staff would be entitled to a reduced redundancy package which is still greater than the statutory amounts. It had also been agreed with UNISON that the phasing for restructuring the teams would be agreed with them in advance prior to consultation commencing.

Members noted that the report had already been agreed by the Strata Joint Executive Committee at its meeting on 24 November 2015 and that they had not therefore had the opportunity to discuss the report first. They agreed that, logically, the scrutiny process should come before Executive decision making in order for any views and comments to be passed on to Executive and they asked that the scheduling of both meetings be reviewed.

The Strata Joint Scrutiny Committee - Community:-

- (1) noted the report and the approach proposed in relation to restructuring terms and offering Strata terms and conditions which, subject to costs, was scheduled to take place in the first quarter of 2016;
- (2) noted the agreements made at the Staff Joint Forum with UNISON; and;
- (3) asked that the timetable and regularity of Strata Joint Executive Committee and Strata Joint Scrutiny Committee meetings for the remainder of 2015/16 and 2016/17 be reviewed for new dates to be identified to ensure that Scrutiny Committees come before Executives meetings.

42

ADOPTION OF IDOX UNIFORM IN EXETER

The report of the Chief Operating Officer was submitted seeking approval for funding to deliver Idox Uniform in Exeter City Council, which would replace numerous lines of business systems with a common platform used across all partners.

The capital costs would be £203,000 over three years for the installation of a system into Exeter City Council and upgrading and adding functionality to the systems at East Devon and Teignbridge. Anticipated cost savings shared between the three Councils would be approximately £368,000 revenue and about £432,000 capital avoidance.

Teignbridge and East Devon both used the Uniform application from Idox which possessed numerous modules covering most services dealing with land and property but Exeter, as part of the Systems Thinking review, had adopted an in-house strategy for Planning, Building Control and Land Charges systems. Following extensive negotiation with Idox, Strata had secured a very good deal allowing Exeter to use all the Uniform modules for no additional annual revenue costs over and above that already being paid by Teignbridge and East Devon. Uniform would not only replace Exeter's in-house system for Planning, Building Control and Land Charges, but also replace the other council systems in the wider list of services set out in the report. This was a three year project and Exeter City Council would also need to improve its data and therefore may need to spend a further £100,000 to clean old and inaccurate data and ensure correct formatting.

Strata Joint Scrutiny Committee noted the report.

43

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1987 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 1, 2, 3 and 4 of Part I, Schedule 12A of the Act.

ADOPTION OF COMMON HR SYSTEMS

The report of the Chief Operating Officer was submitted to provide Members with an update on the Human Resource Business Case with preliminary costs so that a budget could be secured for the financial year 2016/17.

Members were advised that this was the second shared project covering four areas of functionality of HR, payroll, time and attendance (T&A) for flexitime and door entry. The cost savings were anticipated to be £204,000 over 10 years.

Strata Joint Scrutiny Committee noted the report.

STRATA BUSINESS CASE UPDATE

The report of the Chief Operating Officer was submitted to advise Members of the progress that Strata had made in the Implementation Plan since its establishment on 1 November 2014 and to seek approval for changes to the Business Case. The report covered vision, finances, technology, the convergence plan and the organisation and compared the current situation with the Business Case finalised in May 2014.

Although there had been a number of cost savings it was likely that the first year revenue savings would be lower than the Business Case although the full capital expenditure savings with the three Councils had been achieved. There were timing issues turning off old contracts with security products, networks, servers and storage. This delay would cause the first year revenue savings to be lower by around £50,000 but this would be made up in the following two years and the overall ten year target would still be realised.

The large build programme with the installation of a completely new set of technology had been on target and it was noted that because of the number of issues arising from the User Acceptance Testing phase the end of the roll out programme had been extended from April to October.

Staff had TUPE'd across to Strata in November 2014. As well as the £200,000 per year saved from the management re-organisation further savings were identified from staff turnover. However, the new organisation structure with Strata grading and job evaluation would increase the salary bill higher than planned if offered to staff across the board. Increased savings from new contracts could help offset this.

The Chief Operating Officer advised that the revised software Convergence Plan had yet to be incorporated into the Business Plan and therefore further work was required to be able to give a definite figure of the additions that the three Councils would need to approve to their capital programme for 2016/17.

The Business Case was revised on an annual basis in response to the requirements of the three Councils. He emphasised however that the Council's needs were fluid in response to outside factors and changing priorities within the authorities. In this respect, the transformation process was of particular relevance, with each Council seeking to identify more efficiencies and cost effective ways of operating and looking to Strata to help implement.

Strata Joint Scrutiny Committee noted the report.

BUDGET MONITORING REPORT TO 31 OCTOBER 2015

The report of the Director with responsibility for Finance was submitted to advise Members on the financial progress of Strata during the first six months of 2015/16, including a project outturn assessment against the savings set out in the Business Plan.

At the six month stage the Board was projecting a saving of £212,830 against the target of £262,098.

Members were advised that the Government had required a commitment to spend the TCA grant of £975,000 and that they had been advised that this had been substantially committed. A total of £745,840 had been carried forward into this financial year of which £498,388 has been spent. It was anticipated that the remainder would be used in this financial year and be sufficient to meet the anticipated expenditure.

Strata Joint Scrutiny Committee noted the report.

DATE OF NEXT MEETING

The date of the next meeting would be advised following the review of the meeting timetable.

(The meeting commenced at 5.30 pm and closed at 6.53 pm)

Chair

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EXECUTIVE

Tuesday 17 November 2015

Present:

Councillor Edwards (Chair)

Councillors Denham, Hannaford, Leadbetter (minute no.107 & 108), Morris, Owen, Pearson and Sutton

Also present:

Chief Executive & Growth Director, Assistant Director Environment, Assistant Director Public Realm, Corporate Manager Property and Democratic Services Manager (Committees)

105

MINUTES

The minutes of the meetings held on 15 September and 6 October 2015 were taken as read and signed by the Chair as correct.

106

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

107

TOPSHAM FLOOD ALLEVIATION MEASURES

The report of the Assistant Director Public Realm was submitted to consider two flood alleviation schemes in Topsham. One was for funding towards the cost of flood alleviation and protection measures for up to 120 properties in Ferry Road Topsham, north of St Margaret's Church, at particular risk from tidal flooding. The second scheme was for funding to underwrite a scheme to provide flood resilience to around 50 further properties at the lower end of Ferry Road and The Strand.

The Assistant Director Public Realm advised of the concerns raised by Scrutiny Committee – Economy with the proposals for Scheme One in relation to the 'earth bund' and that a more permanent structure should be created. The Committee had recommended that this scheme be deferred to allow further investigation work to establish the most appropriate solution.

Councillor Leadbetter supported Scrutiny Committee – Economy's recommendation and proposed that the recommendations 1 – 3 of the circulated report be deferred to enable further work to be undertaken into the most appropriate and cost effective way forward for Scheme One. Councillor Sutton seconded that motion, which was carried.

Members agreed that the Environment Agency should be invited to Scrutiny Committee – Economy to brief Members on the proposals for scheme one.

Scrutiny Committee – Economy considered the report at its meeting on 12 November 2015 and its comments were reported.

RECOMMENDED that Council approve underwriting up to £15,000 of the cost of Scheme 2: Ferry Road South, described in paragraph 8.4 of the circulated report to enable the works to be commenced during the current financial year. This amount to be conditional upon suitable guarantees from the Topsham Emergency Group being in place for the repayment of the money.

108

MARTIME COASTGUARD AGENCY AUDIT 2015

The report of the Assistant Director Public Realm was submitted to advise Members of the outcome of the recent Maritime Coastguard Agency audit of the Port of Exeter. The Port Marine Safety Code (PMSA) supported the legislation governing the operation of the Port of Exeter. Compliance was not a statutory requirement, however failure to comply would be taken into consideration should the Council be found responsible for an incident loss, damage or personal injury sustained within the port.

Scrutiny Committee – Community considered the report at its meeting on 10 November 2015 and its comments were reported.

RESOLVED that:-

- (1) the outcome of the Audit, be noted; and
- (2) compliance with the Port Marine Safety Code, be supported.

109

LEISURE COMPLEX PROGRAMME BOARD - MINUTES 26 OCTOBER 2015

The minutes of the meeting of the Leisure Complex Programme Board Minutes held on 26 October were submitted.

RESOLVED that the minutes of the Leisure Complex Programme Board Minutes held on 26 October 2015 be received and, where appropriate, adopted.

110

ADOPTION OF A NEW GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY

The report of the Assistant Director Environment was submitted setting out the City Council's proposed Gambling Act 2005 Statement of Licensing Policy. Local Authorities were required to develop and adopt a Gambling Policy in consultation with the trade and local community and to set out the authority's general approach to gambling licence applications. It was necessary to review the policy every three years and the City Council was required to review its Gambling Act 2005 Statement of Licensing Policy by 31 January 2016.

Members were advised that the policy reflected areas of deprivation in the city. In response to Members' questions he clarified that, when determining an application for a gambling premises, the Council would need to have regard to local area profiles which could include being in an area of deprivation.

Members welcomed the revised policy and that reference within the Local Area Profiles would now include areas of deprivation.

RECOMMENDED that Council adopts the revised Gambling Act 2005 Statement of Licensing.

111

RENEWAL OF THE AIR QUALITY STRATEGY

The report of the Environmental Health and Licensing Manager was submitted to advise Members of the renewal of the Air Quality Strategy and to recommend that the Strategy is adopted.

The Portfolio Holder for Health and Place stated that Scrutiny Committee – Committee had added an additional condition to ask Executive to consider the significant impact that air pollution had on public health and that greater weight was given to air quality within the planning process.

Members discussed the need to ensure that the planning process took into account the issue of the impact of air pollution.

Scrutiny Committee – Community considered the report at its meeting on 10 November 2015 and its comments were reported.

RESOLVED that:-

- (1) further consideration be given to the significant impact of air pollution on public health, and that greater weight is given to the matter of air quality and lower emissions when developing strategic and infrastructure planning policy and when carrying out development control; and

RECOMMENDED that Council:-

- (2) adopts the Air Quality Strategy 2015-2020.

112

NEW INCOME GENERATING INITIATIVES AT RAMM: DONATIONS CAMPAIGN AND TEMPORARY EXHIBITION ADMISSION CHARGES

The report of the Museums Manager and Cultural Lead was submitted which advised of two new initiatives at the Royal Albert Memorial Museum (RAMM) designed to generate income to support the museum's 'core' costs and service delivery. These proposals were made in the context of the financial challenges faced by the local authority and the service review this had driven. The first initiative related to the trial of admission charges for some temporary exhibitions. The second provided Members with information regarding a new donations campaign to encourage increased levels of individual giving.

Members supported this trial and noted that the finding would be brought back to Committee in order to see if a stepped approach to charging for some exhibitions may be developed.

Scrutiny Committee – Economy considered the report at its meeting on 12 November 2015 and its comments were reported.

RESOLVED that:-

- (1) introduction of a visitor admission charge in relation to a temporary exhibition at the RAMM with the first ticketed temporary exhibition of the International Garden Photographer of the Year which will take place 23 April – 28 August 2016, be approved;
- (2) that a follow up report be produced for Members to present the results and findings around charging for International Garden Photographer of the Year. Based on the findings of this first exercise, a stepped approach to charging for some exhibitions may be developed. At this stage it was considered likely that charges would be attached to selected and not all temporary exhibitions as detailed in paragraph 8.2 of the circulated report;
- (3) that subject to the outcome of this trial and a further report to the Scrutiny Committee - Economy, delegated authority be given to the Museums Manager and Cultural Lead, in consultation with the Portfolio Holder, to decide when an admission charge should be applied to any of the temporary exhibitions at RAMM; and
- (4) the approach to be taken for the related donations campaign, which also invites visitor's financial contribution, be noted.

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

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Part 1, Schedule 12A of the Act.

114 **CORPORATE PROPERTY ASSETS RESTRUCTURE**

The report of the Corporate Manager Property was submitted providing a final business case which examined the outcomes of the service review conducted by the Corporate Property Assets Manager in relation to the Corporate Property Assets unit. Following the group consultation with Unions and affected officers the report set out the final restructure proposals for the unit to ensure the Corporate Property Maintenance Strategy could be delivered in the most effective and efficient method.

Members were updated on the consultation feedback and the outstanding issues.

RESOLVED that:-

- (1) the final business case for the Corporate Property Assets unit restructure as set out in this report be agreed; and
- (2) the Corporate Property Assets Manager be authorised to proceed to the implementation stage, in accordance with the Council's Organisational Change Policy.

EXETER AND HEART OF DEVON GROWTH BOARD MINUTES

The minutes of the meeting of the Exeter and Heart of Devon Growth Board on 8 September 2015 were submitted.

Scrutiny Committee – Economy considered the minutes at its meeting on 12 November 2015 and its comments were reported.

RESOLVED that the minutes of the Exeter and Heart of Devon Growth Board on 8 September 2015, be noted.

(The meeting commenced at 5.30 pm and closed at 6.10 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 15 December 2015.

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EXECUTIVE

Tuesday 1 December 2015

Present:

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

Also present:

Chief Executive & Growth Director, Deputy Chief Executive, Assistant Director Finance, Assistant Director Customer Access, Assistant Director Environment, Corporate Manager Democratic and Civic Support, Corporate Manager Property, System Lead - Finance and Democratic Services Manager (Committees)

116

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

117

MEMBERS ALLOWANCES 2016/17

The report of Exeter's Independent Remuneration Panel was submitted which advised Members of its recommendations in relation to Members' Allowances for 2016/17.

Mr Phillips, Chair of the Panel, advised Members that the panel had considered the Council's allowance schemes in relation to other Councils in the region and were of the view that the allowance at Exeter City Council had fallen behind. The recommendation was for an increase of the basic allowance to £5,000 and that the Dependants' Carers' Allowance should match the Living Wage.

A Member stated that his group did not support the proposed increase in light of the staff salary increases and he would be voting against the recommendation.

RECOMMENDED to Council to agree:-

- (1) the basic structure and principles of the current Members' Allowances scheme be retained for 2016/17;
- (2) the basic allowance be increased by £425 to £5,000 per annum, and that all Special Responsibility Allowances be calculated as a multiple of this (as indicated on Appendix A to the report presented to the meeting);
- (3) the principle that any Member qualifying for more than one Special Responsibility Allowance is paid the higher allowance only, should be retained;
- (4) Travel and Subsistence allowances available for staff continue to apply to Exeter City Councillors, where appropriate;

- (5) the current Dependants' Carers' Allowance scheme be maintained and that the level of allowance should now match the Living wage currently offered to the lowest paid Exeter City Council employees of £7.85 (retaining the uplift of the standard rate of income tax, thus increasing the hourly rate to £9.42); and
- (6) the sum of £50 paid to the Independent Persons affiliated to the Audit & Governance Committee for up to four hours work, and £100 for four hours and over, payable to each of the two Independent Persons (up to a maximum of £500 per person in any one year) be retained.

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

118 **EXETER CITY COUNCIL'S LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2016/17**

The report of the Assistant Director Customer Access was submitted which sought Members' views on the local Council Tax Support (CTS) Scheme for working age residents for 2016/17. The local CTS scheme started in April 2013 and Members were required to agree the Scheme rules annually.

The Council was part of the Devon Local Government Steering Group whose view was that it was preferable to maintain the scheme for 2016/17. Officers' recommendation therefore was to maintain the Scheme as per the current year and it was highlighted that Members may wish to consider changes to the 2017/18 when the impact of Department of Communities and Local Government review of the local CTS was known. The Assistant Director Customer Access highlighted that should Members wish to make any changes to the 2016/17 Scheme, these would be subject to a full consultation with all stakeholders this would incur a cost.

RECOMMENDED that Council approves the continuation of the current 2015/16 CTS scheme for working age customers for the financial year 2016/17.

119 **OVERVIEW OF REVENUE BUDGET 2015/16**

The report of the Assistant Director Finance was submitted advising Members of the overall projected financial position of the Housing Revenue Account (HRA) and General Fund Revenue Budgets for the 2015/16 financial year after six months and to seek approval for a number of supplementary budgets.

The Assistant Director Finance referred to the underspend in the General Fund of £1,744,085 and the HRA of £1,175,246 and a supplementary budget request of £25,000, match funding with Devon County Council for weed control for the city.

In response to a Member's question, the Assistant Director Finance clarified that with regards to the transaction fees for car parking, the credit cards attracted a 1.5% fee and pay by phone was charged in pence.

Members welcomed the work that had been undertaken to achieve the level of savings as outlined in the report.

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

RECOMMENDED that Council approve the:-

- (1) General Fund forecast financial position for the 2015/16 financial year;
- (2) HRA forecast financial position for 2015/16 financial year;
- (3) additional supplementary budgets listed in Appendix C;
- (4) outstanding Sundry Debt position as at September 2015;
- (5) creditors' payments performance; and
- (6) Council Tax and Business Rates collection performance.

120

CAPITAL MONITORING STATEMENT

The report of the Assistant Director Finance was submitted to update Members on the current position in respect of the Council's revised annual capital programme and to advise Members of the anticipated level of deferred expenditure into future years.

Members were advised that the current position in respect of the Council's revised annual capital programme was £20,477 million. During the first six months of the year the council spent £4.683 million on the programme, which equated to 22.9% of the revised programme, compared with 16.3% which was spent in the first six months of 2014/15.

The Assistant Director Finance referred to the additions to the capital programme and that the funding for Strata would go to Council via a recommendation from the Strata Joint Executive Committee.

Members wished to place on record the recognition awarded to the Corporate Energy Manager and the team on their recent achievements in winning a public sector National sustainability award in respect of the solar panels in two of the city's car parks.

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

RECOMMENDED that Council notes and approves:-

- (1) the revision of the annual capital programme to reflect the reported variations set out in paragraphs 8.4 and 8.5; and
- (2) the proposed additions to the Capital Programme set out in paragraph 8.7.

121

TREASURY MANAGEMENT - HALF YEARLY REPORT 2015/16

The report of the Assistant Director Finance was submitted to update Members on the current Treasury Management performance for the 2015/16 financial year and the position regarding investments and borrowings at 30 September 2015. The report was a statutory requirement and was for information only with no key decisions required. Members were updated on the interest rate prospects, net interest position and the future position.

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

RESOLVED that the Treasury Management report in respect of the first six months of the 2015/16 be noted.

122

STAFFING WITHIN THE ELECTORAL SERVICES TEAM

The report of the Corporate Manager, Democratic & Civic Support, Electoral Registration Officer and Returning Officer was submitted setting out a proposal to increase the staff within the Electoral Services team (to replace a part time member of staff) to assist with the continually increasing workload associated with the introduction of Individual Electoral Registration (IER). Members were advised that by increasing the post to full time an additional resource within the team would be identified to specially work with the University to drive up student registration, as well as other under-represented groups.

In response to a Member's question, the Corporate Manager, Democratic & Civic Support, Electoral Registration Officer and Returning Officer clarified the canvassing process and that fixed penalty notices of £80 could now be issued to residents who refuse to register.

Members discussed the merits of issuing fixed penalty notice to residents who actively refused to register, and gave agreement in principle for this to be instigated

RECOMMENDED that Council approve the permanent increase in the establishment of the Electoral Services Team.

123

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

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

124

WASTE OPERATIVES - STAFFING

The report of the Assistant Director Environment was submitted requesting an increase in the 2016/17 revenue budget to allow for an uplift of five staff to ensure there was the optimum complement of staff to operate Waste Operation and the Materials Reclamation Facility (MRF) effectively. This increase would be partly offset by resulting reductions in agency staff use.

The Assistant Director Environment advised of the proposed change in relation to the second recommendation outlined in the report, as there was a wish to reduce the dependency on agency staffing at an early stage.

In response to a Member's question, the Assistant Director Environment clarified that the proposed budget for agency staff was £57,000.

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

RECOMMENDED that Council approve:-

- (1) the revised Waste Operations and MRF staff establishment as set out in Appendix 1;
- (2) an additional budget of £57,359; and
- (3) preparation of a business case for the deletion of the (currently vacant) post of Clinical Waste van driver to be submitted to Executive at a later date.

125

ST JAMES PARK STADIUM - REDEVELOPMENT SCHEME

The report of the Corporate Manager Property was submitted advising Members on the proposed partial re-development of St James Park Stadium to improve the current playing and spectator facilities at the stadium. The report also outlined the proposed mechanism for securing funding for the stadium.

The Leader highlighted the important and valuable work that Exeter City Football Club undertook in the local community and for young people in the city.

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

RESOLVED that:-

- (1) the current condition of the stadium be noted and the proposals for an upgrade be supported;
- (2) the opportunity to facilitate the stadium improvements as part of a wider re-development of the St James Park stadium site and adjoining land be supported; and
- (3) the proposed mechanism for delivering improvements by way of disposing of land and recycling the consideration into stadium improvements be approved.

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

126

ADDITIONAL EVENTS BUDGETS 2016/17

The report of the Assistant Director Finance was submitted to request additional funding for 2016/17 and the following two years, to enable the Council to bid for two events to be hosted in Exeter.

Members discussed the ticketing arrangements and distribution for the event detailed in paragraph 8.1.

The Leader proposed that the events detailed in paragraph 8.4 be removed from the recommendation to be reconsidered if a more equitable proposal was put forward. This was agreed by the majority of the Members.

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

RECOMMENDED that Council approves a budget for 2016/17 of £125,000 to enable the Council to bid for one event described in paragraph 8.1 to 8.3 to be held in and around the City.

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

(The meeting commenced at 5.30 pm and closed at 6.20 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 15 December 2015.

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	
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Democratic Services Manager (Committees)				Deputy Chief Executive	Assistant Director Finance	
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Councillors	Councillors	Councillors		Councillors	Councillors
George (L)	Bull (L)	Edwards (L)		Leadbetter (C)	Mrs Brock (LD)
Crew (L)	Sheldon (L)	Sutton (L)		Mottram (C)	Prowse (C)
Branston (L)	Spackman (L)	Hannaforde (L)		Baldwin (C)	Newby (C)
Williams (L)	Raybould (L)	Pearson (L)	TABLE	Shiel (C)	Holland (C)
Packham (L)	Lyons (L)	Owen (L)		Henson (C)	Thompson (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 Bialyk (L)
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L: Labour : 29
 C: Conservative : 9
 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

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